

CITY OF CROWLEY
REGULAR COUNCIL MEETING
APRIL 8, 2008

The Mayor and Board of Aldermen of the City of Crowley, Louisiana, the governing authority of the City of Crowley, met in a regular session at 6:00 p.m. Tuesday the 8th day of April, 2008 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: Elliot Doré, Jeff Doré, Lyle Fogleman Jr., Vernon Martin, Mary Melancon, Laurita Pete, Steven Premeaux, Kitty Valdetero and Todd Whiting. Alderman Steven Premeaux was absent.

Alderman Lyle Fogleman led the Pledge of Allegiance to the flag and Alderman Elliot Doré gave the invocation.

AGENDA AMENDMENTS:

Alderwoman Mary Melancon offered a motion to amend the agenda to consider a beer and liquor license for Peter John d/b/a The Ballroom, contingent upon registration of sales tax. Seconded by Alderman Elliot Doré and duly adopted after a unanimous vote.

PUBLIC HEARINGS:

Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1382, the ordinance to “provide for the impounding, disposition, and euthanasia of animals and to provide for the prosecution for violations” was read by title.

Mr. Thomas Regan asked for proponents to the proposed ordinance no. 1382. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1382 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1382 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Vernon Martin moved to dispense with the reading of the minutes of the March 11th, 2008 regular council meeting. Seconded by Alderwoman Kitty Valdetero and duly adopted.

Alderman Vernon Martin moved to dispense with the reading of the minutes of the March 25th, 2008 special council meeting. Seconded by Alderwoman Mary Melancon and duly adopted.

Alderwoman Kitty Valdetero moved to approve all bills presented for payment. Seconded by Alderwoman Mary Melancon 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 Mary Melancon and seconded by Alderwoman Laurita Pete to authorize Mader Engineering to prepare a cost estimate to construct revetment along both banks of the Center Ditch on the east side of North Avenue A, and on the north bank of the Center Ditch on the west side of Avenue A. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderwoman Laurita Pete to refer to the Finance Committee the City Engineer's estimate for FY 2007-08 Annual Crack Repair Work Order No. 1. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Lyle Fogleman to authorize Change Order No. 2 as described in Items 1, 2, and 3 of the April Engineering Report under the FY 2007-08 Annual Street Repair Contract with Le Talley Ho Construction Co. in an amount estimated not to exceed \$25,300. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderwoman Laurita Pete to authorize Change Order No. 3 as described in Item 4 of the April Engineering Report under the FY 2007-08 Annual Street Repair Contract with Le Talley Ho Construction Co. in an amount estimated not to exceed \$22,600. Motion carried.

A motion was offered by Alderwoman Mary Melancon and seconded by Alderman Todd Whiting to authorize Mader Engineering to proceed with the necessary surveying and preparation of the right of way mapping required for the acquisition of rights of way for alignment A-3 of the I-10 Service Road project. Motion carried.

UTILITY: Alderman Vernon Martin, Chairperson

A motion was offered by Alderman Vernon Martin and seconded by Alderman Elliot Doré to approve P.P. Est. No. 25 to M. P. Dumesnil Construction Co. for the North of I-10 Sewerage Improvements contract in the amount of \$61,364.54. Motion carried.

A motion was offered by Alderman Vernon Martin and seconded by Alderwoman Mary Melancon to approve final Change Order No. 6, the final administrative change order for the North of I-10 Sewerage Improvements contract with M. P. Dumesnil Construction Co., in the reduced amount of \$18,369.83. Motion carried.

PUBLIC SAFETY: Alderman Todd Whiting, Chairperson

A motion was offered by Alderman Lyle Fogleman and seconded by Alderman Vernon Martin to refer to Revenue & Finance Committee to authorize the purchase of video cameras for the Police Department units. Motion carried.

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Mary Melancon to approve a new 2008 Class B Retail Outlet Beer Permit and a new 2008 Class B Retail Outlet Liquor Permit for Peter John, d/b/a The Ballroom located at 124 East 3rd Street contingent upon the registration of sales tax. Motion carried.

ZONING & ANNEXATION: Alderman Elliot Doré, Chairperson

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Kitty Valdetero to accept the recommendation of the Crowley Planning Commission to approve the Preliminary and Final Plat for Glenn Daigle Resubdivision plat described as Lot 3, LIMCO Subdivision #1 located at 410 Oddfellows Road, contingent upon its final approval of the City Attorney and Designated Review Agent. Motion carried.

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Mary Melancon to accept the recommendation of the Crowley Planning Commission to approve the Preliminary & Final Plat for the Waterbury/Duson Property Resubdivision plat described as Lot 17, Block 19, City of Crowley located at 312 East 2nd Street, contingent upon its final approval of the City Attorney and Designated Review Agent. Motion carried.

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Mary Melancon to accept the recommendation of the Crowley Planning Commission to approve the Elder Estates/Mark Cullen Resubdivision plat situated in Section 24, Township 9 South Range 1 East contingent upon its final approval of the City Attorney and Designated Review Agent. Motion carried.

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Laurita Pete to approve a Conditional Use Permit for a Snowball Stand for Brandon Broussard described as Lot 10, Block 172 located at 1105 North Avenue D. Motion carried.

PUBLIC BUILDING: Alderman Lyle Fogleman, Jr., Chairperson

A motion was offered by Alderman Lyle Fogleman and seconded by Alderman Todd Whiting to approve the proposal of \$7,840.00 from E. L. Habetz Builders, Inc. for material, labor, insurance and supervision to complete the following work on the Enterprise Center.

1. Build new walls in one stop building as per sketch dated 3/12/08.
 2. Installation of (2) new doors and required hardware.
 3. To furnish all materials as per the required finishes to match existing moldings and trims
 4. Removal and replace all lights and switches for electrical requirements.
- This is contingent upon the State's approval of the rent. Motion carried.

INSURANCE & PERSONNEL: Councilwoman Laurita Pete, Chairperson

A motion was offered by Alderwoman Laurita Pete and seconded by Alderman Jeff Doré to approve the health & medical insurance renewal proposal as presented by Landry, Harris & Company effective May 1, 2008. Motion carried.

RECREATION: Alderman Steven Premeaux, Chairperson

A motion was offered by Alderman Elliot Doré and seconded by Alderwoman Mary Melancon to accept the fence proposal of \$2,500.00 from Dailey Fence Company. Motion carried.

REVENUE & FINANCES: Alderwoman Kitty Valdetero, Chairperson

A motion was offered by Alderwoman Kitty Valdetero and seconded by Alderman Todd Whiting to advertise for bids to be received by May 1, 2008 for video camera equipment in police units and to appropriate funds from General Fund's Fund Balance. Motion carried.

A motion was offered by Alderwoman Kitty Valdetero and seconded by Alderwoman Mary Melancon to authorize up to \$110,000.00 for FY 2007-08 Annual Crack Repair Work Order No. 1 to be done by Quality Construction Specialist. Motion carried.

RESOLUTIONS:

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

A resolution authorizing and directing the Mayor to execute for and on behalf of the City of Crowley, a *Notice of Termination* for M.P. Dumensil Construction Co., Inc., Contractor, pertaining to the completion of the contract for "North of I-10 Sewer Collection System" 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 April 1, 2008 and the attached punch list consisting of incomplete miscellaneous work items were identified; and

WHEREAS, M. P. Dumesnil Construction Co., Inc, as Contractor, has substantially completed the " North of I-10 Sewer Collection System " 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: April 8, 2008

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, INTRODUCING A PROPOSED ORDINANCE AND CALLING FOR A PUBLIC HEARING CONCERNING SAME.

WHEREAS, an ordinance has been proposed to be adopted by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana; and

WHEREAS, the proposed ordinance must be introduced by its title and 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, date 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, in regular session duly convened 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 ORDINANCE NO. 1242 OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO RE-DEFINE THAT CERTAIN TRACT OF LAND CONTAINING 12.75 ACRES, MORE OR LESS, SITUATED IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA, AS A SINGLE RESIDENTIAL LOT; TO

REPEAL THE REQUIREMENT FOR STREET LIGHTING AT SPECIFIED LOCATIONS; TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH ON IN CONFLICT HERETO.

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

NOTICE OF PROPOSED ADOPTION OF ORDINANCE

The Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, shall meet on the 13th day of May, 2008 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 ORDINANCE NO. 1242 OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO RE-DEFINE THAT CERTAIN TRACT OF LAND CONTAINING 12.75 ACRES, MORE OR LESS, SITUATED IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA, AS A SINGLE RESIDENTIAL LOT; TO REPEAL THE REQUIREMENT FOR STREET LIGHTING AT SPECIFIED LOCATIONS; TO PROVIDE FOR ALL MATTERS RELATIVE THERETO; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH ON IN CONFLICT HERETO.

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

THUS DONE AND SIGNED on this the 8th day of April, 2008.

JUDY L. ISTRE, City Clerk

THUS DONE AND ADOPTED in regular session duly convened on the 8th day of April, 2008 in Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Kitty Valdetero, duly seconded by Alderman Vernon Martin, 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 BUDGETS FOR THE
CITY OF CROWLEY FOR THE FISCAL YEAR,
BEGINNING SEPTEMBER 1, 2007 AND ENDING
AUGUST 31, 2008; 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 13th day of
May, 2008 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 BUDGETS FOR THE
CITY OF CROWLEY FOR THE FISCAL YEAR,
BEGINNING SEPTEMBER 1, 2007 AND ENDING
AUGUST 31, 2008; 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 8th day of April, 2008.

JUDY L. ISTRE, City Clerk

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the
8th day of April, 2008, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

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

A Resolution authorizing the Mayor to enter into an agreement with the LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT obligating the City of Crowley to pay 10% of the construction cost, and assume all legal liability for, and all maintenance and operating cost for a complete roadway lighting system at the Interstate 10 Exit 82 intersection in Crowley, Acadia Parish, Louisiana.

WHEREAS, the Louisiana Department of Transportation will provide for the installation of roadway lighting at the Interstate 10 Exit 82 intersection in Crowley, Louisiana; and,

WHEREAS, prior to installation of said lighting system, the City of Crowley must enter into an agreement with the Louisiana Department of Transportation which obligates the City to pay 10% of the construction cost (estimated to cost \$800,000), and take the garde, and assume all legal liability for, and all maintenance and energy cost, of said system; and

WHEREAS, in order to proceed with the installation of said roadway lighting system, the Department of Transportation and Development requires that the governing authority authorize the Mayor to execute the subject agreement on behalf of the City.

BE IT RESOLVED by Mayor and Board of Aldermen of the City of Crowley, that Mayor Greg A. Jones is hereby authorized to execute on behalf of the City of Crowley an agreement with the Louisiana Department of Transportation and Development which obligates the City to pay 10% of the construction cost, take the garde, and assume all legal liability for, and all maintenance and operating cost, of the subject lighting system.

BE IT FURTHER RESOLVED that if any portion or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

THUS DONE AND ADOPTED in regular session duly convened on the 8th day of April, 2008, in Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

ORDINANCES:

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

ORDINANCE NO. 1382

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 4-17 OF CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO PROVIDE FOR THE IMPOUNDING, DISPOSITION, AND EUTHANASIA OF ANIMALS; TO PROVIDE FOR THE PROSECUTION FOR VIOLATIONS THEREOF; TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH; TO PROVIDE

THE PROVISIONS HEREOF BE SEVERABLE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH ON IN CONFLICT HERETO.

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

WHEREAS, a public hearing having been held in accordance with law on the 8th day of April, 2008 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 REGULAR SESSION DULY CONVENED THAT:

SECTION 1: Section 4-17 of Chapter 4 of the Code of Ordinances of the City of Crowley be and the same is here amended and re-enacted to read as follows, to-wit:

Sec. 4-17. Impounding – Generally, disposition, cost of euthanasia and prosecution not precluded.

(a) Unrestrained and animals kept, harbored or maintained in violation of this chapter may be taken by police, the animal control officers or the humane officers and impounded in an animal shelter and there confined in a humane manner. Impounded animals shall be kept for not less than ten (10) days unless reclaimed by the owners. Animal not claimed by the owners within ten (10) days shall be humanely destroyed, or disposed of to any person paying all fees and charges due on such animals and otherwise complying with this chapter.

(b) Any animal not disposed of in accordance with subsection (a) hereof may, in the discretion of the animal control officer, be sold or disposed of under the provisions of Section 4-18 of this Article.

(c) The owner of any animal impounded under the provisions hereof and disposed of, destroyed or humanely disposed shall pay a fee for euthanasia of the animal as provide for herein and otherwise complying with this chapter.

(d) Notwithstanding the impoundment of the animal, nothing shall preclude prosecution for violations of the provisions of this chapter.

SECTION 2: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable there in that event, only that particular provision, part, word, section, subsection, sentence, clause or phrase shall be deemed unconstitutional or invalid and the remaining provisions, parts, words, sections, subsections, sentences, clauses or phrases will not be affected and shall continue in full force and effect; and

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

THUS DONE AND ADOPTED in regular session duly convened on the 8th day of April, 2008, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSTAIN: None

ABSENT: Steven Premeaux

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 Todd Whiting the meeting was adjourned at 6:35 p.m.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on April 9, 2008 at 10:30 a.m.

Presented for Mayor's signature on April 2008 at .m.

Mayor signed & returned to City Clerk on April , 2008 at .m.