

March 11, 2019

The City Council of the City of Sulphur, Louisiana, met in regular session at its regular meeting place in the Council Chambers, Sulphur, Louisiana, on March 11, 2019 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
MELINDA HARDY, Council Representative of District 3
JOY ABSHIRE, Council Representative of District 4
MANDY THOMAS, Council Representative of District 5

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

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 Mr. Koonce 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 Mr. Koonce that item #20A be added to the agenda:

Resolution approving liquor license for Touchdown Sports Grill.

Council Clerk stated that this item was being added since the agenda was already published at the time Administration received the application. There weren't any comments from the public.

Motion carried unanimously.

Motion was then made by Mr. Koonce seconded by Mrs. Thomas that item 20B be added to the agenda:

Resolution authorizing Mayor Mike Danahay to sign Original Agreement State Project No. H.011839 Federal Aid Project No. H011839 Henning Drive/Weekly Road Overlay Calcasieu Parish.

Council Clerk stated that this item was being added since the agenda was already published at the time Administration received the agreement. There weren't any comments from the public.

Motion carried unanimously.

Motion was then made by Mr. Koonce seconded by Mrs. Thomas that the following items be removed from the agenda:

9. Public hearing on ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for the Summer Feeding Program.
13. Introduction of Ordinance authorizing a Cooperative Endeavor Agreement with Tellurian, Inc. (SHS SCIP Program), for traffic calming devices.
14. Resolution awarding proposal received for Solid Waste Collection for the City of Sulphur.

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the agenda stand as amended.

Motion carried unanimously.

The first item on the agenda is a Presentation by Armed Forces Committee. The Committee presented Chief Lewis Coats with a the Patriotic Employer Award. This award is for contributing to National Security by supporting employee participation in the National Guard and Reserve Forces.

The next item on the agenda is a public hearing on ordinance granting a rezone to Edward Darbonne, from Residential to Mixed Residential for property located on the west side of Eddie

Street (Lots 3-13). Motion was made by Mr. Koonce seconded by Mrs. Abshire that the following stipulation be added:

WHEREAS, other than where there's an existing mobile home, there shall be no additional mobile homes.

It is an agreed stipulation and resolatory condition of this rezone that no mobile home/manufactured home shall be sited on the property, except as allowed pursuant to existing ordinances grandfathering a pre-existing mobile home/manufactured home, or a replacement at the same location as heretofore allowed by ordinance.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared amended on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

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

ORDINANCE NO. 1609, M-C SERIES AS AMENDED

ORDINANCE GRANTING A REZONE TO EDWARD DARBONNE, FROM RESIDENTIAL TO MIXED RESIDENTIAL FOR PROPERTY LOCATED ON THE WEST SIDE OF EDDIE STREET (LOTS 3-13).

WHEREAS, Edward Darbonne has submitted application to rezone from Residential District to Mixed Residential District; and

WHEREAS, other than where there's an existing mobile home, there shall be no additional mobile homes.

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 Edward Darbonne, from Residential District to Mixed Residential District for the following described property to wit:

LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 OF BLOCK ONE OF DARBONNE ESTATES SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4-NE/4) OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 10 WEST, LA. MERIDIAN, AS PER RECORDED IN THE RECORDS OF CALCASIEU PARISH, LOUISIANA.

HEREIN DESCRIBED TRACT/LOTS CONTAINING 2.01 ACRES, MORE OR LESS, AND SUBJECT TO ANY RIGHTS OF WAY, SERVITUDES AND/OR EASEMENTS OR RECORD OR BY USE.

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.

It is an agreed stipulation and resolutory condition of this rezone that no mobile home/manufactured home shall be sited on the property, except as allowed pursuant to existing ordinances grandfathering a pre-existing mobile home/manufactured home, or a replacement at the same location as heretofore allowed by ordinance.

NOW THEREFORE, BE IT FURTHER ORDAINED, that the City Council of the City of Sulphur, Louisiana, does hereby grant a rezone, with stipulation, to Edward Darbonne from Residential District to Mixed Residential District for the above stated lots located on the west side of Eddie Street, Sulphur, Louisiana.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an ordinance granting a rezone to Justin Babineaux (BAB Rentals, LLC), from Business to Mixed Residential for property located on the west side of Cain Street (south of 172 Cain Street), to allow for a manufactured home. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1610, M-C SERIES

ORDINANCE GRANTING A REZONE TO JUSTIN BABINEAUX, BAB RENTALS, LLC, FROM BUSINESS TO MIXED RESIDENTIAL FOR PROPERTY LOCATED ON THE WEST SIDE OF CAIN STREET (SOUTH OF 172 CAIN STREET), TO ALLOW FOR A MANUFACTURED HOME.

WHEREAS, Justin Babineaux, BAB Rentals, LLC, has submitted application to rezone from Business District to Mixed Residential District.

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

The Land Use Ordinance of the City of Sulphur is hereby amended to grant a Rezone to Justin Babineaux, BAB Rentals, LLC, from Business District to Mixed Residential District for the following described property to wit:

LOT NINE (9) OF LOUIS CHARGEOIS SUBDIVISION, A SUBDIVISION BEGINNING 128 FTT EAST FROM THE WEST LINE OF SE/4 OF THE NW/4 OF SECTION 35, T-9-S, R-10-W, LA. MERIDIAN, AT THE INTERSECTION OF U.S. HIGHWAY 90 ON THE SOUTH SIDE; THENCE SOUTH 668.3 FEET; THENCE EAST 192 FEET; THENCE NORTH 667.7 FEET; THENCE WEST 192 FEET TO THE POINT OF BEGINNING, AS PER PLAT RECORDED AT FILE NO. 364410, RECORDS OF CALCASIEU PARISH, LOUISIANA.

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.

NOW THEREFORE, BE IT FURTHER ORDAINED, that the City Council of the City of Sulphur, Louisiana, does hereby grant a rezone to Justin Babineaux, BAB Rental, LLC from Business District to Mixed Residential District for property located on the west side of Cain Street (south of 172 Cain Street), to allow for a manufactured home.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

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

To condemn building or structure located at 505 West Burton Street, in accordance with Article IX, Section 5-286 through 5-296.

Property owner and Representative, Baker Miller and Wendy Dautriel answered questions
Donnie Fuslier commented

After discussion, motion was made by Mr. Koonce seconded by Mrs. Hardy that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is an ordinance amending Ordinance No. 1107 M-C Series which established a program to assist low-income households in the payment of water, sewer and garbage-trash collection fees charged by the City of Sulphur, Louisiana. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1611, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1107, M-C SERIES WHICH
ESTABLISHED A PROGRAM TO ASSIST LOW-INCOME HOUSEHOLDS
IN THE PAYMENT OF WATER, SEWER, AND GARBAGE-TRASH
COLLECTION FEES CHARGED BY THE CITY OF SULPHUR, LOUISIANA.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1107, M-C Series to read as follows:

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that a program to assist low-income households in the payment of water, sewer (wastewater), and garbage-trash (solid waste) collection fees charged by the City of Sulphur be and it is hereby established, the determination of eligibility for this assistance program to be in accordance with poverty guidelines established by the Federal Government and the State of Louisiana, and which assistance program will be subject to the following definitions and conditions, and also the following criteria for eligibility:

SECTION 1. DEFINITIONS:

- (a) Household means parents, their minor children, grandparents and a grandchild who is a minor and whose legal custody has been granted to a grandparent, all of whom reside in a housing unit as a family unit and for whom utilities are customarily purchased in common, or who make payments for utilities included in the rent;
- (b) Income means all non-exempt gross income received by members of the household on a regular or predictable basis during three (3) calendar months or all annualized non-exempt income received by members of a household on an irregular or fluctuating basis or moneys received into a home occupied by a household from any source whatsoever;

- (c) Housing Unit means a house, a stationary mobile home, an apartment or any unit used for billing purposes.

SECTION 2. ELIGIBILITY

- (a) Determination of eligibility for this assistance program will be in accordance with Department of Social Services established by the Federal government and the State of Louisiana.

SECTION 3. The amount of assistance granted each qualified applicant will be determined by (1) the number of qualified applicants and (2) the amount of the funds appropriated for this program for the fiscal year, PROVIDED, HOWEVER, THAT THE AMOUNT OF ASSISTANCE SHALL NOT EXCEED \$15.00 PER QUALIFIED APPLICANT.

SECTION 4. Annual recertification of eligibility shall be required. Applications for said annual recertification shall be submitted by the 1st day of March each year.

SECTION 5. All changes in status affecting eligibility must be reported promptly to the office of the Mayor.

SECTION 6. Administration of this program will be the responsibility of the Mayor, through the Director of Finance.

SECTION 7. Confidentiality of all information provided to determine the eligibility will be maintained by the Office of the Mayor.

SECTION 8. This program is open to all persons regardless of race, color, age, religion, sex or national origin. No distinction shall be made between property owners or renters.

SECTION 9. Continuation of this assistance program is contingent upon the appropriation by the City Council of the City of Sulphur in the operating budget of the City of Sulphur each year.

SECTION 10. This assistance program shall only be provided for residential water, sewer, garbage/trash households located within the city limits of Sulphur.

BE IT FURTHER ORDAINED that this Ordinance shall become effective April 1, 2019.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1342, M-C Series which set forth procedures for deposit for utility services for customers inside and outside the corporate limits of the City of Sulphur.

Bill LeBlanc commented
Danny Stevens spoke in support

After discussion, motion was made by Mr. Koonce seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1612, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 1342, M-C SERIES, WHICH SET FORTH PROCEDURE FOR DEPOSIT FOR UTILITY SERVICES FOR CUSTOMERS INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Ordinance No. 1342, M-C Series, adopted by the City Council on October 15, 2015, which set forth procedure for deposit for utility services for customers inside and outside the corporate limits of the City of Sulphur to read as follows:

RESIDENTIAL:

All applicants for water, sewer, or garbage service shall be required to pay a non-refundable seventy-five dollar (\$75) account activation charge.

A deposit of one hundred and twenty-five dollars (\$125) shall be required for any applicant that is not the property owner, or a professional property manager acting as agent for the property owner. This deposit shall be refunded after five (5) years of prompt payment history. A prompt payment history shall be defined as continuous payments of sixty months with no more than three (3) late payments during the entire period, and no late payment in the preceding twelve (12) months.

Any deposits held by the City for utility customer accounts of residential property owners pursuant to prior ordinances shall be refunded as a credit on the property owner's bill.

COMMERCIAL:

All non-residential applicants for water, sewer, or garbage service shall be required to pay a non-refundable account activation charge in accordance with the following schedule:

<u>Less Than 2" Tap:</u>	\$150
<u>At Least 2" Tap, but Less than 4" Tap:</u>	\$300
<u>4" or Great Tap:</u>	\$600

Any deposits held by the City for utility customer accounts of non-residential customers pursuant to prior ordinances shall be refunded upon termination or transfer of service, after satisfying any outstanding balances due to the City.

BE IT FURTHER ORDAINED that this Ordinance shall become effective April 1, 2019.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 837, M-C Series which set forth procedure for cycle billing and late penalty for utility customers inside and outside the corporate limits of the City of Sulphur. Motion was made by Mrs. Thomas seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1613, M-C SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 837, M-C SERIES WHICH SET FORTH PROCEDURE FOR CYCLE BILLING AND LATE PENALTY FOR UTILITY CUSTOMERS INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SULPHUR.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof that the following procedure is hereby set forth:

Section 1. Billing for utility services for utility customers inside and outside the corporate limits of the City of Sulphur will be billed on a varying monthly cycle. A late penalty of 10% will be added to an account not paid by 4:00 p.m. on the due date.

BE IT FURTHER ORDAINED that this Ordinance shall become effective April 1, 2019.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas
NAYS: None
ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Sections 12-52 and 12-53 of the Code of Ordinances of the City of Sulphur to provide for the regulation of through trucks, and to increase the fine for violators. Motion was made by Mr. Koonce seconded by Mrs. Abshire that the following amendment be made:

The penalty for violation of this article shall be a confinement of a minimum of thirty (30) days and/or a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for a first offense, and with confinement of up to thirty (30) days and/or a fine of not less than seven hundred fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000) for a second offense and for each subsequent violation.

Motion carried unanimously.

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

ORDINANCE NO. 1614, M-C SERIES AS AMENDED

ORDINANCE AMENDING SECTIONS 12-52 AND 12-53 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR TO PROVIDE FOR THE REGULATION OF THROUGH TRUCKS, AND TO INCREASE THE FINE FOR VIOLATORS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Sections 12-52 and 12-53 of the Code of Ordinances of the City of Sulphur, to provide for the regulation of through trucks, and to increase the fine for violators to read as follows:

Sec. 12-52. - Transportation routes for hazardous materials and trucks passing through city.

- (a) Vehicles transporting hazardous material, through trucks, as defined in this article, and all vehicles weighing more than two (2) tons shall be restricted to the use of the following routes through the city (and shall never be authorized to travel on any other city streets, drives, or routes):
 - (1) Interstate 10 for its entire length through the city. Vehicles exiting from Interstate 10 are restricted to Beglis Parkway (La. Hwy. 27), Cities Service Highway (La. Hwy. 108), and Louisiana Highway 1256.
 - (2) U.S. Highway 90 for its length through the city. Vehicles exiting from U.S. Highway 90 are restricted to Louisiana Highway 1256, Cities Service Highway, Beglis Parkway, and North on Beglis Parkway to Louisiana Highway 27.
 - (3) Cities Service Hwy. from Interstate 10 to U.S. Highway 90. Vehicles exiting from Cities Service are restricted to U.S. Highway 90 and Interstate 10.
 - (4) Beglis Parkway from Interstate 10 to U.S. Highway 90. Vehicles exiting from Beglis Parkway are restricted to Interstate 10 and U.S. Highway 90 and North on Beglis Parkway to Louisiana Highway 27.
 - (5) Louisiana Highway 1256. Vehicles exiting from Louisiana Highway 1256 are restricted to Interstate 10 and U.S. Highway 90.
- (b) A vehicle that would otherwise be in violation of Subsection (a) of this Section may establish as a defense that it was actively engaged in a bona fide delivery to an address within the boundaries of the city at the time of the violation. Proof of this defense shall require contemporaneous documentary evidence and may not be established solely by the testimony of the driver.

Sec. 12-53. - Penalty for violation.

The penalty for violation of this article shall be a confinement of a minimum of thirty (30) days and/or a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for a first offense, and with confinement of up to thirty (30) days and/or a fine of not less than seven hundred fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000) for a second offense and for each subsequent violation.

BE IT ALSO 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. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to accept 100% ownership of 2396 Tammy Drive (Hazard Mitigation Federal Grant #1603-019-0003). Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be introduced:

INTRODUCTION OF ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2396 TAMMY DRIVE (HAZARD MITIGATION FEDERAL GRANT #1603-019-0003).

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:

INTRODUCTION OF ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2396 TAMMY DRIVE (HAZARD MITIGATION FEDERAL GRANT #1603-019-0003).

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2019, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to accept 100% ownership of 2400 Mary Ann Drive (Hazard Mitigation Federal Grant #1603-019-0026).

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

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2400 MARY ANN DRIVE (HAZARD MITIGATION FEDERAL GRANT #1603-019-0026).

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 MIKE DANAHAAY TO SIGN
COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH
POLICE JURY TO ACCEPT 100% OWNERSHIP OF 2400 MARY ANN
DRIVE (HAZARD MITIGATION FEDERAL GRANT #1603-019-0026).

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2019, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance abandoning a 50-foot strip of property on north end of Mathew Street extension (North of West Napoleon Street). Motion was made by Mrs. Hardy seconded by Mr. Koonce that the following ordinance be introduced:

ORDINANCE ABANDONING A 50-FOOT STRIP OF PROPERTY ON
NORTH END OF MATHEW STREET EXTENSION (NORTH OF WEST
NAPOLEON STREET)

Motion was then made by Mrs. Hardy seconded by Mr. Koonce 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 ABANDONING A 50-FOOT STRIP OF PROPERTY ON
NORTH END OF MATHEW STREET EXTENSION (NORTH OF WEST
NAPOLEON STREET)

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2019, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance entering into and authorizing Mayor to execute Solid Waste Contract.

Markel Andrepont commented

Donnie Fuslier commented

Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE ENTERING INTO AND AUTHORIZING MAYOR TO
EXECUTE SOLID WASTE CONTRACT.

Motion was then made by Mr. Koonce 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 ENTERING INTO AND AUTHORIZING MAYOR TO EXECUTE SOLID WASTE CONTRACT.

A public hearing on said ordinance will be held at 5:00 p.m. on the 26th day of March, 2019, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried.

The next item on the agenda is a resolution accepting the streets and right-of-way in Mimosa Park Phase II into city's maintenance system. Motion was made by Mrs. Hardy seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3205, M-C SERIES

Resolution accepting the streets and right-of-way in Mimosa Park Subdivision Phase II into city's maintenance system.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept the following streets and right-of-way in Mimosa Park Subdivision Phases II into the city's maintenance system:

Windsor Woods
Rayner Drive
Oak Hampton Drive
Pipers Lane
Haygood Drive

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution appointing Robin Baudoin to the Land Use Commission to fill the unexpired term of Bill McMullen. Motion was made by Mrs. Abshire seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3206, M-C SERIES

Resolution appointing a member to the Land Use Commission for District 4.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Robin Baudoin to the Land Use Commission for District 4 to fill the unexpired term of Bill McMullen. Term runs concurrent with City Council.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for the Verdine Water Plant New Ground Storage Tank. Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3207, M-C SERIES

Resolution authorizing the advertisement of bids for Verdine Water Plant New Ground Storage Tank.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for Verdine Water Plant New Ground Storage Tank, said bids to be in accordance with the quantities and specifications on file at the following locations:

Meyer and Associates located at 600 Cities Service Hwy. Sulphur LA 70663
Online at BidXpress.

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 Verdine Water Plant New Ground Storage Tank will be received by the Clerk of the Council until 11:00 a.m. on the 11th day of April, 2019, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 29th day of April, 2019, at 5:00 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. Work classification is Municipal & Public Works Construction. A Bidding Document deposit of \$50 is required. Bidders must obtain an original set of electronic or paper BIDDING DOCUMENTS from the Owner or the Engineer in order to submit a bid.

CITY OF SULPHUR, LOUISIANA

BY _____
DRU ELLENDER, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on the 29th day of April, 2019, at 5:00 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. Hardy, Mrs. Abshire, Mr. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Sulphur Arizona Street Pump Station. Motion was made by Mrs. Thomas seconded by Mr.

Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3208, M-C SERIES

Resolution authorizing the advertisement of bids for Upgrade Regional Sewerage Pump Stations, Phase II, Arizona Pump Station.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for Upgrade Regional Sewerage Pump Stations, Phase II, Arizona Pump Station, said bids to be in accordance with the quantities and specifications on file at the following locations:

Meyer and Associates located at 600 Cities Service Hwy. Sulphur LA 70663
City of Sulphur, 101 North Huntington Street, Sulphur, LA 70663
Online at BidXpress.

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 four separate publications, giving notice as follows:

NOTICE TO BIDDERS

Separate and sealed bids for the advertisement of bids for Upgrade Regional Sewerage Pump Stations, Phase II, Arizona Pump Station, City of Sulphur; MA Project No. A9-15003-DB will be received by the Clerk of the Council until 11:00 a.m. on the 17th day of April, 2019, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 29th day of April, 2019, at 5:00 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. Work consists of the construction of a new sewer pump station including sitework, excavation and fill, reinforced concrete wet well structure, vertical turbine solids handling sewage pumps, piping, valves, electrical switchgear and pump controls, and prefabricated electrical switchgear and controls building. A Bidding Document deposit of \$150 is required. Bidders must obtain an original set of electronic or paper BIDDING DOCUMENTS from the Owner or the Engineer in order to submit a bid.

CITY OF SULPHUR, LOUISIANA

BY _____

DRU ELLENDER, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on

the 29th day of April, 2019, at 5:00 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. Hardy, Mrs. Abshire, Mr. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Sulphur Wastewater Plant Replacement of Rotary Drum Screen. Motion was made by Mr.

Koonce seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3209, M-C SERIES

Resolution authorizing the advertisement of bids for Replacement of Rotary Drum Screen.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize advertisement of bids for Replacement of Rotary Drum Screen, said bids to be in accordance with the quantities and specifications on file with Meyer and Associates located at 600 Cities Service Hwy. Sulphur LA 70663 or online at BidXpress.

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 Replacement of Rotary Drum Screen will be received by the Clerk of the Council until 11:00 a.m. on the 13th day of May, 2019, at which time bids will be opened and read aloud in an open and public bid opening session to be conducted by the Director of Public Works in the Conference Room at the City Hall, and the City Council shall at a regular meeting on the 13th day of May, 2019, 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 Meyer and Associates located at 600 Cities Service Hwy., Sulphur LA 70663 or online at BidXpress.

CITY OF SULPHUR, LOUISIANA

BY _____
DRU ELLENDER, Chairman

BE IT FURTHER RESOLVED that the City Council of the City of Sulphur, Louisiana will meet in open and public session at the regular place in the Council Chambers at City Hall on the 13th day of May, 2019, 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. Hardy, Mrs. Abshire, Mr. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution approving liquor license for Touchdown Sports Grill. Motion was made by Mr. Koonce seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3210, M-C SERIES

Resolution approving liquor license for Touchdown Sports Grill located at 2020 Ruth Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Touchdown Sports Grill located at 2020 Ruth Street.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution authorizing Mayor Mike Danahay to sign Original Agreement State Project No.H.011839 Federal Aid Project No. H011839 Henning Dr/Weekly Rd Overlay Calcasieu Parish. Motion was made by Mr. Koonce seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3211, M-C SERIES

Resolution authorizing Mayor Mike Danahay to sign Original Agreement State Project No. H.011839 Federal Aid Project No. H011839 Henning Dr/Weekly Rd Overlay Calcasieu Parish.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to sign Original Agreement State Project No. H.011839 Federal Aid Project No. H011839 Henning Dr/Weekly Rd Overlay Calcasieu Parish.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is Consideration of going into Executive Session to discuss the following lawsuit:

VITTORIA CORNELLA
VS. 18-1146
ATLANTIC SPECIALTY, ET AL

Motion was made by Mrs. Abshire seconded by Mrs. Hardy that Council go into Executive Session (6:43 p.m.).

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that Council reconvene (6:55 p.m.).

Motion carried unanimously.

The next item on the agenda is a resolution authorizing Mayor Mike Danahay to settle the following lawsuit:

VITTORIA CORNELLA
VS. 18-1146
ATLANTIC SPECIALTY, ET AL

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

RESOLUTION NO. 3212, M-C SERIES

Resolution authorizing Mayor Mike Danahay to settle lawsuit.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to settle the following lawsuit:

VITTORIA CORNELLA
VS. 18-1146
ATLANTIC SPECIALTY, ET AL

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mr. Thomas
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2018.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is Public Comment. The following citizens spoke:

Bill LeBlanc

Markel Andrepont – he expressed concern about the Board of Zoning Adjustment not
having final action on variances.

Donnie Fuslier

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

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

3/11/19

7:05 P.M.