

October 28, 2014

The City Council of the City of Sulphur, Louisiana, met in special session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on October 28, 2014 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  
DENNIS BERGERON, 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 Mrs. Ellender, followed by the reciting of the Pledge of Allegiance led by Mrs. Allison.

The first item on the agenda is a public hearing on ordinance accepting donation of property from Mosswood Development, LLC, located on Mosswood Drive. Motion was made by Mrs. Allison seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1259, M-C SERIES

AN ORDINANCE ACCEPTING THE DONATION OF PROPERTY FROM MOSSWOOD DEVELOPMENT, L.L.C. LOCATED ON MOSSWOOD DRIVE; AND AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO EXECUTE SAID DONATION AGREEMENT; AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept from MOSSWOOD DEVELOPMENT, L.L.C., the donation of the following described property situated in the Parish of Calcasieu, State of Louisiana, to-wit and located on Mosswood Drive:

That certain tract of parcel of land situated in the South half of the Northeast Quarter of the Southeast Quarter of Section 11, Township 10 South, Range 10 West, Louisiana Meridian, Calcasieu Parish, Louisiana, being more particularly described as follows:

Commencing at the intersection of the East line of South Half of the Northeast Quarter of the Southeast Quarter of said Section 11 with the South right of way line of Mosswood Drive, said point being North 683.87 feet from the Southeast corner of said South half of the Northeast Quarter of the Southeast Quarter; thence South 89 degrees 35 minutes 19 seconds West along the South right of way line of said Mosswood Drive a distance of 706.55 feet, the point of beginning of herein described tract; thence South 00 degrees 06 minutes 24 seconds West, parallel with the East line of said South half of the Northeast Quarter of the Southeast Quarter a distance of 40.00 feet; thence South 89 degrees 35 minutes 19 seconds West a distance of 50.00 feet; thence North 00 degrees 06 minutes 24 seconds East a distance of 40.00 feet to the aforesaid South right of way line of Mosswood Drive; thence North 89 degrees 35 minutes 19 seconds East along said South right of way line a distance of 50.00 feet to the point of beginning.

Herein described tract containing 2,000.00 square feet, more or less, and subject to a 15.00 feet servitude on the North side thereof and any other rights of way, servitudes and/or easements of record or by use.

BE IT FURTHER ORDAINED that the Mayor, Christopher L. Duncan, is hereby authorized, empowered, and directed to execute such agreements or documents in connection therewith, which will be substantially in accordance with the agreement in part herewith and attached hereto as "Exhibit A".

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 28<sup>th</sup> day of October, 2014.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is an introduction of ordinance enacting a moratorium on all future sewer tie-ins from unincorporated areas, except for Mosswood Development, LLC. Mayor Duncan stated that this moratorium is for 90 days. Administration wants to evaluate all sewer systems and come up with a CEA with the Parish. Mr. Moss stated that he reviewed the report

that Mr. Daigle, Director of Public Works, gave the Council and most of these issues are from mechanical problems that could have been prevented by City. There were pumps broke, tripping due to lightening, etc. Mr. Daigle stated that this is correct but these issues are because of the wear and tear and has taking its toll, mechanically and financially. In my letter I stated that \$70,000 has been spent to maintain and operate these facilities from January 1, 2014 through June 30, 2014 and it still goes on. Mr. Daigle also stated that the Wastewater Plant isn't the problem, it's all the rainfall and overflows at lift stations.

Mayor Duncan stated that the main concern is transmission lines and issues with water infiltration.

Dennis Scott, Calcasieu Parish Police Juror, addressed the Council and stated that the Parish is willing to work with the City of Sulphur. He asked the Mayor to get him all the manhole areas so he can address with Parish. He also stated Sasol is in in the process of capping one of the lines. After a lengthy discussion, motion was made by Mr. Favre seconded by Mrs. Ellender to call for the question. Motion carried.

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

**ORDINANCE ENACTING A MORATORIUM ON ALL FUTURE SEWER TIE-INS FROM UNINCORPORATED AREAS, EXCEPT FOR MOSSWOOD DEVELOPMENT, LLC.**

Motion was then made by Mrs. Allison 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:

ORDINANCE ENACTING A MORATORIUM ON ALL FUTURE SEWER TIE-INS FROM UNINCORPORATED AREAS, EXCEPT FOR MOSSWOOD DEVELOPMENT, LLC.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of December, 2014, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

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

STUART MOSS, Chairman

Motion carried.

The next item on the agenda is a discussion concerning administration change requiring impact study for sewer, traffic and water. Mayor Duncan stated that he would like to make administrative changes effective immediately. Future projects will need a study done. Not all projects will need a study but the ones that will substantially impact traffic, sewer and water. The City is going through growing pains right now. Mr. Moss asked if these studies will delay projects. Mayor Duncan stated that the studies are needed. The Police Jury, Lake Charles and State all require these studies on such projects. The traffic studies will help with bottle necking. Mayor Duncan stated that individual residents will not have to turn in study but major developments will. Mr. Favre stated that a procedure needs to be in place before administration can start enforcing this. He also stated that he would like to see the policy prior to committing to anything. Mayor Duncan stated that this is an administration change but Council can see it first. Mrs. Allison stated that prior to it being effective administration can request the study rather than require it. Mr. Favre stated that administration needs to be fair with everyone. If you request

study for one business and not request for another you could end up in a legal battle. You have to be fair across the board. Mayor Duncan stated that some of the permit requirements may be changed to include these studies. Mr. Dupre, Fire Chief, stated that currently there is nothing in place and we need to know what the impact is on our system. His office has shown enough discipline to know what's needed and where it's needed. Mr. Daigle, Director of Public Works, stated that Sulphur does have a Regional Sewer System but Sulphur is the responsible authority and Sulphur has a responsibility to the community to do things right.

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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STUART MOSS, Chairman

10/28/14  
6:10 P.M.