

September 10, 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 September 10, 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 Vincent Guidry, Open Door Church, followed by the reciting of the Pledge of Allegiance led by Mr. Koonce.

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. Motion was made by Mr. Moss seconded by Mr. Koonce that item 3A be added to the agenda.

- 3A. Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Maplewood First Baptist Church (Hurricane Isaac Relief).

Mayor Duncan stated that this item was being added due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

And the above item was added to the agenda on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Moss seconded by Mr. Favre that item 3B be added to the agenda.

- 3B. Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with The Crossroads Church of Belle Chasse (Hurricane Isaac Relief).

Mayor Duncan stated that this item was being added due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

NAYS: None

ABSENT: None

And the above item was added to the agenda on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Moss seconded by Mr. Koonce that item 3C be added to the agenda:

- 3C. Introduction of ordinance amending budget for fiscal year 2012-2013 (Hurricane Isaac Relief Effort).

Mayor Duncan stated that this item was being added due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

NAYS: None

ABSENT: None

And the above item was added to the agenda on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Moss seconded by Mr. Favre that item #25 be moved to #15A. Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Favre that item #15 be moved to #15B. Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Favre that item #28 be removed. Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Moss that item #12 be removed. Motion carried.

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

The first item on the agenda is a presentation to Volunteer of the Month of August. Mayor Duncan presented a certificate to the Sulphur High School Key Club.

The next item on the agenda is a presentation by Armed Forces Committee. Harry Montgomery, Armed Forces Committee, presented a certificate to Houston Fruge.

The next item on the agenda is the Political Action Committee to speak on 1.5 millage tax renewal for Burton Coliseum, LSU Ag Center and West Calcasieu Arena. George Vincent addressed the Council and stated that this will be on the November 6<sup>th</sup> ballot. It's a 1 ½ millage renewal. It will go towards the Burton Coliseum, LSU Ag Center and the West Calcasieu Community Center. The West Calcasieu Community Center will receive approximately \$225,000 compared to \$100,000 from the last renewal. Brian Beam addressed the Council and stated that this is a parish wide tax. It raises \$2.3 million per year.

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Maplewood First Baptist Church (Hurricane Isaac Relief). Mayor Duncan stated that these items on the agenda concerning Hurricane Isaac relief are required by the Legislative Auditor. Maplewood First Baptist Church will be taking supplies to The Crossroads in Plaquemine Parish. Ronnie Burke, Pastor with Maplewood First Baptist Church, addressed the Council and stated that a group of people that are trained for disaster relief are in Plaquemine Parish right now. The residence are cut off from the outside world from all the destruction. A helicopter will be bringing people food. In some areas of the parish the water rose above the rooftops in 20 minutes. There are houses that floated into the roadways. There are a minimum number of people there right now because of all the destruction. Between the City of Sulphur and various entities they have collected \$5,000-\$6,000 worth of food products. They also collected a lot of clothes and other items which will be brought later when the residence can go back to their homes. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2490, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Maplewood First Baptist Church for Hurricane Isaac Relief.

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 Maplewood First Baptist Church for Hurricane Isaac Relief.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with The Crossroads Church of Belle Chasse (Hurricane Isaac Relief). Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2491, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with The Crossroads Church of Belle Chasse for Hurricane Isaac Relief.

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 Crossroads Church of Belle Chasse for Hurricane Isaac Relief.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is an introduction of ordinance amending budget for fiscal year 2012-2013 (Hurricane Isaac Relief). Mayor Duncan stated that this money will be used to buy local supplies and send them to Plaquemine Parish. Motion was then made by Mr. Moss seconded by Mr. Favre that the following ordinance be introduced:

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET OF THE CITY OF SULPHUR, LOUISIANA FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

Motion was then made by Mr. Moss seconded by Mr. Favre 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 AND RE-ADOPTING THE GENERAL FUND BUDGET OF THE CITY OF SULPHUR, LOUISIANA FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

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

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

VERONICA ALLISON, Chairman

Motion carried.

The next item on the agenda is a public hearing on ordinance granting the subdividing of lots and the rezone from Residential to Commercial to DJM Property, LLC, 1907 Ruth Street.

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

**ORDINANCE NO. 1092, M-C SERIES**

ORDINANCE GRANTING THE SUBDIVIDING OF A CERTAIN LOT AND A REZONE FROM RESIDENTIAL TO COMMERCIAL TO DJM PROPERTY, LLC, LOCATED AT 1907 RUTH STREET.

WHEREAS, DJM PROPERTY, LLC, has submitted an application for the subdividing and rezone of lot located at 1907 Ruth Street, which action shall be taken by the Land Use Commission and City Council of the City of Sulphur in accordance with Article III, Part 1, Section 1 (6) (e) of the Land Use Ordinance and Chapter 18-24 (j) (4) of the Code of Ordinances for the following described property:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 OF NW/4) OF SECTION THREE (3), TOWNSHIP TEN (10) SOUTH, RANGE TEN (10) WEST, CALCASIEU PARISH, LOUISIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF RUTH STREET AND THE SOUTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, THENCE NORTH 89° 27' 44" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 250.00 FEET TO A SET "X" SCRIBE MARKING THE SOUTHWEST CORNER OF A TRACT OF LAND NOW ON FORMERLY OWNED BY CCR LUBES LC THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT:

THENCE, CONTINUING ALONG SAID SOUTH LINE, NORTH 89° 27' 44" WEST FOR A DISTANCE OF 410.70 FEET TO A ½ INCH PIPE MARKING THE SOUTHEAST CORNER OF LOT 6 OF THE MES. LELIA NAVARRE SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 136, RECORDS OF CALCASIEU PARISH, LOUISIANA;

THENCE NORTH 00° 09' 28" EAST FOR A DISTANCE OF 104.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 6 FROM WHICH POINT A ¾ INCH PIPE BEARS NORTH 00° 09' 28" EAST A DISTANCE OF 1.39 FEET; THENCE NORTH 89° 27' 44" WEST, ALONG THE NORTH LINE OF SAID MRS. LELIA NAVARRE SUBDIVISION, FOR A DISTANCE 221.42 FEET TO A SET 5/8 INCH REBAR

THENCE NORTH 00° 30' 45" EAST, PARALLEL TO THE AFORESAID WEST LINE OF RUTH STREET, FOR A DISTANCE OF 195.70 FEET TO A SET 5/8 INCH REBAR IN THE SOUTH LINE OF LOT 12 OF SOUTH PARK SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 111, RECORDS OF CALCASIEU PARISH, LOUISIANA

THENCE SOUTH 89° 27' 44" EAST, ALONG SOUTH LINE OF SAID SOUTH PARK SUBDIVISION, FOR A DISTANCE OF 882.81 FEET TO A SET 5/8 INCH REBAR IN SAID WEST RIGHT-OF-WAY LINE OF RUTH STREET.

THENCE SOUTH 00° 30' 45" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE OF RUTH STREET FOR A DISTANCE OF 210.00 FEET TO AN EXISTING ½ INCH PIPE;

THENCE SOUTH 89° 27' 44" EAST, PARALLEL TO THE AFORESAID SOUTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 10 WEST, FOR A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF THE AFORESAID

CCR LUBES LC TRACT FROM WHICH A 5/8 INCH REBAR BEARS  
SOUTH 00° 30' 45" WEST A DISTANCE OF 0.60 FEET;  
THENCE SOUTH 00° 30' 45" WEST, PARALLEL TO THE AFORESAID  
WEST RIGHT-OF-WAY LINE OF RUTH STREET, FOR A DISTANCE OF  
90.00 FEET TO THE POINT OF BEGINNING.  
HEREIN DESCRIBED TRACT CONTAINING 219,214.28 SQUARE FEET OR  
5.03 ACRES, SUBJECT TO ANY EASEMENTS, SERVITUDES AND/OR  
RIGHT-OF-WAY OF RECORD OR BY USE.

WHEREAS, said subdivision/rezone shall include the following stipulations:

1. privacy fence along west property line
2. Maintain 6' wide buffer yard along west property lines
3. Develop a drainage plan and have it approved as part of the Building Permit process at the time of Permit application.
4. Process operations shall not have an adverse, off-site, discernable noise impact.
5. Containers for solid waste shall be located no closer than fifteen feet to an adjacent residential land use property line and screened with a 6' tall, gated, masonry or lumber fence.
6. Permitted Uses shall exclude kennels, hotels and motels, institutions, bars and entertainment (establishment whose gross receipts for the sale of alcoholic beverages constitutes 50% or more of their overall gross receipts) or recreational facilities as listed in Article IV, Part 3, Section 5 (2).
7. All outside lighting and signage shall be shielded and/or directed to ensure that light does not shine directly into or onto any adjacent residentially used land. No signage, other than façade signage, shall be placed on Navarre Street frontage.
8. The use shall not involve the use of hazardous or toxic chemicals within 1,000 feet of a residential land use.
9. Exterior, mounted, paging or communication devices shall not be used. Any exterior, electronic speakers shall have no discernable, audible impact on adjacent residentially used land.
10. Access drives for commercial vehicles, located on Navarre Street shall be located no further west of the east property line than 150 feet. Said distance is approximately 500 feet west of the centerline of Ruth Street.
11. The plat shall be amended to include any development restrictions imposed by Gravity Drainage District No. 5, Ward 4, Calcasieu Parish.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant the subdividing and rezone of a certain lot located at 1907 Ruth Street submitted by DJM Property, LLC.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a public hearing on ordinance granting the subdividing of lots to John Ricky Ketchum, 710 Live Oak Street. Mrs. Ellender asked Mr. Ketchum why did he want to put this lot in the very corner of the big lot and why so close to the road. This home will not be in line with the two houses on the north and south side of this lot. Mr. Ketchum stated that he could move the home further to the east but he couldn't go too far east because he would then have a drainage problem. Mrs. Ellender stated that she doesn't like where the lot will be located. Mr. Moss suggested that this item be tabled so Mr. Ketchum could amend his plat map.

Mr. Koonce stated that the application says a home will go here rather than a mobile home. He also asked if Mr. Ketchum could put more mobile homes later if he wanted to. Mr. Bruce stated that he would have to go through this same procedure. He would have to subdivide another 6,000 sq. ft. lot.

Mrs. Ellender suggested that the east property line should go back another 50 feet so the mobile home could line up with the two homes on the side of this lot. Mr. Ketchum stated that this will be rental property. After discussion, motion was made by Mrs. Ellender seconded by Mr. Favre that the following item be tabled until the October City Council meeting:

ORDINANCE GRANTING THE SUBDIVIDING OF A CERTAIN LOT LOCATED  
AT 710 LIVE OAK.

Motion carried.

The next item on the agenda is a public hearing on ordinance granting the subdividing of lots to Carl Hardy, property east of 1033 Invader Street. Motion was made by Mr. Moss seconded by Mr. Favre that the following stipulation be removed from the ordinance:

2. Property owner shall meet all building setbacks and shall not be granted any variances for said property.

Mr. Koonce stated that the neighbors were alright with this subdivision with #2 stipulation in the ordinance. He doesn't feel it's right that the neighbors aren't aware that #2 will not be in the ordinance. Mr. Moss stated that the Council can't refuse a variance application from anyone. The City has to accept all applications turned in. The Land Use and Council doesn't have to vote for them but the City does have to accept them. Mitch Redd, City Attorney, concurred with Mr. Moss. Mr. Koonce stated that the neighbors wanted #2 in the ordinance as a guarantee and it would ease their minds. Mr. Koonce stated that he thought the Council should table this until he could speak with the neighbors. Mr. Koonce then asked Mr. Hardy if he planned on coming back before the Land Use and Council for any variances. Mr. Hardy stated that even though he was the one that suggested putting this amendment in the ordinance he then spoke to other people that told him this stipulation was not legal. Mr. Koonce asked Mr. Hardy if he was in a hurry for this subdivision. Mr. Hardy stated yes he was because he wanted to start construction right away.

A vote was then called on the above motion to remove item #2 stipulation from the ordinance:

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

NAYS: Mr. Koonce

ABSENT: None

And the said amendment was declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Koonce to table this item until September City Council meeting. Motion died for lack of second.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

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

ORDINANCE NO. 1093, M-C SERIES

ORDINANCE GRANTING THE SUBDIVIDING OF A CERTAIN LOT LOCATED  
AT THE EAST END OF INVADER STREET.

WHEREAS, Carl Hardy has submitted an application for the subdividing of lot located at the east end of Invader Street which action shall be taken by the Land Use Commission and City Council of the City of Sulphur in accordance with Article III, Part 1, Section 1 (6) (e) of the Land Use Ordinance and Chapter 18-24 (j) (4) of the Code of Ordinances for the following described property:

LOT FOURTEEN (14) LESS THE EAST FIFTY-FIVE FEET (55'), BLOCK ONE (1), STARLIN SUBDIVISION NO. 2, A SUBDIVISION IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 10 WEST, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 77, CALCASIEU PARISH RECORDS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant the subdividing of a certain lot located at the end of Invader Street submitted by Carl Hardy with the following stipulation:

1. Develop a drainage plan and have it approved as part of the Development Permit process at the time of Permit application.

This ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: Mr. Koonce  
ABSENT: None

And the said ordinance was declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is an introduction of ordinance granting a variance to Winslow Field, Jr., 211 Canal Street to allow for 16 (or less) chickens. Harry Carruth, Animal Control, addressed the Council and stated that they were working on another case when they saw this property had chickens. Mrs. Field stated that she received letters from her neighbors stating they didn't have a problem with the chickens. Mrs. Ellender stated that the last variance we gave for chickens we limited them to only allowing 11 chickens. Mrs. Field stated that once the chickens quit laying eggs they will not be replaced. I will then only keep 11 chickens. Mr. Koonce stated that he did not vote for the last variance for chickens so he would not be voting for this one. Motion was then made by Mrs. Ellender seconded by Mr. Favre that the following ordinance be introduced:

AN ORDINANCE GRANTING A VARIANCE TO CHAPTER 4, SECTION 6  
OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR,  
LOUISIANA, TO WINSLOW FIELD, JR., 211 CANAL STREET, SULPHUR,  
LOUISIANA, TO EXEMPT CERTAIN PROPERTY.

Motion was then made by Mrs. Ellender seconded by Mr. Favre 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 GRANTING A VARIANCE TO CHAPTER 4, SECTION 6 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA, TO WINSLOW FIELD, JR., 211 CANAL STREET, SULPHUR, LOUISIANA, TO EXEMPT CERTAIN PROPERTY.

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

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_  
VERONICA ALLISON, Chairman

A vote was then called with the results as follows:

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

NAYS: Mr. Koonce

ABSENT: None

And the said ordinance was declared introduced on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is an introduction of ordinance accepting donation of property from Kevin Downs. Mr. Bruce stated that the fence will be constructed on the east side of Roselawn Cemetery. The fence may not go the full length of the property. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

ORDINANCE AUTHORIZING ACQUISITION OF REAL PROPERTY  
BY ACT OF DONATION.

Motion was then made by Mr. Favre 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:

**ORDINANCE AUTHORIZING ACQUISITION OF REAL PROPERTY  
BY ACT OF DONATION.**

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

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

VERONICA ALLISON, Chairman

Motion carried.

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

525 Invader - To condemn building or structure located at 525 Invader Street, in accordance with Article IX, Section 5-286 through 5-296. Keith Shetley, owner, addressed the Council and stated that he was the owner of the property but not the trailer. Tina Matte was the owner of the trailer and she sold it back in December. They stripped all the copper wire out of the trailer and cut the axles and tires off. He stated that he called the Sulphur Police and the owners told the Police that they were working on it. He then called the Permit office and they told him that the owners did not get a permit to do repairs. The trailer is not worth anything now. He doesn't feel it's his responsibility to demolish or remove this trailer when he doesn't own it.

The Police could have stopped them when they went to visit them. The Permit Department did issue them a \$500 ticket. He asked the Council why did he have to move the trailer when the City knows who these people are and where they live?

Mitch Redd, City Attorney, stated that it is the property owner's responsibility what they allow on their property. Mr. Koonce stated that this was rental property. Mr. Shetley made money off this trailer. Having rental property, you will take some bumps and bruises along the way. Mr. Moss stated that in the lease agreement Mr. Shetley should have a right of recourse. That way he would be more protected. After discussion, motion was made by Mrs. Ellender seconded by Mr. Koonce that 525 Invader be demolished.

Motion carried.

506 Alabama – to condemn building or structure located at 506 Alabama Street, in accordance with Article IX, Section 5-286 through 5-296. Mayor Duncan stated that this house has been destroyed since Hurricane Rita. Everyone involved with this house has been legally served. Motion was made by Mr. Favre seconded by Mr. Koonce that 506 Alabama be demolished.

Motion carried.

308 Bryan Street – to condemn building or structure located at 308 Bryan Street, in accordance with Article IX, Section 5-286 through 5-296. Mrs. VanderHey, Ordinance Enforcement, stated that this home is full of debris and there are holes in the roof. Motion was made by Mr. Favre seconded by Mr. Moss that 308 Bryan be demolished.

Motion carried.

The next item on the agenda is a public hearing on ordinance amending budget for fiscal year ending 2012 for 3 new police officers. Motion was made by Mr. Moss seconded by Mr.

Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1094, M-C SERIES

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013 (AMENDMENT TO POLICE DEPARTMENT MANNING CHART).

BE IT ORDAINED by the City of Sulphur, Louisiana, through its governing body, the City Council of the City of Sulphur, Louisiana, as follows:

SECTION 1. That the General Fund Budget of the City of Sulphur, Louisiana, for the fiscal year ending June 30, 2013, heretofore adopted by the City Council, be and the same is hereby amended and re-adopted in accordance with “Exhibit A” attached hereto and made a part hereof.

SECTION 2. All ordinances and resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon approval by the Mayor.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Christopher L. Duncan to sign a right of way agreement with Denbury Pipeline. Motion was made by Mr.

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



ORDINANCE NO. 1095, M-C SERIES

AN ORDINANCE AUTHORIZING GRANTING OF A RIGHT OF WAY TO  
DENBURY GULF COAST PIPELINES, LCC

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 grant a right of way over property of the City government to Denbury Gulf Coast Pipelines, LLC;

WHEREAS the property to be subjected to the right of way is described as set forth and shown on Exhibit A, attached hereto.

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 Pipeline Right of Way Grant described above for the consideration of the payment of ten (\$10.00) Dollars, plus other good and valuable consideration.

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution appointing a member to the Sulphur Housing Authority Board of Commissioners. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2492, M-C SERIES

Resolution appointing a member to the Sulphur Housing Authority Board of Commissioners.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Fedra Williams to the Housing Authority Board of Commissioners with term to expire November, 2017.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution accepting resignation from Larry Reagan, Assistant City Attorney. Mr. Koonce asked if the District Attorney's office will give us someone to replace Mr. Reagan. Mayor Duncan stated that the City Prosecutor, Jennifer Page, said that a replacement is not needed. Motion was then made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2493, M-C SERIES

Resolution accepting the resignation of Larry Reagan, Assistant City Attorney.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the resignation of Larry Reagan, Assistant City Attorney.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for the Public Works Maintenance Building Renovation Project. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2494, M-C SERIES

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CALCASIEU PARISH POLICE JURY AND THE CITY OF SULPHUR FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)—DISASTER RECOVERY PROGRAM.

WHEREAS, the Gustav/Ike Disaster Recovery Program for CDBG Infrastructure Improvements will be administered through the Calcasieu Parish Police Jury and it is necessary for the City of Sulphur to enter into a Cooperative Endeavor Agreement (CEA) with the Police Jury to provide for the expenditure of funds through the CDBG-DR for Infrastructure Improvements within the City.

NOW, THEREFORE, BE IT RESOLVED, that Christopher Duncan, Mayor, is hereby authorized to enter into a Cooperative Endeavor Agreement with Calcasieu Parish Police Jury related to Infrastructure Improvements to be funded through the Gustav/Ike CDBG Disaster Recovery 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 declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for improvements to the Public Works Maintenance building. Motion was made by Mr. Koonce seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2495, M-C SERIES

Resolution authorizing the advertisement of bids for improvements to the Public Works Maintenance building.

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 improvements to the Public Works Maintenance Building, said bids to be in accordance with the quantities and specifications on file with Curtis Vincent Architect.

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 improvements to the Public Works Maintenance building will be received by the Clerk of the Council until 10:00 a.m. on the 9th day of October, 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 Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 9<sup>th</sup> day of October, 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 \_\_\_\_\_  
VERONICA ALLISON, 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 9th day of October, 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, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Signalization of Ruth/Huntington and Tamarack Street intersection. Mr. Koonce stated that they may need to look at Navarre Street once Recon and Reed's Metal opens. Recon will have 125 employees that will be getting off work between 4:00-5:00 and that will create a lot of traffic congestion. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2496, M-C SERIES

Resolution authorizing the advertisement of bids for Signalization of Ruth/Huntington and Tamarack Street intersection.

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 Signalization of Ruth/Huntington and Tamarack Street intersection, said bids to be in accordance with the quantities and specifications on file with Alliance Transportation Group Inc., 751 Bayou Pines East, Suite M, Lake Charles, LA 70601.

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 Signalization of Ruth/Huntington and Tamarack Street Improvements will be received by the Clerk of the Council until 9:30 a.m. on the 9th day of October, 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 Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 9<sup>th</sup> day of October, 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. Bid specifications can be obtained through the office of Alliance Transportation Group Inc. 751 Bayou Pines East, Suite M, Lake Charles, LA 70601. Please call J.D. Allen at 337-310-7020 for an appointment.

CITY OF SULPHUR, LOUISIANA

BY \_\_\_\_\_  
VERONICA ALLISON, 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 9th day of October, 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, Mr. Moss  
NAYS: None  
ABSENT: None

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution encouraging the Calcasieu Parish School Board to address the traffic congestion in various school zones. Mayor Duncan stated that the School Board may need to address Out of Zone students. These students are usually picked up at school which creates a lot of traffic. Motion was made by Mr. Koonce seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2497, M-C SERIES

Resolution encouraging the Calcasieu Parish School Board to address the traffic congestion in various school zones.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby encourage the Calcasieu Parish School Board to address the traffic congestion in various school zones and inform the City of Sulphur of the plan that will be initiated to alleviate the problem.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing publication of notice describing geographic limits of the City of Sulphur, Louisiana. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2498, M-C SERIES

A RESOLUTION AUTHORIZING PUBLICATION OF NOTICE  
DESCRIBING THE GEOGRAPHIC LIMITS OF THE CITY OF  
SULPHUR, LOUISIANA

BE IT RESOLVED by the City Council, acting as the governing authority of the City of Sulphur, Louisiana, as follows:

SECTION 1. Any and all ordinances of designating boundaries and territorial limits, including ordinances of annexation, of the City of Sulphur, Louisiana, be and the same are hereby ratified, approved and confirmed.

SECTION 2. That the Chairman and Clerk of the Council are empowered, authorized and requested to cause to be published a public notice describing the geographic limits of the City of Sulphur, Louisiana, said publication to be made in the *Southwest Daily News* in the same edition as the Notice to Voters is published, pertaining to the special sales tax election authorized for the City of Sulphur, Louisiana, by resolution adopted this date.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution ordering and calling a special election to be held in the City of Sulphur, Louisiana, on April 6, 2013 for the renewal of two (2) 5 mill property taxes. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2499, M-C SERIES

A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF SULPHUR, LOUISIANA, ON APRIL 6, 2013, AUTHORIZING RENEWAL OF A SPECIAL TAX OF FIVE (5) MILLS FOR PURCHASING AND MAINTAINING EQUIPMENT, ENLARGING, IMPROVING AND MAINTAINING FIRE DEPARTMENT FACILITIES, AND SALARIES FOR MAINTENANCE AND OPERATION OF THE DEPARTMENT, AND RENEWAL OF A SPECIAL TAX OF FIVE (5) MILLS FOR IMPROVING AND MAINTAINING STREETS WITHIN THE CITY OF SULPHUR, LOUISIANA; MAKING APPLICATION TO THE STATE BOND COMMISSION AND UNITED STATES ATTORNEY GENERAL IN CONNECTION THEREWITH.

WHEREAS, the governing authority of the City of Sulphur, Louisiana, deems it necessary and desirable that the electorate of the City consider, at an election called for such purpose, a proposition authorizing renewal of a special ad valorem tax of five (5) mills for a period of ten (10) years beginning January 1, 2015, upon all taxable property within the City for the purpose of purchasing additional equipment for, and enlarging and improving the present facilities of the Fire Department of the City of Sulphur, Louisiana, for maintenance of said equipment, improvements and facilities, and for salaries for the maintenance and operation of the Fire Department; and

WHEREAS, the governing authority of the City of Sulphur, Louisiana, deems it necessary and desirable that the electorate of the City consider, at an election called for such purpose, a proposition authorizing renewal of a special ad valorem tax of five (5) mills for a period of ten (10) years beginning January 1, 2015, upon all taxable property within the City for the purpose of graveling, shelling, hard-surfacing, installation of culverts and drains, and otherwise improving the streets of the City of Sulphur, and for maintenance thereof; and



WHEREAS, authority for the imposition of the special ad valorem taxes within the City for such purpose is granted by Article VI, Sections 27 and 30 of the Constitution of 1974 of the State of Louisiana, and Subpart B of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:2801, *et seq.*), provided the levy of such taxes is first authorized by a majority of the qualified electors of the City voting on the propositions at an election held for such purpose; and

WHEREAS, the City Council of the City of Sulphur, Louisiana, desires to provide for the holding of an election at which the propositions of imposition of the special ad valorem taxes may be submitted;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana:

SECTION 1. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 27 and 30 of the Constitution of 1974 of the State of Louisiana, and Subpart B of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:2801, *et seq.*), and other constitutional and statutory authority supplemental thereto, a special election be and is hereby called and ordered to be held in the City of Sulphur, Louisiana, on **Saturday, the 6<sup>th</sup> day of April, 2013**, between the hours of six (6:00) o'clock a.m. and eight (8:00) o'clock p.m., in compliance with the provisions of Section 1181 of Title 18 and of Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and that at said special election there be submitted to all qualified electors of the City entitled and qualified to vote at said election under the Constitution and laws of the United States, the following propositions:

MILLAGE RENEWAL PROPOSITION NO. 1

SUMMARY: RENEWAL OF A 5 MILL PROPERTY TAX FOR TEN (10) YEARS BEGINNING WITH AND INCLUDING 2015, WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$587,221 FOR ONE ENTIRE YEAR, FOR PURCHASING AND MAINTAINING EQUIPMENT, ENLARGING, IMPROVING AND MAINTAINING FIRE DEPARTMENT FACILITIES, AND SALARIES.

Shall the City of Sulphur, Louisiana, levy and collect each year for a period of ten (10) years on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana, a special tax of five (5) mills on the dollar, beginning with and including the year 2015, with collections from the levy of the tax estimated to be \$587,221 for one entire year, for the purpose of purchasing additional equipment for, and enlarging and improving the present facilities of, the Fire Department of the City of Sulphur, Louisiana, for the maintenance of said equipment, improvements and facilities, and for salaries for the maintenance and operation of said

department, constituting works of permanent public improvement, title to which shall be in the public?

## MILLAGE RENEWAL PROPOSITION NO. 2

SUMMARY: RENEWAL OF A 5 MILL PROPERTY TAX FOR TEN (10) YEARS BEGINNING WITH AND INCLUDING 2015, WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$587,221 FOR ONE ENTIRE YEAR, FOR GRAVELING, SHELLING, HARD-SURFACING, INSTALLING CULVERTS AND DRAINS, AND IMPROVING AND MAINTAINING STREETS.

Shall the City of Sulphur, Louisiana, levy and collect each year for a period of ten (10) years on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana, a special tax of five (5) mills on the dollar, beginning with and including the year 2015, with collections from the levy of the tax estimated to be \$587,221 for one entire year, for the purpose of graveling, shelling, hard-surfacing, installation of culverts and drains, and otherwise improving the streets of the City of Sulphur, and for the maintenance thereof, constituting works of permanent public improvement, title to which shall be in the public?

SECTION 2. The polling places set forth in the Notice of Special Election in Section 4 hereof, be and the same are hereby designated as the polling places at which to hold such election, subject to any changes which may be required by law.

SECTION 3. Officers designated or such substitutes as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, shall hold said election substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. Said election officers shall make due returns of said election at a regular meeting of the City Council to be held at its regular meeting place, the Sulphur City Hall, 101 N. Huntington, Sulphur, Louisiana, on **Monday, the 13<sup>th</sup> day of May, 2013, at 5:30 o'clock p.m.**, at which time said City Council, will, then and there, in open and public session, examine and canvass the returns and declare the result of said special election. The compensation of election officials be and the same is hereby fixed at the sum as specified in Sections 424 and 425 of Title 18 of the Louisiana Revised Statutes of 1950, as amended. Assessed valuations shall not be voted in this election, and all qualified electors of the City are entitled to vote therein. Voting machines shall be used in this election, and voters shall not be required to sign a ballot or vote assessed valuation of property. The permanent registration law of the State of Louisiana being in force in Calcasieu Parish, said election shall be conducted in accordance with applicable provisions thereof.

SECTION 4. The Clerk of the Council is hereby empowered, authorized and directed to publish, entirely separate and apart from any publication which may be made of this resolution, once a week for four consecutive weeks, with the first publication not less than forty-five days nor more than ninety days before the date of the election, in the *Southwest Daily News*, a newspaper published in Sulphur, Louisiana, and having general circulation in the City, a Notice of Election, substantially in the following form:

**NOTICE TO VOTERS OF  
SPECIAL TAX ELECTION**

To the qualified electors of the City of Sulphur, Louisiana:

YOU ARE HEREBY NOTIFIED that on the 11<sup>th</sup> day of September, 2012, the City Council of the City of Sulphur, Louisiana, ordered that a special election be held in Sulphur, Louisiana, on Saturday, the **6<sup>th</sup> day of April, 2013**, for the purpose of submitting to all qualified electors of the City of Sulphur, the following propositions:

MILLAGE RENEWAL PROPOSITION NO. 1

SUMMARY: RENEWAL OF A 5 MILL PROPERTY TAX FOR TEN (10) YEARS BEGINNING WITH AND INCLUDING 2015, WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$587,221 FOR ONE ENTIRE YEAR, FOR PURCHASING AND MAINTAINING EQUIPMENT, ENLARGING, IMPROVING AND MAINTAINING FIRE DEPARTMENT FACILITIES, AND SALARIES.

Shall the City of Sulphur, Louisiana, levy and collect each year for a period of ten (10) years on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana, a special tax of five (5) mills on the dollar, beginning with and including the year 2015, with collections from the levy of the tax estimated to be \$587,221 for one entire year, for the purpose of purchasing additional equipment for, and enlarging and improving the present facilities of, the Fire Department of the City of Sulphur, Louisiana, for the maintenance of said equipment, improvements and facilities, and for salaries for the maintenance and operation of said department, constituting works of permanent public improvement, title to which shall be in the public?

MILLAGE RENEWAL PROPOSITION NO. 2

SUMMARY: RENEWAL OF A 5 MILL PROPERTY TAX FOR TEN (10) YEARS BEGINNING WITH AND INCLUDING 2015, WITH COLLECTIONS FROM THE LEVY OF THE TAX ESTIMATED TO BE \$587,221 FOR ONE ENTIRE YEAR, FOR GRAVELING, SHELLING, HARD-SURFACING, INSTALLING CULVERTS AND DRAINS, AND IMPROVING AND MAINTAINING STREETS.

Shall the City of Sulphur, Louisiana, levy and collect each year for a period of ten (10) years on all property subject to taxation within the corporate limits of the City of Sulphur, Louisiana, a special tax of five (5) mills on the dollar, beginning with and including the year 2015, with collections from the levy of the tax estimated to be \$587,221 for one entire year, for the purpose of graveling, shelling, hard-surfacing, installation of culverts and drains, and otherwise improving the streets of the City of Sulphur, and for the maintenance thereof, constituting works of permanent public improvement, title to which shall be in the public?

Said election will be held at all polling places which are situated within the corporate boundaries of the City of Sulphur, Louisiana. All registered voters in each of the following precincts shall be eligible to vote on the proposition:

<u>PRECINCT</u>	<u>POLLING PLACE</u>
401	Calcasieu Parish Health Unit, Sulphur Branch, 201 Edgar Street, Sulphur
402	Frasch Park Recreation Center, 400 Picard Road, Sulphur
403	Frasch Elementary School, 540 South Huntington, Sulphur
407	R. W. Vincent Elementary School, 1634 Beglis Parkway, Sulphur
408	T. D. McMurry Park Gymnasium, 300 South Hazel Street, Maplewood

**ONLY THOSE REGISTERED VOTERS IN EACH OF THE FOLLOWING PRECINCTS WHO RESIDE WITHIN THE BOUNDARIES OF THE CITY OF SULPHUR, LOUISIANA, SHALL BE ELIGIBLE TO VOTE ON THE PROPOSITION:**

**PRECINCT****POLLING PLACE**

400 (Part)	D. S. Perkins Elementary School, 565 North Crocker Street, Sulphur
404 (Part)	R. W. Vincent Elementary School, 1634 Beglis Parkway, Sulphur
405 (Part)	Center Circle Recreation Building, 80 Center Circle, Maplewood
406 (Part)	W. T. Henning Elementary School, 774 Henning Drive, Sulphur
461 (Part)	Mossville Recreation Center a/k/a Josh Rigmaiden Center, 3825 Old Spanish Trail, Mossville
466E (Part)	Cypress Cove Elementary School, 700 Currie Drive, Carlyss (Formerly located at Carlyss Fire Station, 5151 Volunteer Road, Carlyss)
467 (Part)	Cypress Cove Elementary School, 700 Currie Drive, Carlyss (Formerly located at Carlyss Fire Station, 5151 Volunteer Road, Carlyss)

The polls will be open at six (6:00) o'clock a.m. and shall remain open until not later than eight (8:00) o'clock p.m. The said special election will be held substantially in accordance with the general election laws of the State of Louisiana, except that the election is called and shall be conducted, canvassed, and promulgated, and notice thereof given in accordance with the procedures set forth in Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended. The officials appointed to hold the election or such substitutes therefor as may be selected, designated and sworn in compliance with Sections 1286 through 1289 of Title 18 of the Louisiana Revised Statutes of 1950, as amended, will make due returns thereof to the City Council of the City of Sulphur, Louisiana. Voting machines will be used in the conduct of the election. All qualified electors of the City of Sulphur, Louisiana, will be entitled to vote. No voter shall be required to sign a ballot or vote assessed valuation of property.

Notice is hereby given that on Monday, the **13<sup>th</sup> day of May, 2013, at 5:30 o'clock p.m.**, the City Council will meet in open and public session at the regular meeting place of the City Council, Sulphur City Hall, 101 N. Huntington Street, Sulphur, Louisiana, and will, then and there, examine and canvass the returns and declare the result of said election.

THUS DONE AND SIGNED in Sulphur, Louisiana, by authority of a Resolution adopted by the City Council on the 10<sup>th</sup> day of September, 2012.

/s/ VERONICA ALLISON  
VERONICA ALLISON, Chairman

ATTEST:

/s/ Arlene Blanchard  
ARLENE BLANCHARD  
Clerk of the Council

SECTION 5. The Clerk of the Council be and she is hereby empowered, authorized and directed to arrange for furnishing said election officers, in ample time for holding of said election the necessary equipment, forms and other election paraphernalia essential to the proper holding of said election.

SECTION 6. Application is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, in compliance with the requirements of Chapter 2, Title 47 of the Louisiana Revised Statutes of 1950, as amended, and in compliance with Article VI, Sections 27 and 30 of the Constitution of 1974 of the State of Louisiana, and Subpart B of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:2801, *et seq.*), and other Constitutional and statutory authority supplemental thereto, for consent, approval and authority to hold the aforesaid election in the City of Sulphur, Louisiana, and in the event such election carries, for consent and authority to levy and collect the ad valorem taxes therein provided on all taxable property within the limits of the City of Sulphur, Louisiana. The Clerk of the Council is empowered, authorized and requested to forward to the State Bond Commission a certified copy of this resolution which shall constitute a formal application to said Commission as herein provided.

SECTION 7. A certified copy of this resolution, together with other showings required by Section 5 of the Voting Rights Act of 1965 and Regulations pertaining thereto (28 C.F.R. Part 51) shall be submitted to the United States Attorney General, for approval in compliance with the said Voting Rights Act, should such a submission be required.

SECTION 8. Certified copies of this Resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for the Parish of Calcasieu, and the Registrar of Voters, as notification of the special

election herein called in order that each may prepare for said election and perform their respective functions as authorized and required by law.

SECTION 9. There being a real public necessity for the retention and employment of legal counsel to provide specialized legal services in connection with the election by the City of Sulphur, Louisiana, and it appearing that the public interest requires obtaining of such specialized legal services, Joseph A. Delafield, A Professional Corporation, of Lake Charles, Louisiana, is hereby employed in accordance with the provisions of this resolution. The fee for the work to be performed hereunder shall be in accordance with the maximum hourly fee schedule of the Attorney General of the State of Louisiana for attorneys having experience of ten years or more in the practice of law.

SECTION 10. All resolutions, ordinances, or orders in conflict herewith, be, to the extent of such conflict, and they are hereby repealed.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution accepting Substantial Completion on the Burton Street Sidewalk Project for Safe Routes. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTON NO. 2500, M-C SERIES

Resolution accepting Substantial Completion on the Burton Street Sidewalk Project for Safe Routes.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion on the Burton Street Sidewalk Project for Safe Routes.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution awarding low bid received for Side Load Grabber for Street Department. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

**RESOLUTION NO. 2501, M-C SERIES**

Resolution awarding low bid received for Side Load Grabber for Street Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Side Load Grabber for Street Department were opened and read aloud in an open and public session on Thursday, August 30, 2012 at 10:00 a.m., and the bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Martin Truck Center	\$123,496.00
Atterberry Truck Sales	\$107,204.25
Alternate Bid	\$109,981.66

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Side Load Grabber for Street Department as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Atterberry Truck Sale	
Alternate Bid	\$109,981.66 (2012 Side Load Grabber & Trash Body with Chassis Truck)

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution awarding low bid received for a bucket truck for the Street Department. Motion was made by Mr. Koonce seconded by Mr. Favre that the following resolution be adopted to-wit:

**RESOLUTION NO. 2502, M-C SERIES**

Resolution awarding low bid received for Bucket Truck for the Street Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Bucket Truck for Street Department were opened and read aloud in an open and public session on Thursday, August 30, 2012 at 10:00 a.m., and the bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
UTEC	\$80,695.00
ALTEC Industries	\$77,574.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Bucket Truck for Street Department as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
ALTEC Industries	\$77,574.00

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution awarding low bid received for a vacuum trailer for Public Works Maintenance and Wastewater Plant. Motion was made by Mrs.

Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2503, M-C SERIES

Resolution awarding low bid received for Vacuum Trailer for Public Works Maintenance and Wastewater Plant.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Vacuum Trailer for Public Works Maintenance and Wastewater Plant were opened and read aloud in an open and public session on Thursday, August 30, 2012 at 10:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid Amount</u>
Vacuum Truck Sales and Service	\$102,455.00
Covington Sales and Service	\$85,985.73
With Extendable Boom 11' to 14'	<u>\$2,800.00</u>
	\$88,785.73

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Vacuum Trailer for Public Works Maintenance and Wastewater Plant.

<u>Company</u>	<u>Bid Amount</u>
Covington Sales and Service	\$85,985.73
With Extendable Boom 11' to 14'	<u>\$2,800.00</u>
	\$88,785.73

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into negotiations with the Calcasieu Parish Police Jury and the owners of the Sulphur Inn regarding right of way and excess land for the North Frontage Road. Mayor Duncan stated that negotiations are for this property only for now. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2504, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into negotiations with the Calcasieu Parish Police Jury and the owners of the Sulphur Inn regarding right-of-way and excess land for the North Frontage Road.

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 negotiations with the Calcasieu Parish Police Jury and the owners of the Sulphur Inn regarding right-of-way and excess land for the North Frontage Road.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution authorizing the acceptance of street, drainage, water distribution and waste water collection improvements on Teal Road

(extension). Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2505, M-C SERIES

Resolution authorizing the acceptance of street, drainage water distribution and waste water collection improvements on Teal Road (extension) (map attached).

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the acceptance of street, drainage water distribution and waste water collection improvements on Teal Road extension. Total roadway extension 140 feet.

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 10<sup>th</sup> day of September, 2012.

ATTEST:

\_\_\_\_\_  
ARLENE BLANCHARD, Clerk

\_\_\_\_\_  
VERONICA ALLISON, Chairman

The next item on the agenda is a resolution awarding low proposal for the Mandy Drive Sewer Extension. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2506, M-C SERIES

Resolution awarding low proposal received for the Mandy Drive Sewer Extension.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that proposals for the Mandy Drive Sewer Extension were opened and read aloud in an open and public session on Tuesday, September 4, 2012 at 10:00 a.m., and the proposals were as follows:

<u>Company</u>	<u>Bid Amount</u>
Blake D. Hines, Inc.	\$87,686.00
R.D. Spell, Inc.	\$89,461.00
R. Cloud Construction Co., Inc.	\$99,428.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the proposal for the Mandy Drive Sewer Extension as follows:

<u>Company</u>	<u>Bid Amount</u>
Blake D. Hines, Inc.	\$87,686.00

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 10<sup>th</sup> day of September, 2012.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a discussion concerning the purchase of Air Packs for Fire Department. Danny Dupre, Fire Chief, stated that they will be going through State contact for the purchase of the air packs. These are very expensive. They will order 11 now and the rest at a later date. These are already budgeted.

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

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

9/10/12  
7:35 P.M.