

March 12, 2012

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on March 12, 2012 at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
MIKE KOONCE, Council Representative of District 2
VERONICA ALLISON, Council Representative of District 3
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Rhonda Feurtado, Maplewood Methodist Church, followed by the reciting of the Pledge of Allegiance led by Boy Scout Troop 45.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Moss seconded by Mr. Favre that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. With no changes made, motion was made by Mr. Moss seconded by Mrs. Allison that the agenda stand as written.

The first item on the agenda is a presentation to Volunteer of the Month of March. Mayor Duncan presented a certificate to Mel Estess.

The next item on the agenda is a presentation to Armed Forces member of the Month of March. Harry Montgomery, Armed Forces member, presented a certificate to the son of Lawrence Bowers, since Mr. Bowers passed away before he could receive his certificate.

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to submit application to the TACOM LCMC US Army Donations Program to secure Combat obsolete equipment. Harry Montgomery addressed the Council and stated that this is surplus material that will be donated to the City. We have to see what's available first then we can acquire. Once equipment is acquired it will be displayed within the City. Mayor Duncan stated that the location depends on what we get and how big it is. We are looking at a few locations (i.e. Brimstone Museum or on the front lawn of the old City Hall). Motion was made by Mr. Favre seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2471, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to submit application to the TACOM LCMC US Army Donations Program to secure Combat obsolete equipment.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to submit application to the TACOM LCMC US Army Donations Program to secure Combat obsolete equipment.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is Rule to Show Cause for the condition of the following addresses:

To condemn building or structure located at 1717 Drost Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Koonce seconded by Mr. Moss that the above address be demolished. Motion carried.

To condemn building or structure located at 1121 Mildred Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Moss seconded by Mr. Koonce that the above address be demolished. Motion carried.

To condemn building or structure located at 452 North Johnson Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Favre seconded by Mr. Moss that the above address be demolished. Motion carried.

The next item on the agenda is a public hearing on ordinance authorizing lease agreement with Carl Vincent. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1071, M-C SERIES

ORDINANCE AUTHORIZING THE LEASE OF PROPERTY OF THE
CITY TO CARL VINCENT

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, in regular session convened, that:

WHEREAS, the City of Sulphur desires to lease property of the City government to Carl Vincent, in accordance with the provisions of the Home Rule Charter, Section 2-11 (11), and

WHEREAS, the property to be leased is described as set forth as follows and shown in Exhibit A attached:

THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN
SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, LOUISIANA
MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING 4.65 FEET NORTH OF THE SOUTHEAST CORNER
OF BLOCK THREE (3) OF THE J. T. HENNING SUBDIVISION, A

SUBDIVISION IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN THE RECORDS OF CALCASIEU PARISH LOUISIANA; THENCE CONTINUE NORTH ALONG THE EAST LINE OF SAID BLOCK THREE (3) FOR A DISTANCE OF 158.85 FEET; THENCE SOUTH 89°54'05" EAST FOR A DISTANCE OF 24.26 FEET TO A POINT IN A CURVE TO THE LEFT HAVING A RADIUS OF 911.55 FEET; THENCE SOUTHERLY ALONG SAID CURVE TO THE LEFT, 10.00 FEET WEST OF AND PARALLEL TO THE EXISTING BACK OF CURB OF HUNTINGTON STREET, FOR A DISTANCE OF 120.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.50 FEET; THENCE ALONG SAID CURVE TO THE RIGHT FOR A DISTANCE OF 26.90 FEET; THENCE SOUTH 68°12'47" WEST FOR A DISTANCE OF 63.50 FEET TO THE POINT OF COMMENCEMENT.

HEREIN DESCRIBED TRACT CONTAINING 0.164 ACRES, MORE OR LESS, AND SUBJECT TO WATER, SEWER AND DRAINAGE EASEMENTS (TO BE RETAINED BY THE CITY OF SULPHUR) AND SHOWN ON PLAT AND AS LOCATED BY THE CITY OF SULPHUR PUBLIC WORKS DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED that Mayor Christopher L. Duncan is hereby authorized and empowered, in accordance with the Home Rule Charter, to execute the Limited Use Lease Agreement described above for the consideration of the annual payment of one-hundred (\$100.00) Dollars, plus the additional consideration set forth in the Limited Use Lease Agreement

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a variance to the moratorium on off-premise signs. Variance would allow ESR Property, LLC to relocate

a billboard from 1200 Ruth Street to 1000 South Huntington Street. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1072, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO THE MORATORIUM
ON OFF-PREMISE SIGNS.

WHEREAS, variance would allow ESR Property, LLC to relocate a billboard from 1200 Ruth Street to 1000 South Huntington Street; and

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by ESR Property, LLC, Sulphur, LA, 70663, to-wit:

N ½ LOT 9 J T HENNING SUB LESS PARCEL

WHEREAS, improvements on the property will include a billboard to be relocated from 1200 Ruth Street to 1000 South Huntington Street with the following stipulations:

1. All signage and building permit requirements remain effective and are not waived herein.
2. Billboard must not be an LED board.

WHEREAS, said variance is valid only to property owner issued to.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF SULPHUR, LOUISIANA, IN REGULAR SESSION CONVENED THAT:

The Code of Ordinances of the City of Sulphur is hereby amended to grant a variance to ESR Property, LLC, for the following described property to-wit:

N ½ LOT 9 J T HENNING SUB LESS PARCEL

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance declaring certain surplus movable property and authorizing Mayor Christopher L. Duncan to dispose of such. Mr. Koonce stated that he would like to stock-pile all our surplus items until we could have a large auction. The City of Westlake did this and made thousands of dollars. Mayor Duncan stated that it first needed to be declared surplus. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be introduced:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE
PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE
DISPOSAL THEREOF.

Motion was then made by Mr. Koonce seconded by Mr. Moss that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of April, 2012, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to sign the contracts for the Parish Road Reconstruction Project. Motion was made by Mr. Moss seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2472, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to sign the contracts for the Parish Road Reconstruction Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to sign the contracts for the Parish Road Reconstruction Project.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution awarding low bid received for renovations to Sara Street Lift Station. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2473, M-C SERIES

Resolution awarding low bid received for renovations to Sara Street Lift Station.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for renovations to Sara Street Lift Station were opened and read aloud in an open and public bid session on Monday, March 12, 2012 at 11:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid Amount</u>
Blake D. Hines, Inc.	\$160,285.00
MPB Construction, LLC	\$178,783.00
R.D. Spell, Inc.	\$198,000.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for renovations to Sara Street Lift Station as follows, contingent upon contractor furnishing statutory certifications:

<u>Company</u>	<u>Bid Amount</u>
Blake D. Hines, Inc.	\$160,285.00

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to sign Cooperative Endeavor Agreement with the State of Louisiana for the Regional Wastewater Treatment Facility Sludge Belt Press and Conveyor System and John S. Bruce to sign all Request for Payment Forms. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2434, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the State of Louisiana for the Regional Wastewater Treatment Facility Sludge Belt Press and Conveyor System and John S. Bruce to sign all Request for Payment Forms.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the State of Louisiana for the Regional Wastewater Treatment Facility Sludge Belt Press and Conveyor System and John S. Bruce to sign all Request for Payment Forms.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution amending Resolution No. 1951, M-C Series which supported a city-wide Adopt-A-Spot program. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be tabled:

Resolution amending Resolution No. 1951, M-C Series which supported a city-wide Adopt-A-Spot program.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was tabled on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Duncan to submit said projects to the Lake Charles Urbanized Area Metropolitan Planning Organization (MPO) for the MPO 2012 “Call of Projects” to be reviewed for future inclusion into the MPO Transportation Improvement Program (TIP). Motion was made by Mrs. Allison seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2435, M-C SERIES

Resolution authorizing Mayor Duncan to submit said projects to the Lake Charles Urbanized Area Metropolitan Planning Organization (MPO) for the MPO 2012 “Call of Projects” to be reviewed for future inclusion into the MPO Transportation Improvement Program (TIP). Projects to be submitted are as follows:

1. Replace city bridges located on or adjacent to Picard Street (functionally classified roadway). Improvements may be divided into phases to accommodate funding. Bridges include those on or adjacent to Picard Street at or near the following side streets: Sara, Custer, Bryan, Pearl and Elizabeth. Total project cost estimated at \$4,020,000. Local share estimated at \$1,340,000.
2. Replace Maple Fork Bridge located on Maplewood Drive (functionally classified roadway). Total project cost is estimated at \$1,994,000 with a Local share of \$819,600.
3. Rehabilitation of Maplewood Drive and Cypress Street. Total project cost estimate at \$1,670,000. Local share of project costs is estimated as \$610,000.
4. Rehabilitation of East Burton Street from Smith Road to east corporate limits. Total project costs are estimated as \$930,000 with a local share of \$362,000.
5. Pavement Rehabilitation of the following streets:
Post Oak: East Burton to IH 10
Hazel: US 90 to IH 10
Lewis: OST to north corp limit

Patton: Ruth to east corp limits

Total project cost is estimated as \$1,460,000 with an estimated local share of \$496,000.

6. Pavement Rehabilitation of the following streets:

Prater Road: Stephanie to Maplewood Drive

Henning Drive/Weekly: Ruth Street to La 27, including Jett Street connection

Picard Street: Sara Street to US 90

Old Spanish Trail (W and E Burton): west corporate line to Smith Road

Crocker Street: Logan to US 90

Project may be divided into phases to accommodate funding availability. Total project cost is estimated at \$1,752,000. Local share of the project is estimated at \$734,400.

7. Rehabilitation of Ruth Street from the south corporate limits to its intersection with Huntington Street and Huntington Street from its intersection with Ruth Street to Burton Street. Total project cost is estimated as \$3,157,651. The local share is estimated as \$1,029,288.

8. Signal, pedestrian and turn lane improvements of various intersections on functionally classified roadways within the city limits. Project may be phased to accommodate funding. Total project costs are estimated as \$2,532,660. The local share is estimated as \$750,788.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Duncan to submit said projects to the Lake Charles Urbanized Area Metropolitan Planning Organization (MPO).

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was tabled on this 12th day of March, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a presentation on Southland Field. Mayor Duncan gave a brief presentation (see attached presentation). R.K. Levens addressed the Council and stated that he wasn't against the Chennault tax but he was upset about the revenue sharing with that tax.

With there being no further business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

3/12/12
6:25 P.M.