

March 11, 2013

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 11, 2013 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  
(Mr. Koonce left at 7:15 p.m. to go to work)  
VERONICA ALLISON, Council Representative of District 3  
STUART MOSS, Council Representative of District 5  
ABSENT - RANDY FAVRE, Council Representative of District 4 (sick)

After the meeting was called to order and the roll called with the above result, prayer was led by Lucky Young, 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. Koonce 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. Koonce seconded by Mr. Moss that the following be removed:

10. Public Hearing on ordinance granting a rezone from Residential to Mixed Residential, to Otis Oxley, 2204 Augusta Street, to allow for a mobile home.

Motion carried.

Motion was then made by Mr. Koonce seconded by Mr. Moss that item 20A be added:

Bryan Beam, Parish Administrator, to address Council on 3 property tax renewals (Health Unit, Road/Drainage, Juvenile Justice Services).

Mayor Duncan stated that this item was being added to the agenda 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. Moss  
NAYS: None  
ABSENT: Mr. Favre

And the above item was added to the agenda on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Koonce seconded by Mr. Moss that item #28 be added:

Resolution authorizing Cooperative Endeavor Agreement with Our Lady of Prompt Succor Catholic Church.

Mayor Duncan stated that this item was being added to the agenda 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. Moss  
NAYS: None  
ABSENT: Mr. Favre

And the above item was added to the agenda on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

Motion was then made by Mr. Koonce seconded by Mr. Moss that item #18 be moved to 3A.

Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Koonce that item #24 be removed:

Resolution awarding low bid received for Water Main Upgrades for 2013 (parts of S. Huntington, E. Thomas, E. Carlton).

Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Koonce 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 Sam Hewitt.

The next item on the agenda is a presentation by Armed Forces Committee. The Committee presented a certificate to Joseph Mathew.

The next item on the agenda is a presentation by Citgo on E-Recycling/School Recycling. Dana Keel, Citgo, addressed the Council and stated that the event will be held on March 23, 2013 from 8:00 a.m. – 11:00 a.m. They will be collecting electronic goods, computers, TV's, etc. It will be held at Stine Lumber. They will also be collecting mercury items. Items that will not be taken are smoke detectors, fire alarms, refrigerators. They will soon be starting an education program in the schools.

The next item on the agenda is an introduction of ordinance authorizing the lease of property of the City of Sulphur to Tag Ford Properties, LLC (Tarver Ford). Mayor Duncan stated that this property abuts Michigan Street. There is an ingress/egress stipulation in the lease agreement. This property can't be declared surplus due to the underground utilities. Motion was made by Mr. Moss seconded by Mr. Koonce that the following ordinance be introduced:

ORDINANCE AUTHORIZING THE LEASE OF PROPERTY OF THE  
CITY OF SULPHUR TO TAG FORD PROPERTIES, LLC (TARVER  
FORD).

Motion was then made by Mr. Moss seconded by Mr. Koonce 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 THE LEASE OF PROPERTY OF THE  
CITY OF SULPHUR TO TAG FORD PROPERTIES, LLC (TARVER  
FORD).

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of April, 2013, 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 Thom Trahan to address City Council concerning Brimstone Museum. (see attached outline that describes Brimstone Museum and their primary function). Mr. Trahan stated that a building was donated to them and now they are asking for donations to help with the renovations. The project’s estimated cost is \$212,000.00. Several local businesses and industries have stepped forward to support them. They are hoping the renovations will be done by the City’s 100<sup>th</sup> anniversary. Mr. Trahan also stated that he, along with some members of the community, is requesting that the

Council consider contributing \$100,000.00 to this project. Mayor Duncan stated that maybe Brimstone could get a loan to help fund this project. Team Citgo can kick in some labor; they are always willing to help. Mr. Trahan stated that with free labor you have to wait until they are available. We can't wait too long. Mr. Moss stated that Brimstone needs to approach the Police Jury as well as the School Board. Mayor Duncan stated that the City Council has a hard time swallowing \$100,000.00. Mr. Koonce stated that maybe the City can give \$50,000.00 now and see how much funds Brimstone raises and if more is needed by City then we can look at that. City employees need a raise. Mr. Moss stated that maybe Council could amend the current budget for \$50,000.00 and then budget \$50,000.00 in the 2013-2014 budget. Mayor Duncan stated that an amendment could be put on next months Council agenda.

The next item on the agenda is Michael McDougall, Southland Field Airport Manager, to address Council. Mr. McDougall addressed the Council and stated that since he was hired he has gotten much accomplished. He has cleaned up the airport, improved customer service, cleaned out hangers, maintenance on lawn mowers, cleaned up budget and got a new garbage removal company. Also he is working with DOTD to incorporate the name Southland Field on the airport road signs.

The next item on the agenda is a proclamation declaring Earth Hour in the City of Sulphur. Mayor Duncan stated that our towns and cities are facing staggering costs of weather driven to extremes by climate change, and the resulting power outages, flooded roadways, shuttered businesses and damaged homes are becoming more and more frequent. On Saturday, March 23 from 8:30 p.m. – 9:30 p.m. he is asking residents to turn off all

non-essential lights for one hour to raise awareness of the environmental challenges we all face.

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Calcasieu Parish School Board for the purpose of assisting with various activities. Mayor Duncan stated that the City helps out with the BLAST program, security at games, etc. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2566, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish School Board for the purpose of assisting with various activities.

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 Calcasieu Parish School Board for the purpose of assisting with various activities.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution amending Resolution No. 2522 which authorized Mayor Duncan to sign Cooperative Endeavor Agreement with the LC/SW Convention and Visitors Bureau for Signage. Angie Manning, Director, addressed the Council and stated that the City's participation will not exceed \$12,000.00 for their share of

the cost of the signs. These signs will be helpful for visitors so attractions will be easy to locate. Oran Parker addressed the Council and stated that so far there are 9 signs but with City's participation there will be a total of 15 signs. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2567, M-C SERIES

Resolution amending Resolution No. 2522, M-C Series which authorized Mayor Christopher L. Duncan to sign Cooperative Endeavor Agreement with the LC/SW Convention and Visitors Bureau for Signage.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Resolution No. 2522, M-C Series which authorized Mayor Christopher L. Duncan to sign Cooperative Endeavor Agreement with the LC/SW Convention and Visitors Bureau for Signage.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

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

- a. To extend time given at the January 14, 2013 meeting for the building or structure located at 321 Starlin Street, in accordance with Article IX, Section 5-286 through 5-296.

Motion was then made by Mr. Koonce seconded by Mr. Moss that the above Rule to Show Cause be amended to read as follows:

- a. A resolution taking no objection for Steven Hollie to repair/remodel the structure located at 321 Starlin Street and extending time given at the January 14, 2013 meeting for the building or structure located at said address, in accordance with Article IX, Section 5-286 through 5-296.

Motion carried.

Mr. Koonce stated that Mr. Hollie will have 60 days to complete renovations and if renovations aren't done within 60 days the \$12,000.00 will be forfeited. Motion was made by Mr. Moss seconded by Mr. Koonce to amend the resolution as follows:

*Amend March 11, 2013 to March 12, 2013*

The scope of the repair to be in accordance with Attachment "A" which repairs are to be completed within 60 days (i.e. May 10, 2013). The 60 day period shall begin March 12, 2013.

Motion carried.

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

**RESOLUTION NO. 2568, M-C SERIES AS AMENDED**

Resolution taking no objection for Steven Hollie to repair/remodel the structure located at 321 Starlin Street and extending time given at the January 14, 2013 meeting for the building or structure located at said address, in accordance with Article IX, Section 5-286 through 5-296.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby take no objection for Steven Hollie to repair/remodel said structure located at 321 Starlin Street subject to:

1. The scope of the repair to be in accordance with Attachment "A" which repairs are to be completed within 60 days (i.e. May 10, 2013). The 60 day period shall begin March 12, 2013.
2. The work be completed in accordance with the schedule presented in Attachment "A" as may be amended by the Building Permit Division, granting extensions for just cause.



3. The Owner posting a satisfactory performance bond equal to double the estimated cost of the work scope identified in Attachment “A” but not less than \$12,000.
4. Satisfactory completion of the work being evidenced by the completion of all work in Attachment “A” and the issuance of a Certificate of Occupancy by the City of Sulphur Building Permits Division.
5. Demolition proceedings, pursued by the City, being suspended while this work is progressing following the issuing of a permit to accomplish the work represented in Attachment “A”.
6. Construction debris shall not be placed in yard.
7. Following satisfactory completion of the repair or remodeling, the previous affirmative finding of rule to show cause shall be rescinded.
8. Failure of the Owner to satisfactorily complete the work scope shall be evidenced by the revocation of the Building Permit for the Owner’s failure to meet the agreed upon schedule or otherwise perform the work defined in Attachment “A”. Revocation of the Permit shall end the suspension of the demolition proceedings

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 Elias Cormier, Jr., east side of Savoy Road. Mr. Cormier addressed the Council and stated that he will have strict guidelines on the mobile homes that will be located there and they will comply with city ordinances plus more. Johnny Thomas addressed the Council and stated that he is against mobile homes in the city because they

depreciate so much. He also stated that there is a mobile home on Savoy Road that is boarded up with particle board. Mr. Cormier stated that was his mobile home. Mr. Koonce asked how long the mobile home has been boarded? Mr. Cormier stated that he fell sick about 7 months ago and hadn't had time to repair it. He will pull siding off and make repairs. He plans on making the mobile home look new. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1108, M-C SERIES

ORDINANCE GRANTING THE SUBDIVIDING OF LOTS (IN ACCORDANCE WITH ARTICLE IV, PART 3, SECTION 4 OF THE LAND USE ORDINANCE) TO ELIAS CORMIER, EAST SIDE OF SAVOY ROAD.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Elias Cormier, east side of Savoy Road, Sulphur, Louisiana 70663, to-wit:

COMMENCING 213 FEET NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF (E/2 OF E/2 OF NW/4 OF NW/4 SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE NORTH 710.95 FEET MORE OR LESS, THENCE WEST 118 FEET MORE OR LESS TO THE CENTERLINE OF SAVOY ROAD, THENCE SOUTH ALONG THE CENTERLINE OF SAID ROAD 177.3 FEET, THENCE S 31°00'00" W 84.2 FEET, THENCE SOUTH 461.3 FEET MORE OR LESS TO A POINT 213 FEET NORTH OF THE SOUTH LINE OF SAID E/2 OF THE E/2 OF THE NW/4 OF THE NW/4, THENCE EAST 161.9 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT.

WHEREAS, improvements on the property will include mobile homes.

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 the subdividing of lots to Elias Cormier, east side of Savoy Road, for the following described property to-wit:

COMMENCING 213 FEET NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF (E/2 OF E/2 OF NW/4 OF NW/4 SECTION 36, TOWNSHIP 9 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA; THENCE NORTH 710.95 FEET MORE OR LESS, THENCE WEST 118 FEET MORE OR LESS TO THE CENTERLINE OF SAVOY ROAD, THENCE SOUTH ALONG THE CENTERLINE OF SAID ROAD 177.3 FEET, THENCE S 31°00'00" W 84.2 FEET, THENCE SOUTH 461.3 FEET MORE OR LESS TO A POINT 213 FEET NORTH OF THE SOUTH LINE OF SAID E/2 OF THE E/2 OF THE NW/4 OF THE NW/4, THENCE EAST 161.9 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT.

This subdividing of lots is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said subdividing of lots 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 ordinance, 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.

**No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this ordinance 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: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Moss

NAYS: None

ABSENT: Mr. Favre

And the said ordinance was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 an exception to Michael Ross Trahan, 301 Cypress Street, to allow for 2 duplexes in a Business District. Mayor Duncan stated that all water cut-offs will be on Cypress Street and Mr. Trahan has to make sure the fence in the rear of the property stays up. Mr. Trahan agreed to both of these. Motion was then made by Mr. Moss seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1109, M-C SERIES

AN ORDINANCE GRANTING AN EXCEPTION TO MICHAEL ROSS TRAHAN, 301 CYPRESS STREET, TO ALLOW FOR TWO DUPLEXES IN ACCORDANCE WITH ARTICLE IV, PART 3, SECTION 4 (3) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Michael Ross Trahan, 301 Cypress Street, Sulphur, Louisiana 70663, to-wit:

LOT 10 OF BLOCK 1 OF PECAN GROVE SUBDIVISION

WHEREAS, improvements on the property will include two duplexes with the following stipulations:

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

WHEREAS, said exception 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 an exception to Michael Ross Trahan, 301 Cypress Street, for the following described property to-wit:

LOT 10 OF BLOCK 1 OF PECAN GROVE SUBDIVISION

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

**No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this ordinance 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: Mrs. Ellender, Mr. Koonce, Mrs. Allison, Mr. Moss

NAYS: None

ABSENT: Mr. Favre

And the said ordinance was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 a variance to Stephen Khoury, 1402 Argin Drive, to allow for an enclosed garage to be located 1 foot from east property line rather than the required 5 foot. Motion was made by Mr. Moss seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1110, M-C SERIES

AN ORDINANCE GRANTING A VARIANCE TO ARTICLE IV, PART 3, SECTION 1 (2) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR TO STEPHEN KHOURY II, TO ALLOW FOR AN ENCLOSED GARAGE TO BE LOCATED 1 FOOT FROM EAST PROPERTY LINE RATHER THAN THE REQUIRED 5 FOOT.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Stephen Khoury II, Sulphur, Louisiana 70663, to-wit:

ALL OF LOT FIVE (5) AND WEST 55 FEET OF LOT SIX (6) OF  
BLOCK "F" WILDWOOD SUBDIVISION NO. 2, A  
SUBDIVISION IN THE SOUTHWEST QUARTER (SW ¼ OF NW  
¼) OF SECTION TWO (2), TOWNSHIP TEN (10) SOUTH,  
RANGE (10) WEST, AS PER PLAT BOOK 11, PAGE 31,  
CALCASIEU PARISH LOUISIANA.

WHEREAS, improvements on the property will include a garage located 1 foot  
from the east property line.

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 Stephen Khoury II, for the following described property to-wit:

ALL OF LOT FIVE (5) AND WEST 55 FEET OF LOT SIX (6) OF  
BLOCK "F" WILDWOOD SUBDIVISION NO. 2, A  
SUBDIVISION IN THE SOUTHWEST QUARTER (SW ¼ OF NW  
¼) OF SECTION TWO (2), TOWNSHIP TEN (10) SOUTH,  
RANGE (10) WEST, AS PER PLAT BOOK 11, PAGE 31,  
CALCASIEU PARISH LOUISIANA.

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. Moss

NAYS: None

ABSENT: Mr. Favre

And the said ordinance was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 petition from Ian and Margaret Wright for the annexation of property located at 3897 East Hwy. 90. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2569, M-C SERIES

Resolution accepting petition for annexation from Ian and Margaret Wright for property located at 3897 East Napoleon Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept petition for annexation from Ian and Margaret Wright for property located at 3897 East Napoleon Street more particularly described as follows:

BLK 5 – LOTS 5 – ALL IN SOLOMON RYAN SUB

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 petition from Olen Clark for the annexation of property located at 3898 East Hwy. 90. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2570, M-C SERIES

Resolution accepting petition for annexation from Olen Clark for property located at 3898 East Napoleon Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept petition for annexation from Olen Clark for property located at 3898 East Napoleon Street more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5 OF SOLOMON RYAN SUBDIVISION; THENCE NORTH 00°31'26" EAST, A DISTANCE OF CALL 658.1, MEASURED 659.3 TO THE SOUTH RIGHT OF WAY OF US HIGHWAY 90; THENCE SOUTH 89°26'23" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 90. A DISTANCE OF 215.7 FEET; THENCE SOUTH 00°23'29" WEST, A DISTANCE OF 211.3 FEET; THENCE SOUTH 89°34'00" EAST, A DISTANCE OF CALL 215.6 FEET, MEASURED 215.2 FEET; THENCE SOUTH 00°31'26" WEST, A DISTANCE OF CALL 448.3, MEASURED 449.4 FEET; THENCE NORTH 89°18'45" WEST. A DISTANCE OF 431.4 FEET TO THE POINT OF BEGINNING, CONTAINING 5.49 ACRES MORE OR LESS.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 amending Ordinance No. 1080, M-C Series, which set forth rates to be charged to Septage Haulers in accordance with Section 3.3.3 and 3.4.4 of the User Charge and Sewer Use Ordinance. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following ordinance be adopted to-wit:



ORDINANCE NO. 1111, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1080, M-C SERIES, WHICH SET FORTH RATES TO BE CHARGED TO SEPTAGE HAULERS IN ACCORDANCE WITH SECTIONS 3.3.3 AND 3.4.4 OF THE USER CHARGE AND SEWER USE ORDINANCE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1080, M-C Series and authorize the following rates to be charged to septage haulers in accordance with Section 3.3.3 and Section 3.4.4 of the User Charge and Sewer Use Ordinance as follows:

**Section 1. Rates to be charged to septage haulers:**

BOD5 (treatment and disposal)	\$0.9909 per pound of BOD5 (8,000 mg/l, minimum)
TSS (treatment and disposal)	\$0.3681 per pound of TSS (30,000 mg/l, minimum)
BOD5 (treatment and disposal)	\$66.1141 per 1,000 gallons at 8,000 mg/l
TSS (treatment and disposal)	\$92.0875 per 1,000 gallons at 30,000 mg/l
<u>Total Charges</u>	\$158.20 per 1,000 gallons at minimum concentration levels
Residential Sewer Rate	\$14.92 per month
Annualization Factor	12
<u>Resulting Annual Permit Fee</u>	\$179.00 (rounded)

BE IT ALSO ORDAINED that this Ordinance shall become effective July 1, 2013.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said ordinance was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 authorizing the granting of a predial servitude over City property in favor of property located at Cypress Street and owned by the succession of Joseph Herbert Latiolais, Jr. At this time Mr. Koonce stated that he will abstain from voting due to the fact that he is interested in purchasing the property since it tie's into his property. Mayor Duncan stated that when Cypress Street was widened a right-of way was purchased and all the right-of-way was not needed. The property owners were approached to see if they wanted to purchase that right-of-way back at the same cost that the City bought it. Mr. Latiolais did not purchase it back and the City has maintained the property for a while. The Latiolais family is trying to sell the property now and they were asking the City to sell it to them. He also stated that it would have to be declared surplus and sell it through the public bid law. Rather than a public bid they wanted this predial servitude. Mitch Redd, City Attorney, stated that he was in the process of verifying the property description. There will be language added prior to the public hearing that will protect the City if repairs need to be made to Cypress Street or work needs to be done on the property. No improvements are to be on this property. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AUTHORIZING THE GRANTING OF A PREDIAL SERVITUDE  
OVER CITY PROPERTY IN FAVOR OF PROPERTY LOCATED AT CYPRESS  
STREET AND OWNED BY THE SUCCESSION OF JOSEPH HERBERT  
LATIOLAIS, JR.

Motion was then made by Mr. Moss seconded by Mrs. Ellender 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 THE GRANTING OF A PREDIAL  
SERVITUDE OVER CITY PROPERTY IN FAVOR OF PROPERTY  
LOCATED AT CYPRESS STREET AND OWNED BY THE  
SUCCESSION OF JOSEPH HERBERT LATIOLAIS, JR.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of April, 2013, 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. Moss

NAYS: None

ABSENT: Mr. Favre

ABSTAIN: Mr. Koonce

And the said ordinance was introduced on this 11<sup>th</sup> day of March, 2013.

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 continuation of construction of Old Spanish Trails Subdivision. Motion was made by Mr. Moss seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2571, M-C SERIES

Resolution authorizing the continuation of construction of Old Spanish Trails Subdivision.

WHEREAS, on August 8, 2011 the City Council accepted the Preliminary Plans for Old Spanish Trails Subdivision; and

WHEREAS, on June 25, 2012 construction plans were approved by the Director of Public Works and Meyer and Associates; and

WHEREAS, in accordance with Chapter 18, Section 24 of the Code of Ordinances, the City Council reserves the right to cancel its preliminary approval if the subdivider fails to proceed with the final plat and construction plans six (6) months from the date of preliminary approval by Council.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Council will not exercise its right to cancel its preliminary approval and authorize the continuation of construction of Old Spanish Trails Subdivision.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 a Cooperative Endeavor Agreement for the SWLA Task Force for Growth and Opportunity (GO Group). Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2572, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement for the SWLA Task Force for Growth and Opportunity (GO Group).

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 for the SWLA Task Force for Growth and Opportunity (GO Group).

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is Bryan Beam, Parish Administrator, to address Council on 3 property tax renewals (Health Unit, Road/Drainage, Juvenile Justice Services). (Dane, Calcasieu Parish Police Jury, addressed Council rather than Bryan). Dane stated that these 3 propositions were very important to the Parish. These are all renewals and it's a parish wide election. He asked that everyone support these propositions.

The next item on the agenda is a resolution awarding low bid received for Signalization of Huntington at Cypress and Ruth at Darbonne Street. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2573, M-C SERIES

Resolution awarding low bid received for Signalization of Huntington at Cypress and Ruth at Darbonne Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Signalization of Huntington at Cypress and Ruth at Darbonne Street were opened and read aloud in an open and public bid session on Thursday, February 21, 2013 at 11:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid Amount</u>
Jack B. Harper	\$362,922.75

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for Signalization of Huntington at Cypress and Ruth at Darbonne Street as follows:

<u>Company</u>	<u>Bid Amount</u>
Jack B. Harper	\$362,922.75

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. Moss  
NAYS: None  
ABSENT: Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

*At this time Mr. Koonce stated that he has to leave the meeting to go to work. (7:15 p.m.)*

The next item on the agenda is a resolution endorsing the (2) Five Mill Property Tax Renewal Propositions which are on the April 6<sup>th</sup> ballot. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2574, M-C SERIES

Resolution endorsing the (2) Five Mill Property Tax Renewal Propositions which are on April 6<sup>th</sup> ballot.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby endorse the (2) Five Mill Property Tax Renewal Propositions which are on April 6<sup>th</sup> ballot.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

The next item on the agenda is a resolution awarding low bid received for a Mobile Cylinder Charge Station for the Fire Department. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2575, M-C SERIES

Resolution awarding low bid received for a Mobile Cylinder Charge Station for the Fire Department.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a Mobile Cylinder Charge Station for the Fire Department were opened and read aloud in an open and public bid session on Wednesday, March 6, 2013 at 10:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Bid Amount</u>
Gulf Coast Breathing Air	\$87,500.00

Ferrara	\$79,969.00	
	\$1,800	Option 1 – Paint
	\$ 600	Option 2 – Lettering Striping
	\$1,220	Option 3 – LED Trailer Lighting
	\$6,548	Option 4 – LED Scene Lighting
TOTAL	<u>\$89,337.00</u>	

***\*\* MISTAKE ON THE TOTAL PRICE ON FERRARA BID WAS CHANGED DUE TO ERROR IN ADDITION ON SUBMITTED BID FORM (90,137.00)***

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for a Mobile Cylinder Charge Station for the Fire Department as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Ferrara	\$79,969.00

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, Mrs. Allison, Mr. Moss

NAYS: None

ABSENT: Mr. Koonce, Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 2012 Asphaltic Street Rehabilitation. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:



RESOLUTION NO. 2576, M-C SERIES

Resolution authorizing the advertisement of bids for 2012 Asphaltic Street Rehabilitation.

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 2012 Asphaltic Street Rehabilitation.

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 2012 Asphaltic Street Rehabilitation will be received by the Clerk of the Council until 10:30 a.m. on the 8th day of April, 2013, 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 8<sup>th</sup> day of April, 2013, 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, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates.

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 8th day of April, 2013, 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, Mrs. Allison, Mr. Moss

NAYS: None

ABSENT: Mr. Koonce, Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 for the Woodland Terrace Water Distribution System. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2577, M-C SERIES

Resolution accepting Substantial Completion for the Woodland Terrace Water Distribution System.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for the Woodland Terrace Water Distribution System.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Koonce, Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 for the Sara Street Lift Station Reconstruction Project. Motion was made by Mrs. Ellender seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2578, M-C SERIES

Resolution accepting Substantial Completion for the Sara Street Lift Station Reconstruction Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for the Sara Street Lift Station Reconstruction Project.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Koonce, Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

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 Cooperative Endeavor Agreement with Our Lady of Prompt Succor Catholic Church. Mayor Duncan stated that the Fire Department does their BLAST program at the school and they may need our help in the future. Motion was made by Mr. Moss seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2579, M-C SERIES

Resolution authorizing Cooperative Endeavor Agreement with Our Lady of Prompt Succor Catholic Church.

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 Our Lady of Prompt Succor Catholic Church.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Koonce, Mr. Favre

And the said resolution was declared duly adopted on this 11<sup>th</sup> day of March, 2013.

ATTEST:

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ARLENE BLANCHARD, Clerk

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VERONICA ALLISON, Chairman

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

3/11/13  
7:30 P.M.