
March 10, 2025

The City Council of the City of Sulphur, Louisiana, met in regular session at its temporary location located at 501 Willow Avenue in the Council Chambers, Sulphur, Louisiana, on March 10, 2025, 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
NICK NEZAT, 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 Mrs. Abshire, 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. Abshire seconded by Mrs. Thomas that the minutes stand as written.

Motion carried unanimously.

Motion was then made by Mrs. Thomas seconded by Mrs. Hardy that item #1A be added to the agenda:

1A. Hunter Tyler, with Entergy, to introduce himself.

With no public comment, motion carried unanimously.

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

Moton carried unanimously.

The first item on the agenda is Mark Arseneault, Calcasieu Parish School Board Region 5 STEM Center Director, to give overview on STEM. Mr. Arseneault gave his presentation and stated that they are having their competition this Saturday, March 15th at the STEM Center. The theme this year is Can We Live on Mars.

The next item on the agenda is Hunter Tyler, with Entergy, to introduce himself. Mayor Danahay stated that Mr. Tyler did not attend the meeting. *(He'll be placed on April agenda).*

The next item on the agenda is a public hearing on ordinance amending Chapter 20, Section 35 of the Code of Ordinances of the City of Sulphur – Businesses where licenses are based on flat fees *(Pharmacies)*.

Mayor Danahay stated that this amendment mirrors state law. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1950, M-C SERIES

ORDINANCE AMENDING CHAPTER 20, SECTION 35 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR – BUSINESSES WHERE LICENSES ARE BASED ON FLAT FEES (*PHARMACIES*).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 20, Section 35 of the Code of Ordinances of the City of Sulphur to read as follows:

Sec. 20-35. Businesses where licenses are based on flat fees.

The following types of businesses shall obtain an annual license based on the flat fee designated hereafter. For purposes of this section, the minimum tax noted in section 20-20 for most new businesses for the first year of commencement or fractional part thereof does not apply.

- (1) *Private banking or investment banking business.*
 - a. For each business of carrying on a private banking house, business or agency, investment banking house, business or agency, a license based on flat fee of five hundred dollars (\$500.00) shall be required.
 - b. The term "investment banking" means a business that is carried on through the purchase of underwriting of security issues and their subsequent sale to investors.
- (2) *Pawnbrokers and persons lending money on wages or salaries.* For each and every pawnbroker, or person keeping a loan office and engaged in lending money on articles pawned or pledged and for each and every money broker, money lender, or person lending money on, or purchasing time, wages, or salaries of laborers, clerks, or other wage earners or other persons, whether the same be earned or unearned, and whether the business is conducted in an office or otherwise, a license based on a flat fee of one thousand dollars (\$1,000.00) shall be required. Persons licensed under this category may conduct retail sales, provided that the gross receipts from such sales do not exceed one hundred thousand dollars (\$100,000.00). If the gross receipts from retail sales exceed one hundred thousand dollars (\$100,000.00), a retail license is required. Such retail license shall be based on the sum of the gross receipts of the retail sales and on one-third of the total amount of the money loaned. The license fee shall be based on the rates listed in the table in section 20-30.
- (3) *Peddlers and itinerant vendors.*
 - a. All peddlers, hawkers, itinerant vendors, and every person who displays samples, models, goods, wares, or merchandise on a temporary basis in any hotel, motel, store, storehouse, house, vehicle, or any other place, for the purpose of securing orders for the retail sale of such goods, wares, or the like kind or quality, either for immediate or future delivery shall obtain a license based on a fee of fifty dollars (\$50.00) provided that an itinerant vendor of agricultural products purchased directly from farmers or an itinerant vendor of seafood products who has either harvested the seafood himself or has purchased the seafood directly from commercial fishermen or shrimpers shall obtain a license based on a flat fee of one hundred dollars (\$100.00).
 - b. This section does not apply to the following classes: Those persons making house-to-house or personal calls displaying samples and taking orders for shipment directly from the

manufacturer; those persons making a business call or visit upon the verbal or written invitation of the inhabitant of the premises; those persons, or their representatives, engaged in the business of selling at wholesale, from a fixed place of business in this state, to licensed retail dealers; and vendors, or their agents or vendors, or their agents or representatives, in the sale or delivery of petroleum products when drawn, conveyed, and distributed from a stock maintained at a warehouse, distributing station, or established place of business.

- c. City police and other authorized officers shall require all peddlers to exhibit their occupational license. The license shall indicate thereon the motor vehicle license number. They shall seize the merchandise and any vehicle or other conveyance used by the peddler to peddle the same, if the peddler fails or refuses to exhibit his license. All property seized shall be turned over to a court of competent jurisdiction, to be sold according to law, to satisfy the license due and enforce the privilege therefor. The rights of the holder of a chattel mortgage note or any vehicle seized shall not be affected or prejudiced as a result of the seizure.
 - d. Whoever shall sell goods, wares, and merchandise as a peddler without first obtaining the license herein required shall be guilty of a misdemeanor and upon conviction shall be fined not less than five hundred dollars (\$500.00) or shall be imprisoned not more than sixty (60) days, or both.
- (4) *Mechanical or electronic amusement machines or devices.*
- a. Every person engaged in the business of operating any coin-operated mechanical or electronic device shall pay a license of fifty dollars (\$50.00) for each such device.
 - b. The provisions of this subsection shall not apply in cases where the person engaged in the business of operating such mechanical devices is operating same under a written contract with and is solely sponsored by a nonprofit corporation for the purpose of conducting a fair, festival, or trade show which has as one (1) of its objectives the promotion of agricultural and agri-industrial products. For the purposes of this subsection, the term nonprofit corporation shall be construed to mean only a nonprofit corporation which:
 - 1. Was organized under the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950 prior to January 1, 1969; and,
 - 2. Holds membership in good standing in an association organized for the purposes of promoting fairs, festivals, and trade shows in the state.
 - c. For the purpose of this subsection, a "coin-operated mechanical amusement device" is any machine or device operated by depositing a coin, token, slug, or similar object for the placing of the device in readiness of play. This definition includes, but is not limited to, the following devices: video games, merry-go-rounds, mechanical hobby horses, juke boxes, pool tables, domino tables, bowling alleys, blood pressure monitors, and pulse rate monitors.
 - d. All such mechanical amusement devices subject to tax under this subsection and which do not return to the operator or player thereof anything but free additional games or plays or, through the exercise of the skill of the operator or player, a merchandise prize, shall not be deemed to be classed as gambling devices, and neither this section nor any other Act shall be construed to prohibit same. Payment of the tax imposed by this subsection shall not be held to legalize the operation of any machine or device defined herein which is prohibited by law. This subsection shall not be held to repeal any provisions of any law prohibiting the operation, possession, or use of any such machine or device.
- (5) *Evidence of payment.* The payment of the taxes levied by this section shall be evidenced by a certificate of tax payment, or a stamp, or similar evidence of tax payment which shall be issued by the collector. The certificate of payment shall be securely affixed or attached to each machine or

other device with respect to which a tax has been paid, or if such certificate cannot be affixed, shall be prominently posted in the place in which the machine or device is located and near to such machine or device. If a machine or device is replaced by another, such other machine or device shall not be considered an additional device service. Certificates of tax payment or stamps are not transferable from one (1) taxing jurisdiction to another.

(6) *Forfeitures.*

- a. Any machine or other device, on which taxes are imposed by subsection (4), which shall be found in possession or custody or within the control of any person for the purpose of being operated or permitted to be operated without having a certificate of tax payment, or a stamp or similar evidence of tax payment, issued by the collector, affixed or attached thereto, or prominently posted in the place in which the machine or device is located and near to such machine or device, may be seized by the collector of revenue, or his agent, in order to secure the same for trial, and the same shall be forfeited to the collector. The collector or his agent making the seizure shall appraise the value of the machine or other device according to his best judgment and shall deliver to the person, association of persons, firm or corporation, if any, found in possession of the machine or other device, a receipt showing the fact of seizure stating from whom seized, the place of seizure, and description of the machine or the device, and appraised value and a duplicate of said receipt shall be filed in the office of the collector and shall be open to public inspection.
- b.
 1. The proceeding to enforce such forfeiture shall be by rule and be in the nature of a proceeding in a court of competent jurisdiction where such seizure is made. The proceeding shall be filed by the collector, or his assistant or attorney on behalf of the city, and the same shall be summary, and it may be tried out of term time and in chambers, and shall always be tried by preference. Whenever the petition for rule shall be sworn to by the collector of revenue, or his assistant or his attorney, that the facts contained in such petition are true, and accompanied with a duplicate copy of notice of the seizure, the same shall constitute a prima facie case, but may be rebutted by the defendant.
 2. The proceeding shall be directed against the person operating or permitting the operation of the article seized, demanding the forfeiture and sale of the property, as a penalty for the violation of this section. Service of the proceeding shall be made upon the persons operating or permitting the operation of the articles seized, demanding the forfeiture and sale of the property, as a penalty for the violation of this section. Service of the proceeding shall be made upon the person operating or permitting the operation of the seized articles if he is a resident of this state, or his residence is known to the plaintiff in rule. In all cases where it is made to appear by affidavit that the residence of the person operating or permitting the operation of the seized articles is out of the state or unknown to the collector or his assistants or his attorney, an attorney-at-law shall be appointed by the courts, which has jurisdiction of the proceedings, to represent the person operating and permitting the operations, against whom the rule shall be tried contradictorily within ten (10) days from the date of the filing of same. The affidavit may be made by the collector, or one (1) of his assistants, or by the attorney representing the collector, if it be not convenient to obtain the affidavit of the collector. The attorney so appointed to represent the person operating or permitting the operation of the seized articles may waive service and citation of the petition or rule, but he shall not waive time nor any legal defense.
 3. Upon the trial of the proceedings, if it is established by satisfactory proof that with respect to the articles under seizure that this section has been violated in any respect, then the court shall render judgment accordingly, maintaining the seizure, declaring the

forfeiture of the seized property other than cash, and after ten (10) days notice of advertisement at least twice in the official journal of the city permitting the sale of the articles at public auction; it being the intent and purpose of this proceeding to afford the person operating in permitting the operation of the seized article a fair opportunity of hearing in a court of competent jurisdiction. It is further the intent and purpose of this proceeding that the forfeiture and sale of the seized property shall be and operate as a penalty for the violation of this section as aforesaid, and payment of the tax due on the seized articles at the moment of seizure or thereafter shall not operate to prevent, abate, or discontinue, or defeat the forfeiture and sale of the property. The court may fix the fee of the attorney appointed by the court to represent the owner of the seized articles at a nominal sum to be taxed as costs and to be paid out of the proceeds of the sale of the property.

- c. In cases where, in the opinion of the trial judge, the value of the seized machine or other device is so small as not to justify the expense of advertising and selling at public auction the seized commodities as hereinabove provided, the court may in any such case, in rendering judgment maintaining the seizure and declaring the forfeiture of the seized property, direct that the seized property be sold by the collector at private sale, without advertisement, but shall direct that the seized property be not thus sold for a price less than a minimum figure to be fixed by the court in its judgment.
 - d. Forfeiture of the machine or other device and its contents to the collector, as herein provided, shall not prevent any auction by the collector to recover from the persons liable any taxes incurred.
- (7) *Professional sports.* For each person owning or carrying on a business known as "professional sports" a license based on a flat fee of one thousand dollars (\$1,000.00) shall be required. By way of extension and not of limitation, the business of "professional sports" shall include football, basketball, and baseball games, where the individual participants are paid for their services. Sporting events that are provided for by special laws are exempt under this section.
- (8) *Circuses, concerts, carnivals and special events.* For each person operating a circus, carnival, or other traveling show, and for each person or organization sponsoring a concert or other special event, including, but not limited to, gun shows, arts and crafts fairs, and antique shows, a license based on a flat fee of two hundred fifty dollars (\$250.00) shall be required. This license shall be issued by the city. The license for a circus, concert or carnival shall be good for a period of ten (10) days. The license for a special event shall be good for a period of one (1) year. Should the person or organization move the circus, concert, or other event to another jurisdiction in the state, a new license shall be required by that jurisdiction. The sponsor or organizer shall be responsible for all additional regulatory agency certificates and documentation.
- (9) *Hotels, motels, rooming houses, boarding houses.* Any person operating a hotel, motel, rooming house, or boarding house shall pay an annual license tax of two dollars (\$2.00) for each sleeping room contained by the hotel, motel, rooming house, or boarding house.
- (10) *All other businesses.* For all businesses not otherwise covered by or specifically exempted under this section, including, but not limited to, printers, lithographers, attorneys-at-law, accountants, oculists, physicians, osteopaths, dentists, chiropractors, bacteriologists, veterinarians, chemists, architects, and civil, mechanical, chemical or electrical engineers engaged in the practice of their profession as an individual, or as a firm, partnership, or corporation, the license shall be one-tenth ($\frac{1}{10}$) of one (1) percent of the annual gross receipts for professional fees for services rendered by the taxpayer, with a minimum tax of fifty dollars (\$50.00) and a maximum tax of two thousand dollars (\$2,000.00). The tax levied herein shall be levied only on the business and not separately

on any individual who is employed by or is a member of the taxpayer which conducts its business as a firm, partnership, or corporation.

(11) *Pharmacy.* For each business licensed by the Louisiana State Board of Pharmacy as a pharmacy and eighty percent of gross revenues of the business comes from the filling of prescription drugs, the license shall be one-tenth of one percent of the gross annual sales of the total business activity, with a minimum tax of fifty dollars and a maximum tax of two thousand dollars. The tax levied herein shall be levied only on the business and not separately on any individuals who is employed by or is a member of the taxpayer which conducts its business as a firm, partnership, or occupation.

(12) *Video draw poker devices.*

- a. Every person engaged in the business of operating video draw poker devices as defined and licensed by the state, shall pay to the city a license of fifty dollars (\$50.00) for each such device operating within the city limits.
- b. The license shall be due on or before January 1st of each year for that calendar year. If a device is installed during the year, the license fee of fifty dollars (\$50.00) shall be paid in full for any remaining part of a calendar year.
- c. All devices shall be subject to the fifty dollars (\$50.00) license fee upon approval and implementation of this section for the current year remaining.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the above ordinance was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a public hearing on ordinance granting an Exception to Lee Marsalise, 102 Louisiana Avenue, to allow for living in a business district. Mr. Dominique Valenti, addressed the Council and stated that this home is also on tonight's agenda for RTSC for demolition. This home was rezoned to Business a good while back, but Mr. Marsalise no longer wants to have it as a business. He wants to remodel it so he can rent as a dwelling. If Council grants the Exception to keep it as living, then he can make repairs to the home so it doesn't get demolished. Motion was made by Mrs. Hardy seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1951, M-C SERIES

ORDINANCE GRANTING AN EXCEPTION TO LEE MARSALISE, 102 LOUISIANA AVENUE, TO ALLOW FOR LIVING IN A BUSINESS DISTRICT.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Lee Marsalise, 102 Louisiana Avenue, to allow for living in a business district for the existing structure on the following described property:

LOT 40 BLK 3 WEST POINT SUB

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

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

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

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

BE IT FURTHER ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant an Exception to Lee Marsalise, 102 Louisiana Avenue, to allow for living in a business district for the existing structure.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: None

And the above ordinance was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with the Calcasieu Parish Police Jury for Summer Feeding Program. Mayor

Danahay stated that each year the number of students fed increases. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following ordinance be introduced as follows:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH THE CALCASIEU PARISH POLICE JURY FOR SUMMER FEEDING PROGRAM.

Motion was then made by Mrs. Hardy 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 "American Press", 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 DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH THE CALCASIEU PARISH POLICE JURY FOR SUMMER FEEDING PROGRAM.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of April, 2025, in the Council Chambers at their temporary location, 501 Willow Avenue, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NICK NEZAT, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance declaring certain surplus movable property of the City of Sulphur and providing for the disposal thereof (I.T. equipment). Motion was made by Mrs.

Ellender seconded by Mrs. Thomas that the following ordinance be introduced:

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

Motion was then made by Mrs. Ellender 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 “American Press”, 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 DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (I.T. EQUIPMENT).

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of April, 2025, in the Council Chambers at their temporary location, 501 Willow Avenue, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA
BY: _____
NICK NEZAT, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance entering into a franchise agreement with Conterra Ultra Broadband, LLC. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE ENTERING INTO A FRANCHISE AGREEMENT WITH CONTERRA ULTRA BROADBAND, LLC.

Motion was then made by Mrs. Abshire 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 “American Press”, 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 A FRANCHISE AGREEMENT WITH CONTERRA ULTRA BROADBAND, LLC.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of April, 2025, in the Council Chambers at their temporary location, 501 Willow Avenue, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NICK NEZAT, Chairman

Motion carried.

The next item on the agenda is an introduction of ordinance entering into a franchise agreement with Vexus Fiber, LLC, DBA METRONET. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

ORDINANCE ENTERING INTO A FRANCHISE AGREEMENT WITH VEXUS FIBER, LLC, DBA METRONET.

Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in the “American Press”, 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 A FRANCHISE AGREEMENT WITH VEXUS FIBER, LLC, DBA METRONET.

A public hearing on said ordinance will be held at 5:30 p.m. on the 14th day of April, 2025, in the Council Chambers at their temporary location, 501 Willow Avenue, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

NICK NEZAT, Chairman

Motion carried.

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

- a. To condemn building or structure located at 102 Louisiana Avenue, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the above address be postponed for 6 months (i.e. September 8, 2025). This will allow them to repair, and we’ll see how much they progress each month.

Motion carried unanimously.

- b. To condemn building or structure located at 40 Horseshoe Lane, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances. (Joy Abshire)

The owner stated that they moved a bunch of stuff out of the home to make it safe for contractors to work. He's in the process of finding a contractor. He's had several deaths in the family, and he just couldn't tend to this house. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that he has until May 13, 2025, to complete the remediation or complete the demolition and permits shall be pulled within 30 days (i.e. April 10, 2025). Mr. Cade Cole, City Attorney, stated that if the owner makes significant progress the week before the May meeting the Council could extend his time.

Motion carried unanimously.

The next item on the agenda is a resolution accepting Mayor Mike Danahay's recommendation for the appointment of Billy Loftin as City Attorney/City Prosecutor and authorizing to execute contract. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3634, M-C SERIES

Resolution accepting Mayor Mike Danahay's recommendation for the appointment of Billy Loftin as City Attorney/City Prosecutor for the City of Sulphur and authorizing to execute contract.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Mayor Mike Danahay's recommendation for the appointment of Billy Loftin as City Attorney/City Prosecutor for the City of Sulphur and authorizing to execute contract.

A vote was then called with the results as follows:

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

And the above resolution was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution accepting Mayor Mike Danahay's recommendation for the appointment of Rusty Stutes, Jr., and Rusty Stutes III as Assistant City Attorney/City Prosecutor and authorizing to execute contract. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit

RESOLUTION NO. 3635, M-C SERIES

Resolution accepting Mayor Mike Danahay's recommendation for the appointment of Rusty Stutes, Jr., and Rusty Stutes III, as Assistant City Attorney/City Prosecutor for the City of Sulphur and authorizing to execute contract.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Mayor Mike Danahay's recommendation for the appointment of Rusty Stutes, Jr., and Rusty Stutes III, as Assistant City Attorney/City Prosecutor for the City of Sulphur and authorizing to execute contract.

A vote was then called with the results as follows:

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

And the above resolution was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution awarding low bid received for Verdine Water Plant Improvements Phase 3. Mr. Abrahams, Director of Public Works, stated that the Engineer's estimate was \$5.5 million, and the low bid came in at \$6.4 million. There were several reasons for such a high bid, one being the costs of the glass-lined tanks, etc. and there are very few company that handle this. If we don't move forward with this, we risk losing \$3 million from the Water Sector Program. Mayor Danahay stated that this has been in the works since Hurricane Laura. This is a pre-treatment to the treatment plant. Cade Cole, City Attorney, then stated that before this current administration took over, almost 8 years ago, there were memos written by our Engineers going back years talking about the neglect on maintenance of our water system. They specifically said exactly what needed to be done in these memos. These things weren't done, and this information was not

passed on to the Council. The problem was that not many people knew that there was a lot that needed to be done. Over \$20 million dollars have now been invested in this project. Mr. Nezat then questioned the “contingent upon amending the capital budget” written in the resolution. Mrs. Thorn stated that the original amount was \$1 million less. Mr. Abrahams, City Engineer and herself will sit down and go through all of capital and see what we have, what grants we’ve applied for and prioritizing to see if there’s an opportunity to move some money. She said this project will happen she just doesn’t have a full picture of what it’ll look like as of today. This is a priority project, and they’ll make sure it doesn’t get held up. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3636, M-C SERIES

Resolution awarding low bid received for the Verdine Water Treatment Phase 3 Improvements.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for the Verdine Water Treatment Phase 3 Improvements were opened and read aloud in an open and public bid session on Thursday, February 20, 2025, at 10:00 a.m. and the bids were as follows:

<u>Company</u>	<u>Amount</u>
The Lemoine Company, LLC	\$6,418,000.00
Blake D. Hines, Inc.	\$7,364,665.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and award the bid for the Verdine Water Treatment Phase 3 Improvements subject to the following:

1. Modifications to the capital budget
2. Concurrence by the Louisiana Water Sector:

<u>Company</u>	<u>Amount</u>
The Lemoine Company, LLC	\$6,418,000.00

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. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas
NAYS: None
ABSENT: None

And the above resolution was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

The next item on the agenda is a resolution authorizing the advertisement of bids for Maplewood Drive Phase 3. Byron Racca, Engineer, stated that this will continue where Phase 2 left off at East Diane and continue east to Cities Service. The scope is almost identical to Phase 2. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3637, M-C SERIES

Resolution authorizing the advertisement of bids for Maplewood Drive Rehabilitation Phase 3.

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 Maplewood Drive Rehabilitation Phase 3, said bids to be in accordance with the quantities and specifications on file with Meyer & Associates, Inc., or the approved electronic bid website defined herein said advertisement.

BE IT FURTHER RESOLVED that the advertisement of bids will be in “The American Press, the official journal of the City of Sulphur, in three separate publications, giving notice as follows:

Separate sealed Bids for Maplewood Drive Rehabilitation Phase 3, Sulphur, Louisiana; M.A. Project No. B6-15071-DC will be received by the Mayor and City Council, at the City Hall, 101 N. Huntington Street, Sulphur, LA 70663 until 10:00 AM Central Time Zone, on Tuesday, April 8, 2025, and shall at that time and place be publicly opened and read aloud. Work consists of rehabilitation of roadway pavement, base course, concrete curb, catch basins, sidewalks and driveways.

Work Classification: Highway, Street, and Bridge Construction

Electronic copies of the Bidding Documents may be obtained from the office of Meyer & Associates, Inc. (337) 625-8353, located at 600 N. Cities Service Hwy., Sulphur, LA 70663. A Bidding Document deposit is not required. In order to submit a bid, Bidders must obtain an original set of electronic Bidding Documents from Meyer & Associates, Inc. or the approved electronic bid website defined herein said advertisement.

Access to electronic bidding is available through Centralbidding.com.

A non-mandatory pre-bid conference will be held on Tuesday, March 25, 2025, at 10:00 a.m. at City Hall, 101 North Huntington Street, Sulphur, Louisiana 70663.

Advertisement is contingent upon receipt of FP&C.

A vote was then called with the results as follows:

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

And the above resolution was declared duly adopted on this 10th day of March, 2025.

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

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

ATTEST:

ARLENE BLANCHARD, Clerk

NICK NEZAT, Chairman

3/10/25
6:25 P.M.