

CITY OF CROWLEY
REGULAR COUNCIL MEETING
OCTOBER 12, 2004

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 October, 2004, 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 all Aldermen present: James M. Buatt, Tiger Istre, Woody Marceaux, Vernon Martin, Mary T. Melancon, Laurita D. Pete, Steven C. Premeaux, Ira Thomas and Kitty Valdetero.

Alderman Premeaux led the Pledge of Allegiance to the flag and Alderman Marceaux gave the invocation.

Alderman Istre moved to amend the agenda to consider a beer license for China Dragon Buffet. Seconded by Alderwoman Melancon and duly adopted after an unanimous vote.

APPEARANCES:

Sabrina Salling, representing CLECO, announced that they would be opening an office in Crowley in June of 2005.

Judge Jimmy Genovese came before the assembly to state his desire to serve as judge of the 3rd Circuit Court of Appeal.

PUBLIC HEARINGS:

Mayor de la Houssaye opened the public hearing to hear any comments concerning the adoption of an adjusted millage rate on all property subject to taxation within the corporate boundaries of the City of Crowley for the year 2004.

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

Mr. Regan asked for proponents of the proposed adjusted millage rate. There were no comments after the third and final call.

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

Mayor de la Houssaye opened the public hearing to hear any comments on increasing the adjusted millage rate to the prior year's maximum rates on all property subject to taxation within the corporate boundaries of the City of Crowley for the year 2004.

Mr. Regan asked for opponents to the proposed increase to the adjusted millage rate. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed increase to the adjusted millage rate. There were no comments after the third and final call.

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

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1298, the ordinance to provide a special exemption for the sale of fireworks for an additional two years to apply to property located adjacent to the northeast corner of the intersection of Louisiana highway 13, Louisiana highway 100, and the I-10 frontage road was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1298. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1298. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1298 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1299, the ordinance to amend the fiscal 2005 budget was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1299. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1299. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1299 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Melancon moved to dispense with the reading of the minutes of the September 14, 2004 regular council meeting; and approve them as written and distributed. Seconded by Alderman Martin and duly adopted.

Alderman Melancon moved to dispense with the reading of the minutes of the September 23, 2004 special council meeting; and approve them as written and distributed. Seconded by Alderman Thomas and duly adopted.

Alderman Martin moved to dispense with the reading of the minutes of the September 29, 2004 special council meeting; and approve them as written and distributed. Seconded by Alderman Melancon and duly adopted.

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

MAYOR'S REPORT:

Mayor de la Houssaye presented the Sales Tax Report and User Fee Report that compare current collections to collections from previous years. The Recap of all Funds Report compares actual revenues and expenditures for the first month of the fiscal year to the budgeted revenues and expenditures of the same period.

STANDING COMMITTEE REPORTS:

PUBLIC WORKS:

Alderman Melancon offered a motion to call for a public hearing to introduce an ordinance to rename Johnson Street in Rhone Village to D. N. Rhone Avenue contingent upon approval of 911 and the Registrar of Voters office. Seconded by Alderman Pete and duly adopted.

Alderman Melancon offered a motion to call for a public hearing to introduce an ordinance to name the unnamed street in Rhone Village to D. L. May Avenue contingent upon approval of 911 and the Registrar of Voters office and if the opportunity arises in Ward 3, consider the names of Joseph A. Pete and Harry Lee Fusilier. Seconded by Alderman Pete and duly adopted.

Alderman Melancon offered a motion to approve Partial Payment No. 2 to Quality Construction Specialist under Work Order No. 1 for the "City-Wide Crack Routing, Cleaning and Sealing" in the amount of \$60,111.63. Seconded by Alderman Thomas and duly adopted.

Alderwoman Melancon offered a motion to approve Partial Payment No. 1 to H & S Construction Company for the 2004-05 Annual Street Repair Work in the amount of \$68,883.03. Seconded by Alderman Martin and duly adopted.

Alderwoman Melancon offered a motion to approve Change Order No. 1 to H & S Construction Company for the 2004-05 Annual Street Repair Work in the amount of \$37,400.00. Seconded by Alderwoman Pete and duly adopted.

Alderwoman Melancon offered a motion to approve Partial Payment No. 1 to Le Talley Ho for Bicentennial Park Drainage Improvements in amount of \$12,074.25. Seconded by Alderman Thomas and duly adopted.

Alderwoman Melancon offered a motion to approve Change Order No. 1, the final Contract Change Order to Le Talley Ho for Bicentennial Park Drainage Improvements in the reduced amount of \$6,738.50. Seconded by Alderman Thomas and duly adopted.

The following resolution was offered by Alderwoman Melancon, duly seconded by Alderwoman Pete, 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 Le Talley Ho Construction Co., Inc., Contractor, pertaining to the substantial completion of the contract subject to a punch list attached hereto and made a part of this Resolution, for "Bicentennial Park Drainage Improvements" for the City of Crowley in accordance with the plans and specifications contained in the contract documents pertaining thereto.

WHEREAS, Le Talley Ho Construction Co., Inc., as Contractor, has substantially completed "Bicentennial Park Drainage Improvements" for the City of Crowley 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 Board of Aldermen that the Mayor of said City of Crowley 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 the Mayor be authorized and directed to have a copy of said acceptance recorded in the Conveyance Records of the Parish of Acadia, State of Louisiana.

ADOPTED: October 12, 2004

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Alderwoman Melancon offered a motion to approve Partial Payment No. 1 to Wastewater Services, Inc. for the "Downtown Sidewalk, Street and Safety Improvements" project "Cleaning and Televising of Subsurface Drainage" in the amount of \$23,917.50. Seconded by Alderman Martin and duly adopted.

UTILITY:

Alderman Martin offered a motion to approve Partial Payment No. 1 to Stelly Construction Company for Avenue I/Hockaday Pump Station Force Main Replacement in the amount of \$25,435.69. Seconded by Alderwoman Melancon and duly adopted.

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE HONORABLE ISABELLA L. DE LA HOUSSAYE TO EXECUTE A SERVITUDE AND/OR RIGHT OF WAY FROM KENNETH AND PATRICIA BRATTON BERTRAND FOR SEWER WASTEWATER COLLECTION LINES IN SECTION 43, TOWNSHIP 9 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA, AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley has requested a right of way for the purpose of constructing, installing and maintaining a wastewater collection line from property owned by Kenneth and Patricia Bratton Bertrand situated in Section 43, Township 9 South, Range 1 East, Acadia Parish, Louisiana; and

WHEREAS, Kenneth and Patricia Bratton Bertrand are willing to grant a servitude and/or right of way for and in consideration of the mutual benefits to be derived there from and a special consideration of two (2) six (6") inch wye connections to be provided to the property of the Bertrand's north of the drainage ditch at a location to be specified by the Bertrand's during construction, and provide a separate water meter without charge for installation by LAWCO adjacent to the existing water meter at or near the Bertrand's property line which has a municipal address of 220 Cherokee Road, Crowley, Louisiana, and the right of the Bertrand's to connect to the manhole located south of the ditch free of charge within one (1) year from the date of the completion of the pipeline; and

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 delaHoussaye, Mayor, to execute a Servitude and Right of Way Agreement for sewer wastewater collection lines to be acquired from Kenneth and Patricia Bratton Bertrand in Section 43, Township 9 South, Range 1 East, Acadia Parish, Louisiana in exchange for two (2) six (6") inch wye connections be provided to the property of the Bertrand's north of the drainage ditch at a location to be specified by the Bertrand's during construction, and a separate water meter be installed by LAWCO without charge for installation adjacent to the existing water meter at or near the Bertrand's property line which has a municipal address of 220 Cherokee Road, Crowley, Louisiana, with the right of the Bertrand's to connect free of charge for one (1) year from the date of the completion of the pipeline;

THUS DONE, SIGNED AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 12th day of October, 2004.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE HONORABLE ISABELLA L. DE LA HOUSSAYE TO EXECUTE A SERVITUDE AND/OR RIGHT OF WAY FROM HALE REAL ESTATE, L.L.C. FOR SEWER WASTEWATER COLLECTION LINES IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA,

AND TO PROVIDE FOR ALL MATTERS RELATIVE
THERETO.

WHEREAS, the City of Crowley has requested a right of way for the purpose of constructing, installing and maintaining a pump station and wastewater collection line on property owned by Hale Real Estate, L.L.C., situated in Section 29, Township 9 South, Range 1 East, Acadia Parish, Louisiana; and

WHEREAS, Hale Real Estate, L.L.C. is willing to grant a servitude and/or right of way for and in consideration of the mutual benefits and enhancement to the property to be derived from Hale Real Estate, L.L.C.; and

WHEREAS, Hale Real Estate, L.L.C. has asked for a special extension to delay fireworks sale restrictions as part of the consideration which will be considered by a proposed amendment to Section 8-4 of the Code of Ordinances of the City of Crowley;

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 de la Houssaye, Mayor, to execute a Servitude and/or Right of Way Agreement for a pump station and wastewater collection lines from Hale Real Estate, L.L.C., in Section 29, Township 9 South, Range 1 East, Acadia Parish, Louisiana in exchange for the mutual benefits and enhancement of value to the property, a right to connect or attach or to tap one (1) line into the gravity sewer line without cost or charge and a special two-year extension of the sale of fireworks on the property authorized by the amendment to Section 8-4 of the Code of Ordinances;

THUS DONE AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 12th day of October, 2004.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

PUBLIC SAFETY:

Alderman Buatt offered a motion to call for a public hearing to amend City of Crowley Ordinance Appendix Zoning A (3.1304) Fences, Walls and Hedges. Seconded by Alderwoman Valdetero and duly adopted.

Alderman Buatt offered a motion to call for a public hearing to amend ordinance 8:25 Restriction on Storage of Flammables, etc. to allow liquefied petroleum gas to be sold and stored at commercial businesses in accordance with National Fire Protection Agency 58. Seconded by Alderman Martin and duly adopted.

Alderman Martin moved to authorize Mr. Regan and Chief Gibson to write a letter to neighbors of 605 Camelia Street on the problem of a blocked driveway. Seconded by Alderman Thomas and duly adopted.

Alderman Buatt offered a motion to approve a 2004 application from Hao Ming Wang for an initial Class A Retail Outlet Beer Permit for China Dragon Buffet located at 1703 North Parkerson Avenue, Crowley, LA. Seconded by Alderman Martin and duly adopted.

ZONING & ANNEXATION:

Alderman Marceaux offered a motion to set the fee schedule for subdivision regulations. Seconded by Alderman Thomas and duly adopted.

Alderman Marceaux offered a motion to call for a public hearing to introduce an ordinance to adopt subdivision regulations. Seconded by Alderman Buatt and duly adopted.

Alderman Marceaux offered a motion to accept the preliminary plat and the final plat for the Julia John Gielen Properties, LLC commercial subdivision contingent upon the final approval of Mader Engineering. Seconded by Alderwoman Melancon and duly adopted.

Alderman Marceaux offered a motion to approve a variance of the height of the proposed commercial structure from the now required 45' to a height of 50' for the Julia John Gielen Properties, LLC. Seconded by Alderwoman Valdetero and duly adopted.

Alderman Marceaux offered a motion to approve a variance of the height of a sign to be erected on the north portion of the property near I-10 from the required 55' to 80' for the Julia John Gielen Properties, LLC. Seconded by Alderwoman Pete and duly adopted.

Alderman Marceaux offered a motion to approve a variance concerning parking lot spaces, which now are required to be 20' by 9' to 18' by 9' with a 25' center aisle for the Julia John Gielen Properties, LLC. Seconded by Alderwoman Melancon and duly adopted.

Alderman Marceaux offered a motion to approve a variance for Mr. Mike Albarado on property located at 158 Cherokee Road for a distance of five feet on the side yard abutting R-1 property as opposed to ten feet as required by the City of Crowley Zoning and Planning ordinance. Seconded by Alderwoman Valdetero and duly adopted.

PUBLIC BUILDING:

Alderman Thomas offered a motion to approve Partial Payment No. 6 to Bessette Development Company for LaPac Plant addition in the amount of \$258,885.45. Seconded by Alderwoman Melancon and duly adopted.

INSURANCE & PERSONNEL:

Alderwoman Pete offered a motion to accept the resignation of Probationary Patrolman David Morgan effective October 1, 2004. Seconded by Alderman Buatt and duly adopted.

COMMUNITY & ECONOMIC DEVELOPMENT:

Alderman Istre offered a motion to refer to Revenue & Finance an increase in salary for the Main Street Manager. Seconded by Alderwoman Pete and duly adopted.

The following resolution was offered by Alderman Premeaux, duly seconded by Alderman Martin, and duly resolved and adopted. Alderman Istre voted nay, stating he was not against Lowe's only against the additional \$500,000 and the extension from 10 years to 15 years.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING OFFERING ECONOMIC INCENTIVES TO LOWE'S, INC. TO LOCATE A FACILITY WITHIN THE CORPORATE LIMITS AND TO PROVIDE THE GENERAL TERMS AND CONDITIONS THEREOF; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, under the provisions of the Louisiana Constitution and the Louisiana Revised Statutes of 1950, the City of Crowley is authorized to engage in economic development activities, including the expenditure of public funds under certain circumstances to undertake cooperative endeavors with private entities; and

WHEREAS, Lowe's, Inc. has requested a Memorandum of Understanding (MOU) from the City of Crowley for economic incentives in exchange for the investment and construction of a facility providing approximately 150 new jobs; and

WHEREAS, the Mayor and Board of Aldermen find it is appropriate to provide economic incentives by reimbursement of a portion of capital investment during a specified term and to authorize and support Lowe's application for Louisiana Economic Enterprise Zone benefits, thereby significantly increasing the competitiveness of the City of Crowley as a potential location for a new Lowe's Home Center; and

WHEREAS, the reimbursement obligation will be paid solely from that portion of the sales and use tax revenue generated by the economic development project (Lowe's Home Center) and limited to those revenues received above actual sales tax revenue collections for Fiscal Year 2003-2004; and

WHEREAS, the Mayor and Board of Aldermen find that the requested economic incentives, including the reimbursement of One Million Five Hundred Thousand (\$1,500,000.00) Dollars over a term of fifteen (15) years are exceeded by the benefits to the City in the creation of permanent jobs with employee benefits, the increase in ad valorem tax base, the increase in sales and use tax revenue and the reduction of unemployment and underemployment;

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen 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 a Memorandum of Understanding (MOU) to share a portion of the sales and use tax generated by the proposed project in an amount not to exceed One Million Five Hundred Thousand & No/100 (\$1,500,000.00) Dollars payable over a period of fifteen (15) years, which payment shall be limited from revenue collected from one-half (1/2) of one (1%) sales and use tax, which collections shall exceed the actual revenue collected from sales tax for Fiscal Year 2003-2004, in exchange for the construction of a retail facility with an estimated capital investment of approximately Ten Million & No/100 (\$10,000,000.00) Dollars, the creation of approximately one hundred fifty (150) full-time and part-time jobs offering health care insurance and other employee benefits; and to support and approve Lowe's, Inc. application for Enterprise Zone Project designation for benefits from the Louisiana Enterprise Zone Program; and

BE IT FURTHER RESOLVED that the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, be and she is hereby further authorized, empowered and directed to execute any and all other documents which may be meet and proper in the circumstances concerning the project proposed by Lowe's, Inc.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on the 12th day of October, 2004, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Alderman Istre offered a motion to change the November Council Committee meetings to November 2-3, 2004 due to Mid Size Cities Conference. Seconded by Alderman Buatt and duly adopted.

RECREATION:

Alderman Premeaux offered a motion to approve the rental of the Martin Luther King Center annually during the Saturday of Rice Festival to a West Crowley coalition of non-profit organizations. Seconded by Alderwoman Melancon and duly adopted.

REVENUES:

Alderwoman Valdetero offered a motion to approve payment to the Department of Army for \$1,000 for Armory Maintenance & grounds upkeep. Seconded by Alderwoman Melancon and duly adopted.

Alderwoman Valdetero offered a motion to move \$6,285 from the Special 7 Bond checking account to General Fund's checking account for the Police Department line item – Computer Services & Rental. Seconded by Alderman Premeaux and duly adopted.

The following resolution was offered by Alderwoman Valdetero, 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, 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, 2004 AND ENDING AUGUST 31, 2005; 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 9th day of November, 2004 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, 2004 AND ENDING AUGUST 31, 2005; 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 12th day of October, 2004.

JUDY L. ISTRE, CITY CLERK

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

RESOLUTIONS:

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, ADOPTING AN ADJUSTED MILLAGE RATE ON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CROWLEY FOR THE YEAR 2004 AFTER HAVING A PUBLIC HEARING

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley having duly published notice of the public hearing to be held on the 12th day of October, 2004 at 6:00 p.m. in City Hall; for the purpose of adopting millage rate; and

WHEREAS, said hearing was duly convened and held on said date in accordance with the Open Meeting Law; and

WHEREAS, after having conducted the hearing, heard the comments and after having offer the opportunity for the public to make comments on the matter; and after due consideration thereof;

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 after a public hearing held on the 12th day of October, 2004, and conducted in accordance with the Open Meeting Law, the following adjusted millage rates, be and they are hereby levied upon the dollar of the assessed valuation of the property subject to ad valorem taxation within the corporate boundaries of the City of Crowley for the year 2004 for the purpose of raising revenue, to-wit:

	<u>Adj. Millage 2004</u>
Corporate Tax	6.89
Street Improvement	4.92
Public Buildings & Drainage	4.92
Public Recreation & Parks	2.95
Disposal Plant Maintenance Tax	3.44
Cemetery Maintenance Tax	.74
Youth Recreation Building Tax	.98
Fireman & Policeman Salary Fund	4.92

BE IT FURTHER RESOLVED, that the Honorable Russell Beniot, Assessor of the Parish of Acadia, be and he shall extend upon the assessment roll for the year 2004 the taxes herein levied, and the Tax Collector of said parish shall collect and remit the same to the said City of Crowley in accordance with law.

The foregoing Resolution was adopted on the 12th day of October, 2004 by more than a two-thirds of the total membership of the Board of Aldermen voting in favor thereof after roll call as follows, to-wit:

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

NAYS: None

ABSENT: None

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, TO INCREASE THE ADJUSTED MILLAGE RATES TO THE PRIOR YEAR'S MAXIMUM RATES ON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CROWLEY FOR THE YEAR 2004 AFTER HAVING A PUBLIC HEARING

WHEREAS, the Mayor and Board of Aldermen of the City of Crowley having duly published notice of the public hearing which was held on the 12th day of October, 2004 at 6:00 p.m. in City Hall; for the purpose of adopting adjusted millage rate; and increasing the millage rate to the prior year's maximum; and

WHEREAS, said hearing was duly convened and held on said date in accordance with the Open Meetings Law; and

WHEREAS, after having conducted the hearing, heard the comments and after having offered the opportunity for the public to make comments on the matter; and after due consideration thereof;

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 after a public hearing held on the 12th day of October, 2004, and conducted in accordance with the Open Meetings Law, they do hereby increase the millage rates, not in excess of the prior's year's (2003) maximum millage rates on all property subject to taxation, shown on the official assessment roll for the year 2004, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied; said millage rates are as follows:

	<u>Adjusted Rate</u>	<u>2004 Levy</u>
Corporate Tax	6.89	7.00 Mills
Street Improvement	4.92	5.00 Mills
Public Buildings & Drainage	4.92	5.00 Mills
Public Recreation & Parks	2.95	3.00 Mills
Disposal Plant Maintenance Tax	3.44	3.50 Mills
Cemetery Maintenance Tax	.74	.75 Mills
Youth Recreation Building Tax	.98	1.00 Mills
Fireman & Policeman Salary Fund	4.92	5.00 Mills
TOTAL	29.76	30.25Mills

BE IT FURTHER RESOLVED, that the Honorable Russell Beniot, Assessor of the Parish of Acadia, shall extend upon the assessment roll for the year 2004, the taxes herein levied; and the Tax Collector of said Parish shall collect and remit the said taxes to the City of Crowley in accordance with law.

The foregoing Resolution was read in full and adopted on the 12th day of October, 2004 by no less than a two-thirds majority of the total membership of the taxing authority voting in favor as required by Paragraph (B) of Section 23 of Article VII of the Louisiana Constitution of 1974 and Paragraph (B) of Section 1705, Title 47, Louisiana Revised Statutes of 1950, as amended, and Resolution was adopted after roll call as follows, to-wit:

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

NAYS: None

ABSENT: None

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. 1298

AN ORDINANCE TO PROVIDE A SPECIAL EXCEPTION FOR SALE OF FIREWORKS FOR AN ADDITIONAL TWO-YEAR PERIOD TO APPLY TO PROPERTY LOCATED ADJACENT TO THE NORTHEAST CORNER OF THE INTERSECTION OF LOUISIANA HIGHWAY 13, LOUISIANA HIGHWAY 100, AND THE I-10 FRONTAGE ROAD; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONTRARY THERETO AND/OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

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

WHEREAS, a public hearing having been held in accordance with law on the 12th day of October, 2004 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, IN REGULAR SESSION, DULY CONVENED THAT:

SECTION 1: Section 8-4 of Article I of Chapter 8 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. 8-4. Same – Illegal sale.

(a) *Defined.* Illegal sale of fireworks is the sale, exchange or barter of any powder contrivance known as a firework or fireworks within the corporate limits of the city.

(b) *Annexation.* Notwithstanding the provisions hereof, this section shall not apply for a period of five (5) years from the date of annexation of any property into the corporate limits of the city which shall be annexed after January 1, 2000.

(c) *Special Exemption.* Notwithstanding the provisions hereof, this section shall not apply for a period of an additional two years to that certain property located adjacent and contiguous to the northeast corner of the intersection of LA Hwy. 13, LA Hwy 100 and the I-10 Frontage Road which was annexed by Ordinance No. 1256.

BE IT FURTHER ORDAINED 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, 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 and phrases will not be affected and shall continue in full force and effect;

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

THUS DONE AND ADOPTED on this the 12th day of October, 2004, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: None

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1299

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR 2004 AND 2005, BEGINNING SEPTEMBER 1 AND ENDING AUGUST 31; 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 been held in accordance with the law on the 12th day of October, 2004 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 12th day of October, 2004 that the following 2005 Amended Operating Budgets are hereby approved, adopted and finalized.

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2005 fiscal budgets, 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 12th day of October, 2004 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: None

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Account Name	Approved 2004-2005	Amendment	Amended 2004-2005
Revenue - General Fund			
Other Revenue	564,250	1,285	565,535
Police Expenditure			
Operational Expense	135,850	6,285	142,135
Street Expenditure			
Capital Outlays	3,326,799	129,100	3,455,899
Public Works Expenditure			

Capital Outlays	1,557,500	12,700	1,570,200
Non-Departmental			
Other Expense	179,550	6,285	185,835
Utility Administrative Expenditure			
Other Expense	15,525	362,825	378,350
Sewage Expenditure			
Capital Outlays	1,269,625	25,500	1,295,125

There being no further business to come before the Council upon motion duly made by Alderwoman Melancon and seconded by Alderwoman Valdetero the meeting was adjourned at 7:15 p.m.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Presented rough draft to Mayor on October 13, 2004 at 3:30 p.m.

Presented for Mayor's signature on October 19, 2004 8:30 a.m.

Mayor Signed & returned to City Clerk on October , 2004 at m.