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June 10, 2024

The City Council of the City of Sulphur, Louisiana, met in regular session at its temporary location located at 1551 East Napoleon Street in the Council Chambers, Sulphur, Louisiana, on June 10, 2024, 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 (attended at 5:39)

ABSENT - 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. Ellender, followed by the reciting of the Pledge of Allegiance led by Mrs. Hardy.

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

Motion carried unanimously.

Motion was then made by Mrs. Ellender seconded by Mrs. Abshire that item #14 be removed from the agenda:

Resolution authorizing the advertisement of bids for reconstruction of Animal Control.

Motion carried unanimously.

Motion was then made by Mrs. Ellender seconded by Mrs. Hardy that #11 be reworded as follows:

11. Introduction of Ordinance amending Chapter 17, Article II of the Code of Ordinances of the City of Sulphur, Louisiana – Utility Use or Right of Way Regulations.

Motion carried unanimously.

Motion was then made by Mrs. Ellender seconded by Mrs. Hardy that item #11A be added to the agenda:

- 11A. Introduction of Ordinance amending Chapter 17 of the Code of Ordinances of the City of Sulphur, Louisiana, to provide for Article VI (Moving of Utility Lines, Poles, Etc.) and Article VII (Franchise Agreements).

With no comments from the public, item #11A was added to the agenda.

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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 recognition of Care Help of Sulphur for celebrating 40 years. Mrs. Ellender gave a brief history on the start of Care Help and congratulated them on 40 years of service to their community.

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

- a. To condemn building or structure located at 324 Virginia Street, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Evan Fruge, owner, stated that he spent 4 hours on the house yesterday. Ordinance Enforcement gave him a list of things to do, and he did them. The interior is gutted and we're selling it with an "as is" condition. Mrs. Abshire stated that just because you're selling it doesn't give you more time. Denise Fontenot, Municipal Services Director, stated that since there is no service at this address, all the trash that he put at the road will not be picked up. After discussion, motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above address be condemned.

Motion carried unanimously.

- b. To condemn building or structure located at 751 South Crocker Street, 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 condemned.

Motion carried unanimously.

- c. To condemn building or structure located at 741 West Lyons Street, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances.

Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the above address be condemned.

Motion carried unanimously.

The next item on the agenda Rule to Show Cause for Dead or Diseased Tree Removal on private property for the following addresses:

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- a. To remove dead or diseased tree located at 201 East Mimosa Drive, in accordance with Chapter 17, Article I of the Code of Ordinances.

Mrs. Hardy stated that the owner is deceased so the city will remove the trees and place a lien on the property. Motion was made by Mrs. Hardy seconded by Mrs. Ellender that the above tree(s) be removed. Motion carried unanimously.

The next item on the agenda is a public hearing on ordinance amending Ordinance No. 1866, M-C Series, for Tulco II, LLC, 1825 East Napoleon Street, to amend stipulations placed on property. Mr. Abrahams, Land Use Administrator, stated that when the property was originally rezoned last year there wasn't discussion with Tulco prior to putting the below stipulations on the property:

- Install a slatted chain link fence rather than a wooden or brick fence
- A 10-foot buffer rather than a 20-foot buffer
- Access is restricted to only East Napoleon Street. No rear access shall be from Carr Lane.

Mr. Abrahams also stated that they're asking for a 10-foot buffer (rather than the 20-foot). A detention pond is required in the rear and they're asking for more space.

Mrs. Hardy suggested that a weight limit for vehicles be placed on Carr Lane. Mr. Abrahams stated that a traffic study could be done to determine what the weight limit would be. Depending on the outcome of the traffic study negotiations can be made on getting improvements done. Mr. Jargneaux, representative for Tulco, stated that the accessory structure in the rear is a phase 2 project and they'd need access from Carr Lane to get to that building in the rear. After the drainage study was done, the detention pond is eating up more of the property than we wanted so a smaller buffer would be needed. We can put the wooden fence, but the slatted chain link is more commercial grade. Mrs. Abshire suggested that the stipulation for the chain link would have to be maintained at all times and she doesn't want 18-wheelers on Carr Lane. Mr. Jargneaux stated that they would need access from Carr Lane no matter if they have the accessory building or not since their main building has a back door and they'll need to access it through Carr Lane. Mr. Abrahams stated that they would need access from Carr Lane because of the detention pond.

After discussion, motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following amendment be made to the last sentence as follows:

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Developer shall complete a traffic study and access restriction shall be determined by the Director of Public Works in accordance with the traffic study.

A vote was then called with the results as follows:

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

NAYS: Mr. Nezat

ABSENT: Mrs. Thomas

And the said amendment was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

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

ORDINANCE 1916, M-C SERIES

ORDINANCE AMENDING ORDINANCE NO. 1866, M-C SERIES, FOR TULCO II, LLC, 1825 EAST NAPOLEON STREET, TO AMEND STIPULATIONS PLACED ON PROPERTY.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend Ordinance No. 1866, M-C Series, adopted August 14, 2023, for the second paragraph to read as follows:

BE IT FURTHER RESOLVED that in accordance with Article IV, Part II, Section 8 of the Land Use Ordinance of the City of Sulphur, a six (6) foot tall properly maintained slatted chain link fence buffer shall be constructed along an existing residential use. Furthermore, a ten (10) foot buffer width will also be maintained that will be void of any parking apron, construction, accessory use, etc. The bufferyard is to remain free, clear and open of any obstruction. Developer shall complete a traffic study and access restriction shall be determined by the Director of Public Works in accordance with the traffic study.

BE IT FURTHEREST ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby amend the second paragraph in Ordinance No. 1866, M-C Series, for Tulco, II, LLC, 1825 East Napoleon Street.

A vote was then called with the results as follows:

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

NAYS: Mr. Nezat

ABSENT: Mrs. Thomas

And the said ordinance was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

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ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

The next item on the agenda is an introduction of ordinance setting forth the property tax millage rates for tax year 2024. Mrs. Thorn stated that property values have increased. This is an estimate only and the final values won't be out until November. When property values go up, it rolls our millages down. Because we don't have those final numbers, we don't want to roll forward this year. We have 3 more years until we'll have to roll forward. Motion was made by Mrs. Ellender seconded by Mrs. Abshire that the following ordinance be introduced:

**ORDINANCE SETTING FORTH THE PROPERTY TAX MILLAGE RATES FOR TAX YEAR 2024.**

Motion was then made by Mrs. Ellender 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 SETTING FORTH THE PROPERTY TAX MILLAGE RATES FOR TAX YEAR 2024.**

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_  
NICK NEZAT, Chairman

Motion carried unanimously.

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The next item on the agenda is a introduction of ordinance authorizing Mayor Danahay to sign the LA DOTD maintenance agreement for mowing and litter pick up for fiscal year ending June 30, 2025. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

**ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN THE LA DOTD MAINTENANCE AGREEMENT FOR MOWING AND LITTER PICK UP FOR FISCAL YEAR ENDING JUNE 30, 2025.**

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 AUTHORIZING MAYOR DANAHAY TO SIGN THE LA DOTD MAINTENANCE AGREEMENT FOR MOWING AND LITTER PICK UP FOR FISCAL YEAR ENDING JUNE 30, 2025.**

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish School Board for donation of sound equipment to Maplewood Middle School. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

**ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH SCHOOL BOARD FOR DONATION OF SOUND EQUIPMENT TO MAPLEWOOD MIDDLE SCHOOL.**

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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 AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH SCHOOL BOARD FOR DONATION OF SOUND EQUIPMENT TO MAPLEWOOD MIDDLE SCHOOL.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_  
NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to sign buy/sell agreement with Carl and Mary Hardy for property located at 4114 and 4118 Maplewood Drive. Mr. Abrahams, Director of Public Works, stated that this had to do with Maple Fork bridge, and the bridge will be replaced in the near future and it'll have to be elevated 2 feet. The adjacent properties will become inaccessible from Maplewood Drive. Mrs. Thorn, Director of Finance, stated that they did get appraisals on the property and there is one more property that will be affected. She also stated that this project has been in the making for several years. The appraisal price for both buildings is \$320,000.00. After discussion, motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN BUY/SELL AGREEMENT WITH CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE.

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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 AUTHORIZING MAYOR DANAHAY TO SIGN BUY/SELL AGREEMENT WITH CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_  
NICK NEZAT, Chairman

A vote was then called with the results as follows:

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

NAYS: Mr. Nezat

ABSENT: Mrs. Abshire

And the said ordinance was declared introduced on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

The next item on the agenda is an introduction of ordinance authorizing the acquisition of property from Carl and Mary Hardy for property located at 4114 and 4118 Maplewood Drive, appropriating funds for the purchase, and setting a public hearing date on said ordinance. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:



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ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FROM CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE, APPROPRIATING FUNDS FOR THE PURCHASE, AND SETTING A PUBLIC HEARING DATE ON SAID ORDINANCE.

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 AUTHORIZING THE ACQUISITION OF PROPERTY FROM CARL AND MARY HARDY FOR PROPERTY LOCATED AT 4114 AND 4118 MAPLEWOOD DRIVE, APPROPRIATING FUNDS FOR THE PURCHASE, AND SETTING A PUBLIC HEARING DATE ON SAID ORDINANCE.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

A vote was then called with the results as follows:

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

NAYS: Mr. Nezat

ABSENT: Mrs. Abshire

And the said ordinance was declared introduced on this 13<sup>th</sup> day of May, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

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 (802 South Ruth Street house, generator). Mrs.

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Thorn stated that the house at 802 South Ruth Street is included in this surplus list. They had thought the Marshal's office could move here but the renovations were over \$200,000.00. Motion was made by Mrs. Abshire seconded by Mrs. Ellender that the following ordinance be introduced:

**ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (802 SOUTH RUTH STREET HOUSE, GENERATOR).**

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 "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 (802 SOUTH RUTH STREET HOUSE, GENERATOR).**

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance amending Chapter 17, Article II of the Code of Ordinances of the City of Sulphur, Louisiana – Utility Use or Right of Way Regulations. Mr. Abrahams, Director of Public Works, stated that this will address the ongoing problem with utility providers that come in and bore throughout the city. They bore through our utilities causing disruption and loss of service. He then read some of the amendments to be made. Mayor Danahay stated that more and more companies are going the fiber optic way and boring in our right of ways. There will be more companies coming through our city and this

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needs to be in place. They've bored through water and sewer lines. Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be introduced:

**ORDINANCE AMENDING CHAPTER 17, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – UTILITY USE OR RIGHT OF WAY REGULATIONS.**

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 AMENDING CHAPTER 17, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA – UTILITY USE OR RIGHT OF WAY REGULATIONS.**

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance amending Chapter 17 of the Code of Ordinances of the City of Sulphur, Louisiana, to provide for Article VI (Moving of Utility Lines, Poles, Etc.) and Article VII (Franchise Agreements). Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be introduced:

**ORDINANCE AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA, TO PROVIDE FOR ARTICLE VI (MOVING OF UTILITY LINES, POLES, ETC.) AND ARTICLE VII (FRANCHISE AGREEMENTS).**

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor

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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 AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF SULPHUR, LOUISIANA, TO PROVIDE FOR ARTICLE VI (MOVING OF UTILITY LINES, POLES, ETC.) AND ARTICLE VII (FRANCHISE AGREEMENTS).**

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is an introduction of ordinance authorizing Mayor Danahay to sign Emergency Shelter and Staging Agreement with Beauregard Parish School Board for temporary shelter and emergency equipment staging area at Singer High School for Hurricane 2024 Season for the City of Sulphur.

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

**ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN EMERGENCY SHELTER AND STAGING AGREEMENT WITH BEAUREGARD PARISH SCHOOL BOARD FOR TEMPORARY SHELTER AND EMERGENCY EQUIPMENT STAGING AREA AT SINGER HIGH SCHOOL FOR HURRICANE 2024 SEASON FOR THE CITY OF SULPHUR.**

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

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**PUBLIC NOTICE**

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

ORDINANCE AUTHORIZING MAYOR DANAHAY TO SIGN EMERGENCY SHELTER AND STAGING AGREEMENT WITH BEAUREGARD PARISH SCHOOL BOARD FOR TEMPORARY SHELTER AND EMERGENCY EQUIPMENT STAGING AREA AT SINGER HIGH SCHOOL FOR HURRICANE 2024 SEASON FOR THE CITY OF SULPHUR.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8<sup>th</sup> day of July, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: \_\_\_\_\_

NICK NEZAT, Chairman

Motion carried unanimously.

The next item on the agenda is a resolution amending Resolution No. 3591, M-C Series, adopted May 13, 2024, which authorized the First Amendment to Time Contract for the collection of solid waste. Mrs. Thorn stated that they had asked Waste Management for a one-year extension instead of a four-year extension. Waste Management asked that the original resolution be amended to include the following changes:

Term and Option to Extend. The term of the Agreement is hereby extended for an additional one-year period beginning July 1, 2024. **Thereafter,** This Agreement shall **automatically extend** ~~be further extended~~ for an additional term of four (4) years unless **one party notifies the other** ~~the City notifies Waste Management~~ in writing not less than ninety (90) days prior to the expiration of the ~~then~~ current term of its intention to terminate the Agreement.

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

**RESOLUTION NO. 3592, M-C SERIES**

RESOLUTION AMENDING RESOLUTION NO. 3591, M-C SERIES, ADOPTED MAY 13, 2024, WHICH AUTHORIZED THE FIRST AMENDMENT TO TIME CONTRACT FOR THE COLLECTION OF SOLID WASTE.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to sign the First Amendment to the Time Contract for the collection of solid waste as follows:

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FIRST AMENDMENT TO TIME CONTRACT  
FOR THE COLLECTION OF SOLID WASTE

This FIRST Amendment is hereby entered into by and between the City of Sulphur, Louisiana, a political subdivision and body politic organized under the laws of the State of Louisiana (hereinafter referred to as "City") and Waste Management of Louisiana, L.L.C., a Delaware limited liability company, being represented herein by Brandon Shaw, its duly authorized representative (hereinafter referred to as "Waste Management"), also referred to herein as "Contractor":

WITNESSETH, that in consideration of the terms, conditions and mutual covenants contained herein, the City of Sulphur, Louisiana and Waste Management of Louisiana, LLC agree as follows:

WHEREAS, the parties hereto entered into an agreement entitled "Time Contract for the Collection of Solid Waste," entered into pursuant to City Ordinance and effective for a five year term commencing July 1, 2019, ("the Agreement" or "Original Contract"); and

WHEREAS, the City and Waste Management desire to extend the term of the Agreement for an additional one year according to the terms of the Contract, as amended herein;

NOW, THEREFORE, the parties hereto agree that the Agreement is amended as set forth below. All terms and conditions of the Agreement not modified herein shall remain in full force and effect.

1. Term and Option to Extend. The term of the Agreement is hereby extended for an additional one-year period beginning July 1, 2024. Thereafter, this Agreement shall automatically extend for an additional term of four (4) years unless one party notifies the other in writing not less than ninety (90) days prior to the expiration of the current term of its intention to terminate the Agreement.
2. Rates and CPI Adjustment. Effective July 1, 2024, the base rate for service shall be twenty and 14/100 dollars (\$20.14). On July 1, 2025, there shall be an inflation adjustment of 100% of the change, if any, in the Consumer Price Index for Water, Sewer, and Trash CPI, Not Seasonally Adjusted, All Areas ("WST CPI"), looking back on the most recent twelve-month period available immediately preceding that date, and then adjusted in like manner on July 1<sup>st</sup> annually thereafter. No other costs or adjustments will be made to this annual inflationary adjusted base rate.
3. In the event a separate task order is entered into for additional collection or collection routes related to a declared natural disaster with separate compensation as per the task order, all of the federally required clauses and terms referenced in the Calcasieu Parish Solid Waste Collection and Disposal Agreement with Waste Management, as amended from time to time, are hereby included herein by reference, including specially those clauses referenced in its Amendment No. 5 and referenced as amending and restating Section XI of Amendment No. 1 with related attachments, all of which are attached hereto and included herein by reference.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Thomas

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And the said resolution was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

The next item on the agenda is a resolution appointing the Official Journal for the City of Sulphur. Motion was made by Mrs. Ellender seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3593, M-C SERIES

Resolution appointing the Official Journal for the City of Sulphur.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint the following as the Official Journal for the City of Sulphur:

American Press  
P.O. Box 2893  
Lake Charles, LA 70602

BE IT FURTHER RESOLVED that the effective date of selection shall be June 10, 2024, through June 8, 2025.

A vote was then called with the results as follows:

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

NAYS: None

ABSENT: Mrs. Thomas

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

The next item on the agenda is a resolution reappointing Tommy Little to the West Calcasieu Airport Managing Board. Motion was made by Mrs. Abshire seconded by Mrs. Ellender that the following resolution be adopted to-wit:

RESOLUTION NO. 3594, M-C SERIES

Resolution re-appointing Tommy Little to the West Calcasieu Airport Managing Board

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby re-appoint Tommy Little to the West Calcasieu Airport Managing Board with term to expire June, 2026.

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A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

The next item on the agenda is a resolution accepting Substantial Completion for North Water Treatment Improvement Program – Removal and Replacement of Pressure Filters. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3595, M-C SERIES

Resolution accepting Substantial Completion for North Water Treatment Improvement Program – Removal and Replacement of Pressure Filters.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for North Water Treatment Improvement Program – Removal and Replacement of Pressure Filters.

A vote was then called with the results as follows:

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

And the said resolution was declared duly adopted on this 10<sup>th</sup> day of June, 2024.

ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

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



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ATTEST:

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ARLENE BLANCHARD, Clerk

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NICK NEZAT, Chairman

6/10/24  
6:20 P.M.