

CITY OF CROWLEY
SPECIAL COUNCIL MEETING
SEPTEMBER 16, 2003

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a special session at 12:00 p.m. Tuesday the 16th day of September, 2003 at the regular meeting place of said Mayor and Board of Aldermen, the City Hall, 426 North Avenue F, Crowley, Louisiana, after the giving and posting of prior notice of said meeting in the manner provided by law.

Mayor de la Houssaye presided with the following Aldermen present: James Buatt, Tiger Istre, Vernon Martin, Woody Marceaux, Mary T. Melancon, Laurita D. Pete, and Ira Thomas. Aldermen Steven C. Premeaux and Alderwoman Kitty Valdetero were absent.

Alderwoman Melancon led the Pledge of Allegiance to the flag and Alderman Marceaux gave the invocation.

September 15, 2003

City of Crowley
Special Council Meeting Notice:

You are hereby notified that a Special Council Meeting of the Mayor and Board of Aldermen of the City of Crowley will be held on Tuesday, September 16, 2003 at 12:00 p.m. in the City Council Chambers at City Hall. The purpose of said meeting will be:

1. Consider lease for LAPAC.
2. Consider the needed repairs to Central Fire Station.
3. Consider a Resolution for Rural Development Grant.
4. Any Other Legal Items to Come before the Council.

S/ Isabella L. de la Houssaye .
Isabella L. de la Houssaye, Mayor

The call was Posted at City Hall on September 15, 2003 at 9:00 o'clock a.m.

The Police Dept. received the call for circulation on September 15, 2003 at 9:30 o'clock a.m. and copies of the call were delivered to the following:

James M Buatt	on September 15, 2003 at 6:30 o'clock p.m.
Woody Marceaux	on September 15, 2003 at 1:58 o'clock p.m.
Tiger Istre	on September 15, 2003 at 1:50 o'clock p.m.
Kitty Valdetero	on September 15, 2003
Vernon Martin	on September 2003 at 7:45 o'clock p.m.
Mary T. Melancon	on September 15, 2003 at 1:50 o'clock p.m.
Laurita Pete	on September 15, 2003 at 7:50 o'clock p.m.
Steven Premeaux	on September 15, 2003 at 8:27 o'clock p.m.
Ira Thomas	on September 15, 2003 at 2:00 o'clock p.m.
Thomas K. Regan	on September, 2003
Judy L. Istre	on September 15, 2003 at 9:30 o'clock a.m.

Alderwoman Melancon moved to amend the agenda to consider a resolution for adoption of the Compliance Questionnaire. Seconded by Alderwoman Pete and duly adopted after a unanimous vote.

Alderman Buatt moved to amend the agenda to consider the existing lease with Assist Agency. Seconded by Alderwoman Pete and duly adopted after a unanimous vote.

Alderman Martin offered a motion to authorize Mayor de la Houssaye to proceed to get quotes for the air condition and ductwork for the Central Fire Station and work with the architect to prepare bids for the remaining work to be done. Seconded by Alderman Istre and duly adopted.

The following resolution was offered by Alderman Martin, duly seconded by Alderman Istre, and duly resolved and adopted.

RESOLUTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING AN APPLICATION FOR A RURAL ASSISTANCE GRANT FOR FISCAL YEAR 2003-2004 FROM THE GOVERNOR'S OFFICE OF RURAL DEVELOPMENT FOR THE REPAIR AND RENOVATION OF THE CROWLEY FIRE DEPARTMENT CENTRAL FIRE STATION BUILDING AND FACILITY.

WHEREAS, the City of Crowley fiscal year 2003-2004 budget does not have revenue available to fund capital outlay expenditures for repairs and renovations to Central Fire Station building and facilities: and

WHEREAS, the City of Crowley is in need of grant assistance to fund repairs and renovations to the Central Fire Station building, including the repointing, recaulking and waterproofing of the exterior of the building to prevent moisture from entering the building and causing damage, to repair damaged interior walls and ceilings, to repair and upgrade the electrical system to meet current code requirement, to replace and repair plumbing facilities and move walls to meet ADA requirements, to reroute and replace gas piping to meet current code requirements and to provide a ventilation and fresh air system for the Crowley Central Fire Station; and

WHEREAS, the Rural Assistance Grant Program provides up to FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS of matching funds for projects; and

WHEREAS, the entire project is estimated to cost TWO HUNDRED TWELVE THOUSAND & NO/100 (\$212,000.00) DOLLARS, of which amount, the City will provide ONE HUNDRED SIXTY-TWO THOUSAND & NO/100 (\$162,000.00) DOLLARS of the necessary funds to complete the project; and

WHEREAS, the repairs and renovation of the Central Fire Station will prevent further deterioration and damage to the building and facility due to the intrusion of water and moisture through the exterior walls of the building and repair serious damage to bricks, mortar and plaster, which if not repaired, will create a substantial risk for injury; and the replacement of the inadequate and obsolete electrical and natural gas system will upgrade the facility to meet current code standards, as well as renovations to the plumbing fixtures and bathroom facilities to meet current ADA requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened, that they do hereby authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute and submit an application to the Governor's Office of Rural Development, Rural Assistance Grants, for the Fiscal Year 2003-2004, for the renovation, repair and upgrading of the Crowley Central Fire Station and facilities in the amount of FIFTY THOUSAND & NO/100 (\$50,000.00) DOLLARS, which shall be matched with a local contribution of ONE HUNDRED SIXTY-TWO THOUSAND & NO/100 (162,000.00) DOLLARS by the City of Crowley, for a total estimated project cost of TWO HUNDRED TWELVE THOUSAND & NO/100 (\$212,000.00), which funds shall be dedicated to the renovation, repair and upgrading of the Crowley Central Fire Station to repoint, recaulk and waterproof the exterior of the building, to repair interior and exterior damages, electrical and gas system upgrades, replacement of plumbing fixtures and walls to comply with ADA requirements to provide ventilation and fresh air in accordance with current fire and building codes.

THUS DONE AND ADOPTED in special session on this the 16th day of September 2003, at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Istre, duly seconded by Alderman Martin, and duly resolved and adopted.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, INTRODUCING AN ORDINANCE TO LEASE, WITH AN OPTION TO PURCHASE, 5.2746 ACRES AND 4.7253 ACRES SITUATED IN SECTION 5, TOWNSHIP 10 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA TO LA PAC MANUFACTURING, INC., STATING THE REASONS FOR THE ACTION, FIXING THE MINIMUM PRICE AND TERMS OF THE LEASE, FIXING A DATE FOR A PUBLIC HEARING ON THE ADOPTION OF THE PROPOSED ORDINANCE; AND TO PROVIDE FOR ALL OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Crowley is the owner of two (2) contiguous tracts of land together with an existing manufacturing building previously known as Crowley Manufacturing Company, Inc. which property is situated in the Greater Crowley Industrial Development Park; and

WHEREAS, the property was acquired by the City of Crowley from the Greater Crowley Industrial Development Corporation subject to a Lease to Crowley Manufacturing Company, Inc. providing that the City of Crowley obtain and issue municipal industrial revenue bonds for the construction of the facilities and equipment necessary to induce and assist the Crowley Manufacturing Company, Inc. to begin manufacturing operations in the City of Crowley; and

WHEREAS, the property is restricted for use for manufacturing and industrial purposes and requires that the City reserve the option and or right of first refusal to reacquire the property in the event that it is sold or abandoned by the tenant and/or owner; and

WHEREAS, LA PAC Manufacturing, Inc. has for many years been a valued member of the business and economic community of the City of Crowley and recently suffered the devastating lost by fire of its entire manufacturing plant, offices, equipment and facilities; and

WHEREAS, the City of Crowley has received from the Louisiana Economic Development Corporation a grant for the purpose of providing funding for the renovation and expansion of the existing manufacturing facility and the construction of a new warehousing and shipping facility and other improvements to be owned by the City and to be leased for the company; and

WHEREAS, LA PAC Manufacturing, Inc. has entered into an agreement with the Louisiana Economic Development Corporation, acting through the Louisiana Department of Economic Development, and the City of Crowley as the sponsoring local entity, to renovate and expand the existing plant in order to remain in the City of Crowley thereby allowing the company to continue its operations and maintain its current employees and to add an additional seventy-nine (79) employees; and

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley find that it is in the best interest of the City of Crowley that the property be leased, with an option to purchase the property and the facilities, to LA PAC Manufacturing, Inc. for the purpose of maintaining their current manufacturing, warehousing and business operations and to expand the facilities, increase the number of jobs in accordance with the infrastructure grant award by the Louisiana Department of Economic Development;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, in regular session duly convened, that they do hereby find that it is in the best interest of the City of Crowley that the property be leased, with an option to purchase the property and the facilities, to LA PAC Manufacturing, Inc. for the purpose of maintaining their current manufacturing and business operations and to expand the warehousing and shipping facilities to increase the number of jobs in accordance with the infrastructure grant award by the Louisiana Department of Economic Development, together with all buildings and improvements thereon are, the following described property, to-wit:

TRACT 1:

Those two certain contiguous tract of land containing in the aggregate of 5.2746 acres, more or less, situated in Section 5, Township 10 South, Range 1 East, Acadia Parish, Louisiana, together with all buildings, improvements, and immovables by destination thereon, and all rights, ways and servitudes thereunto appertaining, situated in the City of Crowley, Acadia Parish, Louisiana, and being bounded by lands owned now or formerly as follows: On the North by the City of Crowley and/or Tract 2 hereinbelow described; On the East by Crowley Industrial Development Corporation; On the South by U.S. Highway 90; and on the West by a Public Road known as Bowling Alley Road, and being further described as **TRACT "A" and the SOUTHERN 25.00 FEET OF TRACT "B"**, as shown on that certain plat of survey prepared by Letz Engineers, C. E., dated September 6, 1965 and being recorded with that certain Lease Agreement by and between the Greater Crowley Industrial Development Corporation and Crowley MFG, Co., Inc. Dated September 28, 1965 and being recorded in COB A-25, Page 4, under Entry No. 356048 of the official records of Acadia Parish, Louisiana.

TRACT 2:

Those certain tract of land containing 5.00 acres, more or less, situated in Section 5 and 37, Township 10 South, Range 1 East, Acadia Parish, Louisiana, together with all buildings, improvements and immovables by destination thereon, and all rights, ways and servitudes thereunto appertaining, situated in the City of Crowley, Acadia Parish, Louisiana, and being bound now or formerly as follows: On the North by the Crowley Industrial Development Corporation; On the East by Crowley Industrial Development Corporation; On the South by the City of Crowley and/or Tract 1 hereinabove described; On the West by a Public Road known as Bowling Alley Road, and being further described as **TRACT "B"**, as shown on that certain plat of survey prepared by Letz Engineers, C.E., dated September 6, 1965 and being recorded with that certain Lease Agreement by and between the Greater Crowley Industrial Development Corporation and Crowley MFG, Co., Inc. Dated September 28, 1965 and being recorded in COB A-25, Page 4, under Entry No. 356048 of the official records of Acadia Parish, Louisiana.

LESS AND EXCEPT:

The Southern 25.00 feet thereof, and after exception, tract 2 herein described contains 4.7253 acres, more or less.

BE IT FURTHER RESOLVED that in addition to the usual terms and conditions, the lease shall contain the following terms and conditions, to-wit:

- 1) A primary term of FIFTEEN (15) years, with a provision for an automatic renewal of FIFTEEN (15) additional years:
- 2) An option to purchase the property during the primary term for the amount of lease rental previously paid, plus any amount remaining due and owing on the monthly lease payments (the remaining amount of the lease payments shall be the principal amount of THREE HUNDRED THIRTY-THREE THOUSAND & NO/100 (\$333,000.00 DOLLARS, less the interest included in said payments at the rate of THREE (3%) PERCENT per annum) and the sum of ONE HUNDRED & NO/100 (\$100.00) DOLLARS;
- 3) The lease shall be made for and in consideration of a monthly rental of TWO THOUSAND TWO HUNDRED NINETY-NINE & 64/100 (\$2,299.64) DOLLARS due and payable on the first day of the month of the effective date of the lease and on the first day of each month thereafter,
- 4) Lessee shall use the leased premises for manufacturing, producing and warehousing and shipping industrial product(s);
- 5) Lessee shall comply with all the terms and conditions of the Economic Development Award Contract Agreement;
- 6) Lessee shall pay as additional rent, all charges, taxes, assessments against the leased property and all costs for utilities such as water, gas, electricity, fuel, lights, power, sewage, relating to the leased premises;
- 7) Lessee shall not allow or suffer any liens or attachments against the property;
- 8) Lessee shall be responsible for all the maintenance, repairs and up keep of the facilities including, but not limited to, the roof, walls, plumbing, electrical, heating, air conditioning, ventilation systems and all other equipment;
- 9) Lessee shall accept the building and improvements "AS IS" and "WITHOUT ANY WARRANTY WHATSOEVER" as to the fitness or the condition of the equipment or the buildings;
- 10) Lessee shall agree to indemnify and hold Lessor harmless from any and all damages, for liability and provide liability insurance therefore, with Lessor named as an additional insured on the policy and Lessee shall maintain wind, fire and hazard insurance as may be required;
- 11) No changes, alterations, additions, or improvements on the premises shall be made without the expressed written consent of the Lessor;
- 12) In the event Lessee should exercise the option to purchase, the terms and conditions of the sale and instrument of transfer shall include the following to-wit:
 - a) The property shall be used solely for manufacturing and industrial purposes;
 - b) The City of Crowley shall reserve all of the oil, gas and minerals in, on, under and appertaining to the above described property, however, there shall be no surface operations on the premises for exploration or production;
 - c) No subsequent sale of the property shall be valid unless or until the City of Crowley shall have received written notice of the offer to purchase the property for the price and sum offered by a third party purchaser in an arms-length transaction and the City of Crowley shall have approved the sale to the third party, after a period of sixty (60) days from the date of

receipt of written notice in which to perform a due diligence examination of the transaction.

- d) The sale of the buildings and improvements shall be “AS IS”, “WHERE IS” and “WITHOUT ANY WARRANTY WHATSOEVER.”

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Crowley, that the following ordinance be and it is hereby introduced and a public hearing is hereby fixed on the 14th day of October, 2003 at 6:00 p.m. in the Council Chambers, City Hall, Crowley, LA, to consider the adoption of the following ordinance;

AN ORDINANCE AUTHORIZING THE LEASE WITH AN OPTION TO PURCHASE 5.2746 ACRES AND 4.7253 ACRES SITUATED IN SECTION 5, TOWNSHIP 10 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA, TO LA PAC MANUFACTURING, INC., FOR INDUSTRIAL MANUFACTURING PURPOSES; STATING THE REASONS FOR THE ACTION, FIXING THE MINIMUM PRICE AND TERMS OF THE LEASE, PROVIDING THAT IN THE EVENT THE PROPERTY SHALL BE SOLD, ALL OF THE OIL, GAS AND MINERALS WILL BE RESERVED BY THE CITY OF CROWLEY, THE SALE SHALL BE “AS IS” AND “WITHOUT ANY WARRANTY WHATSOEVER”, THE USE PROPERTY SHALL BE RESTRICTED SOLELY FOR INDUSTRIAL MANUFACTURING PURPOSES AND PROVIDING FOR THE RIGHT OF APPROVAL OF ANY SUBSEQUENT SALE OF THE PROPERTY AND A RIGHT OF FIRST REFUSAL TO REPURCHASE IN FAVOR OF THE CITY OF CROWLEY AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ANY ORDINANCE INCONSISTENT OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREOF.

BE IT FURTHER RESOLVED that the Clerk of the City of Crowley, shall publish Notice of Intent to adopt a proposed Ordinance for the lease of the property in order to allow opposition to said lease and the adoption of said ordinance. Said Notice of the proposed Ordinance, which Notice is attached hereto as Exhibit “A”, shall be published three (3) times in fifteen (15) days, one (1) week apart in the official journal of the City of Crowley and shall be posted in City Hall; and

BE IT FURTHER RESOLVED that any opposition to the proposed Ordinance shall be in writing and filed with the Clerk of the City of Crowley within fifteen (15) days after the posting of the Notice or its first publication in accordance with law; and

THUS DONE AND ADOPTED in regular session duly convened on this the 16th day of September, 2003 at Crowley, Acadia Parish, Louisiana.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Istre, duly seconded by Alderman Martin, and duly resolved and adopted.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING

THE ADOPTION OF THE LOUISIANA
COMPLIANCE QUESTIONNAIRE FOR AUDIT
ENGAGEMENTS OF GOVERNMENTAL ENTITIES
FOR THE FISCAL YEAR 2003

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley having received notice from the Legislative Auditor of the State of Louisiana, that the Compliance Questionnaire must be completed; and

WHEREAS, the Compliance Questionnaire is a required part of a financial audit of Louisiana governmental units and quasi-public; and

WHEREAS, the legal matters contained in the questionnaire parallel those matters contained in the *Laws Affecting Louisiana Government*; and

WHEREAS, the completed Compliance Questionnaire must be given to the auditors at the beginning of the audit and tested for accuracy of the responses in the questionnaire during the course of the audit;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, in special session, duly convened, that they do hereby adopt the Louisiana Compliance Questionnaire, dated September 16, 2003 to Broussard, Poche, Lewis & Breaux, in connection with the audit of the financial statements for the year ending August 31, 2003, which questionnaire is attached to this resolution; and

BE IT FURTHER RESOLVED that they do hereby authorize the execution thereof by the Honorable Judy Istre, City Clerk, Margaret Young, Administrative Assistant and the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley.

THUS DONE AND ADOPTED in regular session duly convened on this the 16th of September, 2003 at Crowley, Acadia Parish, Louisiana.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Thomas, duly seconded by Alderman Istre, and duly resolved and adopted with Alderwoman Pete and Alderman Martin abstaining.

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF CROWLEY,
ACADIA PARISH, LOUISIANA, AUTHORIZING
THE AMENDMENT AND RATIFICATION OF THE
LEASE WITH THE ASSIST AGENCY

WHEREAS, the Assist Agency has entered into a lease with the City of Crowley for office space in the Crowley Enterprise Center; and

WHEREAS, the Assist Agency has requested the existing lease be amended and that an annual lease be entered into and renewed each year; and

WHEREAS, the Assist Agency is part of a group of State and Federal agencies comprising the Local Workforce Investment Program; and

WHEREAS, the Mayor and Board of Aldermen find it desirable that an amendment and ratification of the lease be made; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened, they do hereby authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor, to execute an amendment of the lease dated August 28, 2002 for a one (1) year term beginning on the first day of September, 2003 and ending on the 31st day of August, 2004 of the premises described in the said lease and that the amendment shall delete all terms regarding the automatic renewal and the rental rate limitations and otherwise, the remaining terms of the said lease are hereby ratified as amended; and

THUS DONE AND ADOPTED in special session at Crowley, Acadia Parish, Louisiana, on this the 16th day of September, 2003

ISABELLA L DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

There being no further business to come before the Council upon motion duly made by Alderman Istre and seconded by Alderwoman Melancon the meeting was adjourned at 1:00 p.m.

ISABELLA L DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Presented rough draft to Mayor on September 18, 2003 at 8:45 a.m.
Presented for Mayor signature on September 18, 2003 at 9:00 a.m.
Mayor signed & returned to City Clerk on September 22 2003 at 1:30 p.m.