

CITY OF CROWLEY
REGULAR MEETING
JULY 9, 2013

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 9th day of July, 2013 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: Bryan Borill, Jeff Doré, Vernon Martin, Mary Melancon, Steven Premeaux and Kitty Valdetero. Aldermen J. Elliot Doré, Lyle Fogleman Jr., and Laurita Pete (illness) were absent.

Alderman Jeff Doré led the Pledge of Allegiance to the flag. Alderwoman Mary Melancon gave the invocation.

AGENDA AMENDMENTS:

Alderman Bryan Borill offered a motion to amend the agenda to consider a resolution, rescinding, recalling and authorizing the cancellation of the notice of rule to show cause for the condemnation of improvements on lots 2, 3, 4, 5, 6, 7 and 8 of block 23 of the Andrus Addition to the City of Crowley. Seconded by Alderman Steven Premeaux and duly adopted after a unanimous vote.

PUBLIC HEARINGS:

Mayor Greg A. Jones continued from June 11th, 2013 the public hearing on Rule to Show Cause for Condemnation of property situated on Lot 4 of Block 7 of Duson's 4th Addition to the City of Crowley bearing a municipal address of 917 East 6th Street, belonging to the Unopened Succession of Verna Hoffpauir Marx. Mr. Glenn Howie was present to represent the property owner's interest in the property. The public hearing was closed.

Mayor Greg A. Jones continued from June 11th, 2013 the public hearing on Rule to Show Cause for Condemnation of property situated on 100' x 400' NBY STAKES SBY CON'T 8th in SEC 37 T10-1E bearing a municipal address of 1214 West 8th Street, Crowley, Acadia Parish, Louisiana, belonging to Andrew Goodwill. The public hearing was closed.

Mayor Jones opened the public hearing on proposed ordinance no. 1454, the ordinance was read by title as follows:

ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2012 AND ENDING AUGUST 31, 2013; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH.

Mr. Regan asked for proponents to the proposed ordinance no. 1454. A third and final call was made with no one coming forward to speak. The call for opponents of the proposed ordinance no. 1454 was made and there were no comments after the third and final call. The public hearing on ordinance no. 1454 was closed.

PRESENTATIONS:

The event was the Great Race that passed through Crowley on Saturday, June 29, 2013 and Crowley took First place in the hospitality category. A plaque was presented by E. L. Habetz and Tom Regan to the City in appreciation and thanks to the many people that made it such a great success.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Jeff Doré moved to dispense with the reading of the minutes of the June 11th, 2013 regular council meeting and approve them as written and distributed. Seconded by Alderwoman Mary Melancon and duly adopted.

Alderwoman Kitty Valdetero moved to approve all bills presented for payment. Seconded by Alderman Steven Premeaux and duly adopted.

MAYOR'S REPORT:

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

STANDING COMMITTEE REPORTS:

ZONING & ANNEXATION COMMITTEE:

Chairperson – Alderwoman Kitty Valdetero
Vice-Chairperson – Alderman Vernon Martin
Members – Aldermen Bryan Borill, J. Elliot Doré and Steven Premeaux

A motion was offered by Alderwoman Kitty Valdetero and seconded by Alderman Vernon Martin to approve the Planning Commission's recommendation to authorize a height variance to allow a six foot privacy fence in the front yard area of property located at 511 SW Court Circle, described as Lot 14 Block 78 Original Crowley owned by the Marie Hebert Richard Estate for Danny Richard, Estate Administrator. Motion carried.

REVENUE & FINANCES COMMITTEE:

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

A motion was offered by Alderman Steven Premeaux and Alderman Jeff Doré to appropriate the funds to settle the "*Stelly Construction, Inc. v City of Crowley*" claim and amend budget. Motion carried.

A motion was offered by Alderwoman Kitty Valdetero and seconded Alderwoman Mary Melancon to call for a public hearing to amend the ordinance to change Council Committee meeting to a single day per month on Wednesdays preceding the second Tuesday of each month. The August meeting will be on the 7th and a call will be sent out. Motion carried.

NEW BUSINESS:

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Jeff Doré to authorize Mader Engineering, Inc. To investigate a drainage problem on 8th Street

between Avenue O and Avenue P, and furnish a cost estimate for any proposed improvements. Motion carried.

A motion was offered by Alderman Vernon Martin and seconded by Alderwoman Mary Melancon to approve Partial Payment No. 4 to Guinn Construction in the amount of \$69,922.94 for the Avenue H Bridge Replacement construction contract. Motion carried.

A motion was offered by Alderman Jeff Doré and seconded by Alderwoman Mary Melancon to authorize Core Reality to appraise the Miller property on Parkerson Avenue and to authorize Mayor Jones to negotiate for the purchase of the building. Motion carried.

RESOLUTIONS:

The following resolution was offered by Alderwoman Kitty Valdetero, duly seconded by Alderwoman Mary Melancon, and adopted.

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR SEALED BIDS AND DESIGNATING THE TIME AND PLACE THAT THE SEALED BIDS WILL BE RECEIVED AND OPENED FOR THE “RESTORATION IMPROVEMENTS TO THE ROCK FILTER AND FACULTATIVE POND LEVEE SYSTEM AT THE WASTEWATER TREATMENT FACILITY“ PROJECT.

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley that the Plans and Specifications for the “Restoration Improvements to the Rock Filter and Facultative Pond Levee System at the Wastewater Treatment Facility” Project prepared by Mader Engineering as approved by DEQ on November 23, 2011 and by DHH on December 7, 2011, are hereby approved and;

BE IT FURTHER RESOLVED that the Advertisement For Bids for said Project is hereby authorized, that sealed bids will be received at 11:30 a.m. on August 6, 2013 at Crowley City Hall, located at 425 N. Parkerson Avenue, Crowley, LA 70527, at which time the sealed bids will be publicly opened and read aloud, and that said date, time, and location may be amended as long as changes are processed in accordance with the Public Bid Law.

THUS DONE AND ADOPTED in regular session duly convened on this the 9th day of July, 2013, at Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderman Bryan Borill, duly seconded by Alderman Steven Premeaux, and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, INTRODUCING A PROPOSED ORDINANCE AND CALLING FOR A PUBLIC HEARING CONCERNING SAME.

WHEREAS, an ordinance has been proposed to be adopted by the Board of Aldermen of the City of Crowley; and

WHEREAS, the proposed ordinance must be introduced by its title; and

WHEREAS, a public hearing must be held prior to its adoption; and

WHEREAS, the title of the proposed ordinance must be published in the official journal and the notice shall provide the time and place where the Board will consider its adoption;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, that the following ordinance be and it is hereby introduced for consideration at the next regular meeting of the Mayor and Board of Aldermen, to-wit:

AN ORDINANCE ENACT SECTION 7-58 OF ARTICLE II OF CHAPTER 7 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO PROHIBIT PERSONS FROM EXPOSING THEIR UNDERGARMENTS IN PUBLIC PLACES OR IN PUBLIC VIEW; TO PROVIDE DEFINITIONS THEREOF; TO PROVIDE PENALTIES FOR VIOLATION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen that the City Clerk shall publish the following notice in the Crowley Post Signal:

NOTICE OF PROPOSED ADOPTION OF ORDINANCE

The Board of Aldermen of the City of Crowley shall meet on the 13th day of August, 2013, at 6:00 o'clock p.m. in the Council Chambers, City Hall, Crowley, Louisiana, to consider the adoption of the following ordinance:

AN ORDINANCE ENACT SECTION 7-58 OF ARTICLE II OF CHAPTER 7 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO PROHIBIT PERSONS FROM EXPOSING THEIR UNDERGARMENTS IN PUBLIC PLACES OR IN PUBLIC VIEW; TO PROVIDE DEFINITIONS THEREOF; TO PROVIDE PENALTIES FOR VIOLATION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

Copies of the proposed ordinance are available for a nominal fee in the office of the City Clerk, City Hall, Crowley, Louisiana.

THUS DONE AND SIGNED on this the 9th day of July, 2013.

JUDY L. ISTRE, CITY CLERK

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 9th day of July, 2013, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Kitty Valdetero, duly seconded by Alderman Steven Premeaux, and adopted.

A RESOLUTION INDICATING THE INTENTION OF THE CITY OF CROWLEY, STATE OF LOUISIANA, TO BECOME A PARTICIPATING POLITICAL SUBDIVISION IN THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY (THE "AUTHORITY"); APPROVING THE APPOINTMENT OF A DIRECTOR TO REPRESENT THE CITY OF CROWLEY ON THE BOARD OF DIRECTORS OF THE AUTHORITY; AND OTHERWISE PROVIDING WITH RESPECT THERETO AS PROVIDED BY CHAPTER 10-D OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED.

WHEREAS, Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of R.S. 33:4548.1 through 4548.16 is known as the Louisiana Local Government Environmental Facilities and Community Development Authority Act (the "Act"); and

WHEREAS, the Act creates the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") for the purpose of assisting political subdivisions, as defined in the Act, and other designated entities in acquiring, financing and constructing certain facilities, including environmental, public infrastructure, community and economic development purposes and to otherwise establish programs to aid in the financing of local government and economic development projects; and

WHEREAS, the City of Crowley, State of Louisiana, is eligible to become a participating political subdivision of the Authority in accordance with the Act; and

WHEREAS, pursuant to Section 4548.4 of the Act, the Board of Aldermen, the governing authority of the City of Crowley, State of Louisiana, desires to become a member of the Authority ("Member") and to approve the appointment of the Honorable Greg A. Jones, Mayor of the City of Crowley, to serve as a Director of the Authority and ratify any action taken heretofore by and on behalf of the member;

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the City of Crowley, State of Louisiana, the governing authority, acting in such capacity:

Section 1. Under the authority of Section 4548.4 of the Act, it is hereby declared to be the express intention of the City of Crowley, State of Louisiana, to become a participating political subdivision and member of the Authority.

Section 2. Pursuant to the Act, the appoint of the Honorable Greg A. Jones, Mayor of the City of Crowley, to serve as a Director of the Authority for a term of two (2) years from the date hereof is hereby approved.

Section 3. This resolution shall take effect immediately and a certified copy hereof shall be forwarded to the offices of the Authority.

THUS DONE AND ADOPTED in regular session duly convened on this the 9th day of July, 2013, at Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Kitty Valdetero, duly seconded by Alderman Steven Premeaux, and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CROWLEY, ACADIA PARISH, LA, FIXING A
DATE FOR A PUBLIC HEARING TO BE HELD TO CONSIDER
THE ADOPTION OF THE ANNUAL BUDGET FOR FISCAL
YEAR 2014 AND AUTHORIZING PUBLICATION OF NOTICE OF
A PUBLIC HEARING AND AVAILABILITY OF THE PROPOSED
ANNUAL BUDGET FOR FISCAL YEAR 2014

WHEREAS, the Board of Aldermen of the City of Crowley has received a proposed budget for fiscal year 2014 for their consideration and adoption; and

WHEREAS, a public hearing must be held to receive public comment prior to adoption of the annual budget by the Board of Aldermen; and

WHEREAS, notice of the availability of the proposed annual budget and of the public hearing to receive public comment must be published once in the official journal of the City of Crowley, no less than ten (10) days prior to the date of the hearing, which notice shall provide for the date, time and place where the Board of Aldermen will consider their adoption;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Crowley, in regular session duly convened that a public hearing will be held by the Mayor and Board of Aldermen on the 7th day of August, 2013 at 4:00 p.m. in Council Chambers, to receive public comment on the adoption of the proposed annual budget for fiscal year 2014 and

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen, that the City Clerk shall publish the following notice in the Crowley Post Signal:

NOTICE OF PUBLIC HEARING ON THE PROPOSED
ANNUAL BUDGET FOR FISCAL YEAR 2014, CITY OF CROWLEY

Public notice is hereby given that the proposed annual budget of the City of Crowley for fiscal year 2014 is available for public inspection at the office of the City Clerk, City Hall, 425 N. Parkerson Avenue, Crowley, Louisiana, during the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. Copies of the budget are also available at a nominal cost.

Notice is hereby given that a public hearing will be held by the Mayor and Board of Aldermen concerning the adoption of the annual budget for the fiscal year 2014 as follows:

DATE : AUGUST 7, 2013
TIME: 4:00 p.m.
PLACE OF MEETING: COUNCIL CHAMBERS
426 NORTH AVENUE F
CROWLEY, LA 70526

The Board of Aldermen of the City of Crowley, shall hear any and all comments concerning the revenues and expenditures of the City of Crowley relative to the adoption of the annual budget for fiscal year 2014.

SIGNED on July 9, 2013 at Crowley, LA.

Judy L. Istre, City Clerk

City of Crowley
P. O. Box 1463, Crowley, LA 70527
Phone: (337) 783-0824

In accordance with the Americans with Disabilities Act, if special assistance is needed, please contact Judy L. Istre at (337) 788-4103, to describe the assistance that is necessary.

THE ABOVE RESOLUTION WAS DULY ADOPTED on this the 9th day of July, 2013 at Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING AND APPROVING A SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF CROWLEY FILED BY STELLY CONSTRUCTION, INC.; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, Stelly Construction, Inc. was awarded the contract for the "West Crowley Sewer Collection System Replacement Project" to replace the existing sanitary sewer system in a targeted area of West Crowley funded in part by FY 2000/2001 Public Facilities LCDBG Program; and

WHEREAS, the City of Crowley terminated the work with a final change order and Stelly Construction, Inc. reserved its rights to file suit for additional amounts; and

WHEREAS, a petition for damages was filed by Stelly Construction, Inc. against the City of Crowley in the matter titled "*Stelly Construction, Inc. v City of Crowley*" bearing Docket No. 200911058 on the docket of the 15th Judicial District Court in and for the Parish of Acadia, State of Louisiana, which suit makes certain claims and allegations that additional amounts are owed to Stelly Construction, Inc. for damages, increased costs, losses, expenses and/or the increased value of the work which is alleged to have been received by the City of Crowley; and

WHEREAS, the contract and the claims involved work based on plans and specifications provided by Mader Engineering, Inc. and its predecessor, Mader-Miers Engineering, Inc., and construction was supervised by Mader Engineering, Inc.; and

WHEREAS, the City of Crowley filed an answer denying at all times that any amount was owed to Stelly Construction, Inc. beyond the final change order which terminated the project and alleged that in the event and only in the event that the City of Crowley should be found to owe any amount whatsoever to Stelly Construction, Inc. that the City should be fully indemnified by and/or entitled to reimbursement and contribution from the third-party defendant, Mader Engineering, Inc.; and

WHEREAS, all parties agreed to mediation as an alternative to litigation and attempted to settle the matter; and

WHEREAS, Stelly Construction, Inc, Mader Engineering, Inc. and its insurer agreed to a tentative settlement amount of One Hundred Ninety Thousand & No/ 100 (\$190,000.00) Dollars

with equal amounts to be contributed by the City and the engineering firm or its insurer but conditioned upon presentation and final approval and acceptance by the Board of Aldermen; and

WHEREAS, the Finance Committee of the Board of Aldermen convened in Executive Session, duly noticed according to law, and the Mayor and City Attorney presented the terms of the proposed settlement and recommended to the Board of Aldermen that the above captioned suit should be settled and resolved amicably by payment of \$95,000.00 conditioned upon a matching \$95,000.00 being paid by the engineering firm and/or its insurer; and

WHEREAS, it is necessary to approve the said recommendation and appropriate sufficient funds to pay the City's contribution to settle the matter.

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened that they do hereby authorize, empower and direct the Honorable Greg A. Jones, Mayor of the City of Crowley, to settle all claims and causes of action arising from the contract with Stelly Construction, Inc. and dismiss all claims in the litigation filed in the matter titled "*Stelly Construction, Inc. v City of Crowley*" bearing Docket No. 200911058 on the Docket of the 15th Judicial District Court in and for the Parish of Acadia, State of Louisiana, including the third-party claim against Mader Engineering, Inc. filed by the City of Crowley and at all times denying any liability or responsibility to Stelly Construction, Inc. but in order to resolve the matter and terminate the litigation the City will pay the amount of Ninety-Five Thousand & No/ 100 (\$95,000.00) Dollars, together with a matching contribution of Mader Engineering, Inc. and/or its insurer (a total of One Hundred Ninety Thousand & No/100 (\$190,000.00) Dollars) to Stelly Construction, Inc. in full settlement of all claims, causes of action, damages, losses and expenses alleged under the said contract and the work performed thereunder together with a release of all claims and causes of action; and

BE IT FURTHER RESOLVED that the said Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to execute all acts of settlement and release and discharge of all claims and the City Attorney, Thomas K. Regan, be and he is hereby authorized to execute such documents including Judgment of Dismissal of the above captioned lawsuit which may be necessary and proper in the circumstances to complete the said transaction and dismissal of all claims against the City of Crowley and filed by the City of Crowley against others in this matter.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 9th day of July, 2013, in Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Mary Melancon, duly seconded by Alderwoman Kitty Valdetero and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, SUSPENDING THE RULE TO SHOW CAUSE WHY THE BUILDINGS AND STRUCTURES LOCATED ON LOT 4 OF BLOCK 7 OF DUSON'S 4TH ADDITION TO THE CITY OF CROWLEY SHOULD NOT BE CONDEMNED PENDING RECEIPT OF AN AFFIDAVIT OF HEIRSHIP TOGETHER WITH AN INDEMNITY AND HOLD HARMLESS AGREEMENT IN FAVOR OF THE CITY OF

CROWLEY; AND TO PROVIDE FOR ALL MATTERS
RELATIVE THERETO.

WHEREAS, Notice of Rule to Show Cause why the buildings and improvements situated on Lot 4 of Block 7 of Duson's 4th Addition to the City of Crowley belonging to Verna Hoffpauir Marx should not be condemned was issued and filed under Act No.840555 in Mortgage Book 900 at Page 327 and in Conveyance Book G-67 at Page 974, records of the Clerk and Recorder of Acadia Parish, Louisiana; and

WHEREAS, family members and heirs of the deceased owner, Verna Hoffpauir Marx, have contacted the office of the City Inspector and requested a demolition permit be issued to demolish and remove the building/structure situated thereon; and

WHEREAS, no Succession proceeding has been opened and no one has been appointed as Administrator of the Succession however the heirs of the deceased owner appeared before the Board of Aldermen and requested they be allowed to demolish and remove the building/structure and to clean the property and agreed to provide an Affidavit of Heirship together with an Indemnity and Hold Harmless Agreement protecting the City of Crowley from any liability in connection the demolition and removal of the building/structure and cleanup of the property; and

WHEREAS, the Board of Aldermen deem it to be in the best interest of and satisfactory to the City and the property owner to suspend the Rule to Show Cause filed in these condemnation proceedings contingent upon and subject to the heirs providing an Affidavit of Death & Heirship and acknowledging and accepting personal liability and responsibility for the demolition and removal of the building/structure and cleanup of the property and to provide an Indemnity and Hold Harmless Agreement to protect the City from any and all liability from any claims for damages resulting from said demolition, removal and cleanup;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened that they DO HEREBY suspend the Rule to Show Cause in the condemnation proceedings regarding the building and/or structure situated on Lot 4 of Block 7 of Duson's 4th Addition to the City of Crowley, being the property of Verna Hoffpauir Marx, having a municipal address of 917 East 6th Street, Crowley, Louisiana, contingent upon and subject to satisfactory proof in the form of an Affidavit of Death & Heirship together with an Indemnity and Hold Harmless Agreement acknowledging and accepting personal liability and responsibility for the demolition and removal of the building/structure and clean up of the property to protect the City from any and all liability from any claims for damages resulting from said demolition, removal and cleanup; and

BE IT FURTHER RESOLVED that upon receipt of the Affidavit of Heirship together with an Indemnity and Hold Harmless Agreement the City Inspector's office be and it is hereby authorized to issue a demolition permit to the heirs of Verna Hoffpauir Marx for the demolition and removal of the building or structure and cleanup of the above described property.

THUS DONE AND ADOPTED in regular session duly convened on the 9th day of July, 2013, at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderman Bryan Borill, duly seconded by Alderman Jeff Doré, and adopted with an abstention from Alderman Vernon Martin.

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

LOUISIANA, SUSPENDING THE RULE TO SHOW CAUSE WHY THE BUILDINGS AND STRUCTURES LOCATED ON THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IMMEDIATELY NORTHWEST OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, MEASURING FIFTY (50) FEET FRONT ON EIGHTH STREET, AND/OR ITS CONTINUATION, OF THE CITY OF CROWLEY, LOUISIANA, COMMENCING AT THE SOUTHWEST CORNER OF PROPERTY PURCHASED BY JOHN HENNEY, ET AL.; THENCE RUNNING IN A WESTERLY DIRECTION ALONG THE NORHT SIDE OF THE CONTINUATION OF SAID EIGHTH STREET A DISTANCE OF FIFTY (50) FEET; THENCE RUNNING IN A NORTHERLY DIRECTION A DISTANCE OF FOUR HUNDRED (400) FEET; THENCE RUNNING IN AN EASTERLY DIRECTION A DISTANCE OF FIFTY (50) FEET; THENCE RUNNING IN A SOUTHERLY DIRECTION A DISTANCE OF FOUR HUNDRED (400) FEET TO THE POINT OF BEGINNING (LOCATED IN SECTION 37, TOWNSHIP 10 SOUTH, RANGE 1 EAST) SHOULD NOT BE CONDEMNED PENDING RECEIPT OF AN AFFIDAVIT OF HEIRSHIP TOGETHER WITH AN INDEMNITY AND HOLD HARMLESS AGREEMENT IN FAVOR OF THE CITY OF CROWLEY; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, Notice of Rule to Show Cause why the buildings and improvements situated on that certain lot or parcel of land situated immediately Northwest of the City of Crowley, Acadia Parish, Louisiana, measuring fifty (50) feet front on Eighth Street, and/or its continuation, of the City of Crowley, Louisiana, commencing at the Southwest corner of property purchased by John Henney, et al; thence running in a westerly direction along the north side of the continuation of said Eighth Street a distance of fifty (50) feet; thence running in a northerly direction a distance four hundred (400) feet; thence running in an easterly direction a distance of fifty (50) feet; thence running in a southerly direction a distance of four hundred (400) feet to the point of beginning (located in Section 37, Township 10 South, Range 1 East) belonging to Andrew Goodwill should not be condemned was issued and filed under Act No.840556 in Mortgage Book 900 at Page 329 and in Conveyance Book G-67 at Page 976, records of the Clerk and Recorder of Acadia Parish, Louisiana; and

WHEREAS, Leroy Goodwill, appearing on behalf of the property owner, Andrew Goodwill, has contacted the office of the City Inspector and requested a demolition permit be issued to demolish and remove the building/structure situated thereon; and

WHEREAS, Leroy Goodwill appeared before the Board of Aldermen and requested he be allowed to demolish and remove the building/structure and to clean the property and agreed to provide an Indemnity and Hold Harmless Agreement protecting the City of Crowley from any liability in connection the demolition and removal of the building/structure and cleanup of the property; and

WHEREAS, the Board of Aldermen deem it to be in the best interest of and satisfactory to the City and the property owner to suspend the Rule to Show Cause filed in these condemnation proceedings contingent upon and subject to Leroy Goodwill providing an Indemnity and Hold Harmless Agreement to protect the City from any and all liability from any claims for damages resulting from the demolition and removal of the building/structure and cleanup of the property;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened that they DO HEREBY suspend the Rule to Show Cause in the condemnation proceedings regarding the building and/or structure situated on that certain lot or parcel of land situated immediately Northwest of the City of Crowley, Acadia Parish, Louisiana, measuring fifty (50) feet front on Eighth Street, and/or its continuation, of the City of Crowley, Louisiana, commencing at the

Southwest corner of property purchased by John Henney, et al; thence running in a westerly direction along the north side of the continuation of said Eighth Street a distance of fifty (50) feet; thence running in a northerly direction a distance four hundred (400) feet; thence running in an easterly direction a distance of fifty (50) feet; thence running in a southerly direction a distance of four hundred (400) feet to the point of beginning (located in Section 37, Township 10 South, Range 1 East), being the property of Andrew Goodwill, having a municipal address of 1214 8th Street, Crowley, Louisiana, contingent upon and subject to receipt of an Indemnity and Hold Harmless Agreement acknowledging and accepting personal liability and responsibility for the demolition and removal of the building/structure and clean up of the property to protect the City from any and all liability from any claims for damages resulting from said demolition, removal and cleanup; and

BE IT FURTHER RESOLVED that upon receipt of the Indemnity and Hold Harmless Agreement the City Inspector's office be and it is hereby authorized to issue a demolition permit to Leroy Goodwill on behalf of Andrew Goodwill for the demolition and removal of the building or structure and cleanup of the above described property.

THUS DONE AND ADOPTED in regular session duly convened on the 9th day of July, 2013, at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Mary Melancon, duly seconded by Alderman Steven Premeaux, and adopted.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, RESCINDING, RECALLING AND AUTHORIZING THE CANCELLATION OF THE NOTICE OF RULE TO SHOW CAUSE FOR THE CONDEMNATION OF IMPROVEMENTS ON LOTS 2, 3, 4, 5, 6, 7 AND 8 OF BLOCK 23 OF THE ANDRUS ADDITION TO THE CITY OF CROWLEY.

WHEREAS, Notice of Rule to Show Cause for condemnation was issued by the Mayor and Board of Aldermen of the City of Crowley on the 14th day of January, 2003, for the condemnation of the property described as Lots 2, 3, 4, 5, 6, 7 and 8 of Block 23 of the Andrus Addition to the City of Crowley, bearing a municipal address of 1014 East Ceder, Crowley, Louisiana, which was duly recorded in the office of the Clerk and Recorder on the 21st day of January, 2003; and

WHEREAS, it was determined that the property owner has removed the trash, debris, noxious weeds and growths on the property and demolished/repared the building and/or structure as required by the Code of Ordinances; and

WHEREAS, in consideration thereof and upon payment of all costs and charges of notification and recording incurred by the City of Crowley, the Mayor and Board of Aldermen desire to cancel said Notice of Rule to Show Cause recorded in the office of the Clerk of Court;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened they do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel the Notice of Rule to Show Cause for condemnation of Lots 2, 3, 4, 5, 6, 7 and 8 of Block 23 of the Andrus Addition to the City of Crowley belonging to Mark Anthony Crosby and Wyla V. Crosby recorded on the 21st day of January, 2003 under Original Act No. 708610 in Mortgage Book 646 at page 154 and

in Conveyance Book J-59 at Page 454; and

BE IT FURTHER RESOLVED that upon payment of all attorney’s fees, charges, recording costs and certificates by the property owner, the Mayor and Board of Aldermen do hereby authorize, empower and direct the City Clerk to forward a certified copy of this resolution to the Acadia Parish Clerk of Court and to execute a request for cancellation of the recordation of the Notice of Rule to Show Cause recorded on the 21st day of January, 2003 under Original Act No. 708610 in Mortgage Book 646 at Page 154 and in Conveyance Book J-59 at Page 454.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 9th day of July, 2013.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

ORDINANCES:

The following ordinance no. 1454 has been previously introduced at a regular meeting convened on June 11th, 2013, published by title in the official journal of the City, and a public hearing held thereon on July 9th, 2013. It was offered for final adoption by Alderwoman Kitty Valdetero, seconded by Alderman Vernon Martin and duly adopted.

ORDINANCE NO. 1454

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2012 AND ENDING AUGUST 31, 2013; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH.

WHEREAS, the proposed Amended Operating Budgets and the accompanying budget ordinance have been submitted to this Board of Aldermen for review and consideration; and

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

WHEREAS, notice of a public hearing by the City of Crowley on the proposed Amended Operating Budgets and notice of the availability of the proposed amended budgets for review have been timely published in the official journal, the Crowley Post Signal; and

WHEREAS, the public hearing having been held in accordance with the law on the 9th day of July, 2013 at 6:00 o’clock p.m. at City Hall on the proposed Amended Operating Budgets have now been reviewed and considered; now.

THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in Regular Session, duly convened on the 9th day of July, 2013 that the following Amended Operating Budgets are hereby approved, adopted and finalized.

Account Name	Adopted Budget 2012-13	Amendment	Amended Budget 2012-13
General Fund Budget			
Revenues			
Franchise Taxes	949,000	(125,000)	824,000

Licenses & Permits	578,450	40,000	618,450
Grants	37,000	615,750	652,750
Fines & Fees	172,500	(37,500)	135,000
Other Revenues	83,250	27,150	110,400
General Administration Expenditure			
Operational Expense	237,300	26,000	263,300
Telephone & Utilities	29,000	7,500	36,500
Capital Outlays	2,000	48,000	50,000
City Court Expenditure			
Repairs & Supplies	5,500	8,050	13,550
Operational Expense	12,200	2,250	14,450
Telephone & Utilities	2,650	1,000	3,650
Police Expenditure			
Repairs & Supplies	176,850	19,725	196,575
Operational Expense	323,650	23,500	347,150
Capital Outlays	4,500	124,050	128,550
Other Expense	52,500	42,050	94,550
Fire Expenditure			
Salary & Fringe	1,944,850	7,000	1,951,850
Repairs & Supplies	90,700	5,500	96,200
Operational Expense	73,930	12,250	86,180
Telephone & Utilities	34,100	1,000	35,100
Code Enforcement Expenditure			
Operational Expense	23,080	10,000	33,080
Telephone & Utilities	8,500	550	9,050
Capital Outlays	0	5,750	5,750
Street Expenditure			
Salary & Fringe	504,100	(30,000)	474,100
Operational Expense	59,100	12,000	71,100
Telephone & Utilities	225,750	22,250	248,000
Capital Outlays	301,400	812,375	1,113,775
Other Expense	18,300	500	18,800
Public Building & Drainage			
Salary & Fringe	386,760	(15,000)	371,760
Operational Expense	38,125	7,000	45,125
Capital Outlays	10,000	8,000	18,000
Non Departmental Expenditure			
Economic Development	85,000	21,500	106,500
Other Financing Sources-Transfers In	4,921,250	300,000	5,221,250
1 & 1/2 Cent Sales Tax Budget			
Expenditures			
Debt Service	275,000	15,750	290,750
Other Financing Uses-Transfers Out	3,616,750	365,000	3,981,750
Youth Recreation Operation Budget			
Revenues			
Charges for Services	199,400	10,500	209,900
Rentals	43,000	1,000	44,000
Other Revenues	1,100	5,000	6,100
Expenditures			
Repairs & Supplies	198,300	37,750	236,050
Operational Expense	73,900	55,250	129,150
Telephone & Utilities	84,000	15,000	99,000
Capital Outlays	5,300	(3,500)	1,800
Other Expense	17,603	7,400	25,003
Other Financing Sources-Transfers In	333,500	50,000	383,500

Youth Recreation Building Maintenance Budget

Revenues			
Other Revenues	0	8,000	8,000
Expenditure			
Salary & Fringe	72,920	(10,000)	62,920
Repairs & Supplies	85,250	6,000	91,250
Operational Expense	4,775	600	5,375
Capital Outlays	0	18,250	18,250
Other Financing Sources-Transfers In	120,775	(20,000)	100,775

Utility Fund - Sewage Budget

Revenues			
Loan Proceeds	0	173,500	173,500
Charges for Services	1,723,000	15,000	1,738,000
Investment Income	16,000	(15,000)	1,000
Utility Administrative Expenditure			
Debt Service	231,385	(124,645)	16,740
Disposal Expenditure			
Repairs & Supplies	90,000	30,000	120,000
Inflow / Infiltration Expenditure			
Salary & Fringe	141,235	7,000	148,235
Operational Expense	6,400	1,150	7,550

Collision & Loss Budget

Expenditures			
Operational Expense	10,000	5,000	15,000
Insurance Claims	91,700	50,000	141,700
Other Financing Sources - Transfers In	100,000	35,000	135,000

Employee Benefit Plan Budget

Revenues			
Other Revenue	40000	100,000	140,000

Workmen's Compensation Budget

Expenditures			
Insurance Claims	155,000	(50,000)	105,000

Total Revenues	818,400
Total Expenditures	<u>1,243,805</u>
Expenditures over Revenues	(425,405)

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2012-2013 fiscal budget, however nothing shall be construed to prohibit the Governing Authority from making amendments to the budget.

BE IT FURTHER ORDAINED, the Mayor of the City of Crowley, Greg A. Jones, is hereby authorized and in his sole discretion, to make such changes within the various budget classifications as he may deem necessary.

BE IT FURTHER ORDAINED, 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, then 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.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with or in conflict herewith be and the same are hereby repealed.

THUS AMENDED, APPROVED, ADOPTED AND FINALIZED on this the 9th day of July, 2013 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: Bryan Borill, Jeff Doré, Vernon Martin, Mary Melancon, Steven Premeaux and Kitty Valdetero

NAYS: None

ABSTAIN: None

ABSENT: Elliot Doré, Lyle Fogleman and Laurita Pete

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderwoman Mary Melancon and seconded by Alderman Jeff Doré the meeting was adjourned at 6:50 p.m.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on July 11th, 2013 at 3:00 p.m.
Presented for Mayor's signature on July 15th, 2013 at 3:15 p.m.
Mayor signed & returned to City Clerk on July 15th, 2013 at 3:45 p.m.

Publish in newspaper on July 23, 2013