

CITY OF CROWLEY
SPECIAL COUNCIL MEETING
FEBRUARY 9, 2009

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a special session at 6:00 p.m. Monday the 9th day of February, 2009 at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana, after the giving and posting of prior notice of said meeting in the manner provided by law.

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

Alderman Steven Premeaux led the Pledge of Allegiance to the flag and Alderman Vernon Martin gave the invocation.

The following call was read:

February 5, 2009

**City of Crowley
Special Council Meeting Notice:**

You are hereby notified that a Special Council Meeting of the Mayor and Board of Aldermen of the City of Crowley will be held on Monday February 9th 2009 at 6:00 p.m. in the City Council Chambers at 426 North Avenue F.

This meeting is being held in lieu of the regular scheduled meeting of February 10th, 2009 as a quorum will not be reached, due to Mayor and council members attending the Louisiana Municipal Association's Mid-Winter Conference that will be providing information beneficial to Mayors, Councilmen and Municipal Officials.

The purpose of said meeting will be:

- 1) February Agenda Items to be posted at City Hall on February 6, 2009; and
- 2) Any Other Legal Items to Come before the Council.

S/ Greg A. Jones
GREG A. JONES, MAYOR

The call was posted at City Hall on February 5th, 2009 at 10:00 o'clock a.m.

The call was circulated on February 5th, 2009 at 10:45 o'clock a.m. and copies of the call were delivered to the following:

Elliot Doré	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Jeff Doré	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Lyle Fogleman	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Vernon Martin	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Mary T. Melancon	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Laurita Pete	on February 5, 2009 at 11:30 o'clock a.m. by personal service
Steven Premeaux	on February 6, 2009 at 11:55 o'clock a.m. by telephone
Kitty Valdetero	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Todd Whiting	on February 5, 2009 at 4:00 o'clock p.m. by personal service
Thomas K. Regan	on February 6, 2009 at 3:00 o'clock p.m. by e-mail

Tim Mader	on February 6, 2009 at 3:00 o'clock p.m. by e-mail
K. P. Gibson	on February 5, 2009 at 4:05 o'clock p.m. by personal service
Judy L. Istre	on February 5, 2009 at 10:45 o'clock a.m. by personal service
K.S.I.G.	on February 6, 2009 at 3:41 o'clock p.m. by facsimile
K.A.J.N.	on February 6, 2009 at 3:44 o'clock p.m. by facsimile
Crowley Post Signal	on February 6, 2009 at 3:47 o'clock p.m. by facsimile
Dailey Advertiser	on February 6, 2009 at 3:49 o'clock p.m. by facsimile
The Advocate	on February 6, 2009 at 3:00 o'clock p.m. by e-mail
K.A.T.C. Channel 3	on February 6, 2009 at 3:53 o'clock p.m. by facsimile
K.L.F.Y Channel 10	on February 6, 2009 at 3:00 o'clock p.m. by e-mail
Chamber of Commerce	on February 6, 2009 at 3:51 o'clock p.m. by telephone

PUBLIC HEARINGS:

- 1) Mayor Greg A. Jones opened the public hearing on Rule to Show Cause for Condemnation of Property situated on the South ½ of Lots 1 & 2 of Block 28 of the Original City of Crowley, having a municipal address of 720 West 1st Street, Crowley, Louisiana belonging to Rachel Yvette Eaglin. City Inspector, Danny Hebert said he found the building was not in compliance with building codes. There was no one present to represent the owners of the property.

A motion was offered by Alderman Vernon Martin and seconded by Alderman Todd Whiting to condemn the building and allow sixty (60) days for it either to be brought up to building code requirements or demolished and property cleared of all trash and debris. Motion carried.

Mayor Greg A. Jones called the public hearing to a close.

- 2) Mayor Greg A. Jones opened the public hearing on Rule to Show Cause for Condemnation of Property situated on Lot 23 of East Park Subdivision, having a municipal address of 147 Gulf Rose Drive, Crowley, Louisiana belonging to Thad Berkin. Wayne Dailey has recently purchased this property and was present to represent his interest of the property.

A motion was offered by Alderman Lyle Fogleman and seconded by Alderman Elliot Doré to rescind condemnation proceeding to rehabilitate as a safe dwelling the property previously owned by Thad Berkin, acquired recently by Wayne Dailey. Motion carried.

Mayor Greg A. Jones called the public hearing to a close.

- 3) Mayor Greg A. Jones opened the public hearing on Rule to Show Cause for Condemnation of Property situated on Lots 5 and 6 of Block 171 of Original City of Crowley, having a municipal address of 1124 North Avenue B, Crowley, Louisiana belonging to Mary Ellen Arceneaux. City Inspector, Danny Hebert said he found the building was not in compliance with building codes. There was no one present to represent the owners of the property.

A motion was offered by Alderman Elliot Doré and seconded by Alderman Todd Whiting to condemn the building and allow sixty (60) days for it either to be brought up to building code requirements or demolished and property cleared of all trash and debris. Motion carried.

Mayor Greg A. Jones called the public hearing to a close.

- 4) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1391, the ordinance was read by title as follows:

AN ORDINANCE TO AMEND SECTION 2.2 OF ARTICLE II. OF APPENDIX A ZONING ORDINANCE NO. 1059 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, AS AMENDED, TO DEFINE ELECTRICAL SECURITY FENCES; TO AMEND SECTION 3.1365 OF ARTICLE III OF APPENDIX A ZONING ORDINANCE OF THE CITY OF CROWLEY, AS AMENDED, TO PROVIDE FOR THE CONSTRUCTION AND OPERATION OF ELECTRIC SECURITY FENCES, TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ON IN CONFLICT HERETO.

Mr. Thomas Regan asked for proponents to the proposed ordinance no. 1391. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1391 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1391 to a close.

- 5) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1392, the ordinance was read by title as follows:

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2008 AND ENDING AUGUST 31, 2009; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH.

Mr. Thomas Regan asked for proponents to the proposed ordinance no. 1392. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1392 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1392 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Elliot Doré moved to dispense with the reading of the minutes of the January 13th, 2009 regular council meeting. Seconded by Alderwoman Laurita Pete 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 Greg A. Jones presented the Sales Tax chart and User Fee chart that track the collection trend since fiscal 1992.

STANDING COMMITTEE REPORTS:

PUBLIC WORKS: Alderwoman Mary Melancon, Chairperson

A motion was offered by Alderwoman Laurita Pete and seconded by Alderwoman Kitty Valdetero to authorize Mader Engineering to survey and conduct a study for drainage improvements needed in the Azalea Road, Brooke Drive, Interstate 10 Area in the estimated amount of \$4,000. Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Jeff Doré to award Proposal #1, Surface Coarse Aggregates, Furnish Only to Diversified Materials, Inc. under the 2009 Materials Contract from March 1st through August 31, 2009. Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Elliot Doré to award Proposal # 2, Asphalt Concrete Cold Mix, Furnish Only to Vermillion Shell under the 2009 Materials Contract from March 1st through August 31st 2009. Motion carried.

A motion was offered Alderwoman Laurita Pete and seconded by Alderman Jeff Doré to award Proposal # 4, Concrete Pipe and Arch Pipe, Furnish Only, 8' Joints (Prices Shall Include Cost of Flex, Watertight Gaskets) to both Vermillion Shell and Acadian Shell Limestone under the 2009 Materials Contract from March 1st through August 31st 2009 in accordance with recommendations from Mader Engineering, Inc regarding Vermillion Shell's qualified bid. Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Todd Whiting to award Proposal #5, Polyvinyl Chloride Pipe, Furnish Only to Coburns under the 2009 Materials Contract from March 1st through August 31st 2009. Motion carried.

A motion was offered Alderwoman Laurita Pete and seconded by Alderman Lyle Fogleman to approve Partial Payment No. 8 in the amount of \$302,289.31 to Merrick Construction for the Historic Parkerson Avenue Redevelopment Project. Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Jeff Doré to approve Partial Payment No. 1 in the amount of \$40,783.21 to R. Cloud Construction for "Parkerson Avenue Median at B.N.S.F., Main Line". Motion carried.

A motion was offered by Alderwoman Laurita Pete and seconded by Alderwoman Kitty Valdetero to approve Change Order No. 1 to the contract with R. Cloud Construction for "Parkerson Avenue Median at B.N.S.F. Main Line" in the amount of (minus) -\$2,487.32. Motion carried.

UTILITY: Alderman Vernon Martin, Chairperson

A motion was offered by Alderman Vernon Martin and seconded by Alderman Elliot Doré to authorize Mader Engineering to conduct the 2009 Quarterly Inspections for the SCADA System in the estimated amount of \$4,000. Motion carried.

PUBLIC SAFETY: Alderman Todd Whiting, Chairperson

A motion was offered by Alderman Todd Whiting and seconded by Alderman Steven Premeaux to refer to the Police Department the patrol enforcement in Bobby Smith I & II Subdivision. Motion carried.

A motion was offered by Alderman Todd Whiting and seconded by Alderman Vernon Martin to approve the renewal of a 2009 Class A – Retail Outlet Beer Permit and

2009 Class A – Retail Outlet Liquor Permit for Rebecca Guidry d/b/a Guidry’s Package & Liquor located at 201 Ross Avenue. Motion carried.

A motion was offered by Alderman Todd Whiting and seconded by Alderman Vernon Martin to approve the renewal of a 2009 Class A – Retail Outlet Beer Permit and 2009 Class A – Retail Outlet Liquor Permit for Allen Richardson, Sr. d/b/a Champ’s Senior Citizen located at 527 West 2nd Street. Motion carried.

ZONING & ANNEXATION: Alderman Elliot Doré, Chairperson

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Kitty Valdetero to authorize the City Attorney to prepare a draft in 30 days to amend the ordinance regarding “Green Space, Landscaping and Building Facade”. Motion carried.

INSURANCE & PERSONNEL: Councilwoman Laurita Pete, Chairperson

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Vernon Martin to rehire Stina Broussard in City Court and to amend the budget to reflect. Motion carried.

RECREATION: Alderman Steven Premeaux, Chairperson

A motion was offered by Alderman Steven Premeaux and seconded by Alderwoman Kitty Valdetero to erect “No smoking signs” along the appropriate recreation fields. Motion carried.

REVENUE & FINANCES: Alderwoman Kitty Valdetero, Chairperson

A motion was offered by Alderwoman Kitty Valdetero and seconded by Alderman Steven Premeaux to accept the 2008 fiscal audit as presented by Rob Carter with Kolder, Champagne, Slaven & Company. Motion carried.

RESOLUTIONS:

The following resolution was offered by Alderwoman Laurita Pete, duly seconded by Alderman Vernon Martin, 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 R. Cloud Construction Co., Inc., Contractor, pertaining to the completion of the contract for "Parkerson Avenue Median at B.N.S.F. Main Line" in accordance with the plans and specifications contained in the contract documents pertaining thereto.

WHEREAS, a final inspection on the above referenced project was performed on January 15, 2009 and no incomplete miscellaneous work items were identified; and

WHEREAS, R. Cloud Construction Co., Inc, as Contractor, has substantially completed the "Parkerson Avenue Median at B.N.S.F. Main Line" 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 that the Mayor of said City 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 he be authorized and directed to have a copy of said Notice recorded in the Conveyance Records of the Parish of Acadia, State of Louisiana.

ADOPTED: February 9, 2009

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

The following resolution was offered by Alderman Todd Whiting, duly seconded by Alderman Vernon Martin, and duly resolved 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 LOT 23 OF BLOCK 27, EAST PARK SUBDIVISION, 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 13th day of January, 2009, against the property described as Lot 23 of Block 27 of East Park Subdivision to the City of Crowley belonging to Thad Berkin; and

WHEREAS, the property owner has sold the property to Paul Wayne Dailey as confirmed by the copy of the sale document furnished to the City of Crowley; and

WHEREAS, Mr. Paul Wayne Dailey assured the Committee the home and property will be repaired and restored in accordance with the Code requirements; 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 special 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 23 of Block 27 of the East Park Subdivision to the City of Crowley belonging to Thad Berkin recorded on the 14th day of January, 2009 under Original Act No. 789350 in Mortgage Book 803 at page 737 and in Conveyance Book C-64 at Page 303; and

BE IT FURTHER RESOLVED that upon payment of all costs and charges of notices of violations, service thereof, recordation and certification, the Honorable Judy L. Istre, City Clerk of the City of Crowley, be and she is hereby authorized and directed to deliver a certified copy of this resolution authorizing the cancellation of the Notice of Rule to Show Cause to the above named property owner or representative.

THUS DONE AND ADOPTED in special session at Crowley, Acadia Parish, Louisiana, on this the 9th day of February, 2009.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ORDERING THE CONDEMNATION OF IMPROVEMENTS SITUATED ON THE SOUTH ONE-HALF (1/2) OF LOTS 1 & 2 OF BLOCK 28 OF THE ORIGINAL CITY OF CROWLEY.

WHEREAS, a Condemnation Hearing was held regarding the above described property on the 9th day of February, 2009; and

WHEN AFTER considering the evidence presented, the testimony of all parties interested and after due consideration of the circumstances and condition of the building and the report of the City Inspector;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened that they do hereby order the building and/or structure situated on the South One-Half (1/2) of Lots 1 & 2 of Block 28 of the Original City of Crowley, being the property of Rachel Yvette Eaglin, having a municipal address of 720 West 1st Street, Crowley, Louisiana, be and the same is hereby condemned; and

BE IT FURTHER ORDERED that the said building and/or structure be brought up to building code requirements or demolished and/or removed together with all trash and debris within sixty (60) days from the date of receipt of notice; and

BE IT FURTHER ORDERED that the owner shall have five (5) days in which to obtain a building permit and shall commence renovations within ten (10) days of the date of receipt of notice.

THUS DONE AND ADOPTED in special session duly convened on the 9th day of February, 2009 at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

The following resolution was offered by Alderman Todd Whiting, duly seconded by Alderman Elliot Doré, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ORDERING THE CONDEMNATION OF IMPROVEMENTS SITUATED ON LOTS 5 & 6 OF BLOCK 171 OF THE ORIGINAL CITY OF CROWLEY.

WHEREAS, a Condemnation Hearing was held regarding the above described property on the 9th day of February, 2009; and

WHEN AFTER considering the evidence presented, the testimony of all parties interested and after due consideration of the circumstances and condition of the building and the report of the City Inspector;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened that they do hereby order the building and/or structure situated on Lots 5 & 6 of Block 171 of the Original City of Crowley, being the property of Mary Ellen Arceneaux, having a municipal address of 1124 North Avenue B, Crowley, Louisiana, be and the same is hereby condemned; and

BE IT FURTHER ORDERED that the said building and/or structure be brought up to building code requirements or demolished and/or removed together with all trash and debris within sixty (60) days from the date of receipt of notice; and

BE IT FURTHER ORDERED that the owner shall have five (5) days in which to obtain a building permit and shall commence renovations within ten (10) days of the date of receipt of notice.

THUS DONE AND ADOPTED in special session duly convened on the 9th day of February, 2009 at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

The following resolution was offered by Alderman Jeff Doré, duly seconded by Alderman Elliot Doré, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF CROWLEY, ACADIA
PARISH, LOUISIANA, IN SUPPORT OF THE NATIONAL
GUARD AND RESERVE FORCES; AND TO PROVIDE
FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley wishes to recognize the National Guard and Reserve Forces are essential to the strength of our nation and the well-being of our communities; and

WHEREAS, in the highest American tradition, the patriotic men and women of the National Guard and Reserve Forces serve voluntarily in an honorable and vital profession and they deserve the support of every segment of our society; and

WHEREAS, the men and women of the National Guard and Reserve Forces train to respond to the needs of our community and country and are essential to the strength of our nation and well-being of our community; and

WHEREAS, if these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the National Guard and Reserve Forces in preserving our national security;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened that do

hereby recognize and honor those employees who serve in the National Guard and Reserve Forces and join with other employers in pledging to enforce the Uniform Services Employment and Reemployment Rights Act (USERRA) and continue to support and recognize all members of the Armed Services and their families as they serve in peace, in crises and in time of war.

THUS DONE AND ADOPTED in special session duly convened on the 9th day of February, 2009, in Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, 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, CANCELLING AND RESCINDING THE CALL FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ON THE 4TH DAY OF APRIL, 2009; TO REPEAL THE RESOLUTION ADOPTED ON THE 13TH DAY OF JANUARY, 2009; AND TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH

WHEREAS, a resolution was adopted on the 13th day of January, 2009 ordering and calling for a Special Election to be held for the renewal of a Five (5) Mill Ad Valorem Tax to be dedicated to the purpose of payment of the salaries of police and fire personnel; and

WHEREAS, the State Bond Commission was unable to consider and approve the resolution in time to place the election on the ballot for the April election; and

WHEREAS, it is necessary a resolution be adopted ordering and calling for a Special Election on an available date and all action necessary therefor can be taken by all necessary officers and officials of the state and local government; and

WHEREAS, it is necessary that the resolution adopted on the 13th day of January, 2009 be repealed and the order for a Special Election be rescinded and recalled;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened that they do hereby repeal the resolution dated January 13, 2009 and rescind and recall the order calling for a Special Election to be held in the City of Crowley on the 4th day of April, 2009 for the renewal of a Five (5) Mill Ad Valorem Tax; and

BE IT FURTHER RESOLVED that the Honorable Judy L. Istre, City Clerk of the City of Crowley, shall note the repeal of the said resolution in the margins of the minutes of the January 13, 2009 meeting in her official records

THUS DONE AND ADOPTED in special session duly convened on the 9th day of February, 2009 at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, FOR THE SUBMISSION OF A PROPOSITION FOR THE RENEWAL OF AN AD VALOREM TAX MILLAGE, TO AUTHORIZE THE COLLECTION AND LEVY OF A FIVE (5) MILL TAX ON ALL PROPERTY SUBJECT TO TAXATION SITUATED IN THE SAID CITY FOR A PERIOD OF TEN (10) YEARS, ONE-HALF (½) OF WHICH SHALL BE FOR THE PURPOSE OF AND DEDICATED TO THE PAYMENT OF SALARIES OF THE PERSONNEL OF THE FIRE DEPARTMENT OF SAID CITY AND ONE-HALF (½) OF WHICH SHALL BE FOR THE PURPOSE OF AND DEDICATED TO THE PAYMENT OF SALARIES OF THE PERSONNEL OF THE POLICE DEPARTMENT OF SAID CITY; AND MAKING APPLICATION TO THE STATE BOND COMMISSION; AND PROVIDING FOR ALL MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Crowley currently collects a five (5) mill tax on all property situated in the City dedicated one-half (½) for the payment of salaries of personnel of the Fire Department and one-half (½) for the payment of salaries of personnel of the Police Department; and

WHEREAS, said millage tax represent a significant portion of the funding for these purposes which will expire at the end of 2009; and

WHEREAS, it is necessary and desirable to continue the millage for said purposes;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in special session duly convened, that:

SECTION 1: Under the authority conferred by Article VI, Section 22, Section 27(b), Section 30(A) and Section 32 of the Constitution of the State of Louisiana of 1974, and the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, (the "Act"), a special election, be and the same is hereby called and ordered to be held in the City of Crowley, Louisiana, on 2nd day of May, 2009, between the hours of six o'clock (6:00) a.m. and eight o'clock (8:00) p.m., in compliance with the provisions of the General Election Code of the State of Louisiana, at which election there shall be submitted to all registered voters of the City of Crowley, qualified and entitled to vote at said election under the Constitution and laws of this State and the Constitution and laws of the United States, the following proposition, together with a simple and unbiased, concise **summary** in easily understood language which sets forth the

substance of the proposition as required by Act 426 of 1993 Regular Session of the Louisiana Legislature, to-wit:

PROPOSITION NO. 1

**RENEWAL OF FIVE (5) MILL FIRE & POLICE
PERSONNEL SALARY TAX**

SUMMARY: To authorize the City of Crowley to levy and collect a Five (5) Mill Tax (“Renewal”) annually for a period of ten (10) years for the purpose of Fire & Police personnel salary.

1. Shall the City of Crowley, State of Louisiana, (the "City") under the provisions of Article VI, Section 22, Section 27(B), Section 30(A) of the Constitution of the State of Louisiana of 1974, continue to levy and collect a Five (5) Mill Tax on all property subject to taxation situated within said City (current estimated annual amount of \$325,967.00), annually for a period of ten (10) years, commencing with the year 2010 and ending in the year 2019, one-half (½) of the avails of which shall be for the purpose of and dedicated to the payment of salaries of the personnel of the Fire Department of said City and one-half (½) of the avails of which shall be for the purpose of and dedicated to the payment of salaries of the personnel of the Police Department ?

SECTION 2: Publication of Notice. There shall be published in the Crowley Post Signal, newspaper published in the City of Crowley, Louisiana, having general circulation throughout the City, and being the official journal of the Mayor and Board of Aldermen of the City of Crowley once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the election, Notice of Special Election and which notice shall be substantially in the form attached hereto as Exhibit "A" and incorporated herein by reference as if it were set forth herein in full.

SECTION 3: Canvas. The Mayor and Board of Aldermen of the City of Crowley, the governing authority thereof (the "Governing Authority") shall meet in regular session at its regular meeting place, City Hall, Council Chambers, 425 North Parkerson Avenue, Crowley, Louisiana, on Tuesday, May 12, 2009 at 6:00 o'clock p.m. and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of said special election.

SECTION 4: Polling Places. Said election on each said date shall be held between the hours of 6:00 a.m. and 8:00 p.m. in compliance with the provisions of the General Election Code at the following designated polling places in the City of Crowley, to-wit:

Ward 6, Precinct 1(P) - North Crowley Middle School
Ward 6, Precinct 2(P) - Notre Dame High School
Ward 6, Precinct 3A(P) - North Crowley Kindergarten
Ward 6, Precinct 3B(P) - North Crowley Kindergarten
Ward 6, Precinct 4 - Acadia Parish Courthouse Lobby, First Floor
Ward 6, Precinct 5 - Crowley City Hall
Ward 6, Precinct 6 - Old Ross High School
Ward 6, Precinct 7(P) - Rice Festival Building
Ward 6, Precinct 8(P) - Immaculate Heart of Mary Church Hall
Ward 6, Precinct 9 - South Crowley Elementary School
Ward 6, Precinct 11(P) - Martin Luther King, Jr. Center
Ward 6, Precinct 12(P) - School Board Media Center
Ward 6, Precinct 13(P) - School Board Media Center

Ward 6, Precinct 14(P) - Acadia Animal Clinic
Ward 6, Precinct 16(P) - LSU Rice Experiment Station

and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5: Election Commissioners and Voting Machines. The officers shall be designated to serve as Commissioner in Charge and Commissioners pursuant to Louisiana Revised Statute 18:434 and the compensation of said officers shall be fixed in accordance with Louisiana Revised Statute 18:424 and 18:425. The Parish Board of Election Supervisors shall appoint Commissioners of Election and alternate Commissioners for each precinct, all of whom shall meet the qualifications set forth in Part II of Chapter V of Title 18 of the Louisiana Revised Statutes of 1950. The Commissioner-in-Charge for each precinct shall be the Commissioner-in-Charge selected or appointed for such precinct under the provisions of Part II of Chapter V of Title 18 of the Louisiana Revised Statutes of 1950. All registered voters of the City are entitled to vote at the said election and voting machines shall be used in the conduct of said election. A compiled statement of qualified voters shall be provided to all polling places in the conduct of the election.

SECTION 6. Officers. The officers confirmed or designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in compliance with Section 1287 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (R.S. 18:1287) shall hold the said special election as herein provided, and make due returns of said special election to the Honorable Secretary of State, the Honorable Mayor and Board of Aldermen of the City of Crowley, Louisiana, and the Honorable Clerk of Court of Acadia Parish, Louisiana; and the Mayor and Board of Aldermen shall promulgate the results of said election as provided in Section 3 hereof. The compensation of said officers be and the same is hereby fixed at the sum prescribed by R.S. 18:424 and R.S. 18:425.

SECTION 7: Authorization of Officer. The Clerk of the governing authority be and she is hereby empowered, authorized and directed to arrange for the said special election, and to furnish to the said election officers in ample time for the holding of said election the necessary equipment, forms and other paraphernalia essential to the proper holding of said election as provided by State and Federal Law.

SECTION 8: Furnish Call to Election Officials. Certified copies of this Resolution shall be forwarded to the Secretary of State and Commissioner of Elections of the State of Louisiana, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for the Parish of Acadia, Chairman of the Board of Supervisor for the Parish of Acadia and to the Registrar of Voters in and for the Parish of Acadia, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 9: Application to State Bond Commission. Application be and the same is hereby formally made to the State Bond Commission for consent and authority to hold the aforesaid special election as herein provided and in the event the Propositions carry, for the Commission's consent and authority to levy said taxes, as provided for in the Propositions above. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the City, together with a letter requesting the prompt consideration and approval of this application.

SECTION 10: Effective Date. This resolution shall take effect immediately upon its adoption. All orders, resolutions and ordinances in conflict herewith to the extent of such conflict be and the same are hereby repealed.

The foregoing resolution was submitted to a vote and the vote thereon was as follows:

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

NAYS: None

ABSENT: Mary Melancon

The Resolution was declared adopted on this the 9th day of February, 2009, at Crowley, Acadia Parish, Louisiana.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

The RESOLUTION ENDORSING THE APPOINTMENT OF AN ACADIA PARISH ADMINISTRATIVE OFFICER was tabled by Alderman Todd Whiting, duly seconded by Alderman Vernon Martin, and duly adopted.

ORDINANCES:

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

ORDINANCE NO. 1391

AN ORDINANCE TO AMEND SECTION 2.2 OF ARTICLE II. OF APPENDIX A ZONING ORDINANCE NO. 1059 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, AS AMENDED, TO DEFINE ELECTRICAL SECURITY FENCES; TO AMEND SECTION 3.1365 OF ARTICLE III OF APPENDIX A ZONING ORDINANCE OF THE CITY OF CROWLEY, AS AMENDED, TO PROVIDE FOR THE CONSTRUCTION AND OPERATION OF ELECTRIC SECURITY FENCES, 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, having amended Section 3.1365 of Article III, has deemed a definition for “electric security fence” is necessary; and

WHEREAS, when after considering the questions raised subsequent to the adoption of the amendment, additional details and requirements are necessary to govern the use of electric security fences; 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 recommendation having been received by the Planning Commission after a public hearing; and

WHEREAS, a public hearing having been held in accordance with law by the Board of Aldermen on the 9th day of February, 2009 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

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

SECTION 1: That Section 2.2 of Article II of Appendix A – Zoning Ordinance No. 1059 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted to add the following definition, to-wit:

(2.215) *Electric Security Fence.* Any type of fence or fencing material designed to deliver a non-lethal electric shock to deter unauthorized entry onto property and/or into buildings. The system may only be constructed and used as specified according to the provisions of this Ordinance.

SECTION 2: That subsections after Section 2.215 of Section 2.2 shall be renumbered accordingly.

SECTION 3: That Paragraph 14 of Section 3.1365 of Article III of Appendix A – Zoning, Ordinance No. 1059 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. 3.1365. Fence construction and materials, permit required.

- (14) A person constructing an electric fence for the purpose of providing additional protection for commercial property shall meet or exceed the following standards:
- (1) May be constructed only in districts zoned C-2, C-3, C-4, I-1 and/or I-2.
 - (2) The electric security fence and any wires emitting an electric charge shall be enclosed within a wall, solid barrier or a primary non-electric perimeter barrier made of solid wood, plastic, composite material or chain-link metal. The perimeter barrier (fence) shall be a minimum of six (6) feet high.
 - (3) The maximum height of the top wire of the electric security fence shall be ten (10) feet above grade. The lowest wire shall be a minimum of six (6) inches above grade. The minimum distance between the electric fence and the primary barrier (fence) shall be one-half (0.5) feet.
 - (4) The electric security fence shall consist of a complete system designed and manufactured in accordance with International Electrotechnical Commission for electric fencing IEC 60335-2-76 or EN 61011-1.
 - (5) The system shall be installed by a qualified technician in accordance with the specifications and standards set forth in IEC 60335-2-76 or EN 61011-1. The system shall receive at least one annual maintenance and service inspection by a qualified technician who shall provide the owner with a certified report of maintenance and proper operation of the system. Prior to installing and operating the system, the owner shall obtain a permit from the office of the City Inspector upon the payment of a fee according to the schedule provided in the Building Code. The permit shall expire on December 31st of the year in which it is issued. Thereafter, the owner shall file a certificate of annual inspection and maintenance report by a qualified technician

and pay an annual fee of \$10.00 on or before the 31st day of January of each succeeding year.

- (6) The electric security fence shall be continuously monitored (24 hours per day) by a professional security monitoring service capable of detecting interference with the system, whether from intruders or otherwise, and capable of reaching a designated individual(s) 24 hours by telephone or other electronic means who are capable of disarming the system.
- (7) Warning signs (including symbol for electrical danger) must be displayed every 25 feet clearly identifying the fence as an electric security fence.

SECTION 4: That 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.

SECTION 5: That all ordinances or parts of ordinances inconsistent with or in conflict hereto be and the same are hereby repealed.

THUS DONE AND ADOPTED in special session duly convened on the 9th day of February, 2009 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: Mary Melancon

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

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

ORDINANCE NO. 1392

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2008 AND ENDING AUGUST 31, 2009; 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 February 2009 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 Special Session, duly convened on the 9th day of February, 2009 that the following Amended Operating Budgets are hereby approved, adopted and finalized.

Account Name	Amendment	Amended 2008-2009 Budget
Expenditures		
General Fund		
General Administrative		
Capital Outlays	39,988	39,988
Other Expense	72,000	131,675
Courts		
Salary & Fringe	5,000	170,250
Repair & Supply	4,000	4,850
Police		
Salary & Fringe	41,000	1,949,700
Capital Outlays	5,000	167,820
Fire		
Salary & Fringe	38,500	1,646,690
Youth Recreation Operation		
Operational Expense	35,000	101,750
Youth Recreation Building Maint.		
Other Expense	4,510	8,270
Rice City Civic Center		
Other Expense	10,000	93,725
Main Street		
Other Expense	5,000	15,525
Workmen's Compensation		
Insurance Claims	46,450	120,000
Other Financing Uses - Operating Transfers Out		
Utility Fund		
Transfers & Appropriations	50,570	673,420
Other Financing Sources - Operating Transfers In		
Utility Fund		
Transfers & Appropriations	50,570	602,920

Total Expenditure Amendments	306,448
Total Transfers & Appropriations Out	50,570
Total Transfers & Appropriations In	50,570

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2008-2009 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 February, 2009 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: Mary Melancon

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 Laurita Pete and seconded by Alderman Vernon Martin the meeting was adjourned at 7:30 p.m.

GREG A. JONES, MAYOR

ATTEST:

JUDY L. ISTRE, CLERK

Presented rough draft to Mayor on February 10, 2009 at 3:10 p.m.
Presented for Mayor's signature on February 10th, 2009 at 3:10 p.m.
Mayor signed & returned to City Clerk on February 12, 2009 at 1:45 p.m.