

CITY OF CROWLEY  
REGULAR COUNCIL MEETING  
DECEMBER 12, 2006

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 12<sup>th</sup> day of December, 2006, at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor de la Houssaye presided with the presence of all Aldermen: Nelson Arceneaux, Dr. James M. Buatt, Tiger Istre, Mary T. Melancon, Woody Marceaux, Laurita D. Pete, Steven C. Premeaux, Ira Thomas and Kitty Valdetero.

Alderman Buatt led the Pledge of Allegiance to the flag and Reverend Proctor gave the invocation.

**PRESENTATIONS OR APPEARANCES:**

Tonight's meeting was the last regular council meeting for outgoing members of Council and Mayor. Mayor de la Houssaye, Alderman Buatt, Alderman Istre, Alderman Marceaux, and Alderman Thomas all spoke of appreciation and honor to have served while Mayor elect Greg Jones, Alderwoman Pete, Chief Gibson, Tim Mader, Mr. Rannie Baptiste, and Dr. Ezora Proctor spoke of appreciation and honor to those who have served this community.

**PUBLIC HEARING:**

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1351, the ordinance to "adopt the Louisiana State Uniform Construction Code" was read by title.

Mr. Regan asked for proponents to the proposed ordinance no. 1351. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1351 was made and there were no comments after the third and final call.

Mayor de la Houssaye called the public hearing to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1352, the ordinance to "amend the fiscal 2007 budget" was read by title.

Mr. Regan asked for proponents to the proposed ordinance no. 1352. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1352 was made and there were no comments after the third and final call.

Mayor de la Houssaye called the public hearing to a close.

**READING & APPROVAL OF MINUTES / BILLS:**

Alderwoman Melancon moved to dispense with the reading of the minutes of the November 14, 2006 regular council meeting and approve them as written and distributed. Seconded by Alderwoman Valdetero and duly adopted.

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

## **MAYOR'S REPORT:**

Mayor de la Houssaye presented the Sales Tax chart and User Fee chart that track the collection trend since fiscal 1992. The Recap of all Funds Report compares actual revenues and expenditures for the fiscal year 2007 to the budgeted revenues and expenditures of the same period.

She also thanked all Council Members, Department Heads, City Attorney, City Engineer and City Employees for working with her, as Mayor, to bring Crowley Pride and improved quality of life to all of Crowley.

Mayor de la Houssaye ended by thanking all Citizens of Crowley for having given her the honor of being their mayor from October, 1997 to December 2006. "It has been my great privilege to serve you."

## **STANDING COMMITTEE REPORTS:**

### **PUBLIC WORKS:**

Alderman Marceaux offered a motion to accept Mader Engineering's recommendation and award a contract to R. Cloud Construction Co., Inc. for the East Andrus and West Andrus Streets LCDBG FY '04-'05 Street Improvements Project in the amount of \$995,705. Awarding of this contract is contingent upon clearance of verification of contractor's eligibility by the office of LCDBG and if approved the local funding for this project is to come from the ½ Cent Sales Tax-Street Fund. Seconded by Alderwoman Melancon and duly adopted.

Alderwoman Melancon offered a motion to approve Partial Payment No. 7 to release the retainage for the Le Talley Ho 2005-06 Street Repair contract in the amount of \$21,561.77. Seconded by Alderwoman Pete and duly adopted.

Alderwoman Melancon offered a motion to approve Partial Payment No. 2 to Quality Construction Specialist under the Work Order No. 1 for the FY 2005-06 Crack Routing, Cleaning, and Sealing Contract in the amount of \$45,340.20. Seconded by Alderman Thomas and duly adopted.

Alderwoman Melancon offered a motion to approve Work Order No. 1, Amendment No. 1 under the Quality Construction Specialist FY 2005-06 Contract for Crack, Routing, Cleaning and Sealing to provide fill sand for concrete joint repair on North View Lane in the amount of \$1,434.00 and to increase contract time by 15 days. Seconded by Alderwoman Pete and duly adopted.

### **UTILITY:**

Alderman Arceneaux offered a motion to approve Partial Payment No. 9 to M. P. Dumesnil Construction Company for the North of I-10 Sewage Improvements contract in the amount of \$67,935.45. Seconded by Alderwoman Valdetero and duly adopted.

Alderman Arceneaux offered a motion to approve Change Order No. 3 to the North of I-10 Sewerage Improvements Contract with M. P. Dumesnil Construction Company in the amount of \$8,250.00 and to increase contract time by 60 days. Seconded by Alderwoman Melancon and duly adopted.

Alderman Arceneaux offered a motion to approve Partial Payment No. 9 to Construction Pro. Inc. for the 2005-06 I/I Rehabilitation Program contract in the amount of \$49,907.07. Seconded by Alderman Istre and duly adopted.

Alderman Istre offered a motion to approve Change Order No. 4 to the 2005-06 I/I Rehabilitation Program contract with Construction Pro. Inc. in the amount of (\$4,699.62). Seconded by Alderman Thomas and duly adopted.

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

RESOLUTION OF TERMINATION

A resolution authorizing and directing the Mayor to execute for and on behalf of the City of Crowley, a Notice of Termination for Construction Pro, Inc., Contractor, pertaining to the substantial completion of the contract subject to no punch list, for "I/I Rehabilitation Program 2005-2006" for the City of Crowley in accordance with the plans and specifications contained in the contract documents pertaining thereto.

WHEREAS, Construction Pro, Inc., as Contractor, has substantially completed "I/I Rehabilitation Program 2005-2006" for the City of Crowley in accordance with the plans and specifications contained in the contract documents pertaining thereto; and

WHEREAS, the City of Crowley desires to accept the completed work;

NOW, THEREFORE, BE IT RESOLVED by the City of Crowley Board of Aldermen that the Mayor of said City of Crowley be, and is hereby empowered, authorized and directed to execute a Notice of Termination for and on behalf of the City of Crowley accepting the work as being substantially completed, and that the Mayor be authorized and directed to have a copy of said acceptance recorded in the Conveyance Records of the Parish of Acadia, State of Louisiana.

ADOPTED: December 12, 2006

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

Alderman Arceneaux offered a motion to authorize Mader Engineering to provide an estimate for extending a sewer line along East Park Drive south of Pintail Drive to Cedar Street and refer to the City Attorney. Seconded by Alderwoman Pete and duly adopted.

Alderman Arceneaux offered a motion to authorize the City Attorney to advise the council and the Grants Coordinator to assist the 7<sup>th</sup> District Pavilion in seeking grants to provide sewer lines on Pintail Drive. Seconded by Alderwoman Pete and duly adopted.

**PUBLIC SAFETY:**

Alderman Buatt offered a motion to approve the renewal of a 2007 Class B Retail Package Beer and Liquor permit for Cathy Witt at Diamond Shamrock #378 located at 1764 North Parkerson Avenue. Seconded by Alderwoman Melancon and duly adopted.

The following resolution was offered by Alderman Buatt, duly seconded by Alderwoman Valdetero, and duly resolved and adopted.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, RESCINDING THE NOTICE OF RULE TO SHOW CAUSE AND AUTHORIZING THE CANCELLATION OF THE ORDER OF CONDEMNATION OF IMPROVEMENTS ON LOT 3 OF BLOCK 28, 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 11<sup>th</sup> day of July, 2006 against the property described as the Lot 3 of Block 28 of the Andrus Addition to the City of Crowley; and

WHEREAS, a condemnation hearing was held on the 8<sup>th</sup> day of August, 2006, at which time the building and/or structures situated on Lot 3 of Block 28 of the Andrus Addition to the City of Crowley were ordered condemned; and

WHEREAS, it was determined that the property owner has demolished the building and/or structure as ordered and has removed and cleaned the debris and trash from the property as required by the Code of Ordinances and the Order of Condemnation; and

WHEREAS, the Mayor and Board of Aldermen desire to cancel said Notice and Order of Condemnation 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 Lot 3 of Block 28 of the Andrus Addition to the City of Crowley belonging to Trasie Simmons and Geneva LeJeune recorded on the 12<sup>th</sup> day of July, 2006 under Original Act No. 757560 in Mortgage Book 745 at page 721 and in Conveyance Book A-62 at Page 598; and

BE IF FURTHER RESOLVED that they do hereby rescind and recall the cancellation of the Order of Condemnation of Lot 3 of Block 28 of the Andrus Addition to the City of Crowley belonging to Trasie Simmons and Geneva LeJeune and do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel same recorded on the 15<sup>th</sup> day of August, 2006 under Original Act No. 158627 in Conveyance Book C-62 at Page 519;

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 12<sup>th</sup> day of December, 2006.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

**PUBLIC BUILDING:**

Alderman Thomas offered a motion to approve Partial Payment No. 6 to E. L. Habetz Builders, Inc. for the renovations to the Criminal Justice Center in the amount of \$55,898.94. Seconded by Alderman Premeaux and duly adopted.

Alderman Thomas offered a motion to approve Clear Lien Certificate for exterior repairs to the Enterprise Center of Acadia. Seconded by Alderwoman Melancon and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 4 to E. L. Habetz Builders, Inc. for the exterior repairs to the Enterprise Center of Acadia in the amount of \$19,219. Seconded by Alderman Premeaux and duly adopted.

Alderwoman Melancon offered a motion to accept the bid of Dailey's Iron Works & Machine, Inc. for labor, material and equipment to fabricate and install two canopies at the emergency exits on the balcony level of the Rice Theater in the amount of 4,400.00. Seconded by Alderwoman Pete and duly adopted with Alderman Thomas abstaining.

Alderman Buatt offered a motion to authorize Mr. Don Breaux to get quotes to repair the panels of the Rice Theatre above the marquis and the wall at the Main Street office. Seconded by Alderwoman Valdetero and duly adopted.

**INSURANCE & PERSONNEL:**

Alderwoman Pete offered a motion to allow American General Insurance to participate during open insurance enrollment. Seconded by Alderwoman Melancon and duly adopted.

Alderwoman Pete offered a motion to accept the resignation of Kevin Simon effective November 30, 2006 as Police Officer. Seconded by Alderman Istre and duly adopted.

Alderman Istre offered a motion to employ Justin Abshire as a Provisional Police Officer pending results of physical examination & drug screening effective December 15, 2006. Seconded by Alderwoman Pete and duly adopted.

**COMMUNITY & ECONOMIC DEVELOPMENT:**

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING A COOPERATIVE AGREEMENT WITH THE ACADIA PARISH POLICE JURY TO ENGAGE ARCHITECTURAL SERVICES FOR EVALUATION AND RECOMMENDATIONS FOR THE CONVERSION OF A COMMERCIAL BUILDING FOR A MULTIPURPOSE PUBLIC MEETING FACILITY; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, O'Neil Theaters has offered to sell a parcel of land containing approximately 2.5 acres fronting on North Parkerson Avenue and Cherokee Road adjacent to the Acadia Parish Multipurpose Facility and the Acadia Parish/LSU Cooperative Extension Service Office; and

WHEREAS, the 2.5 acres could provide additional parking for the Acadia Parish Multipurpose Facility and the Acadia Parish/LSU Cooperative Extension Service Office and the existing commercial building may be suitable for conversion into a multipurpose public meeting facility for the City of Crowley and Acadia Parish; and

WHEREAS, the Acadia Parish/LSU Cooperative Extension Service and the USDA Farm Service Agency have expressed interest in joining with the Acadia Parish Police Jury and the City of Crowley to evaluate the property and the building; and

WHEREAS, the Acadia Parish Police Jury and the City of Crowley have received a written appraisal report of the highest and best use of the property and the market value thereof; and

WHEREAS, it is necessary to engage architectural services to evaluate the building to determine the feasibility of and the estimated cost for conversion into a public meeting facility; and

WHEREAS, the opinion and recommendation of the architect of the suitability and the approximate cost of conversion of the facility for use as a public meeting facility is necessary to properly assess the appropriate value of the project in terms of total cost and usefulness before engaging in further negotiations with the property owner; and

WHEREAS, the Acadia Parish Police Jury and the Mayor and Board of Aldermen of the City of Crowley deem it is in the best interest of the public that they jointly participate in further evaluation of the project and share the costs for the necessary services equally; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, duly convened with a quorum present and acting throughout, that they do hereby authorize, empower and direct Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute an Intergovernmental Agreement authorizing joint participation with the Acadia Parish Police Jury to engage the services of an architect to perform an evaluation and recommendation on the building and improvements situated on approximately 2.5 acres fronting on North Parkerson Avenue presently owned by O'Neal Theaters to determine the potential for conversion into a multipurpose public meeting facility and to provide cost estimates and recommendation thereon; and

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen that the said City of Crowley shall pay one-half of the fees and cost incurred for said services; and

BE IT FURTHER RESOLVED that they do hereby authorize, empower and direct the Mayor of the City of Crowley to continue negotiations and discussions with O'Neal Theaters, the Acadia Parish Police Jury and other public bodies for the possible acquisition of the property to further economic development of the community;

THUS DONE AND ADOPTED in regular session duly convened on the 12<sup>th</sup> day of December, in Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

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JUDY L. ISTRE, City Clerk

Alderman Istre offered a motion to allow the Chamber of Commerce the use of the stage for the Gumbo Cook-off in January. Seconded by Alderwoman Melancon and duly adopted.

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING AN APPLICATION TO THE OFFICE OF COMMUNITY DEVELOPMENT, LOCAL GOVERNMENT ASSISTANCE PROGRAM FOR A GRANT TO ASSIST IN THE RENOVATION OF THE RESTROOM FACILITIES OF THE MARTIN LUTHER KING CENTER; TO AUTHORIZE MATCHING FUNDS; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the Martin Luther King Center was constructed in the 1960's and has not been substantially renovated or upgraded since that time; and

WHEREAS, the restroom facilities are in poor condition and are not handicapped accessible; and

WHEREAS, in order to better serve the needs of the community and to become ADA compliant, substantial renovations to the restroom facilities are necessary; and

WHEREAS, the estimated cost of the renovations will be approximately \$60,000.00 of which \$50,000.00 is sought as a grant for assistance and the City will provide matching funds in the amount of \$10,000.00;

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 authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute and submit an application for a grant to assist in the renovation of the restroom facilities in the Martin Luther King Community Center to the Louisiana Office of Community Development, Local Government Assistance Program in the amount of \$50,000.00; and

BE IT FURTHER RESOLVED that they do hereby authorize the commitment to provide local matching funds of \$10,000.00 to fund the estimated construction cost of \$60,000.00 and said local match shall be included in the grant application; and

BE IT FURTHER RESOLVED that the said Honorable Isabella L. de la Houssaye, Mayor, is hereby authorized, empowered and directed to execute in and all documents and to provide any and all information as may be meet and proper in the premises.

THUS DONE AND ADOPTED in regular session duly convened on the 12<sup>th</sup> day of December, 2006, in Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

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JUDY L. ISTRE, City Clerk

**REVENUE & FINANCES:**

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LA. 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 for the time and place where the Board will consider its adoption.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen, 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 AMENDING THE BUDGET FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2006 AND ENDING AUGUST 31, 2007; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH.

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 9<sup>th</sup> day of January 2007 at 6:00 o'clock p.m. in the Council Chambers, City Hall, Crowley, LA, to consider the adoption of the following ordinance.

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2006 AND ENDING AUGUST 31, 2007; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH.

Copies of the proposed Ordinance are available for a nominal fee in the Office of the City Clerk, City Hall, Crowley, LA.

THUS DONE AND SIGNED on this the 12<sup>th</sup> day of December, 2006.

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JUDY L. ISTRE, City Clerk

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THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 12<sup>th</sup> day of December, 2006, in Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

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JUDY L. ISTRE, City Clerk

Alderwoman Valdetero offered a motion to purchase a 2007 Dodge Ram 1500 ST pick-up truck, ½ ton quad cab, 2 wheel drive, alt fuel in the amount of \$16,221. Seconded by Alderwoman Melancon and duly adopted.

The following resolution was offered by Alderwoman Valdetero, duly seconded by Alderwoman Pete, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE PURCHASE OF 5.874 ACRES SITUATED IN SECTION 5, TOWNSHIP 10 SOUTH, RANGE 1 EAST, CROWLEY, ACADIA PARISH, LOUISIANA, FROM ALEXANDER B. DORE', III, ET AL; FOR THE TOTAL PRICE AND SUM OF EIGHTY-FIVE THOUSAND & NO/100 (\$85,000.00) DOLLARS; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley and A.B. Dore', III, et al, entered into a Buy/Sell Agreement for the sale/donation of approximately 8.5 acres situated in Section 5, Township 10 South, Range 1 East, Acadia Parish, Louisiana, contiguous the Crowley Recreation Center located on West Mill Street; and

WHEREAS, the estimated total purchase price was Eighty-Five Thousand & No/100 (\$85,000.00) Dollars for approximately 6.5 acres situated north of the Cleco power line right-of-way and the remaining 2 acres was to be donated subject to a survey to determine the total acreage, the acreage north of the rights-of-way and an appraisal to determine the market value of the property; and

WHEREAS, a rough calculation erroneously used the power line to estimate that 6.5 acres was to be sold for approximately Eighty-Five Thousand & No/100 (\$85,000.00) Dollars resulting in a price per acre of Thirteen Thousand One Hundred Fifty & No/100 (\$13,150.00) Dollars; and

WHEREAS, the survey found a total of 8.635 acres and that 5.874 acres was situated north of the Cleco right-of-way leaving 2.761 acres to be donated to the City of Crowley; and

WHEREAS, the error in the estimated number of acres to be sold caused a mutual mistake of fact in the expectation of the Seller to receive approximately Eighty-Five Thousand & No/100 (\$85,000.00) Dollars cash consideration and the City's expectation to pay approximately Eighty-Five Thousand & No/100 (\$85,000.00) Dollars for the portion of the property to be sold and to receive the additional acreage as a donation; and

WHEREAS, the real estate appraisal by The Core Group determined the market value of the property is Seventeen Thousand Five Hundred & No/100 (\$17,500.00) Dollars per acre which is substantially more than the Thirteen Thousand One Hundred Fifty & No/100 (\$13,150.00) Dollars per acre for 6.5 acres; and

WHEREAS, the increased purchase price of Fourteen Thousand Four Hundred Seventy (\$14,470.00) Dollars per acre will result in a total purchase price of Eighty-Five Thousand & No/100 (\$85,000.00) Dollars which remains below the market value and was the expected price consideration; and

WHEREAS, the overall cash consideration of Eighty-Five Thousand & No/100 (\$85,000.00) Dollars remains the same; and

WHEREAS, the Dore Family is willing to donate the additional acreage and the mutual error does not result in any change in the amount of acreage or the amount of expenditure; and

WHEREAS, it is in the best interest of the City of Crowley to acquire the property to expand Hensgens Park for recreation purposes and to complete the Master Plan for the Recreation Center since this is the only undeveloped property contiguous to Hensgens Park and the Crowley Recreation Center;

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 do hereby authorize, empower and direct Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute a Cash Sale to acquire 5.874 acres in Section 5, Township 9 South, Range 1 East, Acadia Parish, Louisiana, from A.B. Dore', III, et al for the price and sum of Eighty-Five Thousand & No/100 (\$85,000.00) Dollars (Fourteen Thousand Four Hundred Seventy & No/100 (\$14,470.00) Dollars per acre) and to accept the donation of the remaining 2.761 acres at an appraised value of Seventeen Thousand Five Hundred & No/100 (\$17,500.00) Dollars per acre and accept the donation of any additional appraised value above the purchase price of the property sold; and

BE IT FURTHER RESOLVED that the said Honorable Isabella L. de la Houssaye, Mayor, be and she is hereby authorized, empowered and directed to execute any and all necessary documents as may be meet and proper in the premises;

THUS DONE AND ADOPTED in regular session duly convened on the 12<sup>th</sup> day of December, 2006, in Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

Alderwoman Valdetero offered a motion to authorize the mayor to negotiate and execute documents for a fixed rate on the LCDA loan. Seconded by Alderman Premeaux and duly adopted.

**RESOLUTIONS:**

The following resolution was offered by Alderman Buatt, duly seconded by Alderwoman Valdetero, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE EXECUTION OF A SIX (6) MONTH EXTENSION OF THE CURRENT NON-EXCLUSIVE CABLE COMMUNICATIONS SERVICES FRANCHISE AGREEMENT WITH COX COMMUNICATIONS, L.L.C.; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley and Cox Communications, L.L.C. have been negotiating a new franchise agreement; and

WHEREAS, the parties are continuing to make significant progress with respect to the terms and conditions of the agreement; and

WHEREAS, it is believed to be in the best interest of all parties to extend the current non-exclusive cable franchise agreement; and

WHEREAS, the current franchise extension will expire on December 13, 2006; and

WHEREAS, the six (6) month extension of this agreement will provide adequate time to conclude the negotiations satisfactorily to both parties;

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 authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute an extension of the current franchise agreement with Cox Communications, L.L.C. for a period of six (6) months to expire on June 12, 2007 and to continue negotiations for a new franchise agreement with Cox Communications, L.L.C.; and

BE IT FURTHER RESOLVED that the Honorable Isabella L. de la Houssaye be and she is hereby authorized, empowered and directed to execute any and all documents necessary as may be meet and proper in the premises.

THUS DONE AND ADOPTED in regular session duly convened on the 12<sup>th</sup> day of December, 2006, in Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

**ORDINANCES:**

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

ORDINANCE NO. 1351

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 5-2 OF ARTICLE 1 OF CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO ADOPT THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE PURSUANT TO THE REQUIREMENTS AND MANDATES OF LA. R.S. 40:1730.21, ET SEQ. TO INCLUDE NATIONALLY RECOGNIZED CODES AND STANDARDS SPECIFIED IN LA. R.S. 40:1730.28, AS AMENDED BY THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE COUNCIL FOR STRUCTURES WITHIN THE CITY OF CROWLEY; TO PROVIDE FOR THE ENFORCEMENT THEREOF; TO PROVIDE AUTHORITY FOR COOPERATIVE AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES AND SERVICES FROM THIRD PARTIES; TO AUTHORIZE THE ADOPTION AND PROMULGATION OF A FEE SCHEDULE; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; TO PROVIDE THE PROVISIONS THEREOF TO BE SEVERALBE; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONTRARY THERETO AND/OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

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

WHEREAS, a public hearing having been held in accordance with law on the 12<sup>th</sup> day of December, 2006, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the City of Crowley has adopted the Uniform State Construction Code in accordance with the provisions of Act 389 of the 2003 Regular Session of the Louisiana Legislature; and

WHEREAS, Act 12 of the 2005 First Extraordinary Session of the Louisiana Legislature mandates the adoption of the Louisiana State Uniform Construction Code in accordance with the International Codes and Regulations as adopted and amended by the Louisiana State Uniform Construction Code Council; and

WHEREAS, the Mayor and Board of Aldermen are required to fully adopt the Louisiana State Uniform Construction Code by Legislative Act and to protect lives and property through the use of better construction methods and materials.

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 5-2 of Article I of Chapter 5 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted to read as follows:

**Sec. 5-2 Louisiana State Uniform Construction Code Adopted.**

(A) There is hereby adopted by the city, for the purpose of regulating the construction, reconstruction, alteration, repair, installation of mechanical devices and equipment, the use and occupancy and maintenance of every building or structure or any appurtenance connected or attached to such buildings or structures, excluding farm structures and recreational camps, the Louisiana State Uniform Construction Code as adopted and

amended by the Louisiana State Uniform Construction Code Council. The Louisiana State Uniform Construction Code is incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the city.

(B) The following nationally recognized codes and standards are hereby adopted fully by reference, to-wit:

- (1) International Building Code, 2006 Edition, not including Chapter 1 - Administration, Chapter 11 - Accessibility, Chapter 27 - Electrical and Chapter 29 - Plumbing Systems. The applicable standards referenced in that code are included for regulation of construction within this city and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
- (2) International Existing Building Code, 2006 Edition, not including Chapter 1 - Administration, and the standards referenced in that code for regulation of construction within this city and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
- (3) International Residential Code, 2006 Edition, not including Parts I - Administrative, V - Mechanical, Vii - Plumbing and Viii - Electrical. The applicable standards referenced in that code are included for regulation of construction within this city. Appendix J. Existing Buildings and Structures, is also included for mandatory regulation of construction within this city and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council. For the purposes of this Part, IRC R301.2.1.1 (Design Criteria) is amended as follows and shall only apply to the International Residential Code, 2006 edition:
  - (a) Amendment of R301.2.1.1 (Design Criteria)
  - (b) Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, is added.
  - (c) Item 7, Institute for Business & Home Safety, Optional Code-plus Fortified for Safer Living, is added.
  - (d) Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, is added.
- (4) International Mechanical Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this city and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council..
- (5) The Louisiana State Plumbing Code ((Part XIV (Plumbing) of the State Sanitary Code)) as amended by the state health officer acting through the office of public health of the Department of Health and Hospitals. Nothing in this Part shall be construed so as to prevent the state health officer for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
- (6) International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this city and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council..
- (7) National Electrical Code, 2005 Edition.

SECTION 2: Section 5-2.1 of Article I of Chapter 5 of the Code of Ordinances of the City of Crowley be and the same is hereby added to read as follows:

**Sec. 5-2.1 Appointment of City Inspector, Certification and Enforcement Authority.**

(A) The City Inspector shall be the Chief Building Inspector and Enforcement Official of the city.

(B) The Building Official and Inspector shall enforce only the International Codes and Regulations specifically adopted in this chapter, as amended and required under the provisions of LA. R.S. 40:1730.21.

(C) The City Inspector and any officials/inspectors shall become certified in accordance with the requirements for certification and education of Code Enforcement Officers, Code Enforcement Inspectors and Building Officials as required by the Louisiana State Uniform Construction Code Council in accordance with law.

SECTION 3: Section 5-2.2 of Article 1 of Chapter 5 of the Code of Ordinances of the City of Crowley be and the same is hereby added to read as follows:

**Sec. 5-2.2 Authorization for Cooperative Agreements and Engagement of Services from Certified Third Party Providers.**

(A) The Mayor of the City of Crowley is hereby authorized to negotiate, establish and execute Cooperative Agreements with other governmental entities of the State of Louisiana, parishes or municipalities and/or engage certified third party providers to provide services, including but not limited to the review of plans, inspection of premises, enforcement, training or other services as may be deemed necessary or appropriate in his/her sole discretion and with the approval of the City Attorney.

(B) The Mayor of the City of Crowley is hereby further authorized and empowered to negotiate, fix or accept fees and charges with or established by the State of Louisiana or other parish or municipality and/or to negotiate fees or charges with certified third party providers in his/her sole discretion.

SECTION 4: Section 5-2.3 of Article 1 of Chapter 5 of the Code of Ordinances of the City of Crowley be and the same is hereby added to read as follows:

**Sec. 5-2.3 Imposition of Fees and Charges.**

(A) No permit(s) required by the Uniform Code shall be issued until the fee(s) and/or charge(s) for plan review have been paid; plans and specifications have been approved and stamped; and any charge(s) or fee(s) due to other governmental entities or certified third party providers have been paid and evidence thereof has been provided to the office of the inspector.

(B) The Schedule of Charges and Fees of governmental entities, including but not limited to the State Fire Marshall's office, which are included in a Cooperative/Intergovernmental Agreement as authorized herein, the Schedule of Charges and Fees included in the contract(s) with Certified Third Party Provider(s) plus all fees and charges for permit(s), inspection(s) and license(s) as may be required under the provisions of this chapter or any other chapter of the Code of Ordinances of the City of Crowley relative to buildings and/or construction are hereby imposed and shall be the minimum amount to be charged plus any additional amounts for cost(s) or charge(s) as may be established and/or required under the authorization of the State Uniform Code and the authority promulgated hereunder, specifically including the charge(s) required under any other provision, article, section, subsection or clause of this Code which establishes or fixes said charges or fees shall remain in effect and enforceable.

SECTION 5: This ordinance shall become effective and enforceable January 1, 2007 pursuant to LA. R.S. 40:1730.28(B).

SECTION 6: 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 provisions, items or applications of this ordinance which can be given effect without the invalidated provisions 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 shall not be affected and shall continue in full force and effect; and

SECTION 7: All ordinances or parts of ordinances inconsistent with or in conflict herewith be and the same are hereby repealed;

THUS DONE AND ADOPTED in regular session duly convened with the title hereof having been read on this the 12<sup>th</sup> day of December, 2006, at Crowley, Acadia Parish, Louisiana, after a roll call vote taken thereon as follows:

YEAS: Nelson Arceneaux, Dr. James M. Buatt, Tiger, Istre Woody Marceaux, Mary T. Melancon, Laurita D. Pete, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSTAINING: None

ABSENT: None

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1352

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2006 AND ENDING AUGUST 31, 2007; 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 12<sup>th</sup> day of December, 2006 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 12<sup>th</sup> day of December, 2006 that the following Amended Operating Budgets are hereby approved, adopted and finalized.

<b>Account Name</b>	<b>Amendment 2006-2007</b>	<b>Amended 2006-2007 Budget</b>
<b>General Fund</b>		
General Administration Expenditure		
Capital Outlay	16,500	16,500
Fire Department Expenditure		
Salary & Fringe	20,000	1,494,925
<b>Rice City Civic Center</b>		
Capital Outlay Expenditures	4,400	4,400
<b>Utility Fund - Sewage</b>		
Sewage Department Expenditures		
Capital Outlay	15,000	1,925,000

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2006-2007 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, Isabella L. de la Houssaye, is hereby authorized and in her sole discretion, to make such changes within the various budget classifications as she 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 12<sup>th</sup> day of December, 2006 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: Nelson Arceneaux, Dr. James M. Buatt, Tiger, Istre Woody Marceaux, Mary T. Melancon, Laurita D. Pete, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSTAINING: None

ABSENT: None

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ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

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JUDY L. ISTRE, City Clerk

**OTHER BUSINESS:**

There being no further business to come before the Council upon motion duly made by Alderman Buatt and seconded by Alderwoman Melancon the meeting was adjourned at 7:35 p.m.

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ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

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JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on December 13, 2006 at 4:00 p. m.

Presented for Mayor's signature on December 22, 2006 at 10:45 a.m.

Mayor signed & returned to City Clerk on December 22, 2006 at 2:00 p.m.