

September 15, 2020

The City Council of the City of Sulphur, Louisiana, met in special session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on September 15, 2020 at 2:30 p.m., after full compliance with the convening of said meeting with the following members present:

MIKE KOONCE, Council Representative of District 2
MELINDA HARDY, Council Representative of District 3
JOY ABSHIRE, Council Representative of District 4
MANDY THOMAS, Council Representative of District 5

ABSENT - DRU ELLENDER, Council Representative of District 1 (out of town)

After the meeting was called to order and the roll called with the above result, prayer was led by Mrs. Abshire, followed with the reciting of the Pledge of Allegiance led by Mr. Koonce.

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

The Chairman then asked if there were any changes to the agenda. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that items #5 and #5A be removed. Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the agenda stand as amended. Motion carried unanimously.

The first item on the agenda is to Adopt the millage rates for tax year 2020. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1684, M-C SERIES

ORDINANCE WHICH SETS FORTH THE GENERAL ALIMONY, STREET
MAINTENANCE, AND FIRE MAINTENANCE AUTHORIZED MILLAGE RATES IN THE
CITY OF SULPHUR FOR THE 2020 TAX YEAR.

BE IT ORDAINED, that the following millages are hereby levied on the 2020 tax roll on all property subject to taxation by City of Sulphur:

MILLAGE

General Alimony (5096 001):	5.850 mills
Street Maintenance (5096 002):	5.300 mills
Fire Maintenance (5096 003):	5.300 mills

BE IT FURTHER ORDAINED that the proper administrative officials of the Parish of Calcasieu, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2020, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution promulgating the results of a special election held in the City of Sulphur, Louisiana on August 15, 2020 – ½ Cent Sales Tax. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3328, M-C SERIES

PROCES VERBAL

BE IT KNOWN AND REMEMBERED that on this 15th day of September, 2020, at 5:30 o'clock p.m., in accordance with a resolution of the City Council, governing authority of the City of Sulphur, Louisiana, adopted on January 14, 2020, and recorded in the records of said City Council, notice of which meeting was issued and published according to law, the undersigned members of the City Council, being a quorum thereof, met at the regular meeting place of the City Council, and according to law examined the tabulation blanks, certificates and statements which were received from the Commissioners and Commissioners-in-Charge of the election held in the City of Sulphur, Louisiana on August 15, 2020, in accordance with said resolution, together with the transcription of the totals made by the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for Calcasieu Parish to determine the following proposition:

SALES TAX RENEWAL PROPOSITION

Shall the City of Sulphur be authorized to renew its one-half percent (1/2%) sales and use tax for streets, sewerage disposal, water and waste water systems, and therefore be authorized pursuant to Article 6, Section 29 of the Louisiana Constitution to continue to levy and collect for 10 years beginning April 1, 2021, the existing tax of one-half percent (1/2%) upon the sale at retail, use,

lease, or rental, consumption and storage for use or consumption of tangible personal property and on the sales of taxable services, with the collections from the levy estimated to be \$4,100,000 for one entire year, and the avails of the tax after payment for all costs of levy and collection, to be dedicated and used for improving streets, sewerage disposal, water and waste water systems within the City, title to which shall be in the public; and, to issue bonds not to exceed 10 years from the initial levy of the tax, which bonds shall be retired with, paid from, and secured by an irrevocable pledge and dedication of the tax?

The results of said election proved to be as follows:

PRECINCT	NUMBER OF VOTES IN FAVOR OF PROPOSITION	NUMBER OF VOTES AGAINST PROPOSITION
400	32	22
401	47	27
402	44	28
403	93	36
404	125	31
405	184	74
406	52	33
407	94	25
408	87	25
461	0	0
465	4	0
466E	1	0
467	20	7
Absentees	<u>592</u>	<u>177</u>
TOTALS	1375	485

We therefore ascertained that the majority of qualified electors of the City of Sulphur, Louisiana qualified to vote under the Constitution and laws of the State of Louisiana voting in said election in the City voted in favor of the Sales Tax Proposition.

At the same time and place, we did examine and canvass the returns as evidenced by said tabulation blanks, certificates, and statements received from the election Commissioners and Commissioners-in-Charge, the correctness of which were sworn to by the election Commissioners-in-Charge and Commissioners according to law, and our finding was that the returns indicated a majority voted in favor of said proposition.

Therefore, we declare that the result of said election is in favor of the Sales Tax Proposition as stated above.

In accordance with law, a resolution promulgating the aforesaid results was adopted, and the Clerk of the Council was ordered to have a copy of said resolution signed by the Chairman and published in one issue of the Southwest Daily News, a newspaper published in Sulphur, Louisiana, and of general circulation in the City of Sulphur, Louisiana.

We did, likewise, order that one copy of this process verbal be sent to the Secretary of State to be recorded in the archives of the State of Louisiana, and that one copy be sent to the Clerk of District Court of Calcasieu Parish to be recorded in the mortgage records of said Parish and that one copy be filed in the archives of this City.

THUS DONE AND SIGNED in the presence of Jennifer Thorn and Stacy Dowden, competent witnesses and qualified voters of Calcasieu Parish on this 15th day of September, 2020, at a regular meeting of

the City Council in Sulphur, Louisiana, by the undersigned members of said City Council present and participating in the canvass of said election.

WITNESSES:

Jennifer Thorn

Stacy Dowden

Mike Koonce, Chairman

Joy Abshire, V. Chairman

Melinda Hardy, Councilman

Joy Abshire, Councilman

Absent – Dru Ellender, Councilman

The following resolution was thereupon introduced, and pursuant to a motion made by Mrs. Hardy and seconded by Mrs. Abshire, was adopted by the following vote:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

ABSTAIN: None

RESOLUTION NO. 3328, M-C SERIES

A RESOLUTION PROMULGATING THE RESULTS OF A SPECIAL ELECTION HELD IN THE CITY OF SULPHUR, LOUISIANA ON AUGUST 15, 2020.

WHEREAS, on August 15, 2020, an election was held in the City of Sulphur, Louisiana, to determine the proposition hereinafter set out;

WHEREAS, the returns of said election were canvassed by the Board according to law and notice duly given as provided by law, and the result of said election was declared to be in favor of proposition;

NOW, THEREFORE, BE IT RESOLVED by the City Council, the governing authority of the City of Sulphur, Louisiana, as follows:

SECTION 1. An election was held in the City of Sulphur, Louisiana on August 15, 2020, to determine the proposition hereinafter set out; that said election was duly and properly called by the City Council by a resolution adopted on January 14, 2020 and recorded in the records of said Board, that notice of said election embracing all matters required by law to be contained therein was given by publication in the Southwest Daily News, a newspaper published in Sulphur, Louisiana, and of general circulation in the City on June 21, June 28, July 5 and July 12, 2020, the first publication being not less than 45 days nor more than 90 days prior to the date set for said election; that this Board did in said resolution designate the polling places for said election and did provide for the use of voting machines in the conduct of said election; that election officials were duly selected; that each election official received the certificate of instruction of the use of the voting machines and his duties in connection therewith as required by law; that the State Custodian of Voting Machines and the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Calcasieu Parish made available on the day of the election at the polling places designated for the conduct of said election the necessary voting machines and all necessary equipment and paraphernalia required by law in connection with the use of voting machines at elections; that the Registrar of Voters and the Clerk of Court of Calcasieu Parish furnished to the election Commissioners and Commissioners-in-Charge copies of the precinct registers for each precinct or ward entitled to vote at such polling places; that the Louisiana Secretary of State prepared and certified the ballot used in the voting machines as required by law; that the proposition voted on in said election and as it appeared in said voting machines was in due form provided by law and the resolution adopted by this Board on January 14, 2020, calling said election; that the results of said election were written on a large sheet of paper at said polling places, which sheet of paper was signed by each of the election officials designated to conduct such election at

said polling places and which sheet was thereupon posted in public view at the polling places in accordance with law; that only qualified electors under the Constitution and laws of the State of Louisiana voted at said election; that the officials who

served at said election were duly and properly appointed; that the places of all absent election officials were properly filled in accordance with law; that before opening the polls all election officials were properly sworn in accordance with law; that the polls at the voting places were opened at 6:00 a.m. and remained open and until not later than 8:00 p.m.; that after the closing of the polls the votes for and against the proposition were properly counted and tallied and the necessary tabulation blanks, certificates and statements were made by the election officials in accordance with law and the voting machines delivered to the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for Calcasieu Parish, Louisiana, and a copy of the results of said election delivered to the Clerk of Court of Calcasieu Parish as required by Louisiana Revised Statutes 18:1190 E; that on August 18, 2020, that being more than three days after said election the Clerk of Court and Ex-Officio Custodian of Voting Machines, after breaking the seals and opening the voting machines used in said election did transcript the totals for the proposition voted upon at said election; and that all things whatsoever required by law to be done in connection with the holding of said election were properly and duly performed in manner and form as required by Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and the general election laws of the State of Louisiana.

SECTION 2. In said election the following proposition was approved by a majority of the electors qualified to vote and voting in said election in the City of Sulphur, Louisiana:

SALES TAX RENEWAL PROPOSITION

Shall the City of Sulphur be authorized to renew its one-half percent (1/2%) sales and use tax for streets, sewerage disposal, water and waste water systems, and therefore be authorized pursuant to Article 6, Section 29 of the Louisiana Constitution to continue to levy and collect for 10 years beginning April 1, 2021, the existing tax of one-half percent (1/2%) upon the sale at retail, use, lease, or rental, consumption and storage for use or consumption of tangible personal property and on the sales of taxable services, with the collections from the levy estimated to be \$4,100,000 for one entire year, and the avails of the tax after payment for all costs of levy and collection, to be dedicated and used for improving streets, sewerage disposal, water and waste water systems within the City, title to which shall be in the public; and, to issue bonds not to exceed 10 years from the initial levy of the tax, which bonds shall be retired with, paid from, and secured by an irrevocable pledge and dedication of the tax?

SECTION 3. The results of said election shall be promulgated by publication of this resolution of promulgation one time in the Southwest Daily News, a newspaper published in Sulphur, Louisiana, the official journal of the City Council, and of general circulation in the City of Sulphur, Louisiana.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution authorizing the Request for Qualifications for Emergency Traffic Control Device Monitoring. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3329, M-C SERIES

Resolution authorizing the Request for Qualifications for Emergency Traffic Control Device Monitoring for Hurricane Laura.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the Request for Qualifications for Emergency Traffic Control Device Monitoring for Hurricane Laura, quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana, 101 North Huntington Street, Sulphur, LA 70663 or online at BidXpress.

BE IT FURTHER RESOLVED that the advertisement of Request for Qualifications will be in "The Southwest Daily News, the official journal of the City of Sulphur, one time, giving notice as follows:

REQUEST FOR QUALIFICATIONS

Sealed Qualifications for Emergency Traffic Control Device Monitoring for Hurricane Laura will be received by the Clerk of the Council until Friday, September 25, 2020 at 10:00 a.m. at which time Qualifications will be opened and read aloud in an open and public session to be conducted by the Director of Public Works in the Conference Room at the City Hall. Qualifications are also available electronically at www.bidexpress.com; free membership is required to access. Said Qualifications to be in accordance with the quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana 70663 or online at BidXpress.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an Emergency Ordinance authorizing Mayor Danahay to enter into an Agreement with the most qualified applicant for the Emergency Traffic Control Device Monitoring. Cade Cole, City Attorney, stated that this emergency ordinance is only good for 60 days. The next item on the agenda will be an ordinance that will become effective after the 60 days expires. Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be declared a public emergency:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR THE EMERGENCY TRAFFIC CONTROL DEVICE MONITORING FOLLOWING HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared a public emergency on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR THE EMERGENCY TRAFFIC CONTROL DEVICE MONITORING FOLLOWING HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was introduced on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Mr. Koonce then asked if there were any comments from the public. With no comments from the public, motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following emergency ordinance be adopted to-wit:

ORDINANCE NO. 1685, M-C SERIES

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR THE EMERGENCY TRAFFIC CONTROL DEVICE MONITORING FOLLOWING HURRICANE LAURA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that based on the recommendation of Mayor Danahay, an Emergency is hereby declared to immediately enter into an Agreement for Emergency Traffic Control Device Monitoring.

BE IT FURTHER ORDAINED that Mayor Mike Danahay is hereby authorized to sign an emergency Agreement with the most qualified applicant for the Emergency Traffic Control Device Monitoring, following Hurricane Laura.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon adoption.

NOTICE OF EMERGENCY ORDINANCE

In accordance with Section 2-14 of the City of Sulphur Home Rule Charter, I am requesting the City Council adopt an emergency ordinance for Traffic Control Device Monitoring and Traffic Control Devices. In order to provide all citizens of Sulphur with public health and safety an emergency ordinance is hereby declared by Mayor Mike Danahay as of September 15, 2020.

Signed this 15th day of September, 2020.

/s/ Mayor Mike Danahay

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to enter into an Agreement with the most qualified applicant for the Emergency Traffic Control Device Monitoring. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR EMERGENCY TRAFFIC CONTROL DEVICE MONITORING FOLLOWING HURRICANE LAURA.

Motion was then made by Mrs. Hardy seconded by Mrs. Thomas that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed

ordinance in “The Southwest Daily News”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING MAYOR DANA HAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR EMERGENCY TRAFFIC CONTROL DEVICE MONITORING FOLLOWING HURRICANE LAURA.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of October, 2020, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

MIKE KOONCE, Chairman

Motion carried unanimously.

The next item on the agenda resolution authorizing the Request for Proposals for FEMA Program Management, Project Development, Grant Administration. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3330, M-C SERIES

Resolution authorizing the Request for Proposals for FEMA Program Management, Project Development, Grant Administration for Hurricane Laura.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the Request for Proposals for FEMA Program Management, Project Development, Grant Administration for Hurricane Laura, quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana, 101 North Huntington Street, Sulphur, LA 70663 or online at BidXpress.

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

REQUEST FOR PROPOSALS

Sealed Request for Proposals for FEMA Program Management, Project Development, Grant Administration for Hurricane Laura will be received by the Clerk of the Council until Tuesday, October 20, 2020 at 10:00 a.m. at which time Proposals will be opened and read aloud in an open and public session to be conducted by the Director of Public Works in the Conference Room at the City Hall. Proposals are also available electronically at www.bidexpress.com; free membership is required to access. Said proposals to be in accordance with the quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana 70663 or online at BidXpress.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to enter into an Agreement with the most qualified applicant for FEMA Program Management, Project Development, Grant Administration. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR FEMA PROGRAM MANAGEMENT, PROJECT DEVELOPMENT, GRANT ADMINISTRATION FOR HURRICANE LAURA.

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

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR FEMA PROGRAM MANAGEMENT, PROJECT DEVELOPMENT, GRANT ADMINISTRATION FOR HURRICANE LAURA.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of November, 2020, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
MIKE KOONCE, Chairman

Motion carried unanimously.

The next item on the agenda is a resolution authorizing the Request for Proposals for cleaning of debris in catch basins following Hurricane Laura. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3331, M-C SERIES

Resolution authorizing the Request for Proposals for cleaning of debris in catch basins following Hurricane Laura.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the Request for Proposals for cleaning of debris in catch basins following Hurricane Laura, quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana, 101 North Huntington Street, Sulphur, LA 70663 or online at BidXpress.

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

REQUEST FOR PROPOSALS

Sealed Request for Proposals for cleaning of debris in catch basins following Hurricane Laura, will be received by the Clerk of the Council until Tuesday, October 20, 2020 at 10:30 a.m. at which time Proposals will be opened and read aloud in an open and public session to be conducted by the Director of Public Works in the Conference Room at the City Hall. Proposals are also available electronically at www.bidexpress.com; free membership is required to access. Said proposals to be in accordance with the quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana 70663 or online at BidXpress.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to enter into an Agreement with the most qualified applicant for cleaning of debris in catch basins following Hurricane Laura.

Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

**ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT
WITH THE MOST QUALIFIED APPLICANT FOR CLEANING OF DEBRIS IN CATCH
BASINS FOLLOWING HURRICANE LAURA.**

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

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING MAYOR DANAHAAY TO ENTER INTO AN AGREEMENT WITH THE MOST QUALIFIED APPLICANT FOR CLEANING OF DEBRIS IN CATCH BASINS FOLLOWING HURRICANE LAURA.

A public hearing on said ordinance will be held at 5:30 p.m. on the 9th day of November, 2020, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

MIKE KOONCE, Chairman

Motion carried unanimously.

The next item on the agenda is an Emergency Ordinance authorizing Mayor Danahay to sign emergency contract with GEC Inc. and Meyer & Associates, LLC to begin FEMA Damage Inventory of City Facilities and Properties. (Must be done within 60 days of event.). Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the below ordinance be declared a public emergency:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAAY TO SIGN EMERGENCY CONTRACT WITH GEC INC. AND MEYER & ASSOCIATES, LLC TO BEGIN FEMA DAMAGE INVENTORY OF CITY FACILITIES AND PROPERTIES.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared a public emergency on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be introduced:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAHAY TO SIGN EMERGENCY CONTRACT WITH GEC INC. AND MEYER & ASSOCIATES, LLC TO BEGIN FEMA DAMAGE INVENTORY OF CITY FACILITIES AND PROPERTIES.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was introduced on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Mr. Koonce then asked if there were any comments from the public. With no comments from the public, motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following emergency ordinance be adopted to-wit:

ORDINANCE NO. 1686, M-C SERIES

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAHAY TO SIGN EMERGENCY CONTRACT WITH GEC INC. AND MEYER & ASSOCIATES, LLC TO BEGIN FEMA DAMAGE INVENTORY OF CITY FACILITIES AND PROPERTIES FOLLOWING HURRICANE LAURA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that based on the recommendation of Mayor Danahay, an Emergency is hereby declared to immediately begin the inventory of City facilities and properties in the aftermath of Hurricane Laura.

BE IT FURTHER ORDAINED that Mayor Mike Danahay is hereby authorized to sign an emergency contract with GEC Inc. and Meyer and Associates, LLC to begin FEMA damage inventory of City facilities and properties following Hurricane Laura.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon adoption.

NOTICE OF EMERGENCY ORDINANCE

In accordance with Section 2-14 of the City of Sulphur Home Rule Charter, I am requesting the City Council adopt an emergency ordinance to begin assessment damage on inventory of City facilities and properties. In order to meet the FEMA deadline, an emergency ordinance is needed.

Therefore, an emergency ordinance is hereby declared by Mayor Mike Danahay as of September 15, 2020 to sign an emergency ordinance with GEC Inc. and Meyer & Associates, LLC to begin FEMA damage inventory of City facilities and properties.

Signed this 15th day of September, 2020.

/s/ Mayor Mike Danahay

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution authorizing the Request for Proposals for Public Adjuster following emergency period. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3332, M-C SERIES

Resolution authorizing the Request for Proposals for a Public Adjuster following emergency period for Hurricane Laura.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize the Request for Proposals for a Public Adjuster following emergency period for Hurricane Laura, quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana, 101 North Huntington Street, Sulphur, LA 70663 or online at BidXpress.

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

REQUEST FOR PROPOSALS

Sealed Request for Proposals for a Public Adjuster following emergency period for Hurricane Laura will be received by the Clerk of the Council until Tuesday, October 20, 2020 at 9:30 a.m. at which time Proposals will be opened and read aloud in an open and public session to be conducted by the Director of Finance in the Conference Room at the City Hall. Proposals are also available electronically at www.bidexpress.com; free membership is required to access. Said proposals to be in accordance with the quantities and specifications on file with the Purchasing Agent of the City of Sulphur, Louisiana 70663 or online at BidXpress.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an Emergency Ordinance authorizing Mayor Danahay to sign emergency contract with a Public Adjuster. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be declared a Public Emergency:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN AN
EMERGENCY CONTRACT WITH A PUBLIC ADJUSTER FOR HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared a public emergency on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be introduced:

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN AN
EMERGENCY CONTRACT WITH A PUBLIC ADJUSTER FOR HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was introduced on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Mr. Koonce then asked if there were any comments from the public. With no comments from the public, motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following emergency ordinance be adopted to-wit:

ORDINANCE NO. 1687, M-C SERIES

EMERGENCY ORDINANCE AUTHORIZING MAYOR DANAHAHAY TO SIGN AN
EMERGENCY CONTRACT WITH A PUBLIC ADJUSTER FOR HURRICANE LAURA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that based on the recommendation of Mayor Danahay, an Emergency is hereby declared to immediately enter into a Contract with a Public Adjuster in the aftermath of Hurricane Laura.

BE IT FURTHER ORDAINED that Mayor Mike Danahay is hereby authorized to sign an emergency Contract with a Public Adjuster in the aftermath of Hurricane Laura.

BE IT FURTHEREST ORDAINED that this Ordinance shall become effective immediately upon adoption.

NOTICE OF EMERGENCY ORDINANCE

In accordance with Section 2-14 of the City of Sulphur Home Rule Charter, I am requesting the City Council adopt an emergency ordinance for a contract with a Public Adjuster. This will allow immediate City representation during insurance adjusters damage assessments caused by Hurricane Laura.

I, Mayor Mike Danahay, to hereby declare an emergency ordinance for a contract with a Public Adjuster as of September 15, 2020.

/s/ Mayor Mike Danahay

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to sign contract with a Public Adjuster. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN CONTRACT WITH A PUBLIC ADJUSTER.

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

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN CONTRACT WITH A PUBLIC ADJUSTER.

A public hearing on said ordinance will be held at 5:30 p.m. on the 13th day of October, 2020, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA
BY: _____
MIKE KOONCE, Chairman

Motion carried unanimously.

The next item on the agenda is an Emergency Ordinance concerning the temporary suspension of applicable zoning ordinance to allow for temporary placement of travel trailers, motor homes, and/or mobile homes on residential property for living purposes during reconstruction of damages caused by Hurricane Laura. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be declared a public emergency:

EMERGENCY ORDINANCE CONCERNING THE TEMPORARY SUSPENSION OF APPLICABLE ZONING ORDINANCE TO ALLOW FOR TEMPORARY PLACEMENT OF TRAVEL TRAILERS, MOTOR HOMES, AND/OR MOBILE HOMES ON RESIDENTIAL PROPERTY FOR LIVING PURPOSES DURING RECONSTRUCTION OF DAMAGES CAUSED BY HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared a public emergency on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

EMERGENCY ORDINANCE CONCERNING THE TEMPORARY SUSPENSION OF APPLICABLE ZONING ORDINANCE TO ALLOW FOR TEMPORARY PLACEMENT OF TRAVEL TRAILERS, MOTOR HOMES, AND/OR MOBILE HOMES ON RESIDENTIAL PROPERTY FOR LIVING PURPOSES DURING RECONSTRUCTION OF DAMAGES CAUSED BY HURRICANE LAURA.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was introduced on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Mr. Koonce then asked if there were any comments from the public. With no comments from the public, motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following emergency ordinance be adopted to-wit:

ORDINANCE NO. 1688, M-C SERIES

EMERGENCY ORDINANCE CONCERNING THE TEMPORARY SUSPENSION OF APPLICABLE ZONING ORDINANCE TO ALLOW FOR TEMPORARY PLACEMENT OF TRAVEL TRAILERS, MOTOR HOMES, AND/OR MOBILE HOMES ON RESIDENTIAL PROPERTY FOR LIVING PURPOSES DURING RECONSTRUCTION OF DAMAGES CAUSED BY HURRICANE LAURA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that based on the recommendation of Mayor Danahay, an emergency ordinance is hereby declared to allow for temporary living in travel trailers, motor homes, and/or mobile homes on Residential property for those affected by Hurricane Laura as follows:

- (a) That Article IV, Part 3, Section 1, Residential District, be and is hereby temporarily suspended to allow one travel trailer, motor home and/or mobile home on residential lots for a limited period of six months for the purpose of temporary family housing during the reconstruction of single family residences due to damages caused by Hurricane Laura;
- (b) A permit authorizing the placement of each travel trailer, motor home and/or mobile home shall be obtained from the City of Sulphur at no cost;
- (c) All travel trailers, motor homes and/or mobile homes shall be connected to City water and sewage and the required deposit shall be waived;
- (d) The placement of more than one (1) travel trailer, motor home and/or mobile home on one (1) residential lot shall be subject to further authorization only from the Land Use Commission and City Council;
- (e) The provisions of this ordinance may be utilized by the City to authorize for six months the placement of one travel trailer or motor home on a vacant lot in a mobile home park.
- (f) That the extension of a six (6) month temporary permit shall be subject to Administrative approval. An extension beyond one (1) year shall be authorized only by the Land Use Commission and City Council;
- (g) That the requirements of Article IV, Part 3, Section 1 and 2, regarding Development Standards shall be waived;

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

NOTICE OF EMERGENCY ORDINANCE

In accordance with Section 2-14 of the City of Sulphur Home Rule Charter, I am requesting the City Council adopt an emergency ordinance in order to provide the citizens of Sulphur a place to live in the aftermath of Hurricane Laura. Many homes have either been damaged or completely destroyed and these homeowners need immediate action taken to allow for temporary placement of travel trailers, motor homes, and/or mobile homes on residential property for living purposes during the reconstruction of damages caused by Hurricane Laura.

Therefore, an emergency ordinance is hereby declared by Mayor Mike Danahay as of September 15, 2020, to temporarily suspend the zoning ordinance to allow for temporary placement of travel trailers, motor homes, and/or mobile homes on residential property for living purposes during the reconstruction of damages caused by Hurricane Laura.

Signed this 15th day of September, 2020.

/s/ Mayor Mike Danahay

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is resolution awarding low bid received for Mimosa Heights Drainage Improvements – Phase I. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3333, M-C SERIES

Resolution awarding low bid received for Mimosa Heights Drainage Improvements – Phase I.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Mimosa Heights Drainage Improvements – Phase I were opened and read aloud in an open and public bid session on Thursday, September 10, 2020 at 10:00 a.m. and bids were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Alternate #1</u>	<u>Alternate #2</u>
Williams Equipment Services, LLC	\$1,415,023.39	\$17,025.68	(\$25,203.08)
McManus Construction, LLC	\$1,603,571.00	(\$19,600.00)	(\$8,400.00)
Engineer's Estimate	\$1,400,000.00	(\$56,000.00)	(\$14,000.00)

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and award the bid for Mimosa Heights Drainage Improvements – Phase I as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Alternate #1</u>	<u>Alternate #2</u>
Williams Equipment Services, LLC	\$1,415,023.39	\$17,025.68	(\$25,203.08)

BE IT FURTHER RESOLVED that the bid alternates were included to consider economical catch basin options in the event that the bids received were over budget. Since the Total Base Bid is within budget, the alternates are no longer needed.

BE IT FURTHEREST RESOLVED that Mayor Mike Danahay is authorized to sign all paperwork in connection therewith.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None
ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a public hearing on ordinance amending Article IV, Part 2, Section 5 of the Land Use Ordinance of the City of Sulphur to provide for (h) Portable On-Demand Storage Unit (POD).

Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1689, M-C SERIES

ORDINANCE AMENDING ARTICLE IV, PART 2, SECTION 5 OF THE LAND USE
ORDINANCE OF THE CITY OF SULPHUR TO PROVIDE FOR (H) – PORTABLE ON-
DEMAND STORAGE UNIT (POD).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Article IV, Part 2, Section 5 of the Land Use Ordinance of the City of Sulphur to provide for (h) – Portable On-Demand Storage Unit (POD) to read as follows:

Section 5. - Temporary uses.

- (1) *Authority.* Temporary uses are permitted in any land use district, subject to the standards hereinafter established, provided that all temporary uses shall meet the bulk regulations and parking requirements for the land use district in which the use is located and provided that no temporary use shall be permitted to continue for such a length of time that it constitutes in effect a permanent use.
- (2) *Particular Temporary Uses Permitted.* Permitted uses include:
 - (a) Garage sales.
 - (b) Indoor and outdoor art and craft show, exhibits and sales.
 - (c) Contractor's office and equipment sheds which shall be limited to the actual period of construction and to be terminated thirty (30) days after completion of construction.
 - (d) Sales of Christmas trees or other seasonal goods provided that such sales are located on property with direct access to collector or arterial.
 - (e) Religious revival tents.
 - (f) A temporary use permit may be issued by the administrator for the placement of a manufactured home/mobile home, not otherwise permitted in the land use district, for temporary, emergency housing in hardship cases, for a non-renewable period of up to one (1) year provided that the following conditions are met:
 - (1) Written certification of medical and/or economic hardship is presented to the administrator stating the nature and intent of condition.
 - (2) The manufactured home/mobile home is adjacent to the lawfully permitted house or housing unit of one related by blood or marriage.
 - (3) A permit be issued for the temporary manufactured home/mobile home.

- (g) Truck trailers used for the temporary storage of goods or equipment in connection with general retail sales and service, not to exceed thirty (30) days.
- (h) A temporary use permit shall be required, and may be issued, for the placement of a Portable On Demand Storage Unit or POD for temporary use. PODs shall comply with the following:
 - (1) The POD does not obstruct any public right-of-way or site triangle and is not within the side or rear set-back limits that would be applicable to structures.
 - (2) The POD is removed within 6 months of placement. The Chief Building Official may grant additional time if needed due to hardship or natural disaster. No PODs may be used on a site if two other POD placements previously occurred in the prior twelve months.
 - (3) If a building permit has been issued for construction or remodeling, the POD must be removed within ten days of final building inspection.
 - (4) No hazardous or flammable materials may be stored in container.
 - (5) Containers must have fully operational locks and remain locked when unsupervised.
 - (6) The name and telephone number of the POD's supplier shall be on the exterior of the POD, but any other advertising is prohibited on container.
 - (7) All PODs shall be maintained in good condition and repair
- (8) Exemptions: Properties located within Business, Commercial, or Industrial Districts are exempt from the provisions of this Paragraph, and no temporary storage use permit shall be required for a POD on a property within those land use districts.
- (3) *Temporary Placement of Recreational Vehicle for Occupancy for a related family member due to Natural Disaster.*
 - (a) When a natural disaster occurs, a recreational vehicle may be placed either on a residential, mixed residential or industrial lot. Situations in other districts will be considered on a case by case basis to be determined by the land use administrator and mayor.
 - (b) Prior to the placement of a recreational vehicle in districts as stated above, the land use administrator, chief building official/ordinance enforcement director and city council clerk shall review all requirements, as established by administration, as to whether the recreational vehicle will be allowed. In the absence of either the land use administrator, chief building official/ordinance enforcement director or city council clerk, the mayor shall be authorized to sign as a third signature.
 - (c) The temporary placement of a recreational vehicle shall not exceed a 6-month period from the date the recreational vehicle is placed on property, unless voted on by the land use commission and city council.
 - (d) Any applicant aggrieved by the decision of the land use administrator, chief building official/ordinance enforcement director and city council clerk, may be placed on the next available land use and city council agenda.
 - (e) The enforcement of the temporary placement of recreational vehicle for occupancy for a related family member due to natural disaster shall be the duty of the land use administrator and the chief building official/ordinance enforcement director.
 - (f) Any person violating this subsection shall be punished by a one hundred dollar (\$100.00) fine each day the violation occurs.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None
ABSENT: Mrs. Ellender

And the said ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Tonya LeBlanc Moak, 217 West Napoleon Street, from Business to Commercial for future development. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1690, M-C SERIES

ORDINANCE GRANTING A REZONE TO TRAMACK INVESTMENTS FROM RESIDENTIAL DISTRICT TO MIXED RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 901 MATHEW STREET TO ALLOW FOR A MANUFACTURED HOME.

WHEREAS, Tramack Investments, has submitted application to Rezone from Residential District to Mixed Residential District; and

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 Rezone to Tramack Investments from Residential District to Mixed Residential District for the following described property to wit:

LOTS 4 AND 5 OF BLOCK 16 OF THE D.J. WOODWARD ADDITION TO THE TOWN OF SULPHUR, LOUISIANA, AS PER PLAT RECORDED, CALCASIEU PARISH, LOUISIANA, TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS, SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY

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

If City Council does hereby approve this Rezone the owner of this rezone 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 Rezone shall be withdrawn and considered null and void.

This ordinance shall become effective upon the Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is an Emergency Ordinance amending Ordinance No. 1683, M-C Series, which declared a public emergency authorizing the use of funds the restoration of Police and Fire Protection, Water Quality and Production, Wastewater Collection and Treatment and any other service or product which have been limited as a result of Hurricane Laura. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be declared a public emergency:

AN ORDINANCE AMENDING ORDINANCE NO. 1683, M-C SERIES WHICH DECLARED A PUBLIC EMERGENCY; AUTHORIZING THE USE OF FUNDS FOR THE RESTORATION OF POLICE AND FIRE PROTECTION, WATER QUALITY AND PRODUCTION, WASTEWATER COLLECTION AND TREATMENT AND ANY OTHER SERVICE OR PRODUCT WHICH HAVE BEEN LIMITED AS A RESULT OF HURRICANE LAURA; AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared a public emergency on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be introduced:

AN ORDINANCE AMENDING ORDINANCE NO. 1683, M-C SERIES WHICH DECLARED A PUBLIC EMERGENCY; AUTHORIZING THE USE OF FUNDS FOR THE RESTORATION OF POLICE AND FIRE PROTECTION, WATER QUALITY AND PRODUCTION, WASTEWATER COLLECTION AND TREATMENT AND ANY OTHER SERVICE OR PRODUCT WHICH HAVE BEEN LIMITED AS A RESULT OF HURRICANE LAURA; AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was introduced on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

Mr. Koonce then asked if there were any comments from the public. With no comments from the public, motion was then made by Mrs. Abshire seconded by Mrs. Hardy that the following emergency ordinance be adopted to-wit:

ORDINANCE NO. 1691, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1683, M-C SERIES WHICH DECLARED A PUBLIC EMERGENCY; AUTHORIZING THE USE OF FUNDS FOR THE RESTORATION OF POLICE AND FIRE PROTECTION, WATER QUALITY AND PRODUCTION, WASTEWATER COLLECTION AND TREATMENT AND ANY OTHER SERVICE OR PRODUCT WHICH HAVE BEEN LIMITED AS A RESULT OF HURRICANE LAURA; AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that based on the recommendation of Mayor Mike Danahay, a Public Emergency is hereby declared in the City of Sulphur, Louisiana, due to the need to provide police and fire protection, water quality and production, wastewater collection and treatment and any other service or product which have been limited as a result of Hurricane Laura.

BE IT FURTHER ORDAINED that Mayor Mike Danahay is hereby authorized to use funds for the afore-mentioned service in an effort to restore basic City services, which were interrupted by Hurricane Laura

BE IT FURTHER ORDAINED that Mayor Mike Danahay is hereby authorized to secure reimbursement from FEMA for any and all funds expended.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon adoption.

NOTICE OF PUBLIC EMERGENCY

In order to provide all citizens of Sulphur with required police and fire protection, safe ingress and egress on City streets, water quality and production, and wastewater collection and treatment, the City will need to take appropriate actions to provide these services, which have been limited, as a result of Hurricane Laura. To do this, will require the declaration of a public emergency.

Louisiana Public Bid Law provides in R.S. 38:2212, that all public work including labor, materials and all purchases of materials or supplies exceeding the sum of \$30,000 must be advertised and bid with an exception as stated in R.S. 38:2212 P (1)(a). This section of the law, shall not apply in cases of public emergency where such emergency has been certified to by the public entity and notice shall, within ten days thereof, be published in the official journal of the public entity proposing or declaring such public emergency.

In the current fiscal year, appropriations were allocated for emergency situations. The cost for restoring basic City services, which were interrupted by Hurricane Laura, is not known at this time. The City will make every effort to secure reimbursement from FEMA for any and all funds expended.

The Sulphur Home Rule Charter, in Section 2-14 (A) Emergency Ordinances, provides that to meet the public emergency affecting life, health, property or public safety, the Council, by a favorable vote of a majority of the authorized membership may adopt an emergency ordinance at the meeting at which it is introduced. Such emergency ordinance shall contain a specific statement of the emergency claimed.

Therefore, a public emergency is hereby declared by Mayor Mike Danahay as of September 15, 2020, necessitating required purchases and services for the restoration of basic City services, without the normal formalities.

Signed this 15th day of September, 2020.

/s/ Mayor Mike Danahay

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said emergency ordinance was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution authorizing advertisement for bids for the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3334, M-C SERIES

Resolution authorizing advertisement for bids for the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City.

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

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

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for the annual supply of pipe and fittings, limestone and asphalt mix and chemical supplies for the City will be received by the Clerk of the Council until 11:00 a.m. on the 20th day of October, 2020, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at City Hall, and the City Council shall at a regular meeting on the 9th day of November, 2020, at 5:30 p.m. proceed to award the bid to the lowest bidder, to waive irregularities, or to reject any and all bids, or otherwise proceed thereto as provided by law. Bids are also available electronically at www.bidexpress.com; free membership is required to access. Said bids to be in accordance with the quantities and specifications on file with the City of Sulphur Purchasing Department located at 101 North Huntington Street, Sulphur, Louisiana

CITY OF SULPHUR, LOUISIANA

BY _____
MIKE KOONCE, 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 9th day of November, 2020, 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: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution authorizing Mayor Danahay to sign any and all Environmental Review documents for the Sulphur Housing Authority. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3335, M-C SERIES

Resolution authorizing Mayor Danahay to sign any and all Environmental Review documents for the Sulphur Housing Authority.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to sign any and all Environmental Review documents for the Sulphur Housing Authority.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a approving liquor license for Liquor Lab located at 3921 Maplewood Drive, Suite 1. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3336, M-C SERIES

Resolution approving liquor license for Liquor Lab located at 3921 Maplewood Drive, Suite 1.

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 Liquor Lab located at 3921 Maplewood Drive, Suite 1.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a resolution re-appointing Tommy Little to the Sulphur Housing Authority Board of Directors. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3337, M-C SERIES

Resolution re-appointing Tommy Little to the Sulphur Housing Authority Board of Directors.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Tommy Little to the Sulphur Housing Authority Board of Directors which term will expire November, 2025.

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

The next item on the agenda is a discussion on potential litigation and Resolution authorizing hiring of special counsel. Cade Cole, City Attorney, requested that Council go into Executive Session. Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that they go into Executive Session (3:11 p.m.). Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the meeting re-convene (3:25 p.m.).

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3338, M-C SERIES

Resolution authorizing Mayor Danahay to hire special counsel for potential litigation.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to hire special counsel for potential litigation related to Hurricane Laura insurance claims and/or boilermaker and machinery damages and related claims including any claims related to errors and omissions related thereto.

BE IT FURTHER RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to hire special counsel related to Hurricane Laura FEMA and other federal assistance at a rate not to exceed the attorney general's fee schedule

A vote was then called with the results as follows:

YEAS: Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: Mrs. Ellender

And the said resolution was declared duly adopted on this 15th day of September, 2020.

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

MIKE KOONCE, Chairman

9/15/20
3:35 P.M.