

March 9, 2015

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 9, 2015 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 Jerry Thompson, followed by the reciting of the Pledge of Allegiance led by Mr. Favre.

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

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Favre seconded by Mrs. Allison that item #23 be added to the agenda as follows:

- Resolution approving Substantial Completion for Sludge Belt Press.

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. Bergeron, Mrs. Allison, Mr. Favre, Mr. Moss  
NAYS: None  
ABSENT: None

And the above item was added to the agenda on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

Motion was then made by Mr. Bergeron seconded by Mr. Favre that item #7 be removed from the agenda:

PUBLIC HEARING on ordinance granting a rezone to Willie and Shirley Broussard Living Trust, southeast corner of Pearl and Stanford Streets (west parcel), from Residential to Mixed Residential to allow for a duplex.

Motion carried.

Motion was then made by Mrs. Allison seconded by Mr. Favre that item #23 be moved up to item 4A.

Motion carried.

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

Motion carried.

The first item on the agenda is a Presentation by Armed Forces Committee. The Committee presented Jeff Coates a certificate and thanked him for his support.

The next item on the agenda is a Presentation to Volunteer of the Month. Mayor Duncan presented certificates to Souled Out 72 band.

The next item on the agenda is a presentation by Paul Fugatt and Cub Scout Pack 84. (Mr. Fugatt arrived later in the meeting and challenged the Departments of City of Sulphur to a Pinewood Derby Race. The Departments accepted the challenge).

The next item on the agenda is a public hearing on ordinance declaring certain surplus movable property (equipment) and authorizing Mayor Christopher L. Duncan to dispose of same.

Motion was made by Mr. Favre seconded by Mr. Bergeron that the resolution be amended to add items to list. Motion carried.

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

RESOLUTION NO. 1281, M-C SERIES

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

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

1	IBM Netvista	8307	KLCHF39
1	IBM Thinkcentre	8288	LKFX202
1	Canon Imagerunner	2022	MWS05332
1	Canon Imagerunner	C3380I Copier	TXP02150
1	Panasonic Laptop	CF-74JDMBD2M	9GKYAG4923
1	Panasonic Laptop	CF-74JDMBD2M	9IKYA66869
1	Panasonic Laptop	CF-74GCDBDBM	7KKYA41536
1	Panasonic Laptop	CF-74JDMBDAM	9CKSA61292
1	Panasonic Laptop	CF-74JDMBD2M	9IKYA66627
1	Panasonic Laptop	CF-74JDMBD2M	9IKYA66640
1	Panasonic Laptop	CF-74GCDBDBM	7KKYA41547
1	Panasonic Laptop	CF-74ECBADBAM	7DKSA27944
1	Panasonic Laptop	CF-73NCQTSKM	4KKSA69321
1	Panasonic Laptop	CF-73NCQTSKM	4KKSA69323
1	HP Laserjet 5100DTN	Q1862A	CNGN160178
1	IBM Thinkcentre	M7483-CTO	MJ61974
1	IBM Thinkcentre	8807-97U	LKRLMW3
1	IBM Thinkcentre	8807-97U	LKTHPD5
1	IBM Xseries 226	8648-2BU	KP-HAP32
1	IBM Total Storage Tape Drive	3580-L43	68-PO174
1	IBM iSeries	8203-E4U	109D1EF
1	IBM iSeries	9406-525	10-08A40
1	Lenovo Thinkcentre	9088-CTO	LKADDGM

NO VALUE IS PLACED ON THE AFORE-MENTIONED EQUIPMENT.

	Est. Value
1998 Durapatcher 125DJT with tandem trailer VIN # 12594	\$ 100.00
1991 Vermear Chipper 1250 – COS Unit# 505 serial #1VRC14132L1002051	\$ 100.00
Ford tractor model # CA454C C730530	\$ 100.00
Fire hydrant Muller 4'	-0-
(4) Fire hydrant American Darling 4'	-0-
(4) Baldor Industrial car wash motor 3 phase	\$200 for all
Lawn mower Wheel hog zero turn	\$ 20.00
(2) Lawn mower Johnny Big wheel 4hp 2 cycle	\$ 20.00
Log chipper Briggs & Stratton 800CP	\$ 100.00
(8) Jagger pumps	\$ 160.00
Steam cleaner model #2003VSWA ser #10996173	\$ 10.00
Packer Wackerpacker #65440A351	\$ 15.00
Edger	\$ 15.00
Trusco spray rig	\$ 50.00
Air condtion 1998 model #TTA072C300A0 ser #N112PFMFF	\$ 100.00
Air condition 1993 model #38CKC060520 ser #2300E23853	\$ 100.00
Air condtion RUUD	\$ 100.00
Trane 20 ton AHU model #TWE240B300CA ser #P232N996H	\$ 300.00
1991 Volkswagen Cabrolet, Vin# WVWDB5156MK029807	\$ 500.00
2008 Dodge Charger, Vin# 2B3KA53H78H107981	\$7,000.00
2002 Ford F-250 PU, Vin# 1FTNX21F52EC64594	\$7,000.00

#### **SURPLUS DONATED:**

Ten (10) Black Safariland Thumb Snap Glock Holters	No Value
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BE IT FURTHER ORDAINED that Mayor Christopher L. Duncan is hereby authorized to donate the ten (1) Black Safariland Thumb Snap Glock Hosters to the Harbor Police and to sign any and all documents in connection therewith.

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

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the above ordinance was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to hold Job Fair at West Calcasieu Event Center for West Calcasieu Parish. Mayor Duncan stated that the Job Fair will be held on May 20<sup>th</sup>. Motion was made by Mrs. Allison seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2817, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to hold Job Fair at West Calcasieu Event Center for West Calcasieu Parish.

WHEREAS, said Job Fair will be held on Wednesday, May 20, 2015 in conjunction with West Calcasieu Chamber of Commerce.

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 hold Job Fair at West Calcasieu Event Center for West Calcasieu Parish.

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. Bergeron, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the above resolution was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance accepting final plat from Bernice Shilts for property located on the southeast corner of Franklin and Avilia Streets. Motion

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

ORDINANCE NO. 1282, M-C SERIES

ORDINANCE ACCEPTING FINAL PLAT FROM BERNICE SHILTS FOR  
PROPERTY LOCATED ON SOUTHEAST CORNER OF FRANKLIN AND  
AVILIA STREETS.

WHEREAS, the final plat has been presented and examined for compliance in accordance with Chapter 18, Section 24 of the Code of Ordinances and Article III, Part 1, Section 1, (6) (c) and (e) of the Land Use Ordinance, City of Sulphur;

AND WHEREAS, said examination reflects that the final plat complies with Chapter 18, Section 24 of the Code of Ordinances and Article III, Part 1, Section 1, (6) (c) and (e) of the Land Use Ordinance for the City of Sulphur for the following described property to-wit;

BEGINNING 80 FEET NORTHERLY FROM INTERSECTION OF THE WEST  
SIDED OF LOREANA STREET (AKA CLARA STREET) AND SOUTH LINE  
OF LOT SIX (6) OF SUBDIVISION OF NORTH HALF OF NORTHEAST  
QUAETER (N2/ OF NE/4) OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE  
10 WEST, THENCE NORTHLY ON WEST SIDE OF LOREANA STREET  
(AKA CLARA STREET) 200 FEET MORE OR LESS TO FRANKLIN  
STREET, THENCE WEST ON SOUTH SIDE OF FRANKLIN STREET 300  
FEET MORE OR LESS TO AVILIA STREET, THENCE SOUTH 200 FEET  
MORE OR LESS, THENCE 300 FEET MORE OR LESS TO THE POINT OF  
BEDGINNING, TOGETHER WITH ALL IMPROVEMENTS SITUATED  
THEREON, CALCASIEU PARISH, LOUISIANA (WHICH DEED WAS  
RECORDED IN CONVEYANCE BOOK 1298, PAGE 285, ET SEQ OF THE  
RECORDS OF CALCASIEU PARISH, LOUISIANA)

BE IT 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 above ordinance was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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

\_\_\_\_\_  
STUART MOSS, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Donald and Sheryl Welch, 112 Darbonne Street, from Residential to Business to allow to market property. Motion was made by Mr. Bergeron seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1283, M-C SERIES

ORDINANCE GRANTING A REZONE TO DONALD AND SHERYL WELCH FROM RESIDENTIAL TO BUSINESS FOR PROPERTY LOCATED AT 112 DARBONNE STREET, TO ALLOW TO MARKET PROPERTY.

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 Business is owned by Donald and Sheryl Welch, to-wit:

LOT FIVE OF SUBDIVISION OF G.W. MCMILLIN, A SUBDIVISION OF LOTS NINE (9) AND TEN (10) OF A SUBDIVISION OF SOUTHWEST QUARTER O SOUTHEAST QUARTER (SW/4 OF SE/4) OF SECTION 34 OF TOWNSHIP 9 SOUTH RANGE 10 WEST, LOUISIANA MERIDIAN, AND OF WEST HALF OF EAST HALF (W/2 OF E/2) OF SECTION 3 TOWNSHIP 10 SOUTH RANGE 10 WEST LOUISIANA MERIDIAN, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS THEREON SITUATED; 112 DARBONNE STREET, SULPHUR, LA 70663

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

1. Develop a drainage plan and have it approved as part of the Permit process.
2. An 8 foot tall privacy fence of wood or brick shall be located on all boundaries that abut Residential District (i.e. eastern boundary).

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 Business, for Donald and Sheryl Welch for the following described property to wit:

LOT FIVE OF SUBDIVISION OF G.W. MCMILLIN, A SUBDIVISION OF LOTS NINE (9) AND TEN (10) OF A SUBDIVISION OF SOUTHWEST QUARTER O SOUTHEAST QUARTER (SW/4 OF SE/4) OF SECTION 34 OF TOWNSHIP 9 SOUTH RANGE 10 WEST, LOUISIANA MERIDIAN, AND OF WEST HALF OF EAST HALF (W/2 OF E/2) OF SECTION 3 TOWNSHIP 10 SOUTH RANGE 10 WEST LOUISIANA MERIDIAN, RECORDS OF CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL IMPROVEMENTS THEREON SITUATED; 112 DARBONNE STREET, SULPHUR, LA 70663

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

NAYS: None

ABSENT: None

And the above ordinance was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

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 granting a variance to Donald and Brenda Ripley, 2316 Kenne Drive, to allow for chicken enclosure to be approximately 20 feet from the south property line rather than the required 50 feet. Mr. Favre stated that he recommended that this did not pass due to the fact that Mr. Ripley has plenty of property to move the pens. Mr. Ripley addressed the Council and stated that most of these animals are for his daughter. She lost her home a while back and he was keeping them for her. She will be removing them from my home soon. Mr. Favre stated that the Council has granted these sort of variances before but he received complaints about the animals. After discussion, motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE GRANTING A VARIANCE TO DONALD AND BRENDA RIPLEY, 2316 KEENE DRIVE, TO ALLOW FOR CHICKEN ENCLOSURE TO BE APPROXIMATELY 20 FEET FROM THE SOUTH PROPERTY LINE RATHER THAN THE REQUIRED 50 FEET.

WHEREAS, in accordance with Chapter 4, Section 6 of the Code of Ordinances of the City of Sulphur, a chicken enclosure shall not be nearer than 50 feet from any property line used for either residential or commercial purposes; and

WHEREAS, applicant is requesting a variance to allow chicken enclosure to be approximately 20 feet from south property line rather than the required 50 feet; and

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Donald and Brenda Ripley, 2316 Keene Drive, Sulphur, Louisiana 70663, to-wit:

COM 430 FT E OF NW COR S ½ SW NW 1.10.10 E 270 FT S 135 FT ETC  
IMPS/88 W/CABANA @011010-0994 – 000402 000 E ½ LOT 4 KEENE SUB  
REF1-LEO RUSSELL KEENE B 2097 P 344-88 REF2-SOLD TO STATE IN  
NAME OF LEO RUSSELL KEENE FOR 1988 TAXES-88 REF3-REDEEMED  
FROM STATE IN NAME OF BENNIE GEORGE HUGHES ET UX FOR 1988  
TAXES FILE #2135480, B 2314 P 11, P 15-92 REF4-MCELVEEN, DALE  
REED B 2630 P 407-97

WHEREAS, improvements on the property will include a chicken enclosure to be located approximately 20 feet from south property line rather than the required 50 feet.

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 Donald and Brenda Ripley, 2316 Keene Drive, for the following described property to-wit:

COM 430 FT E OF NW COR S ½ SW NW 1.10.10 E 270 FT S 135 FT ETC  
IMPS/88 W/CABANA @011010-0994 – 000402 000 E ½ LOT 4 KEENE SUB  
REF1-LEO RUSSELL KEENE B 2097 P 344-88 REF2-SOLD TO STATE IN  
NAME OF LEO RUSSELL KEENE FOR 1988 TAXES-88 REF3-REDEEMED  
FROM STATE IN NAME OF BENNIE GEORGE HUGHES ET UX FOR 1988  
TAXES FILE #2135480, B 2314 P 11, P 15-92 REF4-MCELVEEN, DALE  
REED B 2630 P 407-97

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.

That the owner of this variance 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 variance.

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

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

ABSENT: None

And the above ordinance failed on this 9<sup>th</sup> day of March, 2015.

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 amending Chapter 13.5, Article II of the Code of Ordinances of the City of Sulphur to provide for Smoke Free Air ordinance. *(To hear complete discussion on this ordinance you can visit [www.sulphur.org](http://www.sulphur.org) and watch the video under the City Council tab).*

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

Where Smoking Not Regulated:

Cigar Shops/Hookah Bars whose sole intent is to sell those products which were open prior to March 9, 2015.

Motion carried.

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

Where Smoking Not Regulated:

E-Cigarette/Vapor businesses whose sole intent is to sell vapor products.

Motion carried.

Motion was then made by Mr. Favre seconded by Mr. Bergeron that the following amendment be added to the following section:

Where Smoking Not Regulated:

Business vehicles – private business owners who own and operate privately owned vehicles for the purpose of conducting said business with all applicable Louisiana State laws.

Motion carried.

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

Remove from (f):

2. On all outdoor property that is adjacent to buildings owned, leased, or operated by the City of Sulphur and that is under the control of the City of Sulphur.

Motion carried.

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

6. In all outdoor service lines within 25 feet of an operable window/door to said business unless applicable to any Louisiana State law regulating consumption of tobacco products with minor children.

Motion carried.

Motion was then made by Mr. Favre seconded by Mrs. Allison that the following amendment be made (*underlined words were added*):

1. Smoking shall be prohibited in all outdoor places of employment, unless designated smoking areas are available outside of buildings or enclosed areas, and approved administratively, where two or more employees are required to be in the course of their employment. This includes, without limitation, work areas, construction sites, temporary offices such as trailers, restroom facilities, and vehicles unless designated smoking areas are available outside of buildings or enclosed areas.

Motion carried.

Motion was then made by Mr. Favre seconded by Mrs. Allison that the following amendments be made (*underlined words were added*):

(c) Application of Article to City of Sulphur Facilities and Property

All enclosed areas, including buildings and vehicles owned, leased, or operated by the City of Sulphur, as well as all outdoor property adjacent to such buildings and under the control of the City of Sulphur, shall be subject to the provisions of this Article with the exception of administratively approved designated outdoor smoking areas.

Motion carried.

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

(m) Violations and Penalties

1. Generally

- a. Any violation of any prohibition in R.S. 40:1300.256(A) may be cited by any law enforcement officer by the issuance of a citation and summons to appear before a court of property jurisdiction.
- b. Such citations shall be in a form such that there shall be retained in each book of citations a receipt and each shall have a copy to be deposited by the law enforcement officer with a court having jurisdiction over the alleged offense.
- c. Upon the deposit of the copy, the court shall notify the alleged violator of the time and place of his hearing or of his opportunity to plead guilty by the payment of his specified fine. Failure to appear, unless the fine is paid, may be punished within the discretion of the court as contempt of court.

Motion carried.

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

- (6) All fines imposed and collected pursuant to this section shall be transmitted to the City of Sulphur General Fund unless Louisiana State Statute deems otherwise.

Motion carried.

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

(s) Effective Date

This Article shall become effective ninety (90) days after the date of its adoption.

Motion carried.

Motion was then made by Mr. Favre to make all distances in ordinance 15 feet. After discussion, Mr. Favre withdrew his motion.

Motion was then made by Mr. Favre seconded by Mr. Bergeron that all distances in ordinances shall be 25 feet.

Motion carried.

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

ORDINANCE AMENDING CHAPTER 13.5, ARTICLE II OF THE CODE OF  
ORDINANCES OF THE CITY OF SULPHUR TO ALLOW FOR THE  
ADOPTION OF A SMOKE FREE AIR ORDINANCE.

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:

ORDINANCE AMENDING CHAPTER 13.5, ARTICLE II OF THE  
CODE OF ORDINANCES OF THE CITY OF SULPHUR TO ALLOW  
FOR THE ADOPTION OF A SMOKE FREE AIR ORDINANCE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13<sup>th</sup> day of April, 2015, 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 abolishing Ordinance No. 799, M-C Series which adopted Smoke-free air. Motion was made by Mr. Favre seconded by Mrs. Allison that the following ordinance be introduced:

**ORDINANCE ABOLISHING ORDINANCE NO. 799, M-C SERIES WHICH  
ADOPTED A SMOKE-FREE AIR ORDINANCE.**

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:

**ORDINANCE ABOLISHING ORDINANCE NO. 799, M-C SERIES WHICH  
ADOPTED A SMOKE-FREE AIR ORDINANCE.**

A public hearing on said ordinance will be held at 5:30 p.m. on the 13<sup>th</sup> day of April, 2015, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

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

STUART MOSS, Chairman

The next item on the agenda is an introduction of ordinance authorizing the acceptance of the Administrative Reorganization Plan as presented by the Mayor (creation of IT and HR

Departments). Motion was made by Mr. Favre seconded by Mrs. Ellender 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. 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:

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 13<sup>th</sup> day of April, 2015, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

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

STUART MOSS, Chairman

The next item on the agenda is an introduction of ordinance repealing Ordinance No. 1269, M-C Series adopted December 8, 2014, which authorized the acceptance of the Administrative Reorganization Plan as presented by the Mayor. Motion was made by Mr. Favre seconded by Mrs. Ellender that the following ordinance be introduced:



AN ORDINANCE REPEALING ORDINANCE NO. 1269, M-C SERIES ADOPTED DECEMBER 8, 2014, WHICH AUTHORIZED THE ACCEPTANCE OF THE ADMINISTRATIVE REORGANIZATION PLAN AS PRESENTED BY THE MAYOR.

Motion was then made by Mr. Favre 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:

AN ORDINANCE REPEALING ORDINANCE NO. 1269, M-C SERIES ADOPTED DECEMBER 8, 2014, WHICH AUTHORIZED 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 13<sup>th</sup> day of April, 2015, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

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

STUART MOSS, Chairman

The next item on the agenda is a resolution awarding low bid received for two (2) Full Matrix Message Sign Boards. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

**RESOLUTION NO. 2818, M-C SERIES**

Resolution awarding low bid received for two (2) Full Matrix Message Sign Boards.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for two (2) Full Matrix Message Sign Boards were opened and read

aloud in an open and public bid session on Wednesday, March 4, 2015 at 10:00 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Acacia Industries, LLC	\$45,700

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for two (2) Full Matrix Message Sign Boards as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Acacia Industries, LLC	\$45,700

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. Bergeron, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution awarding low bid received for Husqvarna ES-7000D, 3 Speed, 36" Blade Concrete Saw. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

**RESOLUTION NO. 2819, M-C SERIES**

Resolution awarding low bid received for a Husqvarna ES-7000D, 3 Speed, 36" Blade Concrete Saw.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a Husqvarna ES-7000D, 3 Speed, 36" Blade Concrete Saw were opened and read aloud in an open and public bid session on Wednesday, March 4, 2015 at 10:30 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Hertz Equipment Rental Corporation	\$32,391.52
CMC Construction Services	\$32,407.65
Casco	No bid bond

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for a Husqvarna ES-7000D, 3 Speed, 36" Blade Concrete Saw as follows:

<b><u>Company</u></b>	<b><u>Bid Amount</u></b>
Hertz Equipment Rental Corporation	\$32,391.52

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. Bergeron, Mrs. Allison, Mr. Favre, Mr. Moss

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to submit the 2015 Safe Routes to Schools Grant Application. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

**RESOLUTION NO. 2820, M-C SERIES**

Resolution authorizing Mayor Christopher L. Duncan to submit the 2015 Safe Routes to Schools Grant Application.

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 submit the 2015 Safe Routes to Schools Grant Application.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to submit application for the 2014-2015 Community Water Enrichment Fund for the Installation of New Fluoride Chemical Feed System for the City's North Water Plant Project. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2821, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to submit an application for the 2014-2015 Community Water Enrichment Fund for the Installation of New Fluoride Chemical Feed System for the City's North Water Plant Project.

WHEREAS the City of Sulphur is in need of funding for the New Fluoride Chemical Feed System for the City's North Water Plant Project; and

WHEREAS grants for projects are available through the Louisiana Division of Administration, Office of Community Development, Community Water Enrichment Fund.

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

Section 1. The City of Sulphur hereby supports the application for grant funds for this project; and further, Christopher L. Duncan as Mayor of the City of Sulphur, is hereby authorized to submit a Grant Application and accompanying documents to the Louisiana Division of Administration, Office of Community Development on behalf of the City of Sulphur for the purpose of securing funding for the New Fluoride Chemical Feed System for the City's North Water Plant Project, and

Section 2. Mayor Christopher L. Duncan is further authorized to furnish such additional information as may reasonably be required in connection with the Grant Application; and,

Section 3. Mayor Christopher L. Duncan is hereby designated as the Official Project Representative and is hereby given signature authority for all relative documents for the City of

Sulphur for any project that may result from the submission of the Grant Application and accompanying documents. Furthermore, Christopher L. Duncan, representing the City of Sulphur is hereby given the power and authority to do all things necessary to implement, maintain, amend, and renew such documents relative to any such project.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a contract with LaCroix Art Studio for the Russell Keene Bronze Statue. Mayor Duncan stated that there will be no cost to the City. Motion was made by Mrs. Allison seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2822, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into contract with LaCroix Art Studio for the Russell Keene Bronze Statue.

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 contract with LaCroix Art Studio for the Russell Keene Bronze Statue.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution approving liquor license for More 4 Less #25 located at 3610 East Napoleon Street. Motion was made by Mr. Bergeron seconded by Mrs.

Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2823, M-C SERIES

Resolution approving liquor license for More 4 Less #25 located at 3610 East Napoleon Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for More 4 Less #25 located at 3610 East Napoleon Street.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution appointing a member to the Calcasieu Parish Police Jury Human Services Advisory Board. Motion was made by Mr. Favre seconded by Mrs.

Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 2824, M-C SERIES

Resolution appointing a member to the Calcasieu Parish Police Jury Human Services Advisory Board.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Veronica Allison to the Calcasieu Parish Police Jury Human Services Advisory Board.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution authorizing Mayor Duncan to enter into a Cooperative Endeavor Agreement with Calcasieu Parish Police Jury for the Summer Feeding Program. Motion was made by Mrs. Allison seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2825, M-C SERIES

Resolution authorizing Mayor Duncan to enter into a Cooperative Endeavor Agreement with Calcasieu Parish Police Jury for the Summer Feeding Program.

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 Calcasieu Parish Police Jury for the Summer Feeding Program.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution approving Special Event Permit for St. Patty's Crawfish Boil to be held at Quaker Steak & Lube located at 535 North Cities Service Hwy. Motion was made by Mrs. Allison seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2826, M-C SERIES

Resolution approving Special Event Permit for St. Patty's Crawfish Boil to be held at Quaker Steak & Lube located at 535 North Cities Service Hwy.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve Special Event Permit St. Patty's Crawfish Boil to be held at Quaker Steak & Lube located at 535 North Cities Service Hwy.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution approving Special Event Permit for Louisiana Cultural Economy Foundation Event to be held at The End Zone located at 2142 East Napoleon Suite 4. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following amendment be made:

Change from: Tobacco Free Living

Change to: Louisiana Cultural Economy Foundation

Motion carried.



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

RESOLUTION NO. 2827, M-C SERIES

Resolution approving Special Event Permit for Louisiana Cultural Economy Foundation Event to be held at The End Zone located at 2142 East Napoleon Suite 4.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve Special Event Permit for Louisiana Cultural Economy Foundation Event to be held at The End Zone located at 2142 East Napoleon Suite 4.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a resolution approving Substantial Completion for Sludge Belt Press. Motion was made by Mr. Favre seconded by Mr. Bergeron that the following resolution be adopted to-wit:

RESOLUTION NO. 2828, M-C SERIES

Resolution accepting Certificate of Substantial Completion on the Regional Wastewater Treatment Facility Sludge Belt Press and Conveyor System No. 2.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion on the Regional Wastewater Treatment Facility Sludge Belt Press and Conveyor System No. 2.

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 9<sup>th</sup> day of March, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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STUART MOSS, Chairman

The next item on the agenda is a discussion concerning recycling. Charles, Progressive Waste, addressed the Council and stated that they supply 7 containers for recycling and empty 3 times a week. Recycling has grown so we brought 4 more containers. The containers are overflowing and creating a huge mess. People are even putting non-recyclables in the containers. We need help with this problem. There are three ways to handle this problem:

1. We only supply 7 containers and pick up once a week.
2. We supply 11 containers and pick up three times a week and charge \$2,500 extra a month
3. Do curbside recycling as in original bid

Mayor Duncan stated that we can't deviate from the signed contract. If we do we have to go out for Request For Proposals and start all over again.

Fire Chief, Danny Dupre, stated that the containers are at his fire station so he'll have someone keep an eye on them to make sure no illegal dumping is happening.

The next (2) two item on the agenda are as follows:

Receive and discuss report on status of the following lawsuit:

14<sup>th</sup> Judicial District Court, Parish of Calcasieu, State of Louisiana  
CAROL J. "CJ" VINCENT  
VS. NO. 2010-002799  
CITY OF SULPHUR  
CHRISTOPHER DUNCAN, MAYOR OF CITY OF SULPHUR  
CHRISTOPHER DUNCAN, FINANCE DIRECTOR OF THE  
CITY OF SULPHUR  
DEBBIE LANDRY, UTILITY CLERK/WATER DEPARTMENT  
BILLING/COLLECTION

The lawsuit will be discussed in executive session

Receive and discuss report on status of the following litigation:

14<sup>th</sup> Judicial District Court, Parish of Calcasieu, State of Louisiana  
SARAH E MANNING  
VS. NO. 2014-002294  
CITY OF SULPHUR

The lawsuit will be discussed in executive session

Motion was made by Mr. Favre seconded by Mr. Bergeron that Council go into executive session (7:40 p.m.). Motion carried.

Upon entering back into the Council Chambers, motion was made by Mrs. Ellender seconded by Mr. Favre that the meeting reconvene (8:00 p.m.). Motion carried.

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

3/9/15  
8:03 P.M.