

CITY OF CROWLEY
REGULAR MEETING
DECEMBER 8, 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 8th day of December, 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: Jeff Doré, Lyle Fogleman Jr., Vernon Martin, Mary Melancon, Laurita Pete, Steven Premeaux, Kitty Valdetero, and Todd Whiting. Alderman J. Elliot Doré was absent.

Alderman Lyle Fogleman led the Pledge of Allegiance to the flag and Alderman Vernon Martin gave the invocation.

AGENDA AMENDMENTS:

Alderman Steven Premeaux offered a motion to amend the agenda to consider leasing five acres of city owner property for a proposed biofuel plant. Seconded by Alderman Vernon Martin and duly adopted after a unanimous vote.

Alderman Vernon Martin offered a motion to amend the agenda to consider needed repairs to the Jacobs Avenue Bridge. Seconded by Alderman Steven Premeaux and duly adopted after a unanimous vote.

PUBLIC HEARINGS:

Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1404, the ordinance was read by title as follows:

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 9-26 OF ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO REDUCE THE TIME FOR COMPLIANCE BY THE PROPERTY OWNER TO FIVE (5) DAYS AFTER NOTICE TO CUT AND REMOVE NOXIOUS WEED, TALL GRASS AND/OR ACCUMULATIONS; TO AUTHORIZE THE UNDERTAKING OF WORK FOR FAILURE TO COMPLY FOR A PERIOD OF TWELVE (12) MONTHS AFTER NOTICE; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

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Mr. Regan asked for proponents to the proposed ordinance no. 1404. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1404 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1404 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the November 10th, 2009 regular council meeting and approve them as written and distributed. Seconded by Alderman Lyle Fogleman and duly adopted.

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the November 30th, 2009 special council meeting and approve them as written and distributed. Seconded by Alderman Lyle Fogleman and duly adopted.

Alderman Steven Premeaux moved to approve all bills presented for payment. Seconded by Alderman Vernon Martin and duly adopted.

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 Mary Melancon and seconded by Alderman Vernon Martin to authorize Mader Engineering to prepare specifications and advertise for bids for Annual Materials purchases for the second half of FY 2009-2010. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Jeff Doré to approve Partial Payment No. 2 in the amount of \$60,009.80 to H & S Construction Company for the FY 2008-09 Annual Street Repair project. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderwoman Laurita Pete to approve Partial Payment No. 18 in the amount of \$58,597.01 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 Alderman Todd Whiting to award a construction contract to M. Matt Durand, Inc. for the Wastewater Treatment Facility Rock Filter Rehabilitation project. This project is contingent upon the approval of the Louisiana State Bond Commission and approval of LDEQ.

Approval is given to Change Order No. 1 to the M. Matt Durand, Inc. contract for the Wastewater Treatment Facility Rock Filter Rehabilitation project, as per the Mader Engineering, Inc. December 2, 2009 letter of recommendation. Motion carried.

PUBLIC SAFETY COMMITTEE:

Chairperson – Alderman Todd Whiting

construction services and estimates with a report and recommendations regarding options to repair the Jacob's Avenue Bridge. Authorization is further given to temporarily close Jacob's Avenue Bridge to vehicular traffic and to limit the bridge to pedestrians and bicycle traffic only, erect appropriate barricades and warning signs as may be necessary. Motion carried.

RESOLUTIONS:

The following resolution was offered by Alderman Todd Whiting, duly seconded by Alderman Steven Premeaux, and duly resolved 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 TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO AUTHORIZE THE ASSESSMENT OF AN ADDITIONAL FEE FOR SERVICES ON ALL TRAFFIC, MISDEMEANOR AND CODE VIOLATIONS PROSECUTED IN CROWLEY CITY COURT; TO AMEND CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO AUTHORIZE THE ASSESSMENT OF AN ADDITIONAL FEE FOR THE FILING AND PROSECUTION OF ALL CIVIL COMPLAINTS AND PETITIONS FILED IN THE CROWLEY CITY COURT; TO DEDICATE THE REVENUES DERIVED THEREFROM FOR THE CONSTRUCTION, ACQUISITION, LEASING, EQUIPPING AND MAINTAINING THE CRIMINAL JUSTICE FACILITY; TO ESTABLISH A "JUDICIAL BUILDING FUND" FOR SUCH PURPOSES, INCLUDING AUTHORIZING THE DEDICATION OF SUCH REVENUE FOR THE ISSUANCE OF BONDS FOR SUCH PURPOSES; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

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 12th day of January, 2010, 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 TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO AUTHORIZE THE ASSESSMENT OF AN ADDITIONAL FEE FOR SERVICES ON ALL TRAFFIC, MISDEMEANOR AND CODE VIOLATIONS PROSECUTED IN CROWLEY CITY COURT; TO AMEND CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO AUTHORIZE THE ASSESSMENT OF AN ADDITIONAL FEE FOR THE FILING AND PROSECUTION OF ALL CIVIL COMPLAINTS AND PETITIONS FILED IN THE CROWLEY CITY COURT; TO DEDICATE THE REVENUES DERIVED THEREFROM FOR THE CONSTRUCTION, ACQUISITION, LEASING, EQUIPPING AND MAINTAINING THE CRIMINAL JUSTICE FACILITY; TO ESTABLISH A "JUDICIAL BUILDING FUND" FOR SUCH PURPOSES, INCLUDING AUTHORIZING THE DEDICATION OF SUCH REVENUE FOR THE ISSUANCE OF BONDS FOR SUCH PURPOSES; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

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 8th day of December, 2009.

JUDY L. ISTRE, CITY CLERK

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 8th day of December, 2009, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Lyle Fogleman, duly seconded by Alderwoman Mary Melancon, and duly resolved and adopted.

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE MAYOR AND CITY ATTORNEY TO DEVELOP AND PRESENT AN OFFER TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE UNIVERSITY OF LOUISIANA AT LAFAYETTE FOUNDATION TO PROVIDED A PARCEL OF LAND CONTAINING NOT LESS THAN FIVE (5) ACRES OWNED BY THE CITY OF CROWLEY FOR THE CONSTRUCTION OF AN ALTERNATIVE FUEL PLANT ON SAID

PROPERTY FOR THE PURPOSE OF ECONOMIC DEVELOPMENT;
AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the University of Louisiana at Lafayette Foundation, Cleco and Northstar have proposed constructing a research facility and alternative fuel plant for the development of next generation green technology to produce synthetic fuels using biomass material for conversion; and

WHEREAS, the proposed project will provide research and development of processes and equipment to utilize available agricultural resources, waste products and natural materials for conversion into synthetic alternative energy sources; and

WHEREAS, it has been represented that the proposed project will generate approximately one hundred (100) jobs for residents of Acadia Parish and will stimulate an increased economic activity through construction of the facility, creation of permanent jobs, additional payroll, purchases of material, goods and services and increase sales tax revenue for all public bodies; and

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley find that based upon the representations submitted the project represents a community and economic development opportunity in cooperation with other public bodies and/or private entities and it is appropriate and desirable that the City of Crowley participate and support the project using all appropriate means and efforts to encourage and assist in the location of the facility in Acadia Parish; and

WHEREAS, the Board of Aldermen find the proposal is contingent upon the Acadia Parish Policy Jury or other public entity furnishing suitable property for the construction of such a facility to the University of Louisiana at Lafayette Foundation; and

WHEREAS, the Board of Aldermen find it appropriate that the City of Crowley offer to provide an alternative site suitable for the facility through a Cooperative Endeavor Agreement; and

WHEREAS, the City of Crowley has a site consisting of approximately six (6) acres situated in Section 37, Township 10 South, Range 1 East, which has available utilities, hard-surface roads and other amenities and do hereby direct the Mayor and City Attorney to develop a proposal upon favorable terms and conditions based on representations and assurances consistent with the requirements for public participation for the purpose of community and economic development in cooperation with other public bodies, including the University of Louisiana at Lafayette Foundation and private partners;

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, and Thomas K. Regan, City Attorney for the City of Crowley, to develop and submit an alternative proposal under a Cooperative Endeavor Agreement to provide the above referenced six (6) acres under a long-term lease or other means of conveyance upon favorable terms and conditions subject to the requirements of law for providing assistance for the purpose of community and economic development and that such conditions shall be based on the representations and assurances relative to the number of jobs and economic impact upon the community and consistent with the objectives and intent of creating additional jobs and economic development in the event the other proposed site(s) prove unsuitable or favorable terms can not be reached in agreement therefore; and

BE IT FURTHER RESOLVED that the said Honorable Greg A. Jones, Mayor, be and he is further authorized, empowered and directed to execute all documentation, present any and all information and do any and all things as may be deemed necessary and meet and proper in the premises in his sole discretion and that the said Thomas K. Regan, City Attorney, be and he is further directed to provide any and all legal assistance and representation as may be necessary to complete the said proposal.

THUS DONE AND ADOPTED in special regular duly convened on the 8th day of December, 2009, 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 Kitty Valdetero, duly seconded by Alderwoman Mary Melancon, and duly resolved and adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CROWLEY AND THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT.

WHEREAS, the City of Crowley was awarded a 2008 Louisiana Road Safety Program project to improve four intersections (Northern at Avenue I, Northern at Avenue G, Northern at Eastern Avenue, and Western Avenue at 10th Street);

WHEREAS, the project is formally titled “State Project No. 737-01-0109 – Intersection Safety Improvements – City of Crowley”;

WHEREAS, the improvements generally include the purchase and installation of traffic control devices such as regulatory and warning signs, flashing solar beacons, and pavement markings;

WHEREAS, the State of Louisiana Department of Transportation and Development will contribute 100% of the purchase cost of materials, estimated to be \$28,500;

WHEREAS, the City of Crowley will contribute 100% of the installation costs (labor and incidental materials and equipment expected to be provided by City forces);

NOW THEREFORE BE IT RESOLVED that Mayor Greg A. Jones be authorized to execute all necessary documents between the City of Crowley and the State of Louisiana Department of Transportation and Development regarding this Intersection Safety Improvements Project (State Project No. 737-01-0109).

ADOPTED: December 8, 2009

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Vernon Martin, duly seconded by Alderwoman Mary Melancon, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ORDERING AND ISSUING A RULE TO SHOW CAUSE FOR CONDEMNATION OF PROPERTY.

WHEREAS, the City Inspector has notified the Mayor and Board of Aldermen of a violation of the Building and Safety Codes of the City of Crowley; and

WHEREAS, notice has been issued to the property owner, James Clement, by the City Inspector's office for repairs and/or demolition to be made of the improvements situated on Lot 5 of Block 4 of the Westside Addition to the City of Crowley, having a municipal address of 1606 West 7th Street, Crowley, Louisiana; and

WHEREAS, no action has been taken and the City Inspector has requested a public hearing on the condemnation of the said 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 the Notice of Rule to Show Cause should be issued to James Clement for a public hearing to be held by the Mayor and Board of Aldermen on the 12th day of January, 2010 in regular session at 6:00 o'clock p.m. and that said notice be properly recorded and served upon the property owner pursuant to law;

THUS DONE AND ADOPTED in regular session duly convened on the 8th day of December, 2009 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 Vernon Martin, duly seconded by Alderman Steven Premeaux, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ORDERING AND ISSUING A RULE TO SHOW CAUSE FOR CONDEMNATION OF PROPERTY.

WHEREAS, the City Inspector has notified the Mayor and Board of Aldermen of a violation of the Building and Safety Codes of the City of Crowley; and

WHEREAS, notice has been issued to the property owner, Gretchen Johnson Dregin, by the City Inspector's office for repairs and/or demolition to be made of the improvements situated on Lot 5 of Block 19 of Duson's 3rd Addition to the City of Crowley, having a municipal address of 1111 West Hutchinson Avenue, Crowley, Louisiana; and

WHEREAS, no action has been taken and the City Inspector has requested a public hearing on the condemnation of the said 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 the Notice of Rule to Show Cause should be issued to Gretchen Johnson Dregin for a public hearing to be held by the Mayor and Board of Aldermen on the 12th day of January, 2010 in regular session at 6:00 o'clock p.m. and that said notice be properly recorded and served upon the property owner pursuant to law;

THUS DONE AND ADOPTED in regular session duly convened on the 8th day of December, 2009 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 Vernon Martin, seconded by Alderwoman Mary Melancon, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO PROVIDE AN EXEMPTION FROM LOCAL SALES TAX ON PURCHASES OF "CRAWFISH BAIT" BY PERSONS ACTIVELY INVOLVED IN THE CRAWFISHING BUSINESS AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley have received a request from crawfish producers to consider an exemption from local sales tax on the purchase of crawfish bait; and

WHEREAS, the Acadia Parish School Board and various jurisdictions within the Parish of Acadia are considering granting an exemption from local sales tax on the purchase of crawfish bait; and

WHEREAS, if approved by all taxing bodies within the Parish of Acadia, this exemption would become effective January 1, 2010; and

WHEREAS, this exemption from the levee of sales tax would only apply to the purchase of "crawfish bait" by persons actively involved in the business of crawfishing; and

WHEREAS, it is the responsibility of the bait vendor to determine whether the purchase is available for the exemption and to secure the necessary documentation

WHEREAS, the Acadia Parish School Board is designated the Tax Collecting Agent for the City of Crowley and will administer the exemption;

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 provide for an exemption from local sales tax for the purchase of "crawfish bait" by those persons actively involved in the business of crawfishing; and

BE IT FURTHER RESOLVED that the Honorable Judy L. Istre, Clerk of the City of Crowley, be authorized and directed to furnish the Acadia Parish School Board with a certified copy of this Resolution and any other state and/or local agency as may be deemed necessary and meet and proper in the premises.

THUS DONE AND ADOPTED in special session duly convened on the 8th day of December, 2009, in Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

ORDINANCES:

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

ORDINANCE NO. 1404

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 9-26 OF ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO REDUCE THE TIME FOR COMPLIANCE BY THE PROPERTY OWNER TO FIVE (5) DAYS AFTER NOTICE TO CUT AND REMOVE NOXIOUS WEED, TALL GRASS AND/OR ACCUMULATIONS; TO AUTHORIZE THE UNDERTAKING OF WORK FOR FAILURE TO COMPLY FOR A PERIOD OF TWELVE (12) MONTHS AFTER NOTICE; 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, the City of Crowley finds the current time delay of ten (10) days after advertisement in the official journal and receipt of certified or registered mail by the property owner for compliance is too lengthy and results in unnecessary delay; and

WHEREAS, after advertisement of notice and/or receipt of certified/registered mail, many property owners fail to cut the noxious weed and tall grass and/or remove accumulations which results in an inordinate length of time in which the unhealthy and unsanitary conditions continue to exist; and

WHEREAS, some property owners, particularly absentee property owners, fail to comply after notice and continue to violate the prohibition of allowing property to accumulate noxious weed, tall grass, growths or other accumulations and it is necessary that the City be authorized to perform the necessary work on a monthly basis without re-advertisement or mailing of the notice required in this section; and

WHEREAS, the provisions of LA R.S. 33:5062 prescribes a procedure for authorizing the City to continue to perform work but requires the Mayor and or his designee must file an affidavit attesting to the failure of the owner to perform the work after notice and opportunity has been had to do so; and

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 8th day of December, 2009 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana;

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: Section 9-26 of Article II of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted to read as follows, to-wit:

Sec. 9-26. Same – Notice to correct; correction by city.

A. Should any property owner allow the accumulation of any noxious weeds, grass, garbage, rubbish, trash, junk or other deleterious, unhealthful or noxious growths or accumulations on any sidewalk or banquet abutting on any lot, place or area owned by such property owner, or on any lot, place or area owned by such property owner within the city,

such property owner shall be given five (5) days' notice by advertisement in the official journal of the city for two (2) consecutive days or after notice has been given by certified or registered mail addressed in accordance with the tax rolls requiring such property owner to cut and/or remove such growths and accumulations and, should such owner fail or refuse to cut and/or remove such growths and accumulations within such period, such growths and accumulations shall be removed by the municipal authorities at the cost and expense of said property owner.

B. If the property owner at any time during the twelve (12) months immediately following notice to the property owner pursuant to Subsection A and the property owner has failed to perform the work after opportunity to do so, the municipal authority may undertake the cutting, destruction and/or removal of such growths and accumulations on said property on a monthly basis without further notice required in Subsection A. However, prior to undertaking such work, the municipal authority shall file and record an affidavit signed by the Mayor or his designee which shall include the name of the property owner, a description of the property reasonably sufficient to identify same, a statement that the property owner has within the twelve (12) months failed to perform such work after notification by advertisement and/or certified or registered mail and the opportunity to perform the work pursuant to Subsection B of this Section and a photograph of the property sufficient to reasonably identify the unsafe or unsanitary conditions to justify the necessity to cut, destroy and remove grass, noxious weeds and/or accumulations.

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 8th day of December, 2009 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: Jeff Doré, Lyle Fogleman, Vernon Martin, Mary Melancon, Laurita Pete, Steven Premeaux, Kitty Valdetero and Todd Whiting

NAYS: None

ABSTAIN: None

ABSENT: J. Elliot Doré

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderwoman Mary Melancon and seconded by Alderwoman Kitty Valdetero the meeting was adjourned at 7:20 p.m.

Presented rough draft to Mayor on December 9, 2009 at 11:20 a.m.

Presented for Mayor's signature on December 11, 2009 at 2:00 p.m.

Mayor signed & returned to City Clerk on December 14, 2009 at 8:00 a.m.