

October 15, 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 October 15, 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 said by Mr. Steve Flenigan, followed with the reciting of the Pledge of Allegiance led by Mrs. Abshire.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mrs. Abshire seconded by Mrs. Ellender 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. Abshire seconded by Mr. Koonce that the agenda stand as written.

Motion carried unanimously.

The first item on the agenda is a presentation by Armed Forces Committee. The Armed Forces Committee presented a certificate to Ken Tilton and thanked him for his many years of service to our country.

The next item on the agenda is a public hearing on ordinance authorizing the selling of immovable City property to the Institute of Christ the King Sovereign Priest for property located

at 802 South Huntington Street (Sulphur City Court). Motion was made by Mr. Koonce seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1649, M-C SERIES

ORDINANCE AUTHORIZING THE SELL OF IMMOVABLE CITY PROPERTY TO THE INSTITUTE OF CHRIST THE KING SOVEREIGN PRIEST FOR PROPERTY LOCATED AT 802 SOUTH HUNTINGTON STREET - SULPHUR CITY COURT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, in regular session convened that:

WHEREAS, the City of Sulphur finds that the below described property is surplus to public needs and therefore it desires to sell property to the Institute of Christ the King Sovereign Priest or proper record owner, and

WHEREAS, the sale price for the sale shall be three hundred and seventy-five thousand dollars (\$375,000.00); and

WHEREAS, the property bearing municipal address of 802 South Huntington Street, Sulphur, Louisiana is more fully described as follows, to-wit:

802 South Huntington Street, Sulphur, LA, being the property utilized for the Sulphur City Court and more referenced in Calcasieu Assessor's Parcel No. 01116851, as per title of record.

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that Mayor Mike Danahay is hereby authorized and empowered to sell said property described above, that he is authorized and directed to execute the original warranty deed / Act of Cash Sale between the City of Sulphur and the Purchaser for the sum of \$375,000.00; that it does set a public hearing on this ordinance at its regular meeting at 5:30 p.m. on Tuesday, October 15, 2019.

BE IT FURTHEREST ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

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 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 4, Section 6 of the Code of Ordinances of the City of Sulphur to provide for legal notices for animal variances. Mr. Koonce stated that this would require the same guidelines as a rezone, etc. (posting signs on property and advertisement in newspaper). Motion was made by Mr. Koonce seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1650, M-C SERIES

ORDINANCE AMENDING CHAPTER 4, SECTION 6 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – FOWL, RABBITS, SWINE – PROXIMITY TO BUILDINGS.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 4, Section 6 of the Code of Ordinances of the City of Sulphur to read as follows:

Sec. 4-6. - Fowl, rabbits, swine—Proximity to buildings.

Any person keeping chickens, livestock, ducks, geese or other poultry or fowl, or rabbits or swine, within the city, shall, keep the poultry, livestock, fowl, rabbits or swine within pens or other enclosures which shall not be nearer than fifty (50) feet from any property line used for either residential or commercial purposes.

Applications for a variance shall be considered by the City Council on a case-by-case basis with the procedures outlined as follows:

- (1) *Application Submission Requirements.*
 - (a) Applications for variances shall be submitted to the City Council Clerk and shall be accompanied by a fifty dollar (\$50.00) non-refundable fee.
 - (b) Applications for variances shall be submitted by the record owner (or his/her lawful and/or duly appointed agent) and shall provide written evidence of said ownership.
 - (c) If said applicant has a pending violation(s) of this ordinance, or any ordinance of the Code of Ordinances in and for the City of Sulphur, any application for variance approval shall be suspended until said violation is concluded.
- (2) *Legal Notices.* Upon application, the City Council Clerk shall cause to be placed in the official journal of the City of Sulphur:
 - (a) The date, time and place of the hearings.
 - (b) The section or sections of this ordinance of which the subject matter is being considered.

- (c) A brief description of the location of the land proposed for said variance.
 - (d) A statement that the application and supporting materials are available at City Hall for inspection.
 - (e) A statement that any person may speak or submit written statement in that regard.
- (3) *City to Provide Notice.*
- (a) The City shall place notice of public hearing on the subject property at least ten (10) days prior to meeting at a site conspicuous and in full view from a public right-of-way.
 - (b) All notices, both signage and newspaper, shall be given at least ten (10) days prior to the hearing.
- (4) *Action By Decision-Making Body.* The final decision-making body shall be the Sulphur City Council.
- (5) *Successive Applications.*
- (a) Whenever any variance application is denied, an application involving the same property cannot be accepted for filing within one (1) year from the date of denial, unless the subsequent application involves a proposal which is materially different from prior proposals or is responsive, in the opinion of the decision-making body, to negative findings set forth in the denial of the prior application.
 - (b) An applicant who files a variance application may withdraw the application one (1) time within one (1) year from the date of the submission of the application. Any resubmittal for a variance approval shall be a fifty dollar (\$50.00) non-refundable fee.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

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 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is an introduction of ordinance authorizing the acceptance of the Administrative Reorganization Plan as presented by the Mayor (Municipal Services

Director). Motion was made by Mrs. Abshire seconded by Mrs. Ellender that the following ordinance be introduced:

ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE ADMINISTRATIVE REORGANIZATION PLAN AS PRESENTED BY THE MAYOR (MUNICIPAL SERVICES DIRECTOR).

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

PUBLIC NOTICE

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

ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE ADMINISTRATIVE REORGANIZATION PLAN AS PRESENTED BY THE MAYOR (MUNICIPAL SERVICES DIRECTOR).

A public hearing on said ordinance will be held at 5:30 p.m. on the 29th day of October, 2019, in the City of Sulphur Council Chambers in Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____
MELINDA HARDY, Chairman

A vote was then called with the results as follows:

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

NAYS: Mr. Koonce

ABSENT: None

And the said ordinance was introduced on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a resolution awarding low bid received for Maplewood Drive Rehabilitation Phase I. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3261, M-C SERIES

Resolution awarding low bid received for Maplewood Drive Rehabilitation Phase I.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Maplewood Drive Rehabilitation Phase I were opened and read aloud in an open and public bid session on Thursday, September 12, 2019, at 10:00 a.m. and bids were as follows:

<u>Company</u>	<u>Base Bid Amount</u>
Tanner Heavy Equipment Co., Inc.	\$806,841.00
McManus Construction, LLC	\$1,149,707.50
Siema Construction, LLC	\$1,189,225.00
William Equipment Services, LLC	\$1,260,274.00
John Bailey, Inc.	\$1,266,951.00
Matt L. Guinn Construction, LLC	\$2,594,654.25
Hawkeye, LLC	*Non-Responsive – failed to obtain bidding documents through official plan holder entities.

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and award the bid for Maplewood Drive Rehabilitation Phase I as follows:

<u>Company</u>	<u>Base Bid Amount</u>
Tanner Heavy Equipment Co., Inc.	\$806,841.00

BE IT ALSO FURTHER 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: Mrs. Ellender, Mr. Koonce, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a resolution rejecting bids for (1) Hydraulic Crane for Wastewater Dept. and authorizing the re-advertisement. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3261, M-C SERIES

Resolution rejecting bids for (1) Hydraulic Crane for Wastewater Department and authorizing the re-advertisement.

WHEREAS, a bid opening was scheduled to be held on Monday, October 7, 2019 at 10:00 a.m. however, due to bid not being posted on Bid Express and bid specifications were incorrect, the bid opening was cancelled.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby reject all bids for (1) Hydraulic Crane for Wastewater Department.

BE IT FURTHER RESOLVED that City Council does hereby authorize the re-advertisement of bids for (1) Hydraulic Crane for Wastewater Department, said bids to be in accordance with the quantities and specifications on file with City of Sulphur Purchasing Dept., 101 North Huntington Street, Sulphur, La. 70663 or online at BidXpress.

BE IT FURTHEREST 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 (1) Hydraulic Crane for Wastewater Department, will be received by the Clerk of the Council until 10:00 a.m. on the 6th day of November, 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 12th day of November, 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 the City of Sulphur Purchasing Department, 101 North Huntington Street, Sulphur, Louisiana 70663.

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 resolution was declared duly adopted on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a resolution accepting Substantial Completion and Notice of Owner Acceptance of Work for 2017 Water Line Upgrades. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3263, M-C SERIES

Resolution accepting Substantial Completion and Notice of Owner Acceptance of Work for 2017 Water Line Upgrades.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion and Notice of Owner Acceptance of Work for 2017 Water Line Upgrades.

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 resolution was declared duly adopted on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a resolution accepting Project Acceptance for State Project No. H.011837.6, Hazel Street Overlay, Calcasieu Parish. Motion was made by Mrs. Ellender seconded by Mr. Koonce that the following resolution be adopted to-wit:

RESOLUTION NO. 3264, M-C SERIES

WHEREAS, the City of Sulphur contracted with Prairie Contractors, LLC to complete State Project No. H.011837.6 in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et seq; and

WHEREAS, the contract between the City of Sulphur and Prairie Contractors, LLC has been successfully completed and is hereby accepted by the City of Sulphur effective October 15, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council in regular session, assembled on this 15th day of October 15, 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 resolution was declared duly adopted on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

The next item on the agenda is a resolution authorizing advertisement for bids for four (4) ½ ton Extended Cab Short Wheelbase pickup trucks (Inspections, Municipal Services (2), and Public Works Administration. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3265, M-C SERIES

Resolution authorizing the advertisement of bids for four (4) ½ ton Extended Cab Short Wheelbase pickup trucks (Inspections, Municipal Services (2), and Public Works Administration.

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 four (4) ½ ton Extended Cab Short Wheelbase pickup trucks (Inspections, Municipal Services (2), and Public Works Administration., 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 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 four (4) ½ ton Extended Cab Short Wheelbase pickup trucks (Inspections, Municipal Services (2), and Public Works Administration will be received by the Clerk of the Council until 10:00 a.m. on the 8th day of November 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 12th day of November, 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 the City of Sulphur Purchasing Department located at 101 North Huntington Street, Sulphur LA 70663 or online at BidXpress.

CITY OF SULPHUR, LOUISIANA

BY _____
MELINDA HARDY, 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 12th day of November, 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, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 15th day of October, 2019.

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

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

To condemn building or structure located at 309 Mathilda Drive, in accordance with Article IX, Section 5-286 through 5-296.

Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the above address be demolished.

Motion carried unanimously.

The next item on the agenda is public comment. The following people addressed the Council:

Donnie Fuslier – 200 Mustang Street – asked for an ordinance on grass clippings in the street. Mrs. Dowden, Public Works Director, stated that there is already an existing ordinance in the Stormwater section of the Code of Ordinances.

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

ATTEST:

ARLENE BLANCHARD, Clerk

MELINDA HARDY, Chairman

10/15/19
6:05 P.M.