

CITY OF CROWLEY
REGULAR COUNCIL MEETING
OCTOBER 9, 2007

The Mayor and Board of Councilmen 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 9th day of October, 2007 at the regular meeting place of said Mayor and Board of Councilmen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor Greg A. Jones presided with the presence of all Councilmen: Elliot Doré, Jeff Doré, Lyle Fogleman, Jr., Vernon Martin, Mary Melancon, Laurita Pete, Steven Premeaux, Kitty Valdetero and Todd Whiting.

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

AGENDA AMENDMENTS:

Councilwoman Mary Melancon offered a motion to consider a pay request from E. L. Habetz for work completed on the Criminal Justice Center. Seconded by Councilman Steven Premeaux and duly adopted after a unanimous vote.

Councilman Steven Premeaux offered a motion to consider rescinding the offer to purchase the theatre property. Seconded by Councilman Jeff Doré and duly adopted after a unanimous vote.

PRESENTATION OR APPEARANCES:

Mr. Scott Soileau represented the Crowley Chamber of Commerce.

PUBLIC HEARINGS:

- 1) Mayor Greg A. Jones opened the public hearing on Rule to Show Cause for Condemnation of Property on Lot 10, Block 84, Crowley – West Addition, having a municipal address of 712 West 5th Street, Crowley, Louisiana belonging to Rosa Payne Young. No one was present to represent the owners of the property.

Mayor Jones called the public hearing to a close.

- 2) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1375, the ordinance to “prohibit animals and livestock from running at large; to declare the maintenance and keeping of livestock a nuisance and a danger to the public and to provide minimum standards for keeping livestock” was read by title.

Mr. Thomas Regan asked for proponents to the proposed ordinance no. 1375. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1375 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1375 to a close.

- 3) Mayor Greg A. Jones opened the public hearing on proposed ordinance no. 1376, the ordinance to “fix the compensation of the mayor and other officers and officials of the city of Crowley” was read by title.

Mr. Thomas Regan asked for proponents to the proposed ordinance no. 1376. A third and final call was made with no one coming forward to speak.

The call for opponents of the proposed ordinance no. 1376 was made and there were no comments after the third and final call.

Mayor Greg A. Jones called the public hearing on ordinance no. 1376 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Councilman Steven Premeaux moved to dispense with the reading of the minutes of the September 11th, 2007 council meeting. Seconded by Councilman Vernon Martin and duly adopted.

Councilwoman Mary Melancon moved to correct the minutes of June 12, 2007 to reflect the resolution “form” that is acceptable by the legislative auditors. The following resolution to adopt the Ad Valorem Millage Rate on all property subject to taxation for the year 2007 will replace the one previously adopted. Seconded by Councilman Elliot Doré and duly adopted.

RESOLUTION

BE IT RESOLVED, that the following millages are hereby levied on the 2007 tax roll on all property subject to taxation by the City of Crowley

Ad Valorem Millage 2007

Corporation Tax	7.00	Mills
Street Maintenance Tax	5.00	Mills
Public Buildings & Drainage Tax	5.00	Mills
Public Recreation & Parks Tax	3.00	Mills
Disposal Plant Maintenance Tax	3.50	Mills
Cemetery Maintenance Tax	.75	Mills
Youth Recreation Building Tax	1.00	Mills
Fireman & Policeman Salary Tax	<u>5.00</u>	<u>Mills</u>
Total	30.25	Mills

BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of Acadia, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2007, and to make collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

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

NAYS: None

ABSTAIN: None

ABSENT: None

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Councilwoman Kitty Valdetero moved to approve all bills presented for payment. Seconded by Councilman Steven Premeaux 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: Councilwoman Mary Melancon, Chairperson

A motion was offered by Councilwoman Mary Melancon and seconded by Councilman Lyle Fogleman to approve Partial Payment No. 7 to R. Cloud Construction Co. for the East Andrus Street and West Andrus Street LCDBG FY'04 -'05 Street Improvements Project in the amount of \$123,109.54. Motion carried.

UTILITY: Councilman Vernon Martin, Chairperson

A motion was offered by Councilman Vernon Martin and seconded by Councilman Elliot Doré to authorize the Mayor to engage the services of Auto-Sol, Inc. to install the necessary SCADA equipment at the new Stewartville Pump Station, and refer this matter to the Finance Committee for a Sewer Department budget amendment. Motion carried.

A motion was offered by Councilman Vernon Martin and seconded by Councilwoman Mary Melancon to approve Partial Payment. No. 19 to M. P. Dumesnil Construction Co. for the North of I-10 Sewage Improvements contract in the amount of \$75,445.93. Motion carried.

A motion was offered by Councilman Vernon Martin and seconded by Councilwoman Kitty Valdetero to authorize Mader Engineering to prepare the Waste Water Treatment Facility Storm Water Pollution Prevention Plan and MWPP annual documentation and refer this matter to the Finance Committee for a Sewer Department budget amendment. Motion carried.

A motion was offered by Councilman Vernon Martin and seconded by Councilwoman Mary Melancon to authorize the Mayor to negotiate and enter into a contract to repair the sanitary sewer mainline near the dead end of Ash Street, and refer this matter to the Finance Committee for a Sewer Department budget amendment. Motion carried.

A motion was offered by Councilwoman Mary Melancon and seconded by Councilwoman Kitty Valdetero to authorize the Mayor to apply for State Capital Outlay FY 2008 Funding for upgrading of the wastewater facility in accordance with the application submitted for the FY 2007 Funding. Motion carried.

PUBLIC SAFETY: Councilman Todd Whiting, Chairperson

A motion was offered by Councilman Todd Whiting and seconded by Councilman Vernon Martin to accept the lowest bids which are in compliance with specifications for the firemen's turnout gear and to reject the bids for leather boots by Ferrara Fire Apparatus, Inc.

and BonAventure Company, Inc. found not in compliance with the specifications and to reject the bids for helmets by BonAventure Company, Inc. and Wilson Fire/Rescue found not in compliance with the specifications. The following lowest bidders are awarded a contract for a term of one year. Motion carried.

Protective Hoods contract to Wilson Fire/Rescue for \$26.00,
Protective Gloves contract to Bonaventure Co., Inc. \$27.30,
Coats contract to Wilson Fire/Rescue for \$683.00,
Pants contract to Wilson Fire/Rescue for \$465.00, and
Leather boots contract to Wilson Fire/Rescue for \$205.00

A motion was offered by Councilman Elliot Doré and seconded by Councilwoman Mary Melancon to authorize Mayor Jones to sign all necessary documents and enter into contracts for the firemen's turnout gear. Motion carried.

A motion was offered by Councilwoman Kitty Valdetero and seconded by Councilman Steven Premeaux to authorize Mayor Jones and Mr. Regan to examine the most favorable form of financing for the fire apparatus and if not satisfactory then to purchase the equipment with cash. Motion carried.

A motion was offered by Councilman Todd Whiting and seconded by Councilwoman Mary Melancon to approve the following 2008 beer and liquor permits:

1. John L. Dubose
d/b/a South Park Liquor Store
912 South Parkerson Avenue
Class A Beer & Liquor Permits
2. Pat Istre
d/b/a Rice City Liquor
630 North Parkerson Avenue
Class B Beer & Liquor Permits
3. Larry Croan
d/b/a Economart #7
703 South Eastern Avenue
Class B Beer & Liquor Permits
4. Rice Palace, Inc.
2015 N. Cherokee Drive
Class B Beer & Liquor Permits
5. Rice Palace, Inc.
2015 N. Cherokee Drive
Class A Beer & Liquor Permits

A motion was offered by Councilman Todd Whiting and seconded by Councilwoman Laurita Pete to grant a 30 day extension for the public hearing on Rule to Show Cause for Condemnation of Property on Lot 10, Block 9, Duson 3rd Addition, having a municipal address of 813 West 6th Street, Crowley, Louisiana belonging to Delores Scott. Motion carried.

ZONING & ANNEXATION: Councilman Elliot Doré, Chairperson

A motion was offered by Councilman Vernon Martin and seconded by Councilwoman Kitty Valdetero to authorize Mayor Jones, Mr. Thomas Regan, Mr. Tim Mader and the developer to formally request that AT&T cooperate to solve the location problem of their telephone boxes. Motion carried.

PUBLIC BUILDING: Councilman Lyle Fogleman, Jr. Chairperson

A motion was offered by Councilman Lyle Fogleman and seconded by Councilwoman Mary Melancon to approve Partial Payment No. 15 to E. L. Habetz Builders, Inc. for the renovations to the Criminal Justice Center in the amount of \$39,380.31. Motion carried.

INSURANCE & PERSONNEL: Councilwoman Laurita Pete, Chairperson

A motion was offered by Councilwoman Laurita Pete and seconded Councilwoman Mary Melancon to accept the retirement of Police Captain Michael Breaux effective October 16, 2007. Motion carried.

A motion was offered by Councilwoman Laurita Pete and seconded by Councilman Vernon Martin to promote Dexter Faulk from Permanent Lieutenant to Probational Captain effective October 16, 2007. Motion carried.

A motion was offered by Councilwoman Laurita Pete and seconded by Councilwoman Mary Melancon to promote Chris Osborne from Permanent Sergeant to Probational Lieutenant effective October 16, 2007. Motion carried.

A motion was offered by Councilwoman Laurita Pete and seconded Councilwoman Kitty Valdetero to accept the resignation of Firefighter Justin Dedear effective October 12, 2007. Motion carried.

REVENUE & FINANCES: Councilwoman Kitty Valdetero, Chairperson

A motion was offered by Councilwoman Kitty Valdetero and seconded by Councilman Steven Premeaux to declare the following units as surplus & authorize to advertise for the sale of vehicles by public auction. Motion carried.

- 1996 Jeep Grand Cherokee vin #1JEX58S1TC153374
- 2000 Ford Crown Victoria vin # 2FALP71WXYX110767
- 1998 Ford Crown Victoria vin #2FAFP71W9WX119845
- 1999 Ford Crown Victoria vin #2FAFP71W2XX155958
- 1998 Ford Crown Victoria vin #2FAFP71W3WX161380
- 2000 Ford Crown Victoria vin #2FAFP71W5YX130960
- 1998 Ford Crown Victoria vin #2FAFP71W2WX161404

A motion was offered by Councilwoman Kitty Valdetero and seconded by Councilman Jeff Doré to amend the Sewer Department budget to authorize the Mayor to engage the services of Auto-Sol, Inc. to install the necessary SCADA equipment at the new Stewartville Pump Station at a cost of \$9,500.00 to \$11,000.00. Motion carried.

A motion was offered by Councilwoman Kitty Valdetero and seconded by Councilwoman Mary Melancon to amend the Sewer Department budget to authorize Mader Engineering to prepare the Waste Water Treatment Facility Storm Water Pollution Prevention Plan at a cost of \$1,500.00 to \$2,000.00 and MWPP annual documentation at a cost of \$9,600.00 to \$10,000.00. Motion carried.

A motion was offered by Councilwoman Kitty Valdetero and seconded by Councilman Steven Premeaux to amend of the Sewer Department budget to authorize the Mayor to negotiate and enter into a contract to repair the sanitary sewer mainline near the dead end of Ash Street at a cost of \$10,000.00 to \$12,000.00. Motion carried.

A motion was offered by Councilman Steven Premeaux and seconded by Councilwoman Kitty Valdetero to rescind the offer for the purchase of the theater property. Motion carried.

RESOLUTIONS:

The following resolution was offered by Councilman Steven Premeaux, duly seconded by Councilman Elliot Doré and unanimously carried:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA

PARISH, LOUISIANA, ORDERING AND ISSUING A
RULE TO SHOW CAUSE FOR CONDEMNATION OF
PROPERTY.

WHEREAS, the City Inspector has notified the Mayor and Board of Aldermen of a violation of the Building and Safety Codes of the City of Crowley; and

WHEREAS, notice has been issued to Glen Howie, attorney appointed to represent the absentee property owner, Ms. Rosa Payne Young, by the City Inspector's Office for repairs and/or demolition to be made of the improvements on Lot 10 of Block 84 of the West Addition to the City of Crowley, having a municipal address of 712 West 5th Street, Crowley, Louisiana; and

WHEREAS, no action has been taken and the City Inspector has requested a public hearing on the condemnation of the said property;

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 Notice of Rule to Show Cause should be issued to Glen Howie, attorney appointed to represent absentee property owner, Rosa Payne Young, for a public hearing to be held by the Mayor and Board of Aldermen on the 13th day of November, 2007 in regular session at 6:00 p.m. and that said notice be properly recorded and served upon the property owner pursuant to law.

THUS DONE AND ADOPTED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened on this the 9th day of October, 2007, at Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Councilwoman Mary Melancon, duly seconded by Councilwoman Kitty Valdetero and unanimously carried:

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF THE CITY OF CROWLEY, ACADIA
PARISH, LOUISIANA, RESCINDING AND RECALLING
THE NOTICE OF RULE TO SHOW CAUSE AND, THE
ORDER OF CONDEMNATION AND AUTHORIZING THE
CANCELLATION OF THE NOTICE OF HEARING AND THE
ORDER OF CONDEMNATION OF O IMPROVEMENTS ON
LOT 10 OF BLOCK 56, CICO 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 12th day of June, 2007. against the property described as the Lot 10 of Block 56 of the CICO Addition to the City of Crowley; and

WHEREAS, a condemnation hearing was held on the 10th day of July, 2007, at which time the building and/or structures situated on Lot 10 of Block 56 of the CICO 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 10 of Block 56 of the CICO Addition to the City of Crowley belonging to Thelma Reese recorded on the 18th day of June, 2007 under Original Act No. 769275 in Mortgage Book 767 at page 967 and in Conveyance Book S-62 at Page 867; and

BE IF FURTHER RESOLVED that they do hereby rescind and recall the Order of Condemnation of Lot 10 of Block 56 of the CICO Addition to the City of Crowley belonging to Thelma Roy Reese and do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel same recorded on the 17th day of July, 2007 under Original Act No. 770550 in Conveyance Book U-62 at Page 414; and

BE IT FURTHER RESOLVED that they do hereby acknowledge receipt of the full amount owed to the City of Crowley for removal of a dangerous tree and the cost of the recordation and the cancellation of the Notice of Rule to Show Cause and the Order of Condemnation and in consideration thereof, they do hereby release and discharge all liens and claims by the City of Crowley against Lot 10 of Block 56 of the CICO Addition to the City of Crowley.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 9th day of October, 2007.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Councilman Todd Whiting, duly seconded by Councilman Lyle Fogleman and unanimously carried:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, RESCINDING AND RECALLING THE NOTICE OF RULE TO SHOW CAUSE AND, THE ORDER OF CONDEMNATION AND AUTHORIZING THE CANCELLATION OF THE NOTICE OF HEARING AND THE ORDER OF CONDEMNATION OF 0 IMPROVEMENTS ON LOT 6 AND THE NORTH ½ OF LOT 5 OF BLOCK 173, ORIGINAL 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 12th day of June, 2007. against the property described as the Lot 6 and the North ½ of Block 173 of the Original City of Crowley; and

WHEREAS, a condemnation hearing was held on the 10th day of July, 2007, at which time the building and/or structures situated on Lot 6 and the North ½ of Block 173 of the Original 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 6 and the North ½ of Block 173 of the Original City of Crowley belonging to the Parish of Acadia recorded on the 18th day of June, 2007 under Original Act No. 769274 in Mortgage Book 767 at page 965 and in Conveyance Book S-62 at Page 865; and

BE IF FURTHER RESOLVED that they do hereby rescind and recall the Order of Condemnation of Lot 6 and the North ½ of Block 173 of the Original City of Crowley belonging to the Parish of Acadia and do hereby authorize, empower and direct the Acadia Parish Clerk of Court to cancel same recorded on the 17th day of July, 2007 under Original Act No. 770549 in Conveyance Book U-62 at Page 412.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 9th day of October, 2007.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Councilman Todd Whiting, duly seconded by Councilwoman Mary Melancon and unanimously carried:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, RESCINDING AND RECALLING THE NOTICE OF RULE TO SHOW CAUSE AND AUTHORIZING THE CANCELLATION OF THE NOTICE OF HEARING ON THE IMPROVEMENTS SITUATED ON LOTS 2 AND 3 OF BLOCK 20 OF DUSON'S 3RD 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 14th day of August, 2007. against the property described as Lots 2 and 3 of Block 20 of Duson's 3rd Addition to City of Crowley; 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 Lots 2 and 3 of Block 20 of Duson's 3rd Addition to City of Crowley belonging to Albert Deville Jr. recorded on the 17th day of August, 2007 under Original Act No. 771668 in Mortgage Book 772 at page 417 and in Conveyance Book V-62 at Page 920.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 9th day of October, 2007.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following resolution was offered by Councilman Steven Premeaux, duly seconded by Councilwoman Laurita Pete and unanimously carried:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING AN INTER-GOVERNMENTAL AGREEMENT WITH THE ACADIA PARISH SCHOOL BOARD FOR USE OF THE OUTDOOR PLAYGROUND OF THE MARTIN LUTHER KING RECREATIONAL CENTER AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO

WHEREAS, Ross Elementary School which is contiguous to the Martin Luther King Recreation Center but has little outdoor space and no outdoor playground equipment available; and

WHEREAS, the Martin Luther King Recreational Center is equipped with outdoor playground equipment for children which is used very little during the school week; and

WHEREAS, Ross Elementary School has requested the use of the outdoor playground equipment during school hours which will not affect recreation activities and will increase the use of the outdoor playground equipment; and

WHEREAS, an Inter-Governmental Agreement is required in order to implement the program

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 and authorize empower and direct Honorable Greg A. Jones, Mayor of the City of Crowley to execute an Inter-Governmental Agreement with the Acadia Parish School Board to authorize the exclusive use of Martin Luther King Recreation Center playground and outdoor equipment during the hours of 7:00 a.m. to 4:00 p.m. Monday thru Friday during the school calendar for use by the students for a term of one year effective date of September 1, 2007 until August 31, 2008 to be renewed annually each year automatically unless cancelled by either party; and

BE IT FURTHER RESOLVED that the Acadia Parish School Board shall soon control the grounds and provide security at all times during which school activities are being conducted or held on the grounds hold harmless and indemnifies the City of Crowley from any and all claims, cause of action, lawsuits resulting from all activities name the City of Crowley as an additional insured on the Acadia Parish School Board's Liability Policy require that the principal designate a representative to meet with Recreation Director and the Supervisor of the Martin Luther King Recreation Center to coordinate and schedule activities inspect and provide maintenance to all equipment which may be needed and keep the playground equipment in a safe and usable condition, provide instruction and supervision for children using the equipment.

BE IT FURTHER RESOLVED that the Acadia Parish School Board be responsible for maintenance of the equipment to include damage to properly repair and replace worn, damaged, or missing parts to limit access to any worn, damaged or unusable equipment.

NOW THEREFORE BE IT RESOLVED by the Honorable Greg A. Jones, 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 Greg A.

Jones, Mayor the City of Crowley to execute an Inter-Governmental Agreement between Acadia Parish School Board to allow Ross Elementary the exclusive use of the outdoor recreational equipment during the school calendar.

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 as may be deemed necessary to satisfy the requirements of the Acadia Parish School Board.

THUS DONE AND ADOPTED in regular session duly convened on the 9th day of October, 2007, in Crowley, Acadia Parish, Louisiana.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

ORDINANCES:

The following Ordinance was offered by Councilwoman Mary Melancon, duly seconded by Councilman Lyle Fogleman and duly ordained and adopted.

ORDINANCE NO. 1375

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO DEFINE LIVESTOCK; TO PROHIBIT ANIMALS AND LIVESTOCK FROM RUNNING AT LARGE; TO DECLARE THE MAINTENANCE AND KEEPING OF LIVESTOCK A NUISANCE AND A DANGER TO THE PUBLIC TO PROVIDE; TO PROVIDE MINIMUM STANDARDS FOR KEEPING LIVESTOCK; AND 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 9th day of October 2007 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 4-1 of Chapter 4 of the Code of Ordinances of the City of Crowley be and the same is here amended and re-enacted by adding the following definitions in alphabetical order as follows:

Sec. 4-1. Definitions.

Livestock: Includes but is not limited to cattle, horses, donkeys, mules, sheep, swine, goats, rabbits, chickens, ducks, geese or other fowl.

Wild or Exotic Animal: Any mammal, reptile or fowl which is not naturally tame or gentle.

SECTION 2: Section 4-7 of Chapter 4 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted to read as follows:

Sec. 4-7. Animals at large prohibited and maintenance of livestock.

(a) It shall be unlawful for any person to permit any animal to run at large within the corporate limits of the city.

(b) It shall unlawful for any person to permit any animal defined as livestock to run at-large or to tie said livestock to have access to sidewalks or streets within the corporate limits of the City.

(c) Each instance of the running at large of each such animal shall constitute a separate violation of this section and shall be punishable as such.

SECTION 3: Section 4-12 of Chapter 4 of the Code of Ordinances of the City of Crowley is hereby amended and re-enacted to read as follows:

Sec. 4-12. Livestock Nuisance and dangerous to Public

(a) The maintenance, keeping and possession of livestock is hereby declared to be a danger to the health, welfare and safety of the public and constitutes a nuisance or menace to the health, welfare and safety of the public within the corporate limits of the City.

(b) It is the finding of the Mayor and Board of Aldermen that it is necessary that livestock shall be kept under strict sanitary conditions and as such a manner to protect the health, safety and well being of people residing in close confines of the City and particularly the people directly adjacent thereto.

SECTION 4: Separation of Enclosures Required for Building Construction:

Sec. 4-15. Maintenance and Cleanliness of premises,

(a) It shall be unlawful for any person maintaining, keeping or possessing livestock, including but not limited to cattle, horses, donkeys, mules, sheep, swine, goats, rabbits, chickens, ducks, geese or other fowl within an enclosure not less than 100 feet from the property line of any property zoned residential or from any established building or structure used for sleeping, dining, cooking, living, working or playing, including but not limited to any residence or part thereof, outdoor kitchen, garage or carport.

(b) Shall be unlawful for any person to maintain, keep or possess cattle, horses, donkeys, mules, sheep, swine, goats, rabbits, chickens, ducks, geese cattle, horses, and mules unless the partial land shall have a minimum area of one acre for one such animal and an additional $\frac{1}{4}$ acre for each additional animal.

(c) Shall be unlawful for any person to maintain, keep or possess livestock confined in a building or structure such as a barn, stable or shed unless each animal is provided with a separate space of not less than 144 square feet.

(d) Shall be unlawful for any person to keep fowl whether domesticated or otherwise unless the enclosure includes a shed or other structure shall provide a minimum area of not less than one (1) square foot per bird.

(e) All enclosures and other areas to which livestock have access shall be kept in a clean, sanitary condition and in such a manner that flies, vectors and other vermin are not attracted and allowed to remain.

(f) All buildings or structures for housing livestock and poultry shall provide adequate protection against weather conditions and shall be accessible to the animals at all times and shall be constructed in keeping with the type and quality of construction and compatible and attractive in keeping with the surrounding buildings. Such structures shall have an elevated floor at least 6 inches above ground level which shall be constructed of concrete or tamped clay.

(g) All structures where livestock or poultry are kept or maintained shall be property clean and disinfected daily and the refuse there from placed in a closed container and sanitarly disposed of at least once a week. All animals, including livestock and poultry, shall have ample fresh water at all times and shall be adequately fed and maintained at all times.

SECTION 5: Section 4-17 of Chapter 4 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted by adding subsection (e) to read as follows:

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

(a) Any person keeping or maintaining chickens, geese, ducks or other fowl or rabbits within the corporate limits of the city shall provide an enclosed yard with a fence capable of containing the fowl or rabbits therein which shall be a distance of not less than 100 feet from every established building or structure used for sleeping, dining, cooking, living, working or playing, including but not limited to any residence or part thereof, outdoor kitchen, garage or carport.

SECTION 6: Section 4-18 of Chapter 4 of the Code of Ordinances of the City of Crowley be and the same is hereby amended and re-enacted to read as follows:

Sec. 4-18. Impoundment.

(a) *Authorized; notice to owner.* It shall be the duty of the animal control officer (humane officer, police officer) to take charge of any unrestrained animal or animals/livestock kept, maintained or harbored in violation of this chapter and to impound such animal/livestock in the Animal Control Shelter there to be impounded and detained for a period of not less than ten calendar days. The Animal Control Shelter shall make a reasonable effort to determine the identity of the owner of such impounded animal/livestock and the Animal Control Shelter shall send a notice in substantially the following form to the owner of such animal/livestock, if known, and shall post such notice in a conspicuous location upon the property from which the animal/livestock was taken, if the animal/livestock was not running at large at the time of taking.

To: _____
From: _____
Supervisor, City of Crowley Animal Control Shelter Crowley, Louisiana
Re: _____ (Description of Animal/Livestock)
You are hereby notified that the animal/livestock described above has been impounded by the City of Crowley Animal Control Shelter pursuant to the authority of Chapter 4 of the Code of Ordinances of the City of Crowley. Such animal/livestock has been impounded because of the following incident(s) or circumstances: _____ _____ _____
An appeal may be made in writing to the Animal Control, Officer by the owner in person within ten (10) days of the date of this notice. You are further notified that unless the above animal/livestock is/are claimed by their owner in person within ten (10) days of the date of this notice, all rights to the animal/livestock shall be forfeited to the Animal Control Shelter and the animal/livestock may be offered for sale after that time by the Animal Control Shelter for the amount of accrued fees against the animal/livestock. The original owner of the animal/livestock may reclaim it/them within 30 days of the date of sale by paying the purchaser at any such sale twice the purchase price of the animal/livestock. Such redemption of this/these animals/livestock shall not release the owner from fines assessed in connection with the impoundment of this/these animal(s)/livestock or violations of Chapter 4 of the Code of Ordinances of the City of Crowley by this/these animal(s)/livestock or its/their owner. Thos notice given this the _____ day of _____, 200_____, in compliance with

Section 4-18 of the City of Crowley Code of Ordinances.
Owner
Date
City of Crowley Animal Control Shelter
Supervisor

(b) *Forfeit of rights by owner; appeals.* Unless the impounded livestock is claimed by its owner in person within ten calendar days of the date given in the notice, all rights to the animal/livestock by the owner shall be forfeited and title shall pass at the end of the ten days to the Animal Control Shelter. Within the ten calendar day period from the date of the notice, the owner of the animal/livestock may appeal the impoundment of the animal/livestock to the Animal Control Officer and the sole question on appeal shall be whether the animal/livestock was correctly impounded for a violation of Chapter 4 of the Code of Ordinances. In the event of a timely appeal to the Animal Control Officer all proceedings for the sale of the impounded animal/livestock shall be suspended until disposition of the appeal by the Animal Control Officer.

(c) *Redemption by owner; fees.* The owner of any impounded animal/livestock may upon presentation of satisfactory proof of ownership reclaim the livestock upon payment of the following charges and/or fees, where applicable, unless such animal/livestock has injured someone or has rabies or is suspected of having rabies in which case the animal/livestock must be held for at least ten days for observation:

(1) An impounding fee which shall be a minimum of \$20.00 for the first impoundment of the animal/livestock, \$50.00 for the second impoundment and \$100.00 for the third and subsequent impoundments if any.

(2) A boarding fee of a minimum of \$20.00 per day the animal/livestock has been impounded.

(d) *Destruction of diseased or injured animals.* Any animal/livestock which is diseased or severely injured at the time of impoundment may at the discretion of the supervisor be destroyed in a humane manner immediately and without waiting the prescribed ten days. This action may be taken if in the opinion of the supervisor the condition of the animal/livestock is such that imminent destruction is necessary as a humane gesture and/or for the protection of other animals and livestock with which the animal/livestock may come into contact.

(e) *Disposition of unredeemed animals.* Any animal/livestock impounded and taken to the Animal Control Shelter and held for the prescribed ten days and not claimed by the owner may be disposed of as determined by the Animal Control Supervisor.

SECTION 6: 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 7: 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 9th day of October, 2007 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, Steven Premeaux, Kitty Valdetero and Todd Whiting

NAYS: None

ABSTAIN: None

ABSENT: None

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

The following Ordinance was offered by Councilwoman Kitty Valdetero, duly seconded by Councilwoman Laurita Pete and duly ordained and adopted.

ORDINANCE NO. 1375

AN ORDINANCE TO AMEND AND RE-ENACT SUBSECTION (b) OF SECTION 2-4 OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO FIX THE COMPENSATION OF THE MAYOR AND OTHER OFFICERS AND OFFICIALS OF THE CITY OF CROWLEY; 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 9th day of October, 2007 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, it is necessary to fix the compensation of the Mayor and other Officers and Officials of the City of Crowley;

WHEREAS, it is the finding of the Board of Aldermen that it is appropriate to establish the following salary;

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:

SUBSECTION (b) OF SECTION 2-4 OF CHAPTER 2 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:

Section 1:

Sec. 2-4. Same-Mayor to be full time; compensation of Mayor and other officers and officials.

- a) The office of mayor of the city is hereby established as full time office; to the performance of the duties of such office, said official shall contribute not less than forty (40) hours per week.
- b) The following salary is hereby fixed and established as set forth hereunder, to-wit:

Office/Official	Increase	Salary
17) Mayor's Administrative Assistant	\$ 830.50	\$42,355.50

- c) The governing body shall establish and provide an expense fund for the said officials commensurate with the duties of their respective office.

Section 2:

This ordinance shall become effective October 12, 2007.

Section 3:

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

Section 4:

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

THUS DONE AND ADOPTED on this the 9th day of October, 2007, 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, Steven Premeaux, Kitty Valdetero and Todd Whiting

NAYS: None

ABSTAIN: None

ABSENT: None

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 Councilwoman Mary Melancon and seconded by Councilman Elliot Doré the meeting was adjourned at 7:25 p.m.

GREG A. JONES, Mayor

ATTEST:

JUDY L. ISTRE, City Clerk

Presented rough draft to Mayor on October 11, 2007 at 1:30 p.m.

Presented for Mayor's signature on October 22, 2007 at 2:00 p.m.

Mayor signed & returned to City Clerk on October 22, 2007 at 2:00 p.m.