

June 8, 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 June 8, 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  
VERONICA ALLISON, Council Representative of District 3  
RANDY FAVRE, Council Representative of District 4  
STUART MOSS, Council Representative of District 5  
ABSENT: - DENNIS BERGERON, Council Representative of District 2  
(Death in the family)

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 Mr. Moss.

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

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Favre seconded by Mr. Moss that item #2 be removed from the agenda. Motion carried.

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

The first item on the agenda is discussion concerning Centerpoint Energy franchise agreement. Scott Fault, Representative, asked that Section 5 of the agreement be removed. It isn't beneficial to citizens of Sulphur to keep the Sulphur office open. People mostly use technology to pay their bills. Sulphur is the only site still open. Less than 14% of Sulphur use this office. We are trying to keep costs down for customers. There is a wide variety of ways to

pay a bill (1) Walmart, Kroger or Market Basket (2) automated bank draft (3) pay on-line. The employee currently working there is talking about retiring. If this person decides not to retire there will be a place for him.

The next item on the agenda is a resolution authorizing the publication of a Notice of Intention to levy a sales tax and hotel occupancy tax within Hope Economic Development District with City Council convening as the Governing Authority of the District; and providing for other matters in connection therewith. Mr. Favre stated that Hope Economic District will levy a tax against themselves. Jay Delafield, Attorney, stated that this is a form a Tax Increment Finance (TIF) that will be levied against all guests staying at the hotel. This is to defray cost of hotel. This isn't a tax on the citizens of Sulphur unless they stay at the hotel. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2850, M-C SERIES

A resolution authorizing the publication of a Notice of Intention to levy a sales tax and a hotel occupancy tax within Hope Economic Development District and providing for other matters in connection therewith.

WHEREAS, the City of Sulphur, Louisiana (the "City"), created Hope Economic Development District (the "District") on May 11, 2015, pursuant to Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 33:9038.42, inclusive) (the "Act"); and

WHEREAS, La. R.S. 33:9038.39 permits economic development districts such as the District to levy sales taxes at a rate up to two percent (2%) and hotel occupancy taxes at a rate of up to two percent (2%) for authorized purposes and, in this instance the Sulphur City Council, acting as the governing authority (the "Governing Authority") of the District, proposes to impose a sales tax not to exceed two percent (2%) and a hotel occupancy tax not to exceed two percent (2%) within the District, the revenues from which levy will provide funds for economic development projects within the District; and

WHEREAS, in accordance with the Act, this Governing Authority now desires to give notice of its intention to hold a public hearing relative to the proposed levy of a sales tax and a hotel occupancy tax in the District, and therefore the Act requires the publication of a notice two (2) times expressing the intent to levy such taxes within the District; and

WHEREAS, a notice in substantially the form attached hereto as Exhibit A, shall be published two (2) times in the *Southwest Daily News*, the official journal of the District.

BE IT RESOLVED by the Sulphur City Council, acting as the governing authority of Hope Economic Development District, that:

SECTION 1) In accordance with the Act, this Governing Authority does hereby give notice of its intention to levy taxes within the District.

SECTION 2) The publication of the notice described in the recitals of this resolution for the purposes set forth therein is hereby approved and authorized to be published once a week for two consecutive weeks in the *Southwest Daily News*, the official journal of the District.

SECTION 3) At the date, time and place mentioned in Exhibit A hereto, the Governing Authority will meet in open and public session to hear any objections to the proposed levy of a sales tax and hotel occupancy tax.

SECTION 4) The Mayor of the City and Clerk of the Governing Authority are hereby authorized and empowered to do all acts, sign any and all instruments or documents, and do all things necessary and proper in order to carry out the purposes of this resolution.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing the levy of a sales tax and hotel occupancy tax within Hope Economic Development District (the "District"); designating the full amount of such sales tax and hotel occupancy tax in the District which will be used to provide funds for economic development projects within the District with City Council convening as the Governing Authority of the District in accordance with and as authorized by Part II, Chapter 27, Title 33 of the LRS of 1950, as amended, and providing for other matters in

connection with the foregoing. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING THE LEVY OF A SALES TAX AND HOTEL OCCUPANCY TAX WITHIN HOPE ECONOMIC DEVELOPMENT DISTRICT (THE "DISTRICT"); DESIGNATING THE FULL AMOUNT OF SUCH SALES TAX AND HOTEL OCCUPANCY TAX IN THE DISTRICT WHICH WILL BE USED TO PROVIDE FUNDS FOR ECONOMIC DEVELOPMENT PROJECTS WITHIN THE DISTRICT IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

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

#### **PUBLIC NOTICE**

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

AN ORDINANCE AUTHORIZING THE LEVY OF A SALES TAX AND HOTEL OCCUPANCY TAX WITHIN HOPE ECONOMIC DEVELOPMENT DISTRICT (THE "DISTRICT"); DESIGNATING THE FULL AMOUNT OF SUCH SALES TAX AND HOTEL OCCUPANCY TAX IN THE DISTRICT WHICH WILL BE USED TO PROVIDE FUNDS FOR ECONOMIC DEVELOPMENT PROJECTS WITHIN THE DISTRICT IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

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

CITY OF SULPHUR, LOUISIANA

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

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing Hope Economic Development District (the “District”), with City Council convening as the Governing Authority of the District to enter into a Cooperative Endeavor Agreement with respect to economic development projects within the District; approving the form and terms of such agreement; and taking other matters in connection therewith. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING HOPE ECONOMIC DEVELOPMENT DISTRICT (THE “DISTRICT”), TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS WITHIN THE DISTRICT; APPROVING THE FORM AND TERMS OF SUCH AGREEMENT; AND TAKING OTHER MATTERS IN CONNECTION THEREWITH.

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

#### **PUBLIC NOTICE**

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

AN ORDINANCE AUTHORIZING HOPE ECONOMIC DEVELOPMENT DISTRICT (THE "DISTRICT"), TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS WITHIN THE DISTRICT; APPROVING THE FORM AND TERMS OF SUCH AGREEMENT; AND TAKING OTHER MATTERS IN CONNECTION THEREWITH.

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

CITY OF SULPHUR, LOUISIANA

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

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing the City of Sulphur, Louisiana, with City Council convening as the Governing Authority of the District, to enter into a Cooperative Endeavor Agreement with respect to economic development projects within Hope Economic Development District; approving the form and terms of such agreement; and taking other matters in connection therewith. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING THE CITY OF SULPHUR, LOUISIANA, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS WITHIN HOPE ECONOMIC DEVELOPMENT DISTRICT; APPROVING THE FORM AND TERMS OF SUCH AGREEMENT; AND TAKING OTHER MATTERS IN CONNECTION THEREWITH.

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

## **PUBLIC NOTICE**

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

AN ORDINANCE AUTHORIZING THE CITY OF SULPHUR, LOUISIANA, TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS WITHIN HOPE ECONOMIC DEVELOPMENT DISTRICT; APPROVING THE FORM AND TERMS OF SUCH AGREEMENT; AND TAKING OTHER MATTERS IN CONNECTION THEREWITH.

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

CITY OF SULPHUR, LOUISIANA

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

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a public hearing on ordinance granting an Exception to Palermo Land Company, Inc. and AJP Family Limited Partnership, for hotel height to exceed the 50 foot requirement for property located on Beglis Parkway, south of R.W. Vincent Elementary School. Motion was made by Mrs. Allison seconded by Mr. Favre that the following ordinance be adopted to-wit:

### **ORDINANCE NO. 1302, M-C SERIES**

ORDINANCE GRANTING AN EXCEPTION TO PALERMO LAND COMPANY, INC. AND AJP FAMILY LIMITED PARTNERSHIP, TO ALLOW HOTEL HEIGHT TO EXCEED THE 50 FOOT REQUIREMENT FOR PROPERTY LOCATED ON BEGLIS PARKWAY, SOUTH OF R.W. VINCENT ELEMENTARY SCHOOL.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, for an Exception is owned by Palermo Land Company, Inc. and AJP Family Limited Partnership, to-wit:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 TOWNSHIP 10 SOUTH, RANGE 10 WEST, OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 89°19'50" EAST A DISTANCE OF 1,327.74 FEET; THENCE SOUTH 00°34'15" WEST A DISTANCE OF 662.60 FEET; THENCE

NORTH 89°26'14" WEST A DISTANCE OF 1,327.74 FEET; THENCE NORTH 00°34'15" EAST A DISTANCE OF 663.07 FEET TO THE POINT OF COMMENCEMENT.

CONTAINING 881,403.11 SQUARE FEET OR 20.23 ACRES, MORE OR LESS.

BEING SUBJECT TO A ROAD RIGHT OF WAY ALONG THE WEST SIDE THEREOF AND A UTILITY EASEMENT ACROSS THE CENTER.

WHEREAS, improvements on the property will include hotels to exceed the 50 foot requirement in accordance with Article IV, Part III, Section 5 (3) (b) of the Land Use Ordinance of the City of Sulphur, Louisiana.

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 Palermo Land Company, Inc. and AJP Family Limited Partnership, for the following described property to wit:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 TOWNSHIP 10 SOUTH, RANGE 10 WEST, OF CALCASIEU PARISH, LOUISIANA, THENCE SOUTH 89°19'50" EAST A DISTANCE OF 1,327.74 FEET; THENCE SOUTH 00°34'15" WEST A DISTANCE OF 662.60 FEET; THENCE NORTH 89°26'14" WEST A DISTANCE OF 1,327.74 FEET; THENCE NORTH 00°34'15" EAST A DISTANCE OF 663.07 FEET TO THE POINT OF COMMENCEMENT.

CONTAINING 881,403.11 SQUARE FEET OR 20.23 ACRES, MORE OR LESS.

BEING SUBJECT TO A ROAD RIGHT OF WAY ALONG THE WEST SIDE THEREOF AND A UTILITY EASEMENT ACROSS THE CENTER.

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting petition for annexation from KNI, LLC, for 88 acres north of railroad tracks and west of Prater Road. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2851, M-C SERIES

Resolution accepting petition from KNI, LLC, for 88 acres north of railroad tracks and west of Prater Road.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept petition from KNI, LLC, for 88 acres north of railroad tracks and west of Prater Road for the following described property:

A CERTAIN TRACT OR PARCEL OF LAND, CONTAINING 87.5 ACRES, MORE OR LESS, LOCATED IN SECTIONS 29 AND 32, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU PARISH, LOUISIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW ¼ OF THE SW ¼) OF SECTION 29; AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ OF THE NW ¼) OF SECTION 32, AND

THAT CERTAIN STRIP OF LAND DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW ¼ OF THE NW ¼) OF SECTION 32; THENCE PROCEED IN AN EASTERLY DIRECTION 1,721.21 FEET ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S ½ OF THE NW ¼); THENCE SOUTH 0°01'22" EAST, 191.53 FEET TO THE NORTH BOUNDARY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY; THENCE WEST 1,721.24 FEET ALONG SAID RIGHT-OF-WAY TO THE WEST LINE OF SAID SECTION 32; THENCE IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SECTION 32, 184.2 FEET TO THE POINT OF BEGINNING, ALL BEING LOCATED IN TOWNSHIP 9 SOUTH, RANGE 9 WEST.

BEING THE SAME PROPERTY ACQUIRED BY PWK TIMBERLAND, LLC (THEN KNOWN AS KING 11, NUCO #2, INC.) BY CONVEYANCE DEED RECORDED AT FILE NO. 2264702 (AS CORRECTED AT FILE NO. 2271149) AND BY EXCHANGE DEED RECORDED AT FILE NO. 2264726 (AS CORRECTED AT FILE NO. 2271148).

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting petition from Hackberry Investments Four, LLC for 28 acres on west side of Prater Road north of railroad tracks. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2852, M-C SERIES

Resolution accepting petition from Hackberry Investments Four, LLC for 28 acres on west side of Prater Road north of railroad tracks.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept petition from Hackberry Investments Four, LLC for 28 acres on west side of Prater Road north of railroad tracks for the following described property:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF  
SECTION 29, TOWNSHIP 9 SOUTH, RANGE 9 WEST, CALCASIEU  
PARISH LOUISIANA, LESS 11 ACRES SOLD

AND WHEREAS, said property shall be zoned Commercial with Exception for recreational use/labor housing.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby accept petition from Hackberry Investments Four, LLC, for the annexation of property for 28 acres north of railroad track and west of Prater Road.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting streets in Belle Savanne 1A into city's maintenance system (Briar Court, Madison Crossing, Newport Circle, Long Hill Drive).

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

RESOLUTION NO. 2853, M-C SERIES

Resolution accepting streets in Belle Savanne Subdivision Phase 1A into city's maintenance system.

WHEREAS, in accordance with Chapter 18, Section 26 of the Code of Ordinances of the City of Sulphur, final plat for Belle Savanne Subdivision Phase 1A was adopted by City Council on Monday, May 11, 2015 that included the dedication of right-of-way of streets to the perpetual use of the public and servitudes were granted to the public use for the use of utilities, drainage, sewage removal or other public purpose for the general use of the public; and

WHEREAS, no building, structure or fence shall be constructed, nor any shrubbery planted within the limits of any servitude so as to prevent or unreasonably interfere with any purpose for which the servitude is granted; and

WHEREAS, owner of said subdivision has submitted statement of dedication which formally requests the City of Sulphur to assume full responsibility for the maintenance of Briar Court, Madison Crossing, Newport Circle and Long Hill Drive.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Briar Court, Madison Crossing, Newport Circle and Long Hill Drive in Belle Savanne Subdivision Phase 1A into city's maintenance system.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance granting a variance to the Smoke Free Air Ordinance to allow for Cash Magic Winner's Choice, LLC, 2654 Hwy. 108, to construct an enclosed smoking room attached to a secondary entrance rather than the smoke room being located at the required 5 foot distance. Tim O'Dowd, Attorney, stated that he didn't think this variance should be granted. City can't pick and choose and who can afford this and who can't. Some businesses can't afford to have a smoke room as such. This isn't an even playing field. Motion was then made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1303, M-C SERIES

ORDINANCE GRANTING A VARIANCE TO CASH MAGIC WINNER'S  
CHOICE, LLC TO ALLOW CONSTRUCTION OF ENCLOSED SMOKE ROOM.

WHEREAS, the Sulphur Smoke Free Air was designed to protect the public health and welfare by prohibiting smoking in public places and places of employment; and to guarantee the right of nonsmokers to breathe smoke-free air, and to recognize that the need to breathe smoke free air shall have priority over the desire to smoke; and

WHEREAS, the construction of a separate enclosed smoking room at the Cash Magic Winner's Choice video poker truck stop located at 2654 Hwy 108 in Sulphur, Louisiana will not violate the intent and purpose of the Sulphur Smoke Free Air ordinance by providing an enclosed area accessible by patrons of the Cash Magic Winner's Choice video poker truck stop, only and will not expose nonsmokers and employees to Environmental Tobacco Smoke (ETS); and

WHEREAS, the enclosed smoking room at the Cash Magic Winner's Choice video truck stop located at 2654 Hwy 108 in Sulphur, Louisiana will be constructed in such a manner to stop Environmental Tobacco Smoke (ETS) from entering other areas of occupied spaces in the building as more clearly demonstrated by the attached floor plans and mechanical layout drawings; and

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

1. Requirements of Section 13.5 Article II of the Code of Ordinances of the City of Sulphur (Smoke Free Air) are waived for the smoking room to be constructed at Cash Magic Winner's Choice located at 2654 Hwy 108, Sulphur, Louisiana;
2. Separate smoking room at Cash Magic Winner's Choice shall have doors that partition the room off from other areas. In addition, the air conditioning system shall only serve the separate smoking room. The air handling unit shall be controlled by a room thermostat. The Air Handling Unit should only service the smoking room and shall be sized according to the size of the room as well as the amount of airflow (CFM's) according to the requirements below:

Minimum Occupancy: 1 Person per 10 ft<sup>2</sup>

Minimum Supply Air Changes: 12 air changes per hour

Mechanical Ventilation (Fresh Air):

3. Mechanical ventilation shall be provided by one of the following methods:
  - a. Fresh Air Ventilation Rate Procedure: Minimum amount of fresh air delivered to space shall be 60 CFM/person.
  - b. ASHRAE 62.1 Indoor Air Quality (IAQ) Procedure: Where a *registered design professional* demonstrates that an engineered

ventilation system design will prevent the maximum concentration of contaminants from exceeding that obtainable by the “Fresh Air Ventilation Rate” stated above, the minimum required rate of outdoor air may be reduced in accordance with such engineered system design.

4. The separate smoking room shall be provided with ETS containment by means of exhausting the room. Recirculation of room air into other areas of the building is not allowed. The rate of exhaust airflow must exceed the rate of air introduced into the room to the extent that the room shall maintain a negative pressure to ensure smoke will not pass back into the building.
5. Independent exhaust airflow shall be a variable speed controlled fan which shall be interlocked and controlled by a Room pressure monitor to maintain 7 Pascals (0.028” H<sub>2</sub>O) of negative pressure. Exhaust grilles shall be located in the ceiling or as close to the level of smoke stratification as possible. The amount of exhaust air shall be enough to negatively pressurize the room by 7 Pascals (0.028”H<sub>2</sub>O).
6. The appropriate and necessary building permits are required to be obtained by Cash Magic Winner’s Choice prior to construction.
7. There shall be no workers present in smoking room while smoking is taking place.
8. There shall be no video poker machines in smoking rom.
9. The smoking room shall be purged (exhaust fan) prior to entrance by cleaning personnel.

A vote was then called with the results as follows:

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

NAYS: Mrs. Allison

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

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

To condemn building or structure located 925 Kirby Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Moss seconded by Mr. Favre that 925 Kirby Street be condemned. Motion carried.

To condemn building or structure located 1003 West Verdine Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Favre seconded by Mr. Moss that 1003 West Verdine Street be condemned. Motion carried.

To condemn building or structure located 715 East Lyons Street, in accordance with Article IX, Section 5-286 through 5-296. Motion was made by Mr. Moss seconded by Mr. Favre that 715 East Lyons Street be condemned. Motion carried.

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 954, M-C Series, which amended the User Charge and Sewer Use Ordinance. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1304, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 954, M-C  
SERIES WHICH AMENDED THE USER CHARGE AND  
SEWER USE ORDINANCE – SEPTAGE WASTE.

WHEREAS, on November 9, 2009, Ordinance No. 954, M-C Series was adopted to provide for Section 3.3.3 of the User Charge and Sewer Use Ordinance.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Ordinance No. 954 be amended to read as follows:

3.3.3 Septage Waste

Septage waste is typically delivered by the tank load in delivery vehicles. Concentrations of pollutants, primarily BOD5 and TSS (total suspended solids), are high, compared to typical, residential, waste water production. In recognition of this, user charges for septage disposal shall be based on the pounds of pollutants delivered.

Pounds of pollutant delivered shall be based on published, typical rates for BOD5 and TSS concentrations for septage. For purposes of

this ordinance, those rates shall be 8,000 mg/l for BOD5 and 30,000 mg/l for TSS. These rates may be adjusted upward for individual loads or transporters, should laboratory testing indicate that the actual concentrations are above these levels. There will be no downward adjustment.

The cost for treatment and disposal shall be equivalent to 50% of the City's cost per pound of BOD5 and TSS. For the purposes of calculating this unit cost, 55% of the City's cost shall be assigned to BOD5 removal and 45% of the City's cost shall be assigned to TSS removal. The City's cost shall be those annual costs as published in the City's annual budget under the Wastewater Plant section. Pounds of BOD5 and TSS to be used in the calculation of the unit cost shall be the total, annual pounds of BOD5 and TSS as measured during the most recent Municipal Water Pollution Prevention Environmental Audit Report period or other similar annual reporting period.

In accordance with the City's charter, annual increase in this fee will not exceed ten (10) percent in any one fiscal year.

Charges for treatment and disposal of septage waste shall be calculated by the following formula:

$$C_{SU} = (B) (V_U/1000)(8.34 \text{ LB/Gal})(B_C) + (S)(V_U/1000)(8.34 \text{ LB/Gal})(S_C)$$

Where:

$C_{SU}$  is the User's unit charge per 1000 gallons for treatment and disposal of septage.

B is the BOD5 concentration of the septage (8000 mg/l minimum)

$V_U$  is the Volume of septage discharge, measured in 1000 gallon units

$B_C$  is the unit cost for treatment and disposal for BOD5, measured in \$/lb

S is the TSS concentration of the septage (30,000 mg/l minimum)

$S_C$  is the unit cost for treatment and disposal for TSS, measured in \$/lb

This ordinance shall become effective July 1, 2015.



A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1205, M-C Series which set forth septage hauler rates. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1305, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1205, M-C SERIES, WHICH SET FORTH SEPTAGE HAULER RATES.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1205, M-C Series and authorize the following rates to be charged to septage haulers in accordance with Section 3.3.3 and Section 3.4.4 of the User Charge and Sewer Use Ordinance as follows:

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

BOD5 (treatment and disposal)	\$1.6936 per pound of BOD5 (8,000 mg/l, minimum)
TSS (treatment and disposal)	\$0.4053 per pound of TSS (30,000 mg/l, minimum)
BOD5 (treatment and disposal)	\$112.9938 per 1,000 gallons at 8,000 mg/l
TSS (treatment and disposal)	\$101.4089 per 1,000 gallons at 30,000 mg/l
<u>Total Charges</u>	\$214.40 per 1,000 gallons at minimum concentration levels
Residential Sewer Rate	\$16.67 per month

Annualization Factor	12
<u>Resulting Annual Permit Fee</u>	\$200.04 (rounded)

BE IT ALSO ORDAINED that this Ordinance shall become effective July 1, 2015.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1214, M-C Series adopted June 9, 2014, to set forth water fees charged by the City. Kevin Alley, Director of Finance, stated that this will be a \$1.10 increase. The average rate is from \$16.00-\$20.00. Motion was made by Mr. Favre seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1306, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1214, M-C SERIES  
ADOPTED JUNE 9, 2014 TO SET FORTH WATER FEES CHARGED  
BY THE CITY.

**BE IT ORDAINED** by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that water fees for normal monthly service rendered by the City of Sulphur, Louisiana, shall be as follows:

**WATER:**

**FLAT RATES**

Commercial Inside	24.06	DEQ Testing Fee	.27
Commercial Outside	48.12	DEQ Testing Fee	.27
Church Inside	16.52	DEQ Testing Fee	.27

Church Outside	33.04	DEQ Testing Fee	.27
Multi Commercial Inside	24.06	DEQ Testing Fee	.27
Multi Family Inside	16.52	DEQ Testing Fee	.27
Multi Family Outside	33.04	DEQ Testing Fee	.27
Residential Inside	16.52	DEQ Testing Fee	.27
Residential Outside	33.04	DEQ Testing Fee	.27
Trailer Park Inside	16.52	DEQ Testing Fee	.27
Trailer Park Outside	33.04	DEQ Testing Fee	.27
Utility Assistance Inside	12.77		

## **METERED RATES**

	Inside	
Outside		
First 5,000 gallons used	21.32	42.64
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.4136	.8272
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.3240	.6480
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.2180	.4360

## **COMMERCIAL IRRIGATION (IM)**

First 5,000 gallons used	21.32	42.64
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.4136	.8272
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.3240	.6480
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.2180	.4360

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective July 1, 2015.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1215, M-C Series adopted June 9, 2014, to set forth sewer fees charged by the City. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1307, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1215, M-C SERIES  
ADOPTED JUNE 9, 2014 TO SET FORTH SEWER FEES CHARGED  
BY THE CITY.

**BE IT ORDAINED** by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that sewer fees for normal monthly service rendered by the City of Sulphur, Louisiana, shall be as follows:

**SEWER:**

**FLAT RATES**

Commercial Inside	26.01
Commercial Outside	52.02
Church Inside	18.32
Church Outside	36.64
Multi Commercial Inside	26.01
Multi Family Inside	18.32
Multi Family Outside	36.64
Residential Inside	18.32
Residential Outside	36.64
Trailer Park Inside	18.32
Trailer Park Outside	36.64
Utility Assistance Inside	14.57

**METERED RATES**

	Inside	Outside
First 5,000 gallons used	23.62	47.24
Next 25,000 gallons used per 100 gal. (5,001 to 30,000)	.3540	.7080
Next 70,000 gallons used per 100 gal. (30,001 to 100,000)	.2773	.5546
Next over 100,000 gallons used per 100 gal. (100,001 & up)	.1866	.3732

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective July 1, 2015.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1216, M-C Series adopted June 9, 2014, to set forth garbage/trash collection fees charged by the City. Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be adopted to-wit:

ORDINANCE NO. 1308, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1216, M-C SERIES ADOPTED JUNE 9, 2014 TO SET FORTH GARBAGE/TRASH COLLECTION FEES CHARGED BY THE CITY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that garbage-trash collection fees for normal services rendered by the City of Sulphur, Louisiana, shall be as follows:

**GARBAGE-TRASH (SOLID WASTE)**

**\$ 14.64 Per Unit Per Month** (A unit residential or service as defined in existing Contract)  
BE IT FURTHER ORDAINED that this Ordinance shall become effective

July 1, 2014.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1217, M-C Series adopted June 9, 2014, to set forth commercial sprinkler water fee charged by

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

ORDINANCE NO. 1309, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1217, M-C SERIES  
ADOPTED  
JUNE 9, 2014, TO SET FORTH COMMERCIAL SPRINKLER WATER FEE  
CHARGED BY THE CITY.

**BE IT ORDAINED** by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Commercial Sprinkler Water fee for normal monthly service rendered by the City of Sulphur, Louisiana, shall be as follows:

**Commercial Sprinkler Water Fee**

**FLAT RATES**

	Inside	Outside
Commercial Sprinkler Water Fee	24.06	48.12

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective July 1, 2015.  
A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance declaring certain surplus moveable property (equipment and vehicles). Motion was made by Mr. Moss seconded by Mr. Favre that the following ordinance be amended since items were added to the list after introduction:

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

Motion carried.

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

ORDINANCE NO. 1310, M-C SERIES, AS AMENDED

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE  
PROPERTY (EQUIPMENT AND VEHICLES) 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:

Item	Qty	Est Value
Stihl Demo saw TS 350	1	No valve
Stihl Demo saw TS460	6	20.00
Husqvarna Chain saw	1	No valve
Stihl Blower BR400	1	10.00
TroyBuilt Blower TB92613	1	No valve
Stihl Weed eater ES 250	4	20.00
Powermate pressure washer	1	20.00
Econoline II concrete cutter 24"	1	30.00
Briggs & Stratton generator	1	No valve
2004 Chevrolet Impala VIN#3377	1	\$500
2004 Chevrolet Impala VIN#1222	1	\$500
2005 Chevrolet Impala VIN#5330	1	\$500
2005 Chevrolet Impala VIN#6463	1	\$500
1992 Dodge Ram 2500 VIN#6130	1	\$250
1997 Chevrolet C-2500 VIN#8394	1	\$250
2005 Dodge Durango VIN#7071	1	\$300
2009 Ford Crown Vic VIN#2186	1	\$200 – keep to be used for spare parts
2008 Ford Crown Vic VIN#2822	1	\$200 - keep to be used for spare parts
1994 GMC Sonoma VIN#6122	1	\$100
2002 Chevrolet 6000 PU, VIN# 3309	1	\$1000
2005 Chevrolet Impala, VIN# 5330	1	\$800
2005 Chevrolet Impala, VIN# 6463	1	\$800

2004 Chevrolet Impala, VIN# 3377	1	\$800
2004 Chevrolet Impala, VIN#1222	1	\$800
1991 Chevrolet PU, VIN#9490	1	\$1000
1987 Honda 4 Wheeler, VIN#4454	1	\$200
Treadmills	3	No Value
Elliptical Machines	3	No Value
Stationary Bicycles	3	No Value

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

NAYS: None

ABSENT: Mr. Bergeron

And the said ordinance was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution changing the name of Trahan Road to West Cal Boulevard (road located at south entrance to West Cal Community Center). Mayor Duncan stated that this was a request from West Cal Community Center Authority. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

**RESOLUTION NO. 2854, M-C SERIES**

Resolution changing the name of the entrance road into the West Calcasieu Community Center from Trahan Road to West Cal Boulevard.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby change the name of the entrance road into the West Calcasieu Community Center from Trahan Road to West Cal Boulevard.

A vote was then called with the results as follows:



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

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution accepting West Cal Boulevard (road located at south entrance to West Cal Community Center) into the City's maintenance system. Mayor Duncan stated that this is at the request of West Cal Community Center Authority. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2855, M-C SERIES

Resolution accepting West Cal Boulevard into the City's maintenance system.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept West Cal Boulevard into the City's maintenance system.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution awarding low bid received for a six (6) month supply of pipe and fittings, diesel, limestone and asphalt mix and chemical supplies for the City. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2856, M-C SERIES

Resolution awarding of low bid received for six month supply of pipe and fittings, gas, oil and diesel, chemicals, limestone and asphalt mix.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby award bids for six month supply of pipe and fittings, diesel, chemicals and limestone and asphalt mix that were opened and read aloud in an open and public bid session on Tuesday, June 2, 2015 at 10:00 a.m. Said bids shall become effective July 1, 2015:

**TABULATION FOR  
SIX MONTH SUPPLY ON CHEMICALS  
JUNE 2, 2015**

**POTASSIUM PERMANGANATE**

C & L AQUA PROFESSIONALS INC	\$907.50
D X I INDUSTRIES	NO BID
BRENTTAG SOUTHWEST INC	\$742.50****
UNIVAR	NO BID

**CHLORINE**

C & L AQUA PROFESSIONALS INC	NO BID
D X I INDUSTRIES	\$639.00****
BRENTTAG SOUTHWEST INC	\$710.00
UNIVAR	NO BID

**\*\*\*\* AWARDED BIDDER\*\*\*\***

**TABULATION FOR  
SIX MONTH SUPPLY OF GAS AND OIL  
JUNE 2, 2015**

**DIESEL FUEL (OFF ROAD)  
(PER GALLON)**

RELADYNE	DAILY RACK
+\$0.11****	
LM DAIGLE OIL DIST LLC	DAILY RACK
+\$0.20	
SUNCOAST RESOURCES	DAILY RACK
+\$0.59	

**TRACTOR HYDRAULIC FLUID  
(55 GAL. DRUM)**

RELADYNE	\$471.90
LM DAIGLE OIL DIST LLC	\$669.89
SUNCOAST RESOURCES	\$421.85****

**DEXTRAN III TRANSMISSION FLUID  
(55 GAL. DRUM)**

RELADYNE	\$445.50****
LM DAIGLE OIL DIST LLC	\$659.89
SUNCOAST RESOURCES	\$465.30

**ROTELLA 15W 40  
(PER 55 GALLON DRUM)**

RELADYNE	\$570.90
LM DAIGLE OIL DIST LLC	\$768.89
SUNCOAST RESOURCES	\$459.25****

**10W 30 MOTOR OIL  
(PER 55 GALLON DRUM)**

RELADYNE	\$471.82
LM DAIGLE OIL DIST LLC	\$651.89
SUNCOAST RESOURCES	\$382.25****

**5W 30 MOTOR OIL NON SUPER DEXOS FULL SYNETHIC  
(PER 55 GALLON DRUM)**

RELADYNE	\$649.19
LM DAIGLE OIL DIST LLC	\$985.89
SUNCOAST RESOURCES	\$570.90****

**\*\*\*\*AWARDED BIDDER\*\*\*\***

**TABULATION FOR SIX MONTH SUPPLY ON  
LIMESTONE AND ASPHALT  
JUNE 2, 2015**

**LIMESTONE (3/4-1") (GRAY ONLY)**

R E HEIDT CONSTRUCTION CO LLC	NO BID
D P AGGREGATES LLC	\$33.50****
PRAIRIE CONSTRUCTION	\$36.50

**ROADBASE LIMESTONE (GRAY ONLY)**

R E HEIDT CONSTRUCTION CO LLC	NO BID
D P AGGREGATES LLC	\$33.00****
PRAIRIE CONSTRUCTION	\$35.00

**HOT ASPHALT MIX**

R E HEIDT CONSTRUCTION CO LLC  
D P AGGREGATES LLC  
PRAIRIE CONSTRUCTION

\$87.50  
NO BID  
\$72.00\*\*\*\*

**EMULSIFIED CRS-2**

R E HEIDT CONSTRUCTION CO LLC  
D P AGGREGATES LLC  
PRAIRIE CONSTRUCTION

NO BID  
NO BID  
NO BID

**\*\*\*\*AWARDED BIDDER\*\*\*\***

**TABULATION FOR PIPE AND FITTINGS  
JUNE 2, 2015**

**SECTION I:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS  
HD SUPPLY

\$ 4,512.41\*\*\*\*  
\$ 6,680.69  
\$ 6,701.79

**SECTION II:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS  
HD SUPPLY

\$ 7,808.87  
\$ 6,813.54\*\*\*\*  
NON-RESPONSIVE

**SECTION III:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS  
HD SUPPLY

\$14,189.09  
\$11,286.31\*\*\*\*  
NON-RESPONSIVE

**SECTION IV:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS  
HD SUPPLY

\$ 6,023.28  
\$ 5,491.20\*\*\*\*  
\$ 6,981.90

**SECTION V:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS  
HD SUPPLY

\$ 1,405.81\*\*\*\*  
\$ 1,471.50  
\$ 1,862.06

**SECTION VI:**

LOUISIANA UTILITIES SUPPLY CO  
LAFAYETTE WINWATER WORKS

\$11,435.41  
\$10,161.70\*\*\*\*

HD SUPPLY	\$10,543.44
<b>SECTION VII:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$ 1,616.88
LAFAYETTE WINWATER WORKS	\$ 1,339.95****
HD SUPPLY	\$ 1,538.70
<b>SECTION VIII:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$13,905.14
LAFAYETTE WINWATER WORKS	\$12,232.00****
HD SUPPLY	\$16,116.35
<b>SECTION IX:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$ 3,712.00****
LAFAYETTE WINWATER WORKS	\$ 5,900.00
HD SUPPLY	\$ 3,764.44
<b>SECTION X:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$ 3,763.20****
LAFAYETTE WINWATER WORKS	\$ 3,808.60
HD SUPPLY	\$ 4356.60
<b>SECTION XI:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$ 2,576.38
LAFAYETTE WINWATER WORKS	\$ 2,305.20****
HD SUPPLY	\$2,598.91
<b>SECTION XII:</b>	
LOUISIANA UTILITIES SUPPLY CO	NON-RESPONSIVE
LAFAYETTE WINWATER WORKS	\$ 1,842.00****
HD SUPPLY	\$ 1,916.23
<b>SECTION XIII:</b>	
LOUISIANA UTILITIES SUPPLY CO	\$ 672.00****
LAFAYETTE WINWATER WORKS	\$ 768.00
HD SUPPLY	\$ 768.00

\*\*\*\*\***AWARDED BIDDER**\*\*\*\*\*

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution awarding low bid received for a 6" centrifugal end suction compressor pump. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

**RESOLUTION NO. 2857, M-C SERIES**

Resolution awarding low bid received for 6" centrifugal end suction compressor pump.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for a 6" centrifugal end suction compressor pump were opened and read aloud in an open and public bid session on Tuesday, June 2, 2015 at 11:00 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Base Bid Amount</u></b>
Hertz Equipment Rental Corp.	\$34,518.76
Rain For Rent	\$36,416.11
Lafayette Winwater	\$40,110.00
White Cap Construction Supply	No Bid Bond
Hertz Corp.	No Bid Bond
Better Pumps & Solutions, LLC	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 6" centrifugal end suction compressor pump as follows:

<b><u>Company</u></b>	<b><u>Base Bid Amount</u></b>
Hertz Equipment Rental Corp.	\$34,518.76

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

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

**RESOLUTION NO. 2858, M-C SERIES**

Resolution awarding low bid received for Lightning Street Bridge Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Lightening Street Bridge Project were opened and read aloud in an open and public bid session on Wednesday, June 3, 2015 at 11:00 a.m. and bids were as follows:

<b><u>Company</u></b>	<b><u>Base Bid Amount</u></b>
JB James Construction LLC	\$1,168,312.50
Guinn Construction, LLC	\$1,184,385.00
Matt L. Guinn Construction, LLC	\$1,384,857.50

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

<b><u>Company</u></b>	<b><u>Base Bid Amount</u></b>
JB James Construction LLC	\$1,168,312.50

BE IT ALSO FURTHER RESOLVED that Mayor Christopher L. Duncan is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a resolution appointing the Official Journal for the City of Sulphur. Motion was made by Mr. Favre seconded by Mrs. Allison that the following resolution be adopted to-wit:

RESOLUTION NO. 2859, M-C SERIES

Resolution appointing the Official Journal for the City of Sulphur.

WHEREAS, the Southwest Daily News has submitted a proposal to publish the legal notices for the City of Sulphur for the next 12 months at the rate of \$3.00 per square of 100 words submitted on a disk and \$3.50 per square for material not on a disk.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint the Southwest Daily News as the Official Journal for the City of Sulphur.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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

\_\_\_\_\_  
DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a contract with Bart Glatt, dba Multimedia Ministries, for the videoing of Sulphur City Council meetings. Mrs. Allison stated that she would like for Council to consider not videoing special Council meetings. The special meetings usually last about 5 minutes and she couldn't see paying someone \$200.00 to video for that short time. Mr. Moss stated that with all this development going on Council will probably be having more special meetings. Mrs. Allison stated



that there are lots of costs for special meetings. Mrs. Allison asked that constituents let her know how they feel about this. Motion was then made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2860, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a contract with Bart Glatt, dba Multimedia Ministries, for the videoing of Sulphur City Council meetings.

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 contract with Bart Glatt, dba Multimedia Ministries, for the videoing of Sulphur City Council meetings.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution ratifying action by the Industrial Development Board which elected one member and their duly authorized substitute to serve on the West Calcasieu Airport Managing Board with term to expire June, 2017. Motion was made by Mr. Favre seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2861, M-C SERIES

Resolution ratifying action by the Industrial Development Board which elected one member and their duly authorized substitute to serve on the West Calcasieu Airport Managing Board with term to expire June, 2017.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby ratify action by the Industrial Development Board which elected Donnie Chamblee and their duly authorized substitute Thomas Bourgeois to serve on the West Calcasieu Airport Managing Board with terms to expire June, 2017.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Duncan to submit 2015 JAG grant for 6 radar units. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2862, M-C SERIES

Resolution authorizing Mayor Duncan to submit 2015 JAG grant for 6 radar units.

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 2015 JAG grant for 6 radar units.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Duncan to submit 2015 Louisiana Local Road Safety Program Project application for 2 mobile signs. Motion was made by Mr. Moss seconded by Mr. Favre that the following resolution be adopted to-wit:

RESOLUTION NO. 2863, M-C SERIES

Resolution authorizing Mayor Duncan to submit 2015 Louisiana Local Road Safety Program Project application for 2 mobile signs.

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 2015 Louisiana Local Road Safety Program Project application for 2 mobile signs.

A vote was then called with the results as follows:

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

**NAYS:** None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for East Mimosa Drive Project. Motion was made by Mr. Moss seconded by Mr. Favre that the following amendment be made:

Change dates from: Open bids on July 10, 2015 at 10:00 a.m. and award bid on July 13, 2015 at 5:30

Motion carried.

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

RESOLUTION NO. 2864, M-C SERIES

Resolution authorizing advertisement for bids for East Mimosa Drive Project.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for East Mimosa Drive Project, said bids to be in accordance with the quantities and specifications on file with Meyer & Associates, 600 North Cities Service Hwy., Sulphur, LA.

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 East Mimosa Drive Project will be received by the Clerk of the Council until 10:00 a.m. on the 10th day of July, 2015, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 13th day of July 2015, 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](http://www.bidexpress.com); free membership is required to access. Said bids to be in accordance with the quantities and specifications on file with Meyer & Associates, 600 North Cities Service Hwy., Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY \_\_\_\_\_  
DRU ELLENDER, 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 13th day of July, 2015, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mr. Bergeron

And the said resolution was declared duly adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST:

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ARLENE BLANCHARD, Clerk

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DRU ELLENDER, Chairman

The next item on the agenda is Public to Address Council. James Ray, Sr., State President for the American Federation of State Economy and Municipal Employees. He represents members of the Local 2713 that currently has a collective bargaining agreement with the City. The Mayor has chosen to terminate the contract and is refusing to enter into any negotiations with the Union.

What he's really saying is that he's not interested in the needs and concerns of the Public Works employees. They are asking if the Mayor would reconsider or at least give them a reason why he is terminating the contract. If there is something more positive that he's looking at then why can't he show that to the employees. He feels the public works employees are intelligent enough to decide what is best for them. They are only asking for an even playing field. The employees should be able to make the decision on how they are paid, how long the work, etc.

Shane Fuselier, Public Works employee, stated that he's been working for the City for 16 years. The benefits that the City has on board currently was affordable 16 years ago. Being down in the trenches digging holes and in manholes that puts that employee's life on the line. He understands that policemen and firemen have dangerous jobs also. When he gets called out at 2:00 a.m. in the morning to go down in a manhole and its thundering and lighting and breakers and tripping and electricity is flying and he's by himself in a confined space that's dangerous enough. They deserve what everyone else gets and that's what he's here to fight for.

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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DRU ELLENDER, Chairman

6/8/15  
6:20 P.M.