

April 9, 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 April 9, 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 Rev. Peggy Foreman, Wesley United Methodist Church, followed by the reciting of the Pledge of Allegiance led by Mr. Moss.

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

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Moss seconded by Mr. Favre that item #11 be removed from the agenda. Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Moss that the agenda stand as changed. Motion carried.

The first item on the agenda is a presentation to Volunteer of the Month of March. Mayor Duncan presented a certificate to Florence Granger Hoffpauir.

The next item on the agenda is a presentation to Armed Forces of the Month of April. Harry Montgomery, Armed Forces Committee, presented a certificate to Wayne

Belshe and Dick Kennison. (Later in the meeting Mayor Duncan presented a certificate to Jeff Peterson in memory of his father Oscar Peterson).

The next item on the agenda is a presentation to McNeese Cowgirl and Cowboy basketball teams. Mr. Moss presented a certificate to each player. The Cowboys participated in the Southland Conference Championship game; the Cowgirls won the Southland Conference Title and competed in the NCAA tournament.

The next item on the agenda is a presentation by Chief Coats on Bike Patrol. Chief Coats stated that the two bikes will be used at special events held in the city and in neighborhoods to catch speeders, burglars etc. If a neighborhood has habitual speeders then the bikes would be set up in that neighborhood. He suggested that residents call SPD if they want the bikes to patrol in their neighborhood. Mark Woods, SPD, gave a brief demonstration on how the bikes operate (radars, lights, sirens). Mayor Duncan stated the “bike” tickets will be treated like the LACE program set up by the District Attorney’s office.

(At this time Mr. Moss stated that he had to leave the meeting due to his father having surgery in Houston).

The next item on the agenda is a resolution authorizing an amendment to the lease with Brimstone Museum to allow for an additional building and extension of said lease. Marilyn Broussard, Brimstone Museum, addressed the Council and stated that they would like to add another building to the east side of Brimstone Museum. The metal building is currently located at 1401 East Napoleon Street. The owner (Buddy Baty) said that the building is over 100 years old. They would like to move the building next to the museum and do renovations. Mrs. Ellender asked if Brimstone had the funds to do the renovations. Mrs. Broussard stated that they do have some money and they would make the necessary

renovations. Mrs. Blanchard, Clerk, asked if anyone checked the Land Use ordinance to see if the building could be moved there. Mayor Duncan stated that stipulations could be made. Motion was made by Mr. Koonce seconded by Mr. Favre that the following stipulation be made:

- *the adoption of this resolution does not waive any Land Use requirement.*

Motion carried.

Motion was then made by Mrs. Allison seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2437, M-C SERIES

Resolution authorizing an amendment to the lease with Brimstone Museum to allow for an additional building and extension of said lease.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize an amendment to the lease agreement entered into with Brimstone Museum dated June 10, 2002 to allow for an additional building on the premises.

BE IT FURTHER RESOLVED that the adoption of this resolution does not waive any Land Use requirement.

BE IT ALSO FURTHER RESOLVED that said lease is hereby amended to provide for an extension of said lease to expire in 2112.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Moss

And the said resolution was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a discussion concerning the formation of a 100th Anniversary Celebration Planning Committee for the City of Sulphur. Mayor Duncan stated that he would like to place an item on May agenda to form a committee. He would like 12 members on this committee; 1 member from each district, 7 members at-large. He told each Councilman to find 1 person that they would want to serve on the committee.

The next item on the agenda is a resolution amending Cooperative Agreement with West Calcasieu Cameron Hospital to allow for funding in the amount of \$2,000 for the Art From the Heart Program. Mayor Duncan stated that this money will come out of his budget. Mr. Favre stated that he would have to recuse himself from voting since he is an employee at West Calcasieu Cameron Hospital. Motion was made by Mr. Koonce seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2438, M-C SERIES

Resolution amending the Cooperative Endeavor Agreement with West Calcasieu Cameron Hospital to allow for funding in the amount of \$2,000 for the Art From the Heart Program.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend the Cooperative Endeavor Agreement between the City of Sulphur and West Calcasieu Cameron Hospital to allow for funding in the amount of \$2,000 for the Art From the Heart Program.

BE IT ALSO FURTHER RESOLVED that said agreement is hereby amended to provide for an extension to include fiscal year 2011-2012.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Moss

RECUSE: Mr. Favre

And the said resolution was declared duly adopted on this 9th day of April, 2012.
ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance declaring certain surplus movable property and authorizing Mayor Christopher L. Duncan to dispose of such. Motion was made by Mr. Koonce seconded by Mrs. Allison that the following amendment be made:

- add words “**or auctioned**”

Motion carried.

Motion was then made by Mr. Koonce seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1073, M-C SERIES

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

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, and in accordance with LA. R.S. 33:4712, that the following described surplus movable property of the City of Sulphur, not needed for public purposes, after having been duly advertised be declared surplus:

Ford Tractor 1100 (Unit #55)
Model # 195A9063
Engine # LEK752C206174
Serial # U-129661

****No value is placed on this movable (will be sold for scrap or auctioned)**

Mower, N3B27 Caroni Italy CN

****No value is placed on this movable (will be sold for scrap or auctioned)**

Ingersoll- Rand Air Compressor (Unit #88)
Model # D175
Engine # 5033-7201
Serial # 84616-U75-313

****No value is placed on this movable (will be sold for scrap or auctioned)**

Carrier Cooling Unit

Model # 50-AW-030-D-511AA

Serial # 3205403190

****No value is placed on this movable (will be sold for scrap or auctioned)**

BE IT FURTHER ORDAINED that Mayor Christopher L. Duncan is authorized to dispose of the afore-mentioned surplus movable property and to sign all documents in connection therewith.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Moss

And the said ordinance was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone from Residential District to Mixed Residential District to Gary and Elaine Hickson, 440 Phillips Street, to allow for daughter to move manufactured home on lot. Motion was made by Mr. Koonce seconded by Mrs. Allison to vote on the following ordinance:

ORDINANCE GRANTING A REZONE TO GARY AND ELAINE HICKSON,
440 PHILLIPS STREET, FROM RESIDENTIAL DISTRICT TO MIXED
RESIDENTIAL DISTRICT.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential District to Mixed Residential District is owned by Gary and Elaine Hickson, 440 Phillips Street, to-wit:

E ½ OF LOTS 7, 8 BLK 1 FELICIAN PICARD ADD.

WHEREAS, improvements on the property will include a manufactured home.

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

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a re-zone from Residential District to Mixed Residential District to Gary and Elaine Hickson for the following described property to wit:

E ½ OF LOTS 7, 8 BLK 1 FELICIAN PICARD ADD.

This re-zone is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said re-zone 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 re-zone, 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.

That the owner of this re-zone shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this re-zone.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this re-zone shall be withdrawn and considered null and void.

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

A vote was then called with the results as follows:

YEAS: None

NAYS: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Favre

ABSENT: Mr. Moss

And the said ordinance failed on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance amending Ordinance No. 838, M-C Series to provide for an increase in charge for reconnection of water service.

Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be introduced:

AN ORDINANCE AMENDING ORDINANCE NO. 838, M-C SERIES, WHICH SET FORTH PROCEDURE FOR RATES OR CHARGES FOR WATER, SEWER, AND GARBAGE SERVICES, BILLS MONTHLY, DELINQUENCY, AND CUTTING OFF AND RECONNECTION CHARGE FOR UTILITY CUSTOMERS INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SULPHUR.

Motion was then made by Mr. Favre seconded by Mrs. Allison 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 AMENDING ORDINANCE NO. 838, M-C SERIES, WHICH SET FORTH PROCEDURE FOR RATES OR CHARGES FOR WATER, SEWER, AND GARBAGE SERVICES, BILLS MONTHLY, DELINQUENCY, AND CUTTING OFF AND RECONNECTION CHARGE FOR UTILITY CUSTOMERS INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SULPHUR.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of May, 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 appointing a member to the Armed Forces Committee to fill the unexpired term of Scott Daugherty. Motion was made by Mr. Koonce seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2439, M-C SERIES

Resolution appointing Ed Holmes to the Armed Forces Committee to fill the unexpired term of Scott Daugherty.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Ed Holmes to the Armed Forces Committee to fill the unexpired term of Scott Daugherty; term to expire June 8, 2013.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Moss

And the said resolution was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution appointing a member to the Armed Forces Committee to fill the unexpired term of Johnny Bergeron. Motion was made by Mr. Koonce seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2440, M-C SERIES

Resolution appointing Lucky Young to the Armed Forces Committee to fill the unexpired term of Johnny Bergeron.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Lucky Young to the Armed Forces Committee to fill the unexpired term of Johnny Bergeron; term to expire June 8, 2013.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for 6 month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2441, M-C SERIES

Resolution authorizing advertisement for bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement for bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City, said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department.

BE IT FURTHER RESOLVED that the advertisement of bids will be in "The Southwest Daily News, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City will be received by the Clerk of the Council until 10:00 a.m. on the 2nd day of May, 2012, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 14th day of May, 2012, at 5:30 p.m. proceed to award the bid to the lowest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law.

CITY OF SULPHUR, LOUISIANA

BY _____

DRU ELLENDER, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on the 14th day of May, 2012, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Moss

And the said resolution was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution awarding low bid received for Ultra Violet Auxiliary Flow Pump Station. Motion was made by Mr. Favre seconded by Mr.

Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2442, M-C SERIES

Resolution awarding low bid received for Ultra Violet Auxiliary Flow Pump Station.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Ultra Violet Auxiliary Flow Pump Station were opened and read aloud in an open and public bid session on Tuesday, March 27, 2012 at 11:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid Amount</u>
R. Cloud Construction Co., Inc.	\$64,028.00
J.S. Haren Company	\$79,000.00
Blake D. Hines, Inc.	\$84,115.00
R.D. Spell, Inc.	\$132,918.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Ultra Violet Auxiliary Flow Pump Station as follows:

<u>Company</u>	<u>Bid Amount</u>
R. Cloud Construction Co., Inc.	\$64,028.00

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

NAYS: None

ABSENT: Mr. Moss

And the said resolution was declared duly adopted on this 9th day of April, 2012.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an update on City's Sewer System Evaluation Survey. Mr. Bruce, Public Works Director, stated that this is an in-house inspections program. There is \$300,000 budgeted in Capital Improvements. There are on-going negotiations with a consultant for this. The intent is to identify locations of leaks and prioritize them for repairs. The goal is to prevent rainwater/storm water from entering into the collection system. This will improve performance of system and reduce maintenance cost and electrical/chemical demands.

The first phase of the program will cover approximately 150,000 feet of sewer line (i.e. 30 miles). Public Notices will be given when the program will start. In addition to internal inspections they will be doing rainfall monitors, flow monitors, flooding of the system and closed circuit television inspections of select mains. When this phase is finished a list of defects on private property for sewer service lines, as well as in City right-of-ways will be done. Plans on issuing authorization to start soon.

The next item on the agenda is an executive session to discuss Firefighter's Lawsuit.

Sulphur Professional : 14th Judicial District Court

Firefighters Association its
President, Robert Brankline,
Justin Adams, Tammy Bellard,
Joshua Benoit, Wendell Benoit,
Keith Berry, Brandon Blalock,
Daryl Bormann, Randy Buller,
Ricky Buller, Daniel Burnett,
Shannon Clark, Joshua Clement,
Trey Daugereaux, Justin D. Davis,
Paul Deshotels, Doug Doucet,
Ray Doucett, Ronny Doucett,
Jolene Doucette, John Drost,
Lucas Duplechin, Danny Dupre,
Derek Dupre, Rocky Dupre,
Blake Fabacher, Brandon Felice,
Kenneth Ferguson (Nick), Matt Frey,
Raymond Gaudet, Aaron George,
Wasey A. Granger, Debbie Guidry,
Johnny Hardy, Terry Harvey,
Jacob Hebert, Ray Kahlthau,
Ken Kurten, Bob Landry,
Randy Paul Leach, Blaine Manuel,
Kevin Manuel, Mark McClelland,
Bobby J. McCormic, Brad McKelvy,
Jarred Miller, John Naquin,
Shane Nix, Joshua K. Norwood,
Jason O'Conner, Chad Owen,
Chris Prazak, Mitchell Rausch,
Mark Rozas, Cody A. Richard,
David Richard, Aaron Savoie,
Robert Schexneider, Daniel Selph,
Eldon Smith, Chris Vice,
Kevin White, Robert T. White,
Richard Wingard

VS. 2008-4400 : Parish of Calcasieu
Division "B"

City of Sulphur : State of Louisiana

Motion was made by Mr. Koonce seconded by Mrs. Allison that they go into executive session. Motion carried. (6:50 p.m.)

Motion was then made by Mr. Favre seconded by Mr. Koonce that the meeting be reconvened. Motion carried. (7:05 p.m.)

The next item on the agenda is Public to Address Council. Rodney Stevens and Joe Richardson, Lynn Lane, addressed the Council and stated they were concerned about Gravity Drainage piping the Gist Drainage Ditch behind their subdivision.

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

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

4/9/12
7:15 P.M.