

CITY OF CROWLEY
REGULAR MEETING
FEBRUARY 10TH, 2016

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. Wednesday the 10th day of February, 2016 at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor Greg A. Jones presided with the following Aldermen present: Bryan Borill, Elliot Doré, Jeff Doré, Tim Monceaux, Steven Premeaux, and Ezora J. Proctor. Lyle Fogleman Jr., Vernon Martin, and Kitty Valdetero was absent.

Alderman Tim Monceaux led the Pledge of Allegiance to the flag. Alderman Steven Premeaux gave the invocation.

PUBLIC HEARING:

Mayor Jones opened the public hearing on proposed ordinance no. 1472, the ordinance was read by title as follows:

AN ORDINANCE TO AMEND ORDINANCE NO 833, NO. 1014 AND NO. 1193 OF THE CITY OF CROWLEY, AS AMENDED, SECTION 11-21 OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO REDEDICATE AND LEVY PERPETUALLY THE ONE-HALF OF ONE-PERCENT SALES AND USE TAX TO BE USED FOR THE PURPOSE OF INCREASING CITY EMPLOYEE SALARIES INCLUDING THE PAYMENT OF INCREASED FRINGE EXPENSES INCURRED BY THE CITY OF CROWLEY, INCLUDING BUT NOT LIMITED TO TAXES, FICA, MEDICARE, RETIREMENT, WORKERS' COMPENSATION AND UNEMPLOYMENT COMPENSATION NECESSARY TO IMPLEMENT SALARY INCREASES, AS PROVIDED FOR UNDER THE PROPOSITION APPROVED IN SPECIAL ELECTION HELD ON THE 21ST DAY OF NOVEMBER, 2015, AND AS PROMULGATED BY THE PROCES VERBAL AND RESOLUTION OF THE CITY OF CROWLEY ADOPTED ON THE 8TH DAY OF DECEMBER, 2015.

Mayor Jones asked for proponents to the proposed ordinance no. 1472. A third and final call was made with no one coming forward to speak. The call for opponents of the proposed ordinance no. 1472 was made and there were no comments after the third and final call. The public hearing on ordinance no. 1472 was closed.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Steven Premeaux moved to dispense with the reading of the minutes of the January 12th, 2016 regular council meeting and approve them as written and distributed. Seconded by Alderman Tim Monceaux and duly adopted.

Alderwoman Ezora Proctor moved to approve all bills presented for payment. Seconded by Alderman Elliot Doré and duly adopted.

MAYOR'S REPORT:

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

STANDING COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

Chairperson – Alderman Tim Monceaux
Vice-Chairperson – Alderwoman Ezora Proctor
Members – Aldermen Jeff Doré, Lyle Fogleman, Jr. and Vernon Martin

A motion was offered by Alderman Tim Monceaux and seconded by Alderman Jeff Doré to award Proposals 1-6 and to reject Proposal 7 contracts to the various low bidders for the FY 2015-16 Annual Materials and Crack Repair work in accordance with results presented by Mader Engineering, Inc. Motion carried.

PUBLIC SAFETY COMMITTEE:

Chairperson – Alderman Lyle Fogleman, Jr.
Vice-Chairperson – Alderman Bryan Borill
Members – Aldermen Vernon Martin, Tim Monceaux and Steven Premeaux

A motion was offered by Alderman Bryan Borill and seconded by Alderman Steven Premeaux to approve the renewal of a 2016 Class A Retail Outlet Beer Permit for Zhu Ying Bright dba Asian, Inc. located at 2108 North Parkerson Avenue. Motion carried.

A motion was offered by Alderman Bryan Borill and seconded by Alderman Elliot Doré to approve a new 2016 Class B Retail Package Beer Permit and a new 2016 Class B Retail Package Liquor Permit for Abu Jasmin, Inc. dba K & L Grocery located at 1510 West Hutchinson Avenue. Motion carried.

INSURANCE & PERSONNEL COMMITTEE:

Chairperson – Alderwoman Ezora Proctor
Vice-Chairperson – Alderman Jeff Doré
Members – Aldermen Bryan Borill, Vernon Martin, and Kitty Valdetero

A motion was offered by Alderwoman Ezora Proctor, and seconded by Alderman Jeff Doré to approve the renewal of Sterling Wellness Solutions Program business associate agreement from February 1, 2016 to January 31, 2017 as presented by Casey Lejeune w/Sterling Wellness. Motion carried.

RESOLUTIONS:

The following resolution was offered by Alderman Bryan Borill, duly seconded by Alderman Elliot Doré, 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 AND RE-ENACT SECTION 14-23(c) OF ARTICLE II OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, BY ADDING THERETO SUBSECTION (30) TO DESIGNATE 12TH STREET AND CRAWFORD AVENUE AS A FOUR (4) WAY STOP INTERSECTION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

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

NOTICE OF PROPOSED ADOPTION OF ORDINANCE

The Board of Aldermen of the City of Crowley shall meet on the 8th day of March, 2016, 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 AND RE-ENACT SECTION 14-23(c) OF ARTICLE II OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, BY ADDING THERETO SUBSECTION (30) TO DESIGNATE 12TH STREET AND CRAWFORD AVENUE AS A FOUR (4) WAY STOP INTERSECTION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

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

THUS DONE AND SIGNED on this the 11th day of February, 2016.

ERIN S. CRADEUR, CITY CLERK

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 10th day of February, 2016, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, MAYOR

ATTEST:

ERIN S. CRADEUR, CITY CLERK

The following resolution was offered by Alderman Elliot Doré, duly seconded by Alderman Bryan Borill, and adopted.

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE FOLLOWING PROJECT:

RESTORATION OF THE ROCK FILTER
AT THE
WASTEWATER TREATMENT FACILITY

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Louisiana that the Plans and Specifications for the project, "RESTORATION OF THE ROCK FILTER AT THE WASTEWATER TREATMENT FACILITY", prepared by Mader Engineering, are hereby approved and;

BE IT FURTHER RESOLVED that the Advertisement For Bids for said Project is hereby authorized and bids will be received at Crowley City Hall, located at 425 North Parkerson Avenue, Crowley, LA 70526 on a date that is in accordance with the requirements of the Louisiana Public Bid Laws, at which time the bids will be publicly opened and read aloud; and that said date, time, and location may be amended in accordance with the Public Bid Law.

THUS DONE AND ADOPTED in regular session on this the 10th day of February, 2016, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

The following resolution was offered by Alderman Elliot Doré, duly seconded by Alderwoman Ezora Proctor, and adopted.

MWPP RESOLUTION

WHEREAS: The Louisiana Department of Environmental Quality has directed the City of Crowley, Louisiana to perform a Municipal Water Pollution Prevention (MWPP) audit on its Wastewater Treatment Facility located on Conrad Road and;

WHEREAS: The City of Crowley, Louisiana has prepared and reviewed the attached MWPP

audit and;

WHEREAS: The MWPP audit has noted a potential problem with an increase in maximum flows being reported at the treatment facility and in the collection system and;

WHEREAS: The City's partial rehabilitation of the rock filter appears to have assisted in ultimately lowering pollutants being discharged to the receiving stream but more work on the rock filters is needed and;

WHEREAS: The City has received a low interest loan from the SRF Program along with FEMA funding to help complete the rehabilitation/restoration of the rock filters and;

WHEREAS: The City of Crowley, Louisiana wishes to guard the public health and assure discharge compliance;

BE IT THEREFORE RESOLVED THAT the City of Crowley, Louisiana hereby informs the Louisiana Department of Environmental Quality (LDEQ) that it has set forth through the Mayor and Board of Aldermen the following actions necessary to attain and maintain permit discharge compliance contained in LPDES Permit Number LA0041254:

- 1) The City of Crowley expects to continue the rehabilitation of public leaks through an ongoing smoke testing/repair maintenance crew.
- 2) The City has a notification program for private leaks. Private individuals are notified of defects on their property and the repairs are monitored and cataloged.
- 3) With the increase of flows being experienced at the treatment facility, the City will increase its efforts toward combating I/I.
- 4) The City will pursue the completion of the rehabilitation of the rock filter in 2016 now that adequate funding for the project has been secured.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Bryan Borill, Jeff Doré, Elliot Doré, Tim Monceaux, Steven Premeaux and Ezora Proctor

NAYS: None

ABSENT: Lyle Fogleman, Jr., Vernon Martin, and Kitty Valdetero

And the resolution was declared adopted on this 10th day of February, 2016.

GREG A. JONES, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

ORDINANCE:

The following ordinance no. 1472 has been previously introduced at a regular meeting convened on January 12th, 2016, published by title in the official journal of the City, and a public hearing held thereon on February 10th, 2016. It was offered for final adoption by Alderman Elliot Doré, seconded by Alderman Steven Premeaux and duly adopted.

ORDINANCE NO. 1472

AN ORDINANCE TO AMEND ORDINANCE NO 833, NO. 1014 AND NO. 1193 OF THE CITY OF CROWLEY, AS AMENDED, SECTION 11-21 OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO REDEDICATE AND LEVY PERPETUALLY THE ONE-HALF OF ONE-PERCENT SALES AND USE TAX TO BE USED FOR THE PURPOSE OF INCREASING CITY EMPLOYEE SALARIES INCLUDING THE PAYMENT OF INCREASED FRINGE EXPENSES INCURRED BY THE CITY OF CROWLEY, INCLUDING BUT NOT LIMITED TO TAXES, FICA, MEDICARE, RETIREMENT, WORKERS' COMPENSATION AND UNEMPLOYMENT COMPENSATION NECESSARY TO IMPLEMENT SALARY INCREASES, AS PROVIDED FOR UNDER THE PROPOSITION APPROVED IN SPECIAL ELECTION HELD ON THE 21ST DAY OF NOVEMBER, 2015, AND AS PROMULGATED BY THE PROCES VERBAL AND RESOLUTION OF THE CITY OF CROWLEY ADOPTED ON THE 8TH DAY OF DECEMBER, 2015.

WHEREAS, a Special Election was held in the City of Crowley on the 21st day of November, 2015, to rededicate the One-Half of One Percent Sales and Use Tax and continue the tax in perpetuity beginning April 1, 2016; and

WHEREAS, the returns of the Special Election as compiled by the Board of Elections Supervisor of the Parish of Acadia as certified by the Clerk of Court were canvassed by the Mayor and Board of Aldermen of the City of Crowley on the 8th day of December, 2015, and it was declared that the result of the Special Election was that a majority of the qualified voters of the City of Crowley voting at said election voted in favor of the rededication and continuation of the tax in perpetuity; and

WHEREAS, on the 8th day of December, 2015, a Proces Verbal was duly executed by the Mayor and Board of Aldermen and a resolution was adopted promulgating the results of the Special Election; and

WHEREAS, the said Proces Verbal and resolution was duly filed and recorded in the office of the Secretary of State on the 11th day of December, 2015; and

WHEREAS, the results of the Special Election as promulgated by the City of Crowley by publication of the Proces Verbal and resolution the Crowley Post Signal, the official journal of the City of Crowley, on the 18th day of December, 2015; and

WHEREAS, the proposition approved by a majority of the qualified voters rededicated the use of the proceeds of the tax to include the payment of all fringe expenses incurred by the City of Crowley for employees' salary increases; and

WHEREAS, an ordinance to continue and levy the One-Half of One Percent (0.5%) Sales and Use Tax in perpetuity must be adopted by the Board of Aldermen of the City of Crowley; and

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

WHEREAS, a public hearing having been held in accordance with law on the 10th day of February, 2016, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

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

SECTION 1: Section 11-21 of Article II of Chapter 11 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and reenacted to read as follows, to-wit:

Sec. 11-21. Imposition of tax.

(a) There is hereby levied from and after April 1, 1997, for the purpose hereinafter specified, a tax upon the sale at retail, the use, the consumption, the distribution and the storage for use or consumption in the city of each item or article of tangible personal property as defined herein; the levy of such tax shall be as follows:

(1) At the rate of one-half of one percent (0.5%) of the sales price of each item or article of tangible personal property when sold at retail in this city; the tax to be computed on gross sales for the purpose of remitting the amount of tax due the city and to include each and every retail sale;

(2) At the rate of one-half of one percent (0.5%) of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed or stored for use or consumption in this city; provided there shall be no duplication of the tax.

(b) There is hereby levied from and after April 1, 1997, a tax upon the lease or rental within the city of each item or article of tangible personal property, as defined herein; the levy of said tax to be as follows:

(1) At the rate of one-half of one percent (0.5%) of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein, where the lease or rental of such property is an established business or part of an established business in the city or the same is incidental or germane to the said business;

(2) At the rate of one-half of one percent (0.5%) of the monthly lease or rental price paid by lessee or rentee or contracted or agreed to be paid by lessee or rentee to the owner of the tangible personal property.

(c) There is hereby levied a tax from April 1, 1997, upon all sales of services, as herein defined, in this city at a rate of one-half of one percent (0.5%) of the amounts paid or charged for such services.

(d) There is hereby levied a tax from April 1, 2016, for the purpose hereinafter specified, a tax upon the sale at retail, the use, the consumption, the distribution and the storage for use or consumption in the city of each item or article of tangible personal property as defined herein; the levy of such tax shall be as follows:

(1) At the rate of one-half of one percent (0.5%) of the sales price of each item or article of tangible personal property when sold at retail in this city; the tax to be computed on gross sales for the purpose of remitting the amount of tax due the city and to include each and every retail sale;

(e) There is hereby levied from and after April 16, 2016, a tax upon the lease or rental within the city of each item or article of tangible personal property, as defined herein; the levy of said tax to be as follows:

(1) At the rate of one-half of one percent (0.5%) of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein, where the lease or rental of such property is an established business or part of an established business in the city or the same is incidental or germane to the said business;

(f) There is hereby levied a tax from April 16, 2016, upon all sales of services, as herein defined, in this city at a rate of one-half of one percent (0.5%) of the amounts paid or charged for such services.

(g) No exemption from state sales and use tax granted pursuant to the provisions of Chapter 2 or Chapter 2-A of Title 47 of the Louisiana Revised Statutes of 1950 shall be applicable to the tax levied by this Article unless the state exemption specifically provides that

it applies to such tax. In the absence of any such specific application of the state exemption to the tax, any state exemption granted pursuant to the provisions of Chapter 2 or Chapter 2-A of Title 47 of the Louisiana Revised Statutes of 1950 shall be applicable only to the levy and collection of the state sale and use tax. No amendment can be made which would materially adversely affect the security for payment of any sales tax bonds issued by the city secured by the avails of this tax.

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, 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.

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

SECTION 4: This Ordinance shall become effective immediately upon adoption.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on this the 10th day of February, 2016, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: Bryan Borill, Elliot Doré, Jeff Doré, Tim Monceaux, Steven Premeaux and Ezora Proctor

NAYS: None

ABSENT: Lyle Fogleman, Jr., Vernon Martin, and Kitty Valdetero

GREG A. JONES, MAYOR

ATTEST:

ERIN S. CRADEUR, CITY CLERK

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderman Bryan Borill and seconded by Alderman Jeff Doré the meeting was adjourned at 6:24 p.m.

GREG A. JONES, MAYOR

ATTEST:

ERIN S. CRADEUR, CLERK

Presented rough draft to Mayor on February 11th, 2016 at p.m.
Presented for Mayor's signature on February 11th, 2016 at p.m.
Mayor signed & returned to City Clerk on February 12th, 2016 at p.m.

Publish in newspaper on February 19th, 2016