

CITY OF CROWLEY
REGULAR MEETING
OCTOBER 13, 2009

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a regular session at 6:00 p.m. Tuesday the 13th day of October, 2009 at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor Greg A. Jones presided with the following Aldermen present: J. Elliot Doré, Jeff Doré, Vernon Martin, Laurita Pete, Steven Premeaux, Kitty Valdetero, and Todd Whiting. Aldermen Lyle Fogleman Jr. and Mary Melancon were absent.

Alderman J. Elliot Doré led the Pledge of Allegiance to the flag and Alderman Vernon Martin gave the invocation.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the September 8th, 2009 regular council meeting. Seconded by Alderman Vernon Martin and duly adopted.

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the September 17th, 2009 special council meeting. Seconded by Alderman Vernon Martin and duly adopted.

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the September 29th, 2009 special council meeting. Seconded by Alderman Vernon Martin and duly adopted.

Alderman Vernon Martin moved to approve all bills presented for payment. Seconded by J. Elliot Doré and duly adopted.

PRESENTATIONS:

Mrs. Mabel Allen was recognized for recently celebrating her 94th birthday that will be commemorated by a proclamation for the occasion.

PUBLIC HEARINGS:

- 1) Mayor Greg A. Jones continued the public hearing on proposed ordinance no. 1401, the ordinance was read by title as follows:

AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO ADD THERETO SECTION 3-20.1 TO AUTHORIZE SPECIAL EVENT PERMITS FOR THE SALE OF ALCOHOLIC BEVERAGES, AND TO PROVIDE THE CONDITIONS AND TERMS UNDER WHICH PERMITS MAY BE ISSUED AND THE LIMITATIONS, REGULATIONS, RESTRICTIONS AND EXCEPTIONS THEREFOR; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

Thomas Regan asked for proponents to the proposed ordinance no. 1401. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1401 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1401 to a close.

2) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1402, the ordinance was read by title as follows:

AN ORDINANCE TO REPEAL THE PROVISIONS OF SECTION 2-4 OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY REQUIRING THE MAYOR TO BE FULL TIME AND FIXING THE COMPENSATION OF THE MAYOR AND OTHERS; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

Thomas Regan asked for proponents to the proposed ordinance no. 1402. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1402 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1402 to a close.

3) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1403, the ordinance was read by title as follows:

AN ORDINANCE AMENDING AND ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, DEFINING THE BOUNDARY OF A TRACT OF LAND OWNED BY BEVERLY ANN BARTELL DUCREST, GLORIA BARTELL GRAY AND PBN PROPERTIES L.L.C. CONTAINING 53.04 ACRES OF LAND, MORE OR LESS, SITUATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINE (9) SOUTH, RANGE ONE (1) EAST, ACADIA PARISH, LOUISIANA, BOUNDED ON THE NORTH BY ODDFELLOWS ROAD AND LIMCO, WEST BY BICENTENNIAL PARK, SOUTH BY THE CITY LIMITS OF THE CITY OF CROWLEY (17TH STREET) AND ON THE EAST BY US HIGHWAY 90/LA 1111 AND TOWER ROAD, WHICH IS PROPOSED TO BE INCLUDED WITHIN THE CORPORATE LIMITS OF THE SAID CITY; TO PROVIDE THAT THE PROPERTY SO ANNEXED BE RE-ZONED FROM "R-1, RESIDENTIAL-1" TO "C-4, COMMERCIAL-4"; AND TO REDEFINE THE CORPORATE LIMITS OF THE CITY OF CROWLEY TO INCLUDE SAID PROPERTY; TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

Thomas Regan asked for proponents to the proposed ordinance no. 1403. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1403 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1403 to a close.

MAYOR'S REPORT:

Mayor Greg A. Jones presented the Sales Tax chart and User Fee chart that track the collection trend.

STANDING COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

Chairperson – Alderwoman Mary Melancon,
Vice-Chairperson – Alderwoman Laurita Pete
Members – Aldermen Jeff Doré, Lyle Fogleman, Jr. and Vernon Martin

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Vernon Martin to approve Change Order No. under the Contract with H & S Construction Co. for the FY 2008-09 Annual Street Repair project in the amount of \$10,440.00. Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman J. Elliot Doré to approve Partial Payment No. 16 in the amount of \$129,272.24 to Merrick Construction Company for the Historic Parkerson Avenue Redevelopment Project. Motion carried.

UTILITY COMMITTEE:

Chairperson – Alderman Vernon Martin
Vice-Chairperson – Alderwoman Kitty Valdetero
Members – Aldermen J. Elliot Doré, Lyle Fogleman, Jr. and Jeff Doré

A motion was offered by Alderman Vernon Martin and seconded by Alderwoman Kitty Valdetero to authorize the Mayor to engage Auto-Comm for the regular inspection and repairs to the SCADA system for the next 12 months. Motion carried.

A motion was offered by Alderman Vernon Martin and seconded by Alderman Jeff Doré to approve the November 2009 plans and specifications for the “Wastewater Treatment Facility Rock Filter Rehabilitation” project and authorize to advertise for bids. Motion carried.

PUBLIC SAFETY COMMITTEE:

Chairperson – Alderman Todd Whiting
Vice-Chairperson – Alderman Lyle Fogleman, Jr.
Members – Aldermen Vernon Martin, Mary Melancon and Steven Premeaux

A motion was offered by Alderman Todd Whiting and seconded by Alderman Vernon Martin to adopt the state’s offenses and misdemeanor laws. Motion carried.

A motion was offered by Alderman Todd Whiting and seconded by Alderman Steven Premeaux to approve the following grants, and the motion carried.

1. JAG '08 grant in the amount of \$7,675 with a city match of \$1,894 for interoperability and SWAT shield,
2. 2008 Stimulus grant in the amount of \$15,501 with a city match of \$3,875 for departmental computers and server project; and
3. JAG '09 grant in the amount of \$10,847 with a city match of \$2,712 for narcotics equipment.

A motion was offered by Alderman Todd Whiting and seconded by Alderwoman Kitty Valdetero to amend the ordinance to reduce the 10 day notice of violation for tall grass, noxious weeds and rubbish to a 5 day notice. Motion carried.

ZONING & ANNEXATION COMMITTEE:

Chairperson – Alderman J. Elliot Doré
Vice-Chairperson – Alderman Vernon Martin
Members – Aldermen Kitty Valdetero, Laurita Pete and Steven Premeaux

A motion was offered by Alderman J. Elliot Doré and seconded by Alderman Jeff Doré to amend the ordinance to provide for the following provisions, and the motion carried.

Landscape for Commercial Parking Lots (for large parking lots)

1. Require ten foot wide landscaped islands be placed at the end of each parking bay
2. Require landscaped islands located at intervals of every ten (10) spaces

Commercial Facades

1. Prohibit metal front facades on new commercial construction located in a residential or commercial zone.

PUBLIC BUILDING COMMITTEE :

Chairperson – Alderman Lyle Fogleman, Jr.
Vice-Chairperson – Alderman, Steven Premeaux
Members – Aldermen J. Elliot Doré, Todd Whiting and Mary Melancon

A motion was offered by Alderman Steven Premeaux and seconded by Alderman Todd Whiting to accept the lowest bid by E. L. Habetz Builders, Inc for renovations to the Wastewater Facility in the amount of \$178,800. Motion carried.

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE:

Chairperson – Alderman Jeff Doré
Vice-Chairperson – Alderwoman Mary Melancon
Members – Aldermen Kitty Valdetero, J. Elliot Doré and Todd Whiting

A motion was offered by Alderman Jeff Doré and seconded by Alderwoman Kitty Valdetero to co-sponsor the Jay Lowder Harvest Ministries that will be held nightly at the Rice Arena on March 14th thru the 17th, 2010 at 7 p.m. Motion carried.

A motion was offered by Alderman Jeff Doré and seconded by Alderwoman Laurita Pete to contract with Lynn Askin Consulting for services to promote the Preserve America campaign with the grand opening of Crowley's Historic North Parkerson Avenue in the amount of \$26,500. These efforts are partially supported by a Preserve America grant through the U. S. Department of Interior. Motion carried.

A motion was offered by Alderman Jeff Doré and seconded by Alderwoman Kitty Valdetero to authorize Lynn Askin Consulting Services to provide a decorated light show on the front of the city hall building in the amount of \$14,000. Motion carried.

ORDINANCES:

The following Ordinance was offered by Alderman J. Elliot Doré, duly seconded by Alderman Vernon Martin, and duly ordained and adopted.

ORDINANCE NO. 1401

AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO ADD THERETO SECTION 3-20.1 TO AUTHORIZE SPECIAL EVENT PERMITS FOR THE SALE OF ALCOHOLIC BEVERAGES, AND TO PROVIDE THE CONDITIONS AND TERMS UNDER WHICH PERMITS MAY BE ISSUED AND THE LIMITATIONS, REGULATIONS, RESTRICTIONS AND EXCEPTIONS THEREFOR; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

WHEREAS, this ordinance has been duly introduced and notice of this ordinance and notice of the public hearing having been published; and

WHEREAS, the public hearing was opened on the 8th day of September, 2009 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana and was continued until the next regular scheduled meeting on October 13, 2009; and

WHEREAS, the public hearing was reconvened and held in accordance with law on the 13th day of October, 2009 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, large crowds assemble for the International Rice Festival in the downtown area presenting a difficult and burdensome task for law enforcement and emergency providers during the festival; and

WHEREAS, the sale of alcoholic beverages during the festival by large numbers of special permittees contributes to the unruliness of individuals in large groups and increases the difficulty of crowd control; and

WHEREAS, limiting the sale of alcoholic beverages to minors becomes virtually impossible with large numbers of permittees scattered throughout the festival area; and

WHEREAS, the limiting issuance of special permits to the International Rice Festival Inc. has contributed to better crowd control, reduced number of arrests for fighting and confrontations, improved crowd control and limited the number of minors able to obtain alcohol illegally while continuing to allow the sale of alcoholic beverages to adults; and

WHEREAS, the number of requests for additional permits has made it necessary to provide exceptions for those permittees holding annual permits on a limited number of premises which may not comply with the current Building Code and Sanitation criteria under current law; and

WHEREAS, it is necessary to prohibit the issuance of special permits during Rice Festival to recognize and except only those special permits issued to the International Rice Festival Inc;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, IN REGULAR SESSION DULY CONVENED THAT:

SECTION 1: Article II of Chapter 3 of the Code of Ordinances of the City of Crowley be and it is hereby amended to add Section 3-20.1 as follows, to-wit)

Section 3-20.1. Special event permits.

(a) *Generally.* Special event permits may be issued for the retail sale of beverages of low and/or high alcoholic content for the annual fees listed in Section 3-27 and under the same conditions applicable under the terms of this Chapter. Those conditions not applicable because of the temporary nature of the permit shall not apply.

(b) *Duration; restrictions.* Special event permits for periods of up to three (3) consecutive days in duration may be issued for circumstances and situations where an event or function lasts up to three (3) consecutive days in duration. In no instance may a special event permit be issued for more than three (3) consecutive days in duration, nor may more than a total of four (4) special event permits be issued to the same person and/or organization in any one calendar year. Such special event permit shall begin at the date/time designated by the Chief of Police and end at the date/time designated by the Chief of Police, at which time all authorization such expire. No permit under this section shall permit the serving of alcohol beyond the closing hours as provided in this Chapter.

(c) *Issuance of special permits during International Rice Festival.* No special event permit shall be issued during the International Rice Festival save for a special events permit to be issued to the International Rice Festival Inc. under a Cooperative Endeavor Agreement with the City for the sale of low alcoholic content beverages during the hours permitted on Thursday, Friday and Saturday of the Festival and for the sale or distribution of low or high alcohol content beverages at various functions sponsored by the International Rice Festival Inc. and/or the City, these permits shall include but shall not be limited to the booths located at 4th at Parkerson Avenue and 5th at Parkerson Avenue.

The following locations and permittees at those locations shall continue to hold permits and may renew annual permits without meeting the conditions of the Ordinance and shall be considered a special permit but shall pay the full annual fees as follows, to-wit:

- (1) Ben's Den; 421 North Parkerson Avenue
- (2) Petry's Jewelry Store; 223 North Parkerson Avenue
- (3) Ben Mitchell, 422 North Parkerson Avenue

(d) *Application; special events permit required.* Applications for special event permits shall be filed not sooner than 90 calendar days and not later than five calendar days prior to the event or function. Permits shall not be issued to any person who does not file a completed application within the timeframe stated in this subsection. Additionally, the holder of this local special event permit shall provide a copy of the special events permit issued by the state Alcohol and Tobacco Control not later than 48 hours prior to the event or function for which the respective permits have been issued. Failure to provide a copy shall void the special event permit issued pursuant to this section.

(d) *Nonprofit functions.* Temporary special event function permits may be issued to bona fide nonprofit organizations in accordance with this section, and upon the bona fide nonprofit organization providing a copy of the organization's Federal Income Tax return which indicates its nonprofit status for the previous tax year or some form of written documentation from the Internal Revenue Service which indicates its nonprofit status for the year in which the function is sought to be held.

(Ord. No. O-180-2005, § 2, 7-26-05)

SECTION 2: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable there in that event, only that particular provision, part, word, section, subsection, sentence, clause or phrase shall be deemed unconstitutional or invalid and the remaining provisions, parts, words, sections, subsections, sentences, clauses or phrases will not be affected and shall continue in full force and effect; and

SECTION 3: All ordinances or parts of ordinances inconsistent with or in conflict hereto be and the same are hereby repealed;

THUS DONE AND ADOPTED in regular session duly convened on the 13th day of October, 2009 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: J. Elliot Doré, Jeff Doré, Vernon Martin, Laurita Pete, Steven Premeaux, Kitty Valdetero and Todd Whiting

NAYS: None

ABSTAIN: None

ABSENT: Lyle Fogleman Jr. and Mary Melancon

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following Ordinance was offered by Alderman Vernon Martin, duly seconded by Alderwoman Kitty Valdetero, and duly ordained and adopted.

ORDINANCE NO. 1402

AN ORDINANCE TO REPEAL THE PROVISIONS OF SECTION 2-4 OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY REQUIRING THE MAYOR TO BE FULL TIME AND FIXING THE COMPENSATION OF THE MAYOR AND OTHERS; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

WHEREAS, this ordinance has been duly introduced and notice of this ordinance and notice of the public hearing having been published; and

WHEREAS, a public hearing having been held in accordance with law on the 13th day of October, 2009 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the annual budget of the City of Crowley which is adopted by ordinance annually includes the compensation and salary of all employees, officers and officials, elected and appointed, of the City of Crowley, including those whose compensation is required to be fixed by ordinance; and

WHEREAS, the provisions of Section 2-4 are unnecessary duplication of salaries and compensation of the Mayor, officers and officials of the City of Crowley as provided for in the budget ordinance as required by LA R.S. 33:404.1;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, IN REGULAR SESSION DULY CONVENED THAT:

SECTION 1: The provisions of *Section 2-4. Same – Mayor to be full time; compensation of Mayor and other officers and officials* of Chapter 2 of the Code of Ordinances of the City of Crowley be and the same is hereby repealed.

SECTION 2: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable there in that event, only that particular provision, part, word, section, subsection, sentence, clause or phrase shall be deemed unconstitutional or invalid and the remaining provisions, parts, words, sections, subsections, sentences, clauses or phrases will not be affected and shall continue in full force and effect; and

SECTION 3: That all ordinances or parts of ordinances inconsistent with or in conflict hereto be and the same are hereby repealed;

THUS DONE AND ADOPTED in regular session duly convened on the 13th day of October, 2009 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: J. Elliot Doré, Jeff Doré, Vernon Martin, Laurita Pete, Steven Premeaux, Kitty Valdetero and Todd Whiting

NAYS: None

ABSTAIN: None

ABSENT: Lyle Fogleman Jr. and Mary Melancon

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

A motion was offered by Alderman J. Elliot Doré and seconded by Alderman Steven Premeaux to table ordinance no. 1403. Motion carried.

ORDINANCE NO. 1403

AN ORDINANCE AMENDING AND ENLARGING THE CORPORATE BOUNDARIES OF THE CITY OF CROWLEY, TO INCLUDE LAND OWNED BY BEVERLY ANN BARTELL DUCREST, GLORIA BARTELL GRAY AND PBN PROPERTIES L.L.C., SITUATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINE (9) SOUTH, RANGE ONE (1) EAST, ACADIA PARISH, LOUISIANA; AND TO PROVIDE THAT THE PROPERTY SO ANNEXED BE RE-ZONED FROM “R-1, RESIDENTIAL-1” TO “C-4, COMMERCIAL-4”.

OTHER BUSINESS:

A motion was offered by Alderman Vernon Martin and seconded by Alderman Jeff Doré to co-sponsor and broadcast on KSIG the Junior King and Queen contest that will be held during the Rice Festival. Motion carried.

There being no further business to come before the Council upon motion duly made by Alderman J. Elliot Doré and seconded by Alderman Jeff Doré the meeting was adjourned at 6:35 p.m.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

Presented rough draft to Mayor on October 14th, 2009 at 2:00 p.m.

Presented for Mayor's signature on October 15th, 2009 at 10:15 a.m.

Mayor signed & returned to City Clerk on October 15th 2009 at 10:45 a.m.