

CITY OF CROWLEY
REGULAR MEETING
MARCH 12, 2013

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a regular session at 6:00 p.m. Tuesday the 12th day of March, 2013 at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor Greg A. Jones presided with the following Aldermen present: Bryan Borill, J. Elliot Doré, Jeff Doré, Lyle Fogleman Jr., Vernon Martin, Mary Melancon, and Steven Premeaux. Alderwomen Kitty Valdetero and Laurita Pete (due to illness) were absent.

Alderwoman Mary Melancon led the Pledge of Allegiance to the flag. Alderman Bryan Borill gave the invocation.

AGENDA AMENDMENTS:

Alderman Jeff Doré offered a motion to amend the agenda to consider the emergency need to repair the levees at the wastewater facility that were caused by excessive rainfall. Seconded by Alderman Steven Premeaux and duly adopted after a unanimous vote.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Elliot Doré moved to dispense with the reading of the minutes of the February 13th, 2013 regular council meeting and approve them as written and distributed. Seconded by Seconded by Alderwoman Mary Melancon and duly adopted.

Alderwoman Mary Melancon moved to approve all bills presented for payment. Seconded by Alderman Vernon Martin 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 – Alderwoman Mary Melancon
Vice-Chairperson – Alderwoman Laurita Pete
Members – Aldermen Jeff Doré, Lyle Fogleman, Jr. and Vernon Martin

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Jeff Doré to approve Partial Payment No. 1 to Guinn Construction Company in the amount of \$59,471.90 for the Avenue H Bridge Replacement construction contract. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Elliot Doré to approve Partial Payment No. 2 to CEC in the amount of \$2,800 for release of retainage under the Pine Street Bridge Piling Repairs construction contract. Motion carried.

PUBLIC BUILDING COMMITTEE :

Chairperson – Alderman Bryan Borill
Vice-Chairperson – Alderman Lyle Fogleman, Jr.
Members – Aldermen J. Elliot Doré, Mary Melancon, and Steven Premeaux

A motion was offered by Alderman Bryan Borill and seconded by Alderman Vernon Martin to amend the rental contract for the Rice Festival and Martin Luther King buildings. The rental terms and conditions are to include the requirement of two (2) uniformed police officers with the exceptions or exclusion at the final discretion of the Mayor by written waiver. Motion carried.

INSURANCE & PERSONNEL COMMITTEE:

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

A motion was offered by Alderman Jeff Doré and seconded by Alderman Elliot Doré to approve the following health and medical insurance renewal proposal effective May 1, 2013 to April 30, 2014 as presented and recommended by Mark Landry of Landry, Harris and Company. Motion carried.

| | |
|---------------------------------|-----------------|
| Third Party Administrator | Meritain Health |
| Reinsurer | Sun Life |
| Contract Type (MED/RX) | 24/12 |
| Specific Deductible | \$60,000 |
| Aggregating Specific Deductible | \$55,000 |
| Census | |
| Employees | 124 |
| Family | 12 |
| Annual Fixed Cost | \$351,390.24 |

Mayor Greg A. Jones stepped down as Chair and Mayor Pro-Tem Steven Premeaux presided.

REVENUE & FINANCES COMMITTEE:

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

A motion was offered by Alderman J. Elliot Doré and seconded by Alderman Lyle Fogleman to contribute \$1,000 to the CHOICES program administered by the Acadia Parish Sherriff’s office in an effort to educate and bring awareness to adults and students on the dangers of impaired and distracted driving. Motion carried.

RESOLUTIONS:

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

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY AUTHORIZING A STANDBY LETTER OF CREDIT TO BE ISSUED BY THE FIRST NATIONAL BANK OF LOUISIANA ON BEHALF OF THE CITY OF CROWLEY FOR THE BENEFIT OF THE LOUISIANA OFFICE OF WORKERS' COMPENSATION IN AN AMOUNT NOT TO EXCEED \$300,000.00; AND TO AUTHORIZE A REVOLVING LINE OF CREDIT UP TO \$300,000.00 EVIDENCED BY A PROMISSORY NOTE IN THE AMOUNT OF THE LETTER OF CREDIT; TO AUTHORIZE THE PLEDGE OF AN UNENCUMBERED CERTIFICATE OF DEPOSIT AS SECURITY FOR THE STANDBY LETTER OF CREDIT; AND TO PROVIDE ALL MATTER RELATIVE THERETO AND IN CONNECTION THEREWITH.

WHEREAS, the City of Crowley has maintained and administered a self-insured workers' compensation plan approved by the Louisiana Office of Workers' Compensation and since 1994, the First National Bank has issued a Standby Letter of Credit on behalf of the City of Crowley in favor of the Louisiana Office of Workers' Compensation to secure the self-insured plan; and

WHEREAS, the City of Crowley was granted authority by the Louisiana State Bond Commission to pledge unencumbered excess funds up to \$300,000.00 in the form of Certificate of Deposit to secure a Standby Letter of Credit in the amount of \$300,000.00, as is more fully shown by reference to that certain Resolution of the Louisiana State Bond Commission No. L94-174 dated May 19, 1994; and

WHEREAS, it is necessary the City reauthorize a revolving line of credit, the issuance of a Standby Letter of Credit and the pledge a Certificate of Deposit to secure the Standby Letter of Credit as required by the Louisiana Office of Workers' Compensation; and

WHEREAS, the Board of Aldermen of the City of Crowley, find that it is appropriate to continue the self-insured plan and to authorize the Mayor Pro-Tem to execute the promissory note and the pledge of funds as security;

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Parish of Acadia, in regular session duly convened, that they do hereby authorize, empower and direct the Honorable Steven Premeaux, Mayor Pro-Tem of the City of Crowley, to execute an application for a line of credit in an amount not to exceed \$300,000.00 from First National Bank of Louisiana, to approve the form and substance of the irrevocable Standby Letter of Credit, to execute a promissory note or notes in favor of the First National Bank of Louisiana in an amount not to exceed \$300,000.00 payable on demand, said note or notes bearing simple interest at a variable rate per annum equal to three (3) percentage points over the six month CD rate, to pledge an unencumbered Certificate(s) of Deposit in an equivalent amount of the promissory note or notes to the First National Bank of Louisiana as security for the said Standby Letter of Credit and to authorize the assignment of the deposit account as required by the Bank; to pay an annual fee not to exceed one (1%) percent of the amount of the Standby Letter of Credit, to pay all costs and fees in connection with this transaction, to provide a governmental certificate of existence and authority, to pledge the irrevocable Standby Letter of Credit by the First National Bank of Louisiana on behalf of the City of Crowley to the Louisiana Office of Workers' Compensation up to \$300,000.00 as security for the City's self-insured workers' compensation program; and

BE IT FURTHER RESOLVED by the Board of Aldermen of the City of Crowley, Parish of Acadia, that the Honorable Steven Premeaux, Mayor Pro-Tem of the City of Crowley, be and he is hereby authorized, empowered and directed to execute any and all necessary forms, documents, assurances and provisions as may be meet and proper in the premises necessary to conclude said transaction.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 12th day of March, 2013 at which a quorum was present and acting throughout.

STEVEN PREMEAUX, MAYOR-PRO-TEM

ATTEST:

JUDY L. ISTRE, CLERK

Mayor Greg A. Jones assumed the chair and presided.

The following resolution was offered by Alderman Vernon Martin, duly seconded by Alderman Lyle Fogleman, and adopted.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CROWLEY, LOUISIANA TO ENTER INTO A UTILITY RELOCATION AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LDOTD) AS IT RELATES TO STATE PROJECT NUMBER. H.009622 AND THE RELOCATION OF THE EXISTING SANITARY SEWER FORCE MAIN ALONG ODDFELLOWS ROAD (HIGHWAY 1111)

WHEREAS, the City of Crowley, Louisiana currently owns a sanitary sewer force main located within the existing rights-of-way of the LDOTD; and

WHEREAS, the City of Crowley has been notified by LDOTD of their plans to construct a right turn lane at the intersection Oddfellows Road (LA Highway 1111) and Parkerson Avenue (LA Highway 13); and

WHEREAS, LDOTD has determined that the said force main will be in conflict with the proposed improvements to be made by LDOTD and will require relocation before the LDOTD project can be constructed ; and

WHEREAS, LDOTD requires a Utility Relocation Agreement (herein referred to as THE AGREEMENT) be executed between LDOTD and the City of Crowley, Louisiana prior to any work being performed within the LDOTD right-of-way;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen, of the City of Crowley, Louisiana, that Greg A. Jones, Mayor of the City of Crowley, Louisiana, is hereby empowered, authorized and directed to sign any and all required documents for THE AGREEMENT and that Mader Engineering, Inc. is further authorized to assist in preparing the necessary documents, plans and specifications for THE AGREEMENT.

THEREUPON, the above resolution was duly adopted.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderman Jeff Doré, duly seconded by Alderwoman Mary Melancon, and adopted with an abstention from Alderman Elliot Doré.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, DECLARING A CONTINUING EMERGENCY AND NEED FOR REPAIR OF DAMAGES TO THE WASTEWATER TREATMENT FACILITY'S FACULTATIVE POND LEVEES CAUSED BY THE EXCESSIVE AND EXTREME RAINFALL EVENT OF JANUARY 9 AND 10, 2013, AS DECLARED IN THE RESOLUTION ADOPTED JANUARY 10, 2013, AND AUTHORIZING THE MAYOR TO TAKE ALL NECESSARY STEPS TO ENGAGE PROFESSIONAL SERVICES FOR EVALUATION, DAMAGES, COST ESTIMATED, PREPARATION OF PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR EMERGENCY REPAIRS AND MODIFICATIONS OF THE LEVEE SYSTEM AS DEEMED APPROPRIATE AND NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO APPLY FOR ASSISTANCE IN FUNDING FROM THE LOUISIANA EMERGENCY MANAGEMENT AGENCY AND/OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO PAY THE COSTS OF SAID REPAIRS; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley in special extraordinary emergency session held on the 10th day of January, 2013, declared an extraordinary public emergency existed in the City of Crowley due to the effects of the extreme heavy and continuous rainfall even; and

WHEREAS, the extreme storm events of January 9 and 10, 2013, combined with the previous heavy downpour of rains for several days which caused flooding and backwater flooding in the City of Crowley and the overtopping of levees at the wastewater treatment facility's facultative pond; and

WHEREAS, the heavy rainfall events and overtopping of the levees caused severe erosion and weakening of the levees threatening the loss of the contents of the entire facultative pond; and

WHEREAS, the temporary repairs contained, controlled and redirected the overtopping of the levees but did not correct the damage to the levees including saturation, soft spots, eroded slopes and surface of the levees which continue to exist and temporary repairs were not intended to be permanent and did not include professional evaluation, analysis, consideration of alternatives, cost estimates, preparation of plans and specifications of the best means and most effective repairs and modifications as may be deemed necessary ; and

WHEREAS, the estimated cost of the work and services under the project is approximately Five Hundred Thousand & No/100 (\$500,000.00) Dollars and the City believes the work is eligible for assistance from the Louisiana Emergency Management Agency and/or

the Federal Emergency Management Agency (FEMA) since it was caused by the disaster of January 9 and 10, 2013; and

WHEREAS, the Mayor and Board of Aldermen previously declared the extraordinary emergency conditions existed and the effects of the rainfall events of January 9 and 10, 2013, and after hearing from the Wastewater Superintendent and consultants, they do find that the overtopping of the levees caused extensive damage to the wastewater facility's facultative pond levee system, exposed weaknesses and flaws in the levee and temporary repairs are not designed to permanently withstand the effects of heavy rainfall events normally encountered within this geographic region and they find the condition of the levee presents a real and present danger and an emergency continues to exist requiring immediate action to assess, evaluate and design permanent repairs and modifications to the wastewater treatment facility's facultative pond to protect the public health, safety and welfare of the citizens;

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 declare an extraordinary, public emergency continues to exist at the wastewater treatment facility of the City of Crowley due to the effects of the continuous and the extraordinary heavy rainfall of January 9 and 10, 2013, which caused extensive damage to the facultative pond levee system, including weakness and soft spots of the levees, erosion of the slope and surface of the levee and that immediate repair and reinforcement of the levees and control systems of the facility is required; and

BE IT FURTHER RESOLVED that the Honorable Greg A. Jones, Mayor of the City of Crowley, or his designated representative, be and he is hereby authorized, empowered and directed to take all necessary action, in his sole and complete discretion, to engage professional services to evaluate and assess the damages and situation, the effects of the storm, to evaluate the performance of the facility and the levees, to devise plans and specifications and to advertise and obtain competitive bids for the project to repair damages to the facultative pond levees and improve the facultative pond's ability to cope with heavy rainfall events and to do all things necessary as may be meet and proper to protect public and private property and public safety, health and welfare of the citizens of the City of Crowley; and

BE IT FURTHER RESOLVED that the Honorable Greg A. Jones, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to expend such funds as may be necessary for same hereby appropriated from the general fund balance and from sales tax fund balance sufficient to pay the cost of such repairs up to Five Hundred Thousand & No/100 (\$500,000.00) Dollars and to submit necessary applications and/or requests for reimbursement of funds up to a maximum amount of Five Hundred Thousand & No/100 (\$500,000.00) Dollars from the Louisiana Emergency Management Agency and/or Federal Emergency Management Agency (FEMA) to pay the cost of said repairs as may be meet and proper therefor; and

BE IT FURTHER RESOLVED that the Honorable Greg A. Jones, Mayor, be and he is hereby authorized, empowered and directed to file necessary applications and requests for assistance, submit necessary documents, contracts and information necessary to recover the expenditures from the appropriate federal and state agencies and that said applications and requests be and they are hereby fully authorized, ratified and approved by this Board of Aldermen; and

BE IT FURTHER RESOLVED that a certified copy of this emergency declaration be forwarded to the Governor of the State of Louisiana, the Louisiana Office of Emergency Preparedness, the Homeland Security and the Federal Emergency Management Agency and that they be furnished with all necessary documents as may be meet and property in the circumstances.

THUS DONE AND ADOPTED in regular session duly convened on the 12th day of March, 2013 at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout, after a roll call as follows, to-wit:

YEA: JEFF DORE'; BRYAN BORILL; LYLE FOGLEMAN; MARY T. MELANCON; VERNON MARTIN

NAYS: NONE

ABSTAIN: J. ELLIOT DORE'

ABSENT: KITTY VALDETERO; LAURITA D. PETE

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderman Lyle Fogleman, duly seconded by Alderman Bryan Borill, and adopted with Alderwoman Mary Melancon voting nay.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, CANCELLING, RESCINDING AND RECALLING THE NOTICE OF RULE TO SHOW CAUSE AND THE ORDER OF CONDEMNATION OF IMPROVEMENTS SITUATED ON THOSE CERTAIN LOTS OR PARCELS OF LAND DESCRIBED AS MEASURING 50'x100' WEST BY EASTERN AVENUE IN SEC 3, T-10-S, R-1-E; 30'x100' AND 80'x108.7' N BY VERNICE HARGRAVE IN SEC 3, T-10-S, R-1-E; 70'x76.72' AND 20'x132' N BY MERLE SPELL SBY WILSON TRAHAN & FRANCIS MORGAN IN SEC 3, T-10-S, R-1-E; AND LOTS 11, 12, 13 & 14 OF BLOCK 1 OF ANDRUS ADDITION TO THE CITY OF CROWLEY.

WHEREAS, Notice of Rule to Show Cause was issued by the Mayor and Board of Aldermen of the City of Crowley on the 8th day of January, 2013, for condemnation of the property described as 50'x100' W by Eastern Ave in Sec. 3, T-10-S, R-1-E; 30'x100' and 80'x108.7' N by Vernice Hargrave in Sec. 3, T-10-S, R-1-E; 70'x76.72' and 20'x132' N by Merle Spell SBY Wilson Trahan & Francis Morgan in Sec. 3, T-10-S, R-1-E; and Lots 11, 12, 13 and 14 of Block 1 of Andrus Addition to the City of Crowley, bearing a municipal address of 907 South Eastern Avenue, Crowley, Louisiana, which was duly recorded in the Office of the Clerk and Recorder on the 15th day of February, 2013; and

WHEREAS, a condemnation hearing was held on the 13th day of February, 2103, at which time the building and/or structures situated on 50'x100' W by Eastern Ave in Sec. 3, T-10-S, R-1-E; 30'x100' and 80'x108.7' N by Vernice Hargrave in Sec. 3, T-10-S, R-1-E; 70'x76.72' and 20'x132' N by Merle Spell SBY Wilson Trahan & Francis Morgan in Sec. 3, T-10-S, R-1-E; and Lots 11, 12, 13 and 14 of Block 1 of Andrus Addition to the City of Crowley were ordered condemned and the Order of Condemnation was duly recorded on the 20th day of February, 2013, in the Office of the Clerk of Court of Acadia Parish; and

WHEREAS, it was determined that the property owner has removed the trash, debris, noxious weeds and growths on the property and boarded up/secured the building and/or structure as required by the Code of Ordinances and ordered by the Order of Condemnation; and

WHEREAS, the Mayor and Board of Aldermen desire to recall and 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 that in

consideration of the property owner having removed the trash, debris, noxious weeds and growths on the property and boarded up/secured the building and/or structure they do hereby rescind and recall the Order of Condemnation of the improvements situated on 50'x100' W by Eastern Ave in Sec. 3, T-10-S, R-1-E; 30'x100' and 80'x108.7' N by Vernice Hargrave in Sec. 3, T-10-S, R-1-E; 70'x76.72' and 20'x132' N by Merle Spell SBY Wilson Trahan & Francis Morgan in Sec. 3, T-10-S, R-1-E; and Lots 11, 12, 13 and 14 of Block 1 of Andrus Addition to the City of Crowley belonging to Estella D. Dartez et al adopted on the 13th day of February, 2013; and

BE IT FURTHER RESOLVED that upon payment of all attorney's fees, charges, recording costs and certificates by the property owner, the Mayor and Board of Aldermen do hereby authorize, empower and direct the City Clerk to forward a certified copy of this resolution to the Acadia Parish Clerk of Court and to execute a request for cancellation of the recordation of the Notice of Rule to Show Cause recorded on the 15th day of February, 2013, under Original Act No. 837649 in Mortgage Book 894 at Page 143 and in Conveyance Book D-67 at Page 240 and the Order of Condemnation recorded on 20th day of February, 2013, under Original Act No. 837752 in Conveyance Book D-67 at Page 364.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 12th day of March, 2013.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderman Vernon Martin, duly seconded by Alderman Elliot Doré, and adopted.

A RESOLUTION AUTHORIZING THE MAYOR TO REAPPLY FOR AND AUTHORIZE MADER ENGINEERING, INC. TO ASSIST THE CITY OF CROWLEY, LOUISIANA IN REAPPLYING FOR COVERAGE UNDER THE NEW LPDES GENERAL PERMIT FOR "DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)"

WHEREAS, the City of Crowley, Louisiana currently discharges storm water under a general permit established by the Louisiana Department of Environmental Quality (LDEQ); and

WHEREAS, the LDEQ has been issued a new general permit for Small Municipal Separate Storm Sewer Systems (MS4s) which will become effective March 1, 2013; and

WHEREAS, the LDEQ has issued a notice to the City of Crowley that they must reapply for coverage under this new permit on or before April 20, 2013; and

WHEREAS, failure to comply with his notice shall be considered by LDEQ as a failure to comply with their State laws and regulation;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen, of the City of Crowley, that Greg A. Jones, Mayor of the City of Crowley, Louisiana, is hereby empowered, authorized and directed to sign any and all required documents for the MS4 reapplication and that Mader Engineering, Inc. is hereby authorized to assist the City of Crowley with preparation of said reapplication.

THEREUPON, the above resolution was duly adopted.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderwoman Mary Melancon and seconded by Alderman Jeff Doré the meeting was adjourned at 6:18 p.m.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on March 13th, 2013 at 11:30 a.m.

Presented for Mayor's signature on March 13th, 2013 at 2:30 p.m.

Mayor signed & returned to City Clerk on March 13th, 2013 at 3:00 p.m.