

September 9, 2013

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 September 9, 2013 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
MIKE KOONCE, Council Representative of District 2
VERONICA ALLISON, Council Representative of District 3
RANDY FAVRE, Council Representative of District 4
STUART MOSS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Brother David Holder, Sulphur First Baptist Church, followed by the reciting of the Pledge of Allegiance led by Mr. Redd.

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 Mrs. Allison that the minutes stand as written. Motion carried.

The Chairman then asked if there were any changes to the agenda. Motion was made by Mr. Moss seconded by Mrs. Allison that item 1A be added as follows:

- Presentation to Skylee Warner, Ashlyn Gaudet, Gracie Hicks, and Coaches Courtney Hawkins and Chuck McLallen.

Mayor Duncan stated that this item was being added to the agenda due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

And the above item was added to the agenda on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

Motion carried.

Motion was then made by Mr. Moss seconded by Mr. Koonce that item 1B be added to the agenda as follows:

- Presentation by Mel Estess.

Mayor Duncan stated that this item was being added to the agenda due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

NAYS: None

ABSENT: None

And the above item was added to the agenda on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

Motion was then made by Mr. Moss seconded by Mr. Koonce that item 1C be added to the agenda as follows:

- Presentation by Mayor Duncan.

Mayor Duncan stated that this item was being added to the agenda due to the agenda already being published. With no comment from the public, a vote was called with the following results:

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

NAYS: None

ABSENT: None

And the above item was added to the agenda on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

Motion was then made by Mr. Koonce seconded by Mrs. Allison that item #15 be amended to read as follows:

- Resolution authorizing the re-advertisement of bids for Wind Retrofit Project for Existing Fire Stations (Central, Southside and Eastside).

Motion carried.

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

The first item on the agenda is a presentation by Armed Forces Committee. The Armed Forces Committee presented a certificate to Donald Holmes.

The next item on the agenda is a presentation to Skylee Warner, Ashlyn Gaudet, Gracie Hicks, and Coaches Courtney Hawkins and Chuck McLallen. Mayor Duncan presented certificates to this group in recognition of qualifying for the 2013 National Talent Opportunity Program for gymnasts.

The next item on the agenda is a presentation by Mel Estess. Members of the Sulphur Rotary Club presented a plaque to Arlene Blanchard for Public Employee of the Year.

The next item on the agenda is presentation by Mayor Duncan. Mayor Duncan stated that Natalie Stewart, American Press, would be moving to another city and he then

presented her with a certificate thanking her for her years of service and reporting news in West Calcasieu.

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1117, M-C Series which granted a rezone to Betty Stine, 2320 Timberlane, from Residential to Mixed Residential to allow for 4 duplexes (to correct property description). Motion was made by Mr. Moss seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1147, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1117 M-C SERIES TO
CORRECT THE PROPERTY DESCRIPTION FOR A REZONE
GRANTED TO BETTY STINE, 2320 TIMBERLANE FROM
RESIDENTIAL DISTRICT TO MIXED RESIDENTIAL DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1117, M-C Series, adopted by the City Council on May 13, 2013 to include the correct property description as follows:

COM 190 FT N AND 30 FT E OF SW COR SW NW SEC 1.10.10 TH N
295 FT E ALONG S SIDE KEENE DR 125 FT S PARALLEL TO E LINE
POST OAK RD 295 FT, TH 125 FT W TO COM.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance granting the extension of a variance granted to Betty Jo Wilks, 218 East Brimstone Street, to allow for her to

continue to live in RV temporarily until mobile home is purchased. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1148, M-C SERIES

ORDINANCE GRANTING THE EXTENSION OF A VARIANCE
GRANTED TO BETTY JO WILKS, 218 EAST BRIMSTONE STREET, TO
ALLOW FOR HER TO CONTINUE TO LIVE IN RECREATIONAL
VEHICLE TEMPORARILY UNTIL MOBILE HOME IS PURCHASED.

WHEREAS, a variance was granted to Betty Jo Wilks by the Land Use Commission on December 17, 2012, ratified by City Council on January 14, 2013 which granted a variance to live in an RV until July 19, 2013; and

WHEREAS, an extension is needed to continue to live in the RV until August 18, 2014 with the following stipulations:

1. Expiration of date (renewable) be the earlier of
 - a. August 18, 2014
 - b. Beneficial Occupancy of a separate structure on same parcel
 - c. Occupant of the alternative structure no longer being the Applicant.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby grant the extension of a variance to live in RV temporarily until mobile home is purchased with the above stipulations.

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance accepting final plat for Old Spanish Trails Subdivision located on the corner of Rushing Road and Burton Street.

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

ORDINANCE NO. 1149, M-C SERIES

ORDINANCE ACCEPTING FINAL PLAT FROM LES AMIS LAND DEVELOPERS, LLC FOR OLD SPANISH TRAILS SUBDIVISION LOCATED ON THE CORNER OF RUSHING ROAD AND BURTON STREET.

WHEREAS, Les Amis Land Developers, LLC has submitted an application for final plat that includes single family homes with -0- lot lines on the south side of each lot and;

WHEREAS, action was taken by the Land Use Commission on Monday, August 19, 2013 introducing the ordinance in accordance with Article III, Part 1, Section 1 (6) (e) of the Land Use Ordinance for the following described property:

TRACT THREE (3) OF FOGRA, INC. SURVEY OF THE G.C. GUILD 20 ACRES IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 OF SE/4) OF SECTION 26, TOWNSHIP 9 SOUTH, RANGE 10 WEST.

WHEREAS, said examination reflects that the final plat complies with Chapter 18 of the Code of Ordinances of the City of Sulphur; and

WHEREAS, the final plat of Old Spanish Trails Subdivision is hereby approved.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance granting a rezone to Edward Kinney, Jr., 815 Willow Avenue, from Residential to Business to allow to market property. Motion was made by Mrs. Allison seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1150, M-C SERIES

ORDINANCE GRANTING A REZONE TO EDWARD KINNEY, JR., 815
WILLOW AVENUE, FROM RESIDENTIAL TO BUSINESS TO ALLOW TO
MARKET PROPERTY.

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, being rezoned from Residential to Business is owned by Edward Kinney, Jr., to-wit:

COMMENCING AT A POINT 145 FEET SOUTH OF NORTHEAST
CORNER OF LOT FIFTY-SIX (56) OF BLOCK "D" OF GEORGE LOCK
SUBDIVISION, A SUBDIVISION OF THE NORTH HALF OF
SOUTHEAST QUARTER (N/2 OF SE/4) AND SOUTH HALF OF
NORTHEAST QUARTER (S/2 OF NE/4) OF SECTION THIRTY-FOUR
(34) IN TOWNSHIP NINE (9) SOUTH, RANGE TEN (10) WEST,
LOUISIANA MERIDIAN, THENCE SOUTH 90 FEET, THENCE WEST
90 FEET, THENCE NORTH 90 FEET, THENCE EAST 90 FEET TO THE
POINT OF COMMENCEMENT.

WHEREAS, applicant wishes to market property.

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 from Residential to Business for Edward Kinney, Jr., 815 Willow Avenue for the following described property to wit:

COMMENCING AT A POINT 145 FEET SOUTH OF NORTHEAST
CORNER OF LOT FIFTY-SIX (56) OF BLOCK "D" OF GEORGE LOCK
SUBDIVISION, A SUBDIVISION OF THE NORTH HALF OF
SOUTHEAST QUARTER (N/2 OF SE/4) AND SOUTH HALF OF
NORTHEAST QUARTER (S/2 OF NE/4) OF SECTION THIRTY-FOUR
(34) IN TOWNSHIP NINE (9) SOUTH, RANGE TEN (10) WEST,
LOUISIANA MERIDIAN, THENCE SOUTH 90 FEET, THENCE WEST
90 FEET, THENCE NORTH 90 FEET, THENCE EAST 90 FEET TO THE
POINT OF COMMENCEMENT.

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

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

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

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

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Article I, Chapter 8 of the Code of Ordinances of the City of Sulphur for Section 13 – Sex Offenders.

After much discussion, motion was made by Mr. Moss seconded by Mrs. Allison to Call for Question.

Motion carried.

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

ORDINANCE NO. 1151, M-C SERIES

ORDINANCE AMENDING ARTICLE I, CHAPTER 8 OF THE CODE OF
ORDINANCES OF CITY OF SULPHUR TO PROVIDE FOR SECTION 13
– REGISTRATION OF SEX OFFENDERS AND CHILD PREDATORS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Article I, Chapter 8 of the Code of Ordinances of the City of Sulphur be amended as follows to provide for Section 13 – Registration of Sex Offenders and Child Predators:

Sec. 8-13. Registration of Sex Offenders and Child Predators.

- (a) All persons defined in R.S. 15:542 shall be required to register and provide notification as a sex offender or child predator in accordance with the provisions of this chapter.
- (b) All persons defined in subsection (a) of this section, who reside, work, or attend school within the boundaries of the City of Sulphur, shall, within three business days of establishing residence in the City of Sulphur, or if a current resident, within three business days after conviction or adjudication if not immediately incarcerated or taken into custody after conviction or adjudication, within three business days after release from confinement, or within three days after the effective date of this ordinance, whichever is sooner, register in person with the Sulphur Police Department, and shall provide all of the information required under the provisions of R.S. 15:542(C), and shall also include a statement that adequately explains the factual basis of the crime.
- (c) Knowingly providing false information to the Sulphur Police Department shall constitute a failure to register pursuant to Section 8-15 of this Code of Ordinances.
- (d) The offender shall pay to the City of Sulphur, through the Sulphur Police Department, an initial registration fee of \$600.00, which is inclusive of the state mandated fee of \$60.00, to defray the costs of maintaining the record of the offender and shall be used for Sex Crime Investigators, training and equipment. The offender shall pay a renewal fee of \$200.00 on each anniversary thereafter. Failure by the offender to pay the fee within 30 days of initial registration, or renewals thereof, shall constitute a failure to register and subject the offender to the provisions of Section 8-15 of this Code of Ordinances. The offender shall not be prevented from registering in accordance with this chapter for failure to pay the annual registration fee.

Sec. 8-14. Notification.

Any person residing in the City of Sulphur who is required to provide sex offender and/or child predator notification under the provisions of R.S. 15:542.1, shall, in addition to the requirements set forth therein, provide such notice to the Sulphur Police Department, and shall include in said notice, which must be published in the official newspaper of the city, a statement that adequately explains the factual basis of the crime, the age and sex of the victim, the number of prior convictions for sex offenses, and the number of years served for the current conviction. The person required to provide such notice shall submit the notice to the designated enforcement officer of the Sulphur Police Department for approval, and the designated enforcement officer shall have authority to waive certain notice requirements in order to protect victim privacy and confidentiality.

Sec. 8-15. Failure to register.

- (a) A person who fails to register, periodically renew and update registration, provide proof of residence or notification of change of address or other registration information, or provide community notification as required by the provisions of this chapter, and a person who knowingly provides false information to a law enforcement agency as provided herein this chapter, upon a first violation, be subject to a civil penalty of not more than \$1,000.00, and upon subsequent violations, the offender shall be subject to a civil penalty not to exceed \$3,000.00.
- (b) An offender who registers, but fails to pay the annual registration fee, or renewals thereof, in accordance with the provisions of this chapter shall be subject to a civil penalty of \$500.00 in addition to the registration fees owed.

Sec. 8-16. Duration of registration and notification period.

Any person required to register and provide notification pursuant to the provisions of this chapter shall comply with such requirements for the time periods set forth in R.S. 15:544.

Sec. 8-17. Prohibitions for convicted sex offenders.

- (a) All persons required to register under the provisions of this chapter, where the victim was a minor child, shall be prohibited from:
 - (1) Going in, on, or within 1,000 feet of the school property of any public or private elementary or secondary school.
 - (2) Going in, on, or within 1,000 feet of a day care center, group home, residential home, or child care facility, a family child day care home, playground, public or private youth center, public swimming pool, or

freestanding video arcade facility, as defined herein, or as otherwise defined in applicable state law.

- (3) Physically residing within 1,000 feet of any public or private elementary or secondary school, day care center, group home, residential home, or child care facility, a family child day care home, playground, public or private youth center, public swimming pool, or freestanding video arcade facility, as defined herein, or as otherwise defined in applicable state law.
- (4) Physically residing within 300 feet of any designated school bus stop, measured from the nearest point of the registered offender's front property line's intersection with roadway, excluding any designated school bus stop utilized by children whose parent or guardian is a registered offender. Any existing residences within 300 feet of a school bus stop when this amended ordinance is adopted shall be grandfathered as compliant. A letter from the Calcasieu Parish School Board shall be presumptive evidence of compliance with this provision if an offender changes address to a new location which, at that time, is not within 300 feet of a designated school bus stop. That relocated address shall then be grandfathered as compliant concerning a future change of the designated school bus stop that places the existing residence within 300 feet of a designated school bus stop.
- (5) Communicating, either in written or oral form, with the victim or a family member of the victim, unless the victim consents to such communication in writing.

- (b) For purposes of this section, the following definitions shall apply:

Child means a person who has not reached the age of 13 years. The words "child" and children are used interchangeably in this section.

Day care center means any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the purpose of providing care, supervision, and guidance of seven or more children, not including those related to the caregiver, unaccompanied by parent or guardian, on a regular basis for at least 12½ hours in a continuous seven-day week. A day care center that remains open for more than 12½ hours in a continuous seven-day week, and in which no individual child remains for more than 24 hours in one continuous stay shall be known as a full-time day care center.

Family child day care home means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision, and/or guidance of seven, but not more than 12, children, who are not related to the operators and whose parents or guardians are not residents of the same facility.

Group day care home means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purposes of providing care, supervision, and/or guidance of seven, but not more than 12, children, who are not related to the operators and whose parents or guardians are not residents of the same facility.

Group home means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group which receives therein at least seven, but not more than 15, children who are not related to the operator and whose parents or guardians are not residents of the same facility for supervision, care, lodging, and maintenance, with or without transfer of custody.

Residential home means any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group to provide full-time care for more than 15 children who are not related to the operators and whose parents or guardians are not residents of the same facility, with or without transfer of custody. A residential home as defined in this subsection includes facilities known as children's homes, halfway houses, residential treatment centers, training schools, and facilities for the mentally retarded, emotionally disturbed, socially maladjusted, or otherwise mentally or physically handicapped.

- (c) The restrictions and prohibitions set forth in this subsection shall not be applicable when said restrictions and/or prohibitions are waived or excepted under the provisions of R.S. 15:538.
- (d) Any person who violates this subsection shall be guilty of a misdemeanor and subject to penalties of Section 1-11 of this Code of Ordinances.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 1-11 of the Code of Ordinances of the City of Sulphur – General Penalty. Motion was made by Mr. Moss seconded by Mrs. Allison that the following ordinance be adopted to-wit:

ORDINANCE NO. 1152, M-C SERIES

ORDINANCE AMENDING CHAPTER 1, SECTION 11 OF THE CODE
OF ORDINANCES OF CITY OF SULPHUR – GENERAL PENALTY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Chapter 1, Section 11 of the Code of Ordinances of the City of Sulphur be amended as follows:

Sec. 1-11. General penalty; continuing violations.

- (a) Whenever in this Code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or of any such ordinance shall be punished by a fine of not exceeding \$500.00 or by imprisonment for not more than six months, or both such fine and imprisonment. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.
- (b) Any person who shall aid, abet or assist in the violation of any provision of this Code or any other ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided in this section.
- (c) Notwithstanding any other provision of this section, when a defendant has been convicted of a violation of any city ordinance, the court may suspend the imposition or execution of the whole or a part of the sentence imposed and place the defendant on probation, as provided by law. The court may impose specific conditions of probation, including but not limited to the performance of services under a court approved community service program.

This ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury to accept ownership of two parcels of property located within the City of Sulphur (1608 Ruby Lane and 1110 Gulf Lane). Motion was made by Mr. Moss seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1153, M-C SERIES

AN ORDINANCE AUTHORIZING MAYOR CHRISTOPHER L. DUNCAN TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE CALCASIEU PARISH POLICE JURY TO ACCEPT OWNERSHIP OF TWO PARCELS OF PROPERTY LOCATED WITHIN THE CITY OF SULPHUR (1110 GULF LANE AND 1608 RUBY LANE).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan, to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury to accept ownership of two parcels of property located within the City of Sulphur (1110 Gulf Lane and 1608 Ruby Lane), more particularly described as follows:

Tract 1: A portion of Lot Twenty-two (22) of Block Two (2) of F.G. LOCK SUBDIVISION, in the Southwest Quarter (SW/4) of Section 2, Township 10 South, Range 10 West, as per plat recorded in Plat Book 4 page 34 Lot Twenty-three (23) of Block Two (2) of CARLIN-STINE STARLIN SUBDIVISION NO 2, a subdivision in the South Half of the Northwest Quarter (S/2 of NW/4) and the North Half of the Southwest Quarter (N/2 of SW/4) of Section 2, and the South Half of the Northeast Quarter (S/2 of NE/4) of Section 3, Township 10 South, Range 10 West, as per plat recorded in Plat Book 5 page 77,

records of Calcasieu Parish, Louisiana, being more particularly described as follows:

Commencing at a point 153 feet East of the Southwest corner of Lot 22 of Block 2 of F.G. LOCK SUBDIVISION and run Northeasterly 65.3 feet to a point at the intersection of the North line of said Lot 22 a distance of 143' Northwesterly from the East corner of said Lot 22 and at intersection of West line of Lot 23 of Block 2 of Carlin-Stine Starlin Subdivision No 2, in Section 2, Township 10 South, Range 10 West, as per plat recorded in Plat Book 5 page 77, extended to South line of Invader Street, thence Northeasterly 201 feet with the West line of said Lot 23 of Block 2 of said Carlin-Stine Starlin Subdivision No 2, thence Southeasterly along bank of drain ditch 100 feet, thence Southwesterly 212.2 feet to a point 75 feet East of the point of commencement, thence West 75 feet to the point of commencement.

Tract 2: Commencing 145 feet East of the Southwest corner of Lot 22 of Block 2 of F.G. LOCK SUBDIVISION, in the Southwest Quarter (SW/4) of Section 2, Township 10 South, Range 10 West, as per plat recorded in Plat Book 4 page 34, thence East 8 feet, thence Northeasterly 65.3 feet to the North line of said Lot, thence Northwesterly along Northerly lot line to a point due North of the point of commencement, thence South to the point of commencement.

Tract 3: Commencing 228 feet East of the Southwest corner of Lot 22 of Block 2 of F.G. LOCK SUBDIVISION, in the Southwest Quarter (SW/4) of Section 2, Township 10 South, Range 10 West, as per plat recorded in Plat Book 4 page 34, thence East 25 feet, thence North 26 degrees 32 minutes East 198 feet more or less to the North line of Lot 23 of Block 2 of Carlin-Stine Starlin Subdivision No 2, thence Southwesterly 212.2 feet to the point of commencement.

Property Address: 1110 Gulf Lane, Sulphur, LA 70663

AND

Lot Six (6), Less North 90' thereof of Block 4 of Rose Park No. 7 Subdivision, as per plat recorded in Plat Book 17 page 38, together with all improvements situated thereon.

Property Address: 1608 Ruby Lane, Sulphur, LA 70663

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

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Drug Seizure Fund Budget for fiscal year ending June 30, 2013. Motion was made by Mr.

Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1154, M-C SERIES

AN ORDINANCE AMENDING AND RE-ADOPTING THE DRUG SEIZURE
FUND BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2014.

BE IT ORDAINED by the City of Sulphur, Louisiana, through its governing body,
the City Council of the City of Sulphur, Louisiana, as follows:

SECTION 1. That the Drug Seizure Fund Budget of the City of Sulphur,
Louisiana, for the fiscal year ending June 30, 2014, heretofore
adopted by the City Council, be and the same is hereby amended and
re-adopted in accordance with "Exhibit A" attached hereto and made
a part hereof.

SECTION 2. All ordinances and resolutions or parts thereof in conflict
herewith be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon
approval by the Mayor.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 8, Section 6 of the Code of Ordinances of the City of Sulphur – Discharging of Firearms.

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

ORDINANCE NO. 1155, M-C SERIES

ORDINANCE AMENDING CHAPTER 8, SECTION 6 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – DISCHARGING OF FIREARMS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 8, Section 6 of the Code of Ordinances of the City of Sulphur to read as follows:

Sec. 8-6. Discharging of firearms.

- (a) It shall be unlawful for any person to intentionally discharge any firearm or air gun within the corporate limits, unless such discharge of firearms is reasonably required for the protection of life and property, except as hereinafter provided.
- (b) The provisions of this section shall not apply to persons discharging firearms from approved indoor firing ranges.
- (c) Approved indoor firing ranges shall be those firing ranges which have been designed and constructed to meet the requirements set forth in the various codes, relative to structures, in force and effect in the city, and which structures have been designed and constructed in accordance with recognized standards of safety and noise suppression for indoor firing ranges, as certified by a licensed architect or engineer. Caliber of weapons shall not exceed designer's specifications.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending the General Fund Budget for fiscal year ending June 30, 2014 (Police Dept. communication upgrade and Fire Dept. trailer). Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1156, M-C SERIES

AN ORDINANCE AMENDING AND RE-ADOPTING THE GENERAL FUND BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2014 (POLICE COMMUNICATION UPGRADE AND FIRE MOBILE COMPRESSOR TRAILER).

BE IT ORDAINED by the City of Sulphur, Louisiana, through its governing body, the City Council of the City of Sulphur, Louisiana, as follows:

SECTION 1. That the General Fund Budget of the City of Sulphur, Louisiana, for the fiscal year ending June 30, 2014, heretofore adopted by the City Council, be and the same is hereby amended and re-adopted in accordance with "Exhibit A" attached hereto and made a part hereof.

SECTION 2. All ordinances and resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon approval by the Mayor.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance repealing Ordinance No. 327, M-C Series adopted by City Council on June 8, 1998 (alcohol). Motion was made by Mr. Moss seconded by Mr. Koonce that the following ordinance be adopted to-wit:

ORDINANCE NO. 1157, M-C SERIES

ORDINANCE REPEALING ORDINANCE NO. 327, M-C SERIES,
ADOPTED JUNE 8, 1998 WHICH AMENDED CHAPTER 3, ARTICLE I,
SECTION 3-2, ALCOHOL SALES ON SUNDAY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby repeal Ordinance No. 327, M-C Series, adopted June 8, 1998 which amended Chapter 3, Article I, Section 3-2, Alcohol Sales on Sunday.

BE IT FURTHER ORDAINED that this ordinance shall be revoked upon the Mayor's signature.

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 774, M-C Series adopted May 14, 2007, which authorized an Intergovernmental Agreement with the City of Westlake for Wastewater Transport and Treatment Services.

Mayor Duncan stated that this is a 20 year agreement but user fee can be increased if renegotiated. Motion was made by Mr. Koonce seconded by Mr. Moss that the following ordinance be adopted to-wit:

ORDINANCE NO. 1158, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 774, M-C SERIES ADOPTED MAY 14, 2007, WHICH AUTHORIZED AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WESTLAKE FOR WASTEWATER TRANSPORT AND TREATMENT SERVICES.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof that they do hereby amend Ordinance No. 774, M-C Series, adopted May 14, 2007, which authorized an Intergovernmental Agreement with the City of Westlake for Wastewater Transport and Treatment Services.

BE IT FURTHER ORDAINED that Mayor Christopher L. Duncan is hereby authorized to sign the amended Intergovernmental Agreement (Exhibit A) with the City of Westlake for Wastewater Transport and Treatment Services.

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

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is an introduction of ordinance accepting sewer line easement on South Huntington Street (1300 block of South Huntington). Motion was made by Mr. Koonce seconded by Mrs. Allison that the following ordinance be introduced:

AN ORDINANCE AUTHORIZING ACCEPTANCE OF
SEWER LINE EASEMENT ON SOUTH HUNTINGTON
STREET (1300 BLOCK OF S. HUNTINGTON)

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

PUBLIC NOTICE

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

AN ORDINANCE AUTHORIZING ACCEPTANCE OF SEWER LINE
EASEMENT ON SOUTH HUNTINGTON STREET (1300 BLOCK OF S.
HUNTINGTON)

A public hearing on said ordinance will be held at 5:30 p.m. on the 15th day of October, 2013, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

RANDY FAVRE, Chairman

Motion carried.

The next item on the agenda is a resolution authorizing the re-advertisement of bids for Wind Retrofit Project for Existing Fire Stations (Central, Southside and Eastside). (*This advertisement was pulled due to specs not ready. Advertisement will be at a later date*).

RESOLUTION 2640, M-C SERIES

Resolution authorizing re-advertisement for bids for Wind Retrofit Project for Existing Fire Stations (Central, Southside and Eastside).

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize re-advertisement for bids for Wind Retrofit Project for Existing Fire Stations (Central, Southside and Eastside).

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 re-advertisement of bids for Wind Retrofit Project for Existing Fire Stations (Central, Southside and Eastside) will be received by the Clerk of the Council until 10:00 a.m. on the 10th day of October, 2013, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Finance in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 15th day of October, 2013, 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, said bids to be in accordance with the quantities and specifications on file with City of Sulphur Purchasing Department, 604 Live Oak, Sulphur, LA 70663.

CITY OF SULPHUR, LOUISIANA

BY _____

RANDY FAVRE, 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 15th day of October, 2013, at 5:30 p.m. and shall then and there proceed to award the bids to the lowest bidder or to reject any and all bids, otherwise proceed thereto as provided by law.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution awarding low bid received for
Miscellaneous Pump Station Interim Improvements – Highway 108 & Arizona Pump

Stations Valve Replacement. Motion was made by Mr. Moss seconded by Mrs. Allison that the following resolution be adopted to-wit:

ORDINANCE NO. 2641, M-C SERIES

Resolution awarding low bid received for the Miscellaneous Pump Station Interim Improvements – Highway 108 & Arizona Pump Stations Valve Replacement.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for the Miscellaneous Pump Station Interim Improvements – Highway 108 & Arizona Pump Stations Valve Replacement were opened and read aloud in an open and public bid session on Monday, September 9, 2013 at 11:00 a.m., and the bids were as follows:

<u>Company</u>	<u>Base Bid</u>
Don M. Barron Contractor, Inc.	\$367,600.00
R.D. Spell, Inc.	\$378,377.00
Blake D. Hines, Inc.	\$388,408.00
M.P. Dumesnil Construction, LLC	\$395,100.00
MPB Construction, LLC	\$485,790.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Christopher L. Duncan and award the bid for the Miscellaneous Pump Station Interim Improvements – Highway 108 & Arizona Pump Stations Valve Replacement as follows:

<u>Company</u>	<u>Base Bid</u>
Don M. Barron Contractor, Inc.	\$367,600.00

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

A vote was then called with the results as follows:

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

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution accepting Substantial Completion on the reconstruction of Cody Street. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2642, M-C SERIES

Resolution accepting Substantial Completion on the reconstruction of Cody Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion on the reconstruction of Cody Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution accepting Substantial Completion for the surface treatment of Gradney and Carr Lane Rehabilitation. Motion was made by Mrs. Allison seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2643, M-C SERIES

Resolution accepting Substantial Completion for the surface treatment of Gradney and Carr Lane Rehabilitation.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for the surface treatment of Gradney and Carr Lane Rehabilitation.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution accepting Substantial Completion for the Concrete Street Rehabilitation. Motion was made by Mr. Moss seconded by Mr.

Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 2644, M-C SERIES

Resolution accepting Substantial Completion for the Concrete Street Rehabilitation.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for the Concrete Street Rehabilitation.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to sign a pre-application and subsequent applications for State of Louisiana Department of Environmental Quality for State Revolving Loan Fund Wastewater Facilities. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2645, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to sign a pre-application and subsequent applications for State of Louisiana Department of Environmental Quality for State Revolving Loan Fund.

WHEREAS, the City of Sulphur is in need of a Wastewater System Rehabilitation Project; and

WHEREAS, loans and/or grants for this project may be available through the State Revolving Loan Fund loan program operated by the Louisiana Department of Environmental Quality;

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

- Section 1. Christopher L. Duncan, Mayor is hereby authorized to submit a pre-application to the Department of Environmental Quality on behalf of the City of Sulphur for the purpose of placing this project on the Project Priority List for funding through the State Revolving Fund loan program; and
- Section 2. Christopher L. Duncan, Mayor is further authorized to furnish such additional information as may reasonably be requested in connection with the pre-application; and
- Section 3. John S. Bruce, Director of Public Works is hereby designated as the Official Project Representative for the City of Sulphur for any project that may result from the submission of the pre-application.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Sulphur Parks and

Recreation to provide for Wi-Fi and security cameras at Heritage Square. Motion was made by Mr. Koonce seconded by Mr. Moss that the following resolution be adopted to-wit:

RESOLUTION NO. 2646, M-C SERIES

Resolution authorizing Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Sulphur Parks and Recreation to provide for Wi-Fi and security cameras at Heritage Square.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Christopher L. Duncan to enter into a Cooperative Endeavor Agreement with Sulphur Parks and Recreation to provide for Wi-Fi and security cameras at Heritage Square.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 9th day of September, 2013.

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

The next item on the agenda is a discussion concerning Industrial Development Board current and future projects. (To hear entire discussion visit www.sulphur.org and view the video dated 9/9/13 under the “council” tab or see DVD in the Council Clerk’s office, located at 101 North Huntington Street).

The next item on the agenda is a discussion from citizens regarding Sulphur Police Department staffing and pay scale. (To hear entire discussion visit www.sulphur.org and view the video dated 9/9/13 under the “council” tab or see DVD in the Council Clerk’s office, located at 101 North Huntington Street).

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

ATTEST:

ARLENE BLANCHARD, Clerk

RANDY FAVRE, Chairman

9/9/13
7:25 P.M.