

November 10, 2014

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 November 10, 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 Rev. Barbara H. Townsend, Curry Chapel Christian Methodist Episcopal Church, followed by the reciting of the Pledge of Allegiance led by Mr. Bergeron.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mr. Favre seconded by Mrs. Allison 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. Favre seconded by Mr. Bergeron that item #3 be moved up to 1A. Motion carried.

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

The first item on the agenda is a presentation by Armed Forces Committee. The Armed Forces Committee presented Chaplain (Captain) Jerry Thompson a certificate of appreciation and thanked him for his many years of service.

The next item on the agenda is a Karl Bruchaus, Superintendent of Calcasieu Parish Schools, to address Council. Mr. Bruchaus stated that Sulphur is unique. There are many

volunteers and lots of participation at events. The quality of schools are great. Schools are graded “A” through “F” and all Sulphur schools received either an “A” or “B” which is excellent. He commended Sulphur for outstanding leadership.

The next item on the agenda is discussion concerning the formation of a Planning Department as recommended by Chief Danny Dupre. Chief Dupre stated that this department is very important to the City. It has come to light that there are things we are not doing. We’re really good at day-to-day operation. We’re as good, if not better than other municipalities but we lack in futuristic planning. He also stated that this person will handle GIS mapping, Land Use and annexation issues and to promote the City of Sulphur. He is calling it a “department” because he anticipates it to expand and contract with need. He also stated that the workload has grown on staff members at City Hall and we owe this City diligence in trying to make it better. Council members all agreed to meet with Administration to discuss this issue further.

The next item on the agenda is a public hearing on ordinance granting a rezone from Residential to Mixed Residential to Redmarque Construction, LLC, to allow for duplexes on the 6 acre tract of property at south end of South Post Oak Road (adjacent to I-10). Aaron Fletcher, Division Street, addressed the Council and stated that at the last Council meeting Council stated that they couldn’t do anything about the Group Home that is own Division Street. Well now Council has the opportunity to do something about the duplexes. If Council allows duplexes what’s to keep the wooded area on west side of Post Oak from becoming Section 8 homes. In 10-15 years when the construction is over, who will fill this void? He is totally against this rezone. He asked the Council to make Redmarque build single family homes.

Linda Hanson, Division Street, addressed the Council and stated that Redmarque hasn’t even submitted his paperwork to the Core of Engineer. She also stated that she spoke to the Core

of Engineer and they said it's highly inappropriate for duplexes to be located here. She googled to see if there were homes build this close to I-10 and she found nothing. Mr. Moss stated that Cassie Drive in Maplewood is built close to I-10. Mrs. Hanson also stated that Redmarque Construction has asked for many variances, rezones, etc. with the City of Sulphur and also the City of Lake Charles. Mr. Trahan feels that he doesn't have to follow the rules. Rules aren't meant to be bent. City Council is supposed to uphold rules, not bend them.

Mr. Favre stated that the Group Home was not the City's fault. They were allowed by Fair Housing Act. He has asked Mr. Trahan if he would make his occupants of the duplexes get background checks and Mr. Trahan said he would. Mr. Fletcher stated that he would like to keep Section 8 out of their neighborhood. Mrs. Blanchard, Clerk, stated that Section 8 can be located anywhere. It doesn't matter if this property is rezoned or not.

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

4. All occupants of duplexes shall go through background check.

Motion carried.

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

ORDINANCE NO. 1260, M-C SERIES

ORDINANCE GRANTING A REZONE TO MARCUS TRAHAN (REDMARQUE CONSTRUCTION LLC), 6 ACRE TRACT OF PROPERTY AT SOUTH END OF SOUTH POST OAK ROAD, ADJACENT TO I-10, FROM RESIDENTIAL TO MIXED RESIDENTIAL TO ALLOW FOR DUPLEXES.

WHEREAS, in accordance with Article IV, Part 3 of the Land Use Ordinance of the City of Sulphur, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential to Mixed Residential is owned by Redmarque Construction, LLC., to-wit:

BEGINNING 1163.4 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, THENCE SOUTH 166.2 FEET, THENCE EAST 1337.2 FEET, MORE OR LESS, TO THE EAST LINE OF FORTY, THENCE NORTH 166.3 FEET, THENCE WEST 1337.2 FEET, MORE OR LESS TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS.

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

1. An 8' privacy fence on the north side of property with proper buffering
2. A No Objection letter from Gravity Drainage District No. 5
3. Duplexes only shall be built with this rezone.
4. All occupants of duplexes shall go through background check.

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

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a re-zone from Residential to Mixed Residential to Redmarque Construction, LLC for the following described property to wit:

BEGINNING 1163.4 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, THENCE SOUTH 166.2 FEET, THENCE EAST 1337.2 FEET, MORE OR LESS, TO THE EAST LINE OF FORTY, THENCE NORTH 166.3 FEET, THENCE WEST 1337.2 FEET, MORE OR LESS TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS.

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

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

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

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

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

A vote was then called with the results as follows:

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

NAYS: Mrs. Ellender, Mr. Bergeron

ABSENT: None

And the said ordinance was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 18, Section 14 of the Code of Ordinances of the City of Sulphur – Character of development. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1261, M-C SERIES

AN ORDINANCE AMENDING CHAPTER 18, SECTION 14 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – CHARACTER OF DEVELOPMENT

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that the following section be amended to read as follows:

Sec. 18-14. Character of development.

The subdivider shall confer with the council regarding the type and character of development that will be permitted in the subdivision and may agree with the council as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, and to control the type of structures, or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants shall be included to provide for the proper protection and maintenance of the development in the future; provided, however, that the deed

restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants. A copy of the restrictions shall accompany the plat for final approval.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance granting an exception to J. Truth Distilleries, LLC, 1716 East Burton Street, to allow for a duplex in a Commercial district. Mrs. Allison stated that Mr. Truth had this property rezoned to Commercial for a distillery and now he wants to get permission to put a duplex. She feels this is a safety hazard for residents. If the duplexes are three bedroom she feels that children will live there and she doesn't want to put them in danger. Mr. Truth stated that he will be operating the distillery and it will be done right. He has worked in the chemical industry for 10 years. He will live in one of the duplexes. Mr. Bergeron asked why he doesn't built a single family home. Mr. Truth stated that a duplex is the best financially. Mrs. Ellender stated that Mr. Truth will be shipping out only for wholesale. Mr. Daigle, Land Use Administrator, stated that the City has a zoning plan and he'd like to see Council stick to that plan. Either have this area Commercial or Residential but not both. It was rezoned to Commercial and now he wants to live on Commercial property and he has a problem

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

ORDINANCE GRANTING AN EXCEPTION TO J. TROUTH DISTILLERIES, LLC, 1716 EAST BURTON, TO ALLOW FOR A DUPLEX IN A COMMERCIAL DISTRICT.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, for an Exception is owned by J. Trough Distilleries, LLC, 1716 East Burton Street, to-wit:

BEG 105 FT, E OF NW COR NW NW NE 35.9.10, E 105 FT, S 210 FT

WHEREAS, improvements on the property will include a duplex in a Commercial District.

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

The Land Use Ordinance of the City of Sulphur is hereby amended to grant an Exception to J. Trough Distilleries, LLC, for the following described property to wit:

BEG 105 FT, E OF NW COR NW NW NE 35.9.10, E 105 FT, S 210 FT

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.

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

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. Moss

NAYS: Mr. Bergeron, Mrs. Allison, Mr. Favre

ABSENT: None

And the said ordinance failed on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance granting a variance to Neal Bean, 610 East Burton Street, to allow for an accessory structure to be located on parcel without a dwelling. Motion was made by Mrs. Ellender seconded by Mr. Favre to adopt the ordinance. Mr. Bean addressed the Council and asked if he built a home on this property could the accessory structure be inside the home. It'll be a metal building. Mr. Bergeron stated that the City has an ordinance that in order to have an accessory structure you must have a dwelling on the parcel. If you build the home you can have the accessory structure. After discussion, Mr. Favre removed his second to the motion. Mr. Moss stated that Mr. Bean doesn't need a variance if he builds his home on the parcel. Motion then died for lack of second.

And the following ordinance failed for lack on second on this 10th day of November, 2014:

AN ORDINANCE GRANTING A VARIANCE TO NEAL BEAN, 610 EAST BURTON STREET, TO ALLOW FOR ACCESSORY STRUCTURE TO BE LOCATED ON PARCEL WITHOUT A DWELLING.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article III, Part 2, Section 1 (5) of the Land Use Ordinance of the City of Sulphur – Successive Applications.

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

ORDINANCE NO. 1262, M-C SERIES

ORDINANCE AMENDING ARTICLE III, PART 2, SECTION 1 (5) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR – SUCCESSIVE APPLICATIONS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article III, Part 2, Section 1 (5) of the Land Use ordinance of the City of Sulphur to read as follows:

- (5) Successive Applications.
 - (a) Whenever any application for development approval is denied, an application involving the same property cannot be accepted for filing within one (1) year from the date of denial, unless the subsequent application involves a development proposal which is materially different from prior proposals or is responsive, in the opinion of the decision making body, to negative findings set forth in the denial of the prior application.
 - (b) An applicant who files an application to petition for a Development Approval may withdraw the application one (1) time within one (1) year from the date of the submission of the application. Any resubmittal for development approval shall be a \$50.00 non-refundable fee.

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 1 (2) (d) of the Land Use Ordinance of the City of Sulphur – Development Standards in Residential District. Motion was made by Mr. Favre seconded by Mrs. Ellender that the following ordinance be adopted to-wit:

ORDINANCE NO. 1263, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 1 (2) (D) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR – DEVELOPMENT STANDARDS IN RESIDENTIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 1 (2) (d) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (d) All development in the Residential District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (ft.)	Height (ft.)
s/f det	7 du/a	6000 s.f.	30	35
Churches, Schools, Public Uses	---	1 acre	50	35
Accessory Uses	---	---	30	35
Rec. (low Intensity)	---	---	50	35
Mfr. Housing and Mobile Homes	Not Permitted			

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 2 (3) (c) of the Land Use Ordinance of the City of Sulphur – Development Standards in Mixed Residential. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1264, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 2 (3) (C) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR – DEVELOPMENT STANDARDS IN MIXED RESIDENTIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 2 (3) (c) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (C) All development in the Mixed Residential District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
s/f det. Multi-family	7 du/a 12 du/a	6000 6000	30 30	35 35
Churches	---	1 acre	50	35
Schools, Public Uses	FAR .35	---	50	35
Rec. (low intensive)	---	---	50	35
Mfg. Housing	7du/a	6,000	30	35
Mobile Homes	7du/a	6,000	30	35
Neighborhood Commercial	FAR .5	5,000	30	35

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 4 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Business District. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1265, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 4 (4) (B) OF THE
LAND USE ORDINANCE OF THE CITY OF SULPHUR – DEVELOPMENT
STANDARDS IN BUSINESS DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 4 (4) (b) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (b) All development in the Business District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Single Family	7 du/a	6,000	20	35
Multi-family	18 du/a	6,000	20	50
Retail & Service	FAR .5	5,000	20	50
Offices, Restaurant & Entertainment	FAR 1	5,000	20	50
Schools, Churches	---	10,000	20	50

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Commercial District. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1266, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 5 (4) (B) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR – DEVELOPMENT STANDARDS IN COMMERCIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 5 (4) (b) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (b) All development in the Commercial District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Multi-Family	18 du/a	6,000	20	50
Retail & Service	FAR .5	5,000	20	50
Offices, Restaur & Entertainment	FAR 1	5,000	20	50
Wholesaling, Warehousing, Light Manufact, Inst. & Public Use	FAR 1	10,000	20	50
Hotels & Motels	FAR 1	25,000	20	50
Schools, Church, Kennels	---	10,000	20	50
Bars	FAR 1	5,000	20	50
Rec. Facil.	FAR .5	10,000	20	50

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 3, Section 6 (4) (b) of the Land Use Ordinance of the City of Sulphur – Development Standards in Industrial District. Motion was made by Mr. Bergeron seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1267, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 3, SECTION 6 (4) (B) OF THE LAND USE ORDINANCE OF THE CITY OF SULPHUR – DEVELOPMENT STANDARDS IN INDUSTRIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 3, Section 6 (4) (b) of the Land Use Ordinance of the City of Sulphur to read as follows:

- (b) All development in the Industrial District shall conform to the development standards set out in the following table:

Side and rear setbacks to be determined by building codes adopted by City.

Use	Density	Lot Size (sq. ft.)	Front Setback (sq. ft.)	Height (ft.)
Retail & Service	FAR .5	5,000	20	50
Offices, Restaur & Entertainment	FAR 1	5,000	20	50
Wholesaling, Warehousing, Light Manufact, Inst. & Public Use	FAR 1	10,000	20	50
Kennels	---	10,000	20	50
Rec. Facil.	FAR .5	10,000	20	50
Airport				
General Industrial		25,000	25	
Agriculture				

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 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is an introduction of ordinance declaring certain surplus movable property (IT equipment). Motion was made by Mr. Bergeron seconded by Mrs. Allison that the following ordinance be introduced:

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

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

PUBLIC NOTICE

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

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

A public hearing on said ordinance will be held at 5:30 p.m. on the 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 an introduction of ordinance authorizing the acceptance of the administrative reorganization plan as presented by the Mayor – Human Resources. Mrs. Allison stated that Human Resources wasn’t designed to go under the Director of Finance. It was designed to go under the Mayor. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE ADMINISTRATIVE REORGANIZATION PLAN AS PRESENTED BY THE MAYOR.

Motion was then made by Mr. Favre seconded by Mrs. Allison that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public

inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

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

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE ADMINISTRATIVE REORGANIZATION PLAN AS PRESENTED BY THE MAYOR.

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 resolution accepting petition from Sealy-Ratcliff Swisco Road L.L.C. for the annexation of property located west of Allied Waste on Swisco Road.

Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2785, M-C SERIES

Resolution accepting petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road.

BE IT RESOLVED by the Land Use Commission of the City of Sulphur, Louisiana, that they do hereby accept petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road for the following described property:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 OF NE/4) OF SECTION 12, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, LESS AND EXCEPT A RIGHT OF WAY ON THE SOUTH SIDE.

HEREIN DESCRIBED TRACT CONTAINING 40.80 ACRES, MORE OR LESS, AND THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S/2-SE/4) OF SECTION 1, TOWNSHIP 10 SOUTH RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 10 WEST, CALCASIEU PARISH, LOUISIANA;

THENCE NORTH 88° 57' 53" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) SAID SECTION 1, FOR A DISTANCE OF 1336.11 FEET TO AN EXISTING 5/8" ROD MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SAID SECTION 1;

THENCE NORTH 89° 05' 58" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1, FOR A DISTANCE OF 1335.90 FEET TO AN EXISTING 1 1/4" IRON PIPE MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1;

THENCE NORTH 00° 56' 29" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4-SE/4) OF SAID SECTION 1, FOR A DISTANCE OF 989.16 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 10;

THENCE SOUTH 89°29'17" EAST, ALONG THE SOUTH LINE OF SAID INTERSTATE 10, FOR A DISTANCE OF 2672.85 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SAID SECTION 1;

THENCE SOUTH 00°59'07" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4-SE/4) OF SECTION 1, FOR A DISTANCE OF 1010.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A CERTAIN TRACT OF LAND LOCATED, IN SECTION 12, T10S-R10W, CALCASIEU PARISH, LOUISIANA AND CONTAINING 2.44 ACRES MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NW1/4 NE1/4 OF SECTION 12, T10S-R10W; THENCE: N 01°25'17" E A DISTANCE OF 443.00'; THENCE N 89°06'44" W A DISTANCE OF 240.00'; THENCE S 01°25'17" W A DISTANCE OF 443.00'; THENCE S 89°06'44" E A DISTANCE OF 240.00' BACK TO THE POINT OF BEGINNING, AS PER SURVEY PREPARED BY COLBY C. BULLER DATED JANUARY 15, 2014.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept petition from Sealy-Ratcliff Swisco Road, L.L.C. for the annexation of property located on the south side of I-10, west of Allied Waste, north of Swisco Road.

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

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

RESOLUTION NO. 2786, M-C SERIES

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

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

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

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City will be received by the Clerk of the Council until 10:00 a.m. on the 2nd day of December, 2014, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 8th day of December, 2014, 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. Bids are also available electronically at www.bidexpress.com; free membership is required to access. Said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department located at 604 Live Oak, Sulphur, Louisiana

CITY OF SULPHUR, LOUISIANA

BY _____
STUART MOSS, 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 December, 2014, 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. Bergeron, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution expressing the City of Sulphur's opposition to a proposed rule by the EPA which defines the "Waters of the US", and gives the EPA authority over any surface water including dry ditches, wetlands near rivers and streams, seasonal streams, and navigable bodies of water. Motion was made by Mrs. Ellender seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2787, M-C SERIES

Resolution expressing the City of Sulphur's opposition to a proposed rule by the EPA which defines the "Waters of the US", and gives the EPA authority over any surface water including dry ditches, wetlands near rivers and streams, seasonal streams, and navigable bodies of water.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby respectfully urge Congress to exclude man-made ditches from the definition of "Waters of the U.S."

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to members of the Calcasieu Congressional Delegation, Louisiana Police Jury Association, Environmental Protection Agency, and the U.S. Army Corps of Engineers for support in this matter.

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution requesting that the Louisiana Public Service Commission act timely when Entergy's Louisiana companies make requests for approval of the addition of new generation (whether bricks and mortar generation or purchase power agreements with third parties) and transmission. Mayor Duncan stated that with all the construction coming to Southwest Louisiana, Entergy requested that municipalities adopt this resolution. Motion was made by Mrs. Ellender seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2788, M-C SERIES

Resolution requesting that the Louisiana Public Service Commission act timely when Entergy's Louisiana companies make requests for approval of the addition of new Generation (whether bricks or mortar generation or purchase power agreements with third parties) and transmission.

WHEREAS, We have entered an exciting new era of economic growth in Louisiana. Our state is at the center of an industrial renaissance taking place all along the Gulf Coast region. New investments and construction are starting to accelerate, driven mostly by low natural-gas prices, a great business environment and competitive electricity rates. We anticipate that our own greater Lake Charles/Sulphur area and the surrounding populations will be major beneficiaries of the job creation, tax base expansion and community enhancements resulting from this industrial growth; and

WHEREAS, To reliably serve our growing economy, Louisiana must be prepared with enough electric generating capacity. It is our understanding that by 2019 Entergy expects industrial demand in its Louisiana service territory to increase by as much as 1,600 megawatts. We understand from Entergy that it has a comprehensive plan to meet this new demand, and we thank both Entergy and the LPSC for working to ensure that Louisiana is poised to capture, foster and maintain that business. Preparation to serve this industrial growth from an electric standpoint is as important as the preparation we have emphasized in areas such as workforce readiness and state infrastructure development; and

WHEREAS, Specifically, we want to ensure that all the areas of industrial growth, including the greater Lake Charles/Sulphur area, are prepared to meet every aspect of need for our industrial partners. Historic growth opportunities are within Louisiana's grasp. Delays in adding new generating capacity will be costly — not just in dollars lost, but in growth potential lost for Louisiana's economy and its communities; and

WHEREAS, At the end of the day, the LPSC has been entrusted to make the right choices when it comes electric infrastructure decisions, and we appreciate importance of the role you have in the state's economic growth opportunities. Please take a serious look at Louisiana's future electricity needs. It is clear that sustaining the industrial renaissance will require speed to market and additional generating and transmission capacity. We therefore support this industrial growth by encouraging the LPSC to act timely when Entergy's Louisiana companies make requests for approval of the addition of new generation (whether bricks and mortar generation or purchase power agreements with third parties) and transmission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby request that the Louisiana Public Service Commission act timely when Entergy's Louisiana companies make requests for approval of the addition of new Generation (whether bricks or mortar generation or purchase power agreements with third parties) and transmission.

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, 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 Mrs.

Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2789, 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 James Milton to the Sulphur Housing Authority Board of Directors with term to expire November 2019.

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution amending Cooperative Endeavor Agreement with West Calcasieu Parish Community Center Authority. Motion was made by Mr. Bergeron

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

RESOLUTION NO. 2790, M-C SERIES

Resolution amending the Cooperative Endeavor Agreement which was entered into on January 3, 2013 with the West Calcasieu Parish Community Center Authority.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend the Cooperative Endeavor Agreement between the City of Sulphur and the West Calcasieu Parish Community Center Authority which was entered into on January 3, 2013 pursuant to attached Exhibit "A".

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing potential City sewer tie-in for Ed Nelson – Inwood Forest II Subdivision located on South Beglis Parkway. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2791, M-C SERIES

Resolution authorizing potential City sewer tie-in for Ed Nelson – Inwood Forest II Subdivision located on South Beglis Parkway.

WHEREAS, Ed Nelson proposes to develop Inwood Forest II Subdivision on South Beglis Parkway and is requesting to connect to City sewer; and

WHEREAS, until plans are presented to City of Sulphur and reviewed by Director of Public Works, said tie-in will not be authorized.

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 resolution was declared duly adopted on this 10th day of November, 2014.

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

The next item on the agenda is a resolution supporting the Contractor Fraud Prevention Alliance dedicated to protecting the Louisiana homeowner. Mr. Berry, Building Official, stated that he attended a seminar for the State License Board and they now have an app for your cell phone to check contractors to see if they are licensed and bonded. The City will put the information on the website. The app for your cell phone is la.contractor.com. The website address for your computer is www.lslbc.louisiana.gov.

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

ATTEST:

ARLENE BLANCHARD, Clerk

STUART MOSS, Chairman

11/10/14
6:47 P.M.