

CITY OF CROWLEY
REGULAR COUNCIL MEETING
DECEMBER 13, 2005

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 13th day of December, 2005, at the regular meeting place of said Mayor and Board of Aldermen, the City Hall, 426 North Avenue F, Crowley, Louisiana.

Mayor de la Houssaye presided with the following Aldermen present: Dr. James M. Buatt, Tiger Istre, Woody Marceaux, Vernon Martin, Mary T. Melancon, Laurita D. Pete, Steven C. Premeaux, and Kitty Valdetero. Alderman Ira Thomas was absent.

Alderwoman Valdetero led the Pledge of Allegiance to the flag and Alderman Martin gave the invocation.

PRESENTATION:

Jody Viator took the Oath of Office as Fire Chief and was welcomed into that position.

The retiring Chief William Schmaltz was recognized for his achievements as Fire Chief and for his 29 years and nine months of service in that department.

PUBLIC HEARING:

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1328, the ordinance to amend the fiscal 2006 budget was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1328. A third and final call was made with no one coming forward to speak.

The call for proponents of the proposed ordinance no. 1328 was made and there were no comments after the third and final call.

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

READING & APPROVAL OF MINUTES / BILLS:

Alderman Buatt moved to dispense with the reading of the minutes of the November 8th, 2005 regular council meeting and approve them as written and distributed. Seconded by Alderwoman Melancon and duly adopted.

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

MAYOR'S REPORT:

Mr. Audie Hanks came before the assembly to present a proposal for a portable generator for the Administrative Building.

Alderwoman Pete offered a motion to authorize Mayor de la Houssaye to procure a portable generator. Seconded by Alderman Martin and failed after the following roll call vote:

YEAS: Dr. James M. Buatt, Vernon Martin, and Laurita D. Pete

NAYS: Tiger Istre, Woody Marceaux, Mary T. Melancon, Steven C. Premeaux, and Kitty Valdetero

ABSENT: Ira Thomas

Mayor de la Houssaye presented the Sales Tax chart and User Fee chart that track the collection trend since fiscal 1992. The Recap of all Funds Report compares actual revenues and expenditures for the fiscal year 2005 to the budgeted revenues and expenditures of the same period.

STANDING COMMITTEE REPORTS:

ZONING & ANNEXATION:

Alderman Marceaux offered a motion to grant a variance to Miss Joan Finley to build a carport on her house at 522 North Avenue I. Seconded by Alderwoman Melancon and duly adopted.

A motion was offered by Alderman Marceaux and seconded by Alderwoman Valdetero to accept the Planning Commission's recommendation and approve the request from Dailey Fence Company for a conditional use permit for Lots 5-7, Gray Addition. Alderman Buatt offered a substitute motion to refer it back to committee and the motion failed for lack of a second. An amendment was offered by Alderman Marceaux and seconded by Alderwoman Valdetero to insert the condition that Dailey Fence Company will maintain a privacy fence on the west and north sides of the property. The main motion as amended was voted on and passed with Alderman Buatt voting nay.

PUBLIC WORKS:

Alderwoman Melancon offered a motion to authorize Mader Engineering, Inc. to perform the necessary surveying and engineering required to provide culvert pipe design and a cost estimate to backfill the old Bayou Blanc Channel between City Recreation Center property along Mustang Park Road and Jeanette LeBlanc property. Seconded by Alderwoman Pete and duly adopted.

Alderwoman Melancon offered a motion to authorize the construction of a sidewalk along the western edge of Western Avenue from Northern Avenue to 14th Street to be included in the FY 05-06 Annual Street Repair Contract with Le Talley Ho and to authorize the Mayor to negotiate with Pavement Markings, Inc. to provide the necessary striping for this improvement. Seconded by Alderwoman Pete and duly adopted.

Alderwoman Melancon offered a motion to authorize the Mayor to advertise to purchase mowing equipment. Seconded by Alderman Marceaux and duly adopted.

UTILITY:

Alderman Martin offered a motion to reject all bids received for Contract No.2 for North of I-10 Sewerage Improvements project and authorize the re-advertisement for bids to be received at the earliest possible opportunity in accordance with state bid law. Seconded by Alderman Marceaux and duly adopted.

PUBLIC SAFETY:

Alderman Buatt offered a motion to approve the following new retail beer permit for the year 2006. Seconded by Alderwoman Melancon and duly adopted.

Terry & Julie Romero
Firehouse Café & Concession
723 South Parkerson Avenue.

2006 Class A Retail Outlet Beer Permit

Alderman Buatt offered a motion to approve the following application for renewal of retail beer and liquor permit for the year 2006. Seconded by Alderwoman Pete and duly adopted.

Jeanette V. Shepherd
Victoria's Unpredictable Lounge
824 West 2nd Street
Permit.

2006 Class A Retail Outlet Beer Permit
2006 Class A Retail Outlet Liquor Permit.

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

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF CROWLEY, ACADIA
PARISH, LOUISIANA, RESCINDING THE NOTICE OF
RULE TO SHOW CAUSE AND AUTHORIZING THE
CANCELLATION OF THE ORDER OF
CONDEMNATION OF IMPROVEMENTS ON LOT 20
OF BLOCK 3, H. THIBODEAUX ADDITION TO THE
CITY OF CROWLEY.

WHEREAS, Notice of Rule to Show Cause for condemnation was issued by the Mayor and Board of Aldermen of the City of Crowley on the 9th day of August, 2005 against the property described as Lot 20 of Block 3 of the H. Thibodeaux Addition to the City of Crowley; and

WHEREAS, a condemnation hearing was held on the 13th day of September, 2005, at which time the building and/or structures situated on Lot 20 of Block 3 of the H. Thibodeaux Addition to the City of Crowley were ordered condemned; and

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

WHEREAS, the Mayor and Board of Aldermen desire to cancel said Notice and Order of Condemnation recorded in the office of the Clerk of Court;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened they do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel the Notice of Rule to Show Cause for condemnation of Lot 20 of Block 3 of the H. Thibodeaux Addition to the City of Crowley belonging to Kathleen Burris Hand recorded on the 15th day of August, 2005 under Original Act No. 745135 in Mortgage Book 722 at page 306 and in Conveyance Book H-61 at Page 4; and

BE IF FURTHER RESOLVED that they do hereby rescind and recall the cancellation of the Order of Condemnation of Lot 20 of Block 3 of the H. Thibodeaux Addition to the City of Crowley belonging to Kathleen Burris Hand and do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel same recorded on the 14th day of September, 2005 under Original Act No. 746146 in Conveyance Book I-61 at Page 521;

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 13th day of December, 2005.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Alderman Buatt offered a motion to approve a grant from the Justice Assistance Grant in the amount of \$12,465 and to provide a 50% match in support of a GPS system for the Police Department and refer to Revenue and Finance. Seconded by Alderwoman Melancon and duly adopted.

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, 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 CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA BY ADDING THERETO SUBSECTION (24) TO DESIGNATE LABELLE AND EASTPARK DRIVE AS A FOUR WAY STOP INTERSECTION; AND TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY 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 10th day of January, 2006, 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 CHAPTER 14 OF THE CODE OF

ORDINANCES OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA BY ADDING THERETO SUBSECTION (24) TO DESIGNATE LABELLE AND EASTPARK DRIVE AS A FOUR WAY STOP INTERSECTION; AND TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY 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 13th day of December, 2005.

JUDY L. ISTRE, CITY CLERK

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 13th day of December, 2005, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

PUBLIC BUILDING:

Alderman Premeaux offered a motion to authorize the Mayor to advertise for bids for the Crowley Criminal Justice Center contingent upon approval from the State Planning Facility. Seconded by Alderwoman Melancon and duly adopted.

Alderman Premeaux offered a motion to authorize a contract for the concessions at the Rice Theatre to Viator's Services & Repair LLC. Seconded by Alderman Buatt and duly adopted.

Alderman Premeaux offered a motion to approve Partial Payment No. 5 to E. L. Habetz Builders, Inc. in the amount of \$139,288.00 for restoration to the Ford Building, Phase II. Seconded by Alderwoman Melancon and duly adopted.

INSURANCE & PERSONNEL:

Alderwoman Pete offered a motion to accept the resignation of employment of Scotty Lavergne effective November 10, 2005. Seconded by Alderman Marceaux and duly adopted.

Alderwoman Pete offered a motion to promote Garrick Ronkartz from Permanent Firefighter to Probational Firefighter First Class effective December 14, 2005. Seconded by Alderman Istre and duly adopted.

Alderwoman Pete offered a motion to promote Richard Heinen from Permanent Fire Captain to Probational District Fire Chief effective December 14, 2005. Seconded by Alderwoman Melancon and duly adopted.

COMMUNITY & ECONOMIC DEVELOPMENT:

Alderman Istre offered a motion to approve an additional \$2,500 for the Retirement Ready Grant – Development of a Master Plan. Seconded by Alderwoman Melancon and duly adopted.

RECREATION:

Alderman Premeaux offered a motion to approve Partial Payment No. 5 to Cecil Perry Improvements, Ltd. for Recreational Facilities Sidewalk Improvements Phase I in the amount of \$2,128.50. Seconded by Alderwoman Melancon and duly adopted.

REVENUE & FINANCES:

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE FINAL ACCEPTANCE OF THE NEW 85' MID-MOUNT AERIAL PLATFORM FIRE APPARATUS AND AUTHORIZATION OF THE FINAL PAYMENT OF THE BALANCE DUE THEREON OF \$171,889.00; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley awarded a contract to BonAventure Fire Equipment to provide one (1) new 85' mid-mount aerial platform fire apparatus on August 10, 2004; and

WHEREAS, the fire apparatus has been completed and delivered by the manufacturer to the City of Crowley Fire Department; and

WHEREAS, the aerial fire apparatus has been inspected and meets the specifications and requirements of the contract; and

WHEREAS, it is the recommendation of Jody Viator, Fire Chief, that the new Central States 85' mid-mount aerial platform fire apparatus be accepted for service by the City of Crowley; and

WHEREAS, the Mayor and Board of Aldermen desire to accept the aerial fire apparatus;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened, that they do hereby authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute an Act of Acceptance of the new Central States 85' mid-mount aerial platform fire apparatus for use by the Crowley Fire Department of the City of Crowley and do hereby authorize payment of the final amount due therefor of \$171,889.00; and

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

THUS DONE, SIGNED AND ADOPTED on this the 13th day of December, 2005, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Alderwoman Valdetero, duly seconded by Alderman Premeaux, 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, 2005 AND ENDING AUGUST 31, 2006; 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 10th day of January 2006 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, 2005 AND ENDING AUGUST 31, 2006; 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 13th day of December, 2005.

JUDY L. ISTRE, City Clerk

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 13th day of December, 2005, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

RESOLUTION:

The following resolution was offered by Alderman Marceaux, duly seconded by Alderman Martin, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE EXECUTION OF A ONE (1) YEAR EXTENSION OF THE CURRENT NON-EXCLUSIVE CABLE COMMUNICATIONS SERVICES FRANCHISE AGREEMENT WITH COX COMMUNICATIONS, L.L.C.; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

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

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

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

WHEREAS, the one (1) year extension of this agreement will provide adequate time to conclude the negotiations satisfactorily to both parties;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened that they do hereby authorize, empower and direct the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, to execute an extension of the current franchise agreement with Cox Communications, L.L.C. and to continue negotiations for a new franchise agreement with Cox Communications, L.L.C.; and

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

THUS DONE AND ADOPTED in regular session duly convened on the 13th day of December, 2005, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

ORDINANCES:

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

ORDINANCE NO. 1328

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2005 AND ENDING AUGUST 31, 2006; 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 13th day of December, 2005 at 6:00 o'clock p.m. at City Hall on the proposed Amended Operating Budgets have now been reviewed and considered; now.

THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in Regular Session, duly convened on the 13th day of December, 2005 that the following Amended Operating Budgets are hereby approved, adopted and finalized.

Account Name	Current Proposed Amendment	Amended Budget 2005-2006
1 & 1/2 Cent Sales Tax		
Other Financing Uses-Operating Transfer out		
Transfers & Appropriations	100,000	3,440,600
Employee Benefit Plan		
Other Financing Uses-Operating Transfer in		
Transfers & Appropriations	100,000	200,000

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2005-2006 fiscal budget, however nothing shall be construed to prohibit the Governing Authority from making amendments to the budget.

BE IT FURTHER ORDAINED, the Mayor of the City of Crowley, Isabella L. de la Houssaye, is hereby authorized and in her sole discretion, to make such changes within the various budget classifications as she may deem necessary.

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

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with or in conflict herewith be and the same are hereby repealed.

THUS AMENDED, APPROVED, ADOPTED AND FINALIZED on this the 13th day of December, 2005 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: Ira Thomas

ISABELLA L. de la HOUSSAYE, 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 Melancon and seconded by Alderman Istre the meeting was adjourned at 7:50 p.m.

ISABELLA L. de la HOUSSAYE, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on December 15, 2005 at 4:00 p.m.
Presented for Mayor's signature on December 16, 2005 at 9:40 a.m.
Mayor Signed & returned to City Clerk on December 19 at 10:30 a.m.