

CITY OF CROWLEY  
REGULAR COUNCIL MEETING  
DECEMBER 14, 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 14<sup>th</sup> day of December, 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 the following Aldermen present: James M. Buatt, Tiger Istre, Woody Marceaux, Vernon Martin, Mary T. Melancon, Steven C. Premeaux, Ira Thomas and Kitty Valdetero. Alderwoman Laurita D. Pete was absent.

Alderman Buatt led the Pledge of Allegiance to the flag and Reverend Jimmy Broussard gave the invocation.

**AGENDA AMENDMENTS:**

Alderwoman Melancon moved to amend the agenda to consider allowing LAPAC to occupy a portion of the building without acceptance of facility for delivery and shipment of products in exchange for a hold harmless agreement. Seconded by Alderman Thomas and duly adopted after a unanimous vote.

Alderman Thomas moved to amend the agenda to consider a resolution to introduce an amendment to the ordinance on vicious animals. Seconded by Alderman Premeaux and duly adopted after a unanimous vote.

**PRESENTATIONS:**

Dr. Ezora J. Proctor came before the assembly to express her appreciation to Mayor de la Houssaye, Tim Mader, Tom Regan and the City Council for their assistance in getting Stelly Construction to pay for the damages they caused to the Proctor's driveway.

Mr. Earl Hargroder spoke in favor of the release of a dog belonging to Danielle and Lynn Baker into a secure pin. He was advised that a citation had been issued and the matter was now in the court system.

Alderman Martin offered a motion to approve Change Order No. 3 to E. L. Habetz Builders, Inc. contract for the Ford Building Restoration project in the amount of \$55,243.98. Seconded by Alderman Thomas and duly adopted.

**PUBLIC HEARINGS:**

Mayor de la Houssaye opened the public hearing on Rule to Show Cause for Condemnation of Property belonging to Muller Enterprise, Inc.

Alderman Martin moved to rescind the recommendation of condemnation on Muller Enterprise, Inc. property. Seconded by Alderman Buatt and duly adopted.

RESOLUTION OF THE MAYOR AND BOARD OF  
ALDERMEN OF THE CITY OF CROWLEY, ACADIA  
PARISH, LOUISIANA, RESCINDING NOTICE OF  
CONDEMNATION OF IMPROVEMENTS ON LOT 12 OF  
BLOCK 30 OF THE ORIGINAL CITY OF CROWLEY, MULLER  
ENTERPRISE, INC.

WHEREAS, Notice of Rule to Show Cause for condemnation was issued on the following described property by the City of Crowley on the 14<sup>th</sup> day of December, 2004; and

WHEREAS, it was determined that the property owner has cleaned and removed the debris and restored the improvements on the property as required by City Code; and

WHEREAS, the Mayor and Board of Aldermen desire to cancel said notice of record 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 rescind and authorize cancellation of the Notice of Rule to Show Cause for condemnation of Lot 15 of Block 24 of the Original City of Crowley belonging to Muller Enterprises, Inc. recorded on the 10<sup>th</sup> day of November, 2004 under Original Act No. 734945 in Mortgage Book 703 at page 105 and do hereby authorize, empower and direct the Clerk of Court to cancel same;

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 14<sup>th</sup> day of December, 2004.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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

Alderman Martin moved to reschedule the public hearing on proposed ordinance no. 1301, the ordinance on International Residential Code, until February 8, 2005. Seconded by Alderman Marceaux and duly adopted.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1302, the ordinance to amend the fiscal 2005 budget was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1302. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1302. There were no comments after the third and final call.

A motion was made by Alderman Marceaux and seconded by Alderman Martin to amend proposed ordinance no. 1302 to include the following:

Account Name	Current Proposed Amendment	Amended Budget 2004-2005
General Fund		
Revenues		
Grants & Loans	45,350	4,373,395

Mayor de la Houssaye called the public hearing on ordinance no. 1302 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1303, the ordinance on Wastewater violations was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1303. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1303. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1303 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1304, the ordinance to name an unnamed street was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1304. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1304. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1304 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1305, the ordinance to rename Johnson Drive was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1305. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1305. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1305 to a close.

Alderman Istre moved to reschedule the public hearing on proposed ordinance no. 1306, the ordinance to amend Ordinance No. 1059 Zoning/Fences, until February 8, 2005. Seconded by Alderman Marceaux and duly adopted.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1307, the ordinance to amend the ordinance on flammable fuels was read by title.

Mr. Regan asked for opponents to the proposed ordinance no. 1307. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1307. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1307 to a close.

#### **READING & APPROVAL OF MINUTES / BILLS:**

Alderman Istre moved to dispense with the reading of the minutes of the November 9<sup>th</sup>, 2004 regular council meeting; and approve them as written and distributed. Seconded by Alderwoman Melancon and duly adopted.

Alderman Martin moved to approve all bills presented for payment. Seconded by Alderman Thomas 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 three months of the fiscal year to the budgeted revenues and expenditures of the same period.

Alderman Martin moved to authorize the observance of a holiday on Monday, December 27, 2004 in the City of Crowley as proclaimed by Governor Blanco for the state of Louisiana. Seconded by Alderman Premeaux and duly adopted.

#### **STANDING COMMITTEE REPORTS:**

#### **PUBLIC WORKS:**

Alderwoman Melancon offered a motion to approve Partial Payment No. 4 to Quality Construction Specialist under Work Order No. 1 for "City-Wide Crack Routing, Cleaning and Sealing" in the amount of \$9,566.10. Seconded by Alderman Martin and duly adopted.

Alderman Melancon offered a motion to approve Partial Payment Estimate No. 3 to H & S Construction Company for the 2004-2005 Annual Street Repair Work in the amount of \$66,567.42. Seconded by Alderman Thomas and duly adopted.

Alderman Melancon offered a motion to approve Partial Payment No. 2 for the Release of Retainage to Le Talley Ho for Bicentennial Park Drainage Improvements in the amount of \$2,008.25. Seconded by Alderman Martin and duly adopted.

**UTILITY:**

Alderman Martin offered a motion to approve Change Order No. 1, the final administrative change order for Stelly Construction Company for "Avenue I/Hockaday Pump Stations Force Main Replacement" in the amount of a \$10,706.88 increase and to add 24 days to the contract time. Seconded by Alderman Valdetero and duly adopted.

Alderman Martin offered a motion to approve Partial Payment No. 3 to Stelly Construction Company for "Avenue I/Hockaday Pump Stations Force Main Replacement" in the amount of \$35,727.79. Seconded by Alderman Thomas and duly adopted.

The following resolution was offered by Alderman Martin, duly seconded by Alderman Melancon, and duly resolved and adopted. The Labor and Material Liens Retainage is \$25,879.44 and Punch List Retainage is in the amount of \$6,150.

**RESOLUTION OF TERMINATION**

A resolution authorizing and directing the Mayor to execute for and on behalf of the City of Crowley, a Notice of Termination for Stelly Construction, 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 "City of Crowley Sanitary Sewer Force Main Replacement for Hockaday and Ave. I Pump Stations" for the City of Crowley in accordance with the plans and specifications contained in the contract documents pertaining thereto.

WHEREAS, Stelly Construction, Inc., as Contractor, has substantially completed "City of Crowley Sanitary Sewer Force Main Replacement for Hockaday and Ave. I Pump Stations " 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 complete, 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: December 14, 2004

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

Alderman Martin offered a motion to authorize the Mayor to enter into a contract with Auto-Sol for the 2005 Annual Maintenance of the SCADA system. Seconded by Alderman Thomas and duly adopted.

Alderman Martin offered a motion to approve Partial Payment No. 1 to Kaough & Jones Electric Company for "Crowley Sewer Pump Stations Electrical Controls Upgrades" in the amount of \$45,945. Seconded by Alderman Melancon and duly adopted.

Alderman Martin offered a motion to approve Partial Payment No. 2 to E. B. Feucht for “I/I Rehabilitation Program – 2004” in the amount of \$36,221.40. Seconded by Alderman Thomas and duly adopted.

Alderman Martin offered a motion to approve Change Order No. 1 to the contract with E. B. Feucht for “I/I Rehabilitation Program – 2004” in the amount of \$31,925. Seconded by Alderman Thomas and duly adopted.

**PUBLIC SAFETY:**

Alderman Buatt offered a motion to approve the following applications for renewal of retail beer and liquor permits for the year 2005. Seconded by Alderman Premeaux and duly adopted.

1. J. Elliot Dore’  
Crowley Town Club  
Highway 90, East Crowley  
2005 Class A Retail Outlet Beer Permit  
2005 Class A Retail Outlet Liquor Permit
2. Roger C. Holmes  
Holmes Food Mart #79  
9002 South LA 13, Crowley, LA  
2005 Class B Retail Package Beer Permit  
2005 Class B Retail Package Liquor Permit
3. Larry Croan  
Economart #7  
703 South Eastern Avenue, Crowley, LA  
2005 Class B Retail Package Beer Permit  
2005 Class B Retail Package Liquor Permit
4. Frank J. Relan  
Crowley Truckstop & Casino  
9002 South LA 13, Crowley, LA  
2005 Class A Retail Outlet Beer Permit  
2005 Class A Retail Outlet Liquor Permit
5. Nelson J. Arceneaux  
Knights of St. Peter Claver Council #51  
623 Mansfield Avenue, Crowley, LA  
2005 Class A Retail Outlet Beer Permit
6. Ricky Cuccio  
Cuccio Food Mart  
1025 North Avenue G, Crowley, LA  
2005 Class B Retail Package Beer Permit
7. Mark Brown  
Rice City Chevron  
530 North Eastern Avenue, Crowley, LA  
2005 Class B Retail Package Beer Permit
8. Cathy Witt  
Diamond Shamrock #378  
1764 North Parkerson Avenue, Crowley, LA  
2005 Class B Retail Package Beer Permit  
2005 Class B Retail Package Liquor Permit
9. Alfredo Cortez  
El Dorado Mexican Restaurant  
2307 North Parkerson Avenue, Crowley, LA  
2005 Class A Retail Outlet Beer Permit  
2005 Class A Retail Outlet Liquor Permit
10. Tyler J. Boullion  
TJ’s Downtown Cafe  
2365 Clement Road, Crowley, LA  
2005 Class A Retail Outlet Beer Permit  
2005 Class A Retail Outlet Liquor Permit

Alderman Buatt offered a motion to approve the following applications for new retail beer and liquor permits for the year 2005. Seconded by Alderwoman Melancon and duly adopted.

- Suzette Hayes Credeur/Collins J. Konkle 2005 Class A Retail Outlet Beer Permit  
“The Geaux Cup” 2005 Class A Retail Outlet Liquor Permit  
19033 Crowley-Eunice Highway. , Crowley, LA

The following resolution was offered by Alderman Martin, 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, LOUISIANA, DECLARING A SURPLUS OF CERTAIN WEAPONS ACQUIRED BY THE POLICE DEPARTMENT FROM THE UNITED STATE MILITARY AND ORDERING THE RETURN OF THE WEAPONS IN ACCORDANCE WITH LAW; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley Police Department obtained weapons from the United States Army for police use at various times; and

WHEREAS, the Honorable K.P. Gibson, Chief of Police, has stated that the Police Department has no further need for these weapons but they must be maintained, secured and accounted for nonetheless; and

WHEREAS, the weapons obtained from United States Military must be returned to the United States Army when they are no longer needed for use by public law enforcement agencies in accordance with law; and

WHEREAS, the City of Crowley must declare these weapons are no longer needed for public use in order to remove them from inventory;

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 find that the following described weapons acquired by the City of Crowley Police Department from the United States Military are no longer needed for the public use for law enforcement purposes and they therefore do declare the following weapons as surplus property:

Weapon	Serial Number	City Tags
1) Winchester 12 Gauge	998660	144-00170 & 020-00214
2) Stevens Arms 12 Gauge	60723	144-00184 & 020-00222
3) Winchester 12 Gauge	1006699	144-00169 & 020-00211
4) Stevens Arms 12 Gauge	54583	144-00182 & 020-00219
5) Winchester 12 Gauge	1003126	144-00167 & 020-00202
6) Stevens Arms 12 Gauge	44085	144-00180 & 020-00213
7) Winchester 12 Gauge	888590	144-00166 & 020-00170
8) Stevens Arms 12 Gauge	63589	144-00183 & 020-00221
9) Stevens Arms 12 Gauge	54672	144-00185 & 020-00225
10) Stevens Arms 12 Gauge	55612	144-00181
11) Winchester 12 Gauge	960979	144-00171 & 020-00215
12) Stevens Arms 12 Gauge	43796	144-00177 & 020-00204
13) Winchester 12 Gauge	958573	144-00168 & 020-00208
14) Stevens Arms 12 Gauge	43833	144-00179
15) Stevens Arms 12 Gauge	54800	144-00186 & 020-00226

BE IT FURTHER RESOLVED that they do hereby order that the above weapons be removed from the active inventory of the City of Crowley Police Department and be returned to the appropriate United States Military Arms Depot forthwith.

THUS DONE AND ADOPTED in regular session duly convened on the 14<sup>th</sup> day of December, 2004, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Alderman Buatt offered a motion to adopt the proposed pay plan for the Police Department as presented by Chief Gibson. The Plan will increase the base pay to \$1,635 for patrolmen and \$1,535 for records clerk, to be implemented in the fiscal 2005-2006 Budget contingent upon more funds being available. Seconded by Alderwoman Valdetero and duly adopted.

The following resolution was offered by Alderman Buatt, 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, 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 the property owner, Murphy Minix by the City Inspector's Office for repairs and/or demolition to be made of the improvements on Lot 15 of Block 30 of West Crowley, having a municipal address of 209 North Avenue B; 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 Murphy Minix for a public hearing to be held by the Mayor and Board of Aldermen on the 11<sup>th</sup> day of January, 2005, 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 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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, 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 the property owner, Rose Lee Pierre by the City Inspector's Office for repairs and/or demolition to be made of the improvements on Lot 7 of Block 30 of West Crowley, having a municipal address of 615 West 3<sup>rd</sup> 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 Rose Lee Pierre for a public hearing to be held by the Mayor and Board of Aldermen on the 11<sup>th</sup> day of January, 2005 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 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Buatt, 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, 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 the property owner, Alcide and Alice Richard, c/o James Guidry, by the City Inspector's Office for repairs and/or demolition to be made of the improvements on Lot 9 of Block 20 of the Original City of Crowley, having a municipal address of 913 East Clay 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 Alcide and Alice Richard c/o James Guidry for a public hearing to be held by the Mayor and Board of Aldermen on the 11<sup>th</sup> day of January, 2005, 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 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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

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 the property owner, Judy M. Monceaux, by the City Inspector's Office for repairs and/or demolition to be made of the improvements on the West ½ of Lot 1 of Block 20 of the Andrus Addition of the City of Crowley, having a municipal address of 327 South Avenue M, 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 Judy M. Monceaux for a public hearing to be held by the Mayor and Board of Aldermen on the 11<sup>th</sup> day of January, 2005 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 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

The following resolution was offered by Alderman Buatt, 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, 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 the property owners, Eddie and Preesly Glaze, by the City Inspector's Office for repairs and/or demolition to be made of the improvements on Lot 15 of Block 59 of West Crowley, having a municipal address of 403 North Avenue C, 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 Eddie and Preesly Glaze for a public hearing to be held by the Mayor and Board of Aldermen on the 11<sup>th</sup> day of January, 2005 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 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

Alderman Buatt offered a motion to amend and re-enact Chapter 4 Animals & Fowl of the Code of Ordinance to amend Section 4-1 definition, to enact, Article II, vicious or dangerous animals; to provide the provisions thereof to be severable. Seconded by Alderman Martin and duly adopted.

Alderman Buatt offered a motion to table the introduction of a resolution to amend the ordinance to allow establishments the sale of alcoholic beverages on Sunday after 12:00 a.m. when the following Monday is designated as a legal holiday. Seconded by Alderman Martin and duly adopted.

**ZONING & ANNEXATION:**

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE ACCEPTANCE OF SEWER IMPROVEMENTS FOR ST. MICHAEL'S ELEMENTARY SCHOOL ON EAST NORTHERN FROM ST. MICHAEL'S CATHOLIC CHURCH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley has received the reports of the architect and engineers regarding the installation of the sewer improvements; and

WHEREAS, the City of Crowley has also received the recommendation of the City Engineer and the City Attorney to extend the warranty on the work for an additional period of one (1) year beyond that of the construction warranty provided by the contractor; and

WHEREAS, St. Michael Catholic Church has agreed to same;

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 dedication of the improvements for public service to the utility system of the City of Crowley, including sewer lines, for public ownership and maintenance thereof; and

BE IT FURTHER RESOLVED that said act of acceptance shall contain all the usual terms and conditions thereof, including the special additional warranty of one (1) year beyond the one (1) year construction warranty for a total of two (2) years warranty from the owner and shall be free from all defects and problems during said warranty period; and

BE IT FURTHER RESOLVED that the said Honorable Isabella L. de la Houssaye be and she is hereby authorized to execute any and all documents and perform any and all acts necessary to complete said transaction as may be meet and proper in the premises.

THUS DONE AND ADOPTED in regular session duly convened on this the 11<sup>th</sup> day of January, 2005, at Crowley, Acadia Parish, Louisiana.

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

**PUBLIC BUILDING:**

Alderman Thomas offered a motion to approve Partial Payment No. 13 to E. L. Habetz Builders, Inc. for Restoration to the Ford Building in the amount of \$146,203. Seconded by Alderwoman Melancon and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 6 to Fruge Lumber Company for renovations to the Central Fire Station in the amount of \$36,746.80. Seconded by Alderman Buatt and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 8 to Bessette Development Company for the LaPac Plant Addition in the amount of \$140,159.20. Seconded by Alderwoman Melancon and duly adopted.

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE USE OF A DESIGNATED PORTION OF THE PREMISES BY LAPAC MANUFACTURING, INC. PRIOR TO ACCEPTANCE OF THE PROJECT; AND AUTHORIZING AN INDEMNITY AND HOLD HARMLESS AGREEMENT WITH BESSETTE DEVELOPMENT CORPORATION AND LAPAC MANUFACTURING, INC.; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the project for the expansion of the Lapac Manufacturing, Inc. facility being constructed by Bessette Development Corporation for the City of Crowley is nearing completion; and

WHEREAS, in order to complete the new facility, it is necessary to close off the sole access to the existing building for delivery of materials to LaPac Manufacturing, Inc. and shipping of finished products by LaPac Manufacturing, Inc.; and

WHEREAS, a portion of the new facility has been completed to such an extent that is suitable for deliveries and shipping by LaPac Manufacturing, Inc. while the new facility remains under construction; and

WHEREAS, Bessette Development Corporation acknowledges that the project has not been substantially completed nor will the use by LaPac Manufacturing, Inc. of any portion of the area under construction be deemed or construed to be an acceptance by the City of Crowley and/or LaPac Manufacturing, Inc.; and

WHEREAS, the parties have agreed that in exchange for the use of designated portion of the new facility for deliveries of material and shipping of finished products by LaPac Manufacturing, Inc. and in consideration thereof, LaPac Manufacturing, Inc. shall indemnify, hold harmless and defend Bessette Development Corporation and the City of Crowley from all claims, losses, demands and suits; and

WHEREAS, Bessette Development Corporation has agreed to indemnify, hold harmless and defend the City of Crowley and LaPac Manufacturing, Inc. from all claims, losses, demands and suits and does acknowledge its continuing obligation to complete the project in accordance with the terms and conditions of the contract;

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 indemnity and hold harmless agreement with Bessette Development Corporation and LaPac Manufacturing, Inc. authorizing the occupancy of the a portion of the new facility by LaPac Manufacturing, Inc. to be used for deliveries of material and shipping finished products during the remaining construction by Bessette Development Corporation and in consideration of the indemnity and hold harmless agreement aforementioned; and

BE IT FURTHER RESOLVED that they do hereby authorize the said Honorable Isabella L. de la Houssaye, Mayor, to execute any and all documents that may be necessary to meet and proper under the circumstances to complete said transaction.

THUS DONE, SIGNED AND ADOPTED at Crowley, Acadia Parish, Louisiana, on this the 14<sup>th</sup> day of December, 2004.

\_\_\_\_\_  
ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

\_\_\_\_\_  
JUDY L. ISTRE, CITY CLERK

**INSURANCE & PERSONNEL:**

Alderman Istre offered a motion to confirm Scott Mouton from Probational Firefighter to Permanent Firefighter effective January 14, 2005. Seconded by Alderman Buatt and duly adopted.

Alderman Istre offered a motion to appropriate the city's match of \$4,650 for the Fire Prevention Kiddie Fire House and refer to Revenue and Finance. Seconded by Alderman Buatt and duly adopted.

Alderman Istre offered a motion to accept the resignation of Police Officer Patrick Babineaux effective November 24, 2004. Seconded by Alderman Buatt and duly adopted.

Alderman Istre offered a motion to accept the resignation of Police Officer Brandon Stagg effective November 28, 2004. Seconded by Alderman Buatt and duly adopted.

Alderman Istre offered a motion to accept the Worker's Compensation policy from Safety National Casualty Corporation from January 1, 2005 to January 1, 2006. Seconded by Alderwoman Melancon and duly adopted.

**REVENUES:**

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, ACCEPTING THE BID OF CINCO LAND & EXPLORATION, INC. AND AWARING AN OIL, GAS AND MINERAL LEASE TO CINCO LAND & EXPLORATION, INC.; AND FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, a nominating petition has been received by the City of Crowley from CINCO Land & Exploration, Inc. proposing an Oil, Gas and Mineral Lease covering approximately twenty-two (22) acres, more or less, located in the City of Crowley, Louisiana; and

WHEREAS, CINCO Land & Exploration, Inc. has deposited with the City Clerk of the City of Crowley the appropriate fee in the form of a money order in the amount of Four Hundred & No/100 (\$400.00) Dollars; and

WHEREAS, advertisement for bids was authorized and duly published in the Crowley Post Signal, the official journal of the City of Crowley, on November 19, 2004 and The Advocate, the official journal of the State of Louisiana, on November 22, 2004, all as more fully appears by reference to affidavits of the publishers of the respective papers which are attached hereto and made part hereof; and

WHEREAS, sealed bids were accepted by the City Clerk as per advertisement on the 2<sup>nd</sup> day of December, 2004; and

WHEREAS, the sole bid was received from CINCO Land & Exploration, Inc. and no other bidders; and

WHEREAS, CINCO Land & Exploration, Inc. submitted a bid on a proper bid form as follows:

- a) 22 acres of land
- b) Three (3) year lease;
- c) Bonus payment of \$5,500.00;
- d) Approximate price per acre \$250.00;
- e) Annual rental of \$5,500.00;
- f) Royalty as follows:
  - a) 25% of all oil produced and saved or utilized;
  - b) 25% of all gas produced and saved or utilized;
  - c) 25% of all other liquid or gaseous minerals in solution and produced with oil and gas saved and utilized;

WHEREAS after careful consideration, examining the bid and having determined that the bid is satisfactory and acceptable to 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 the bid of CINCO Land & Exploration, Inc., whose mailing address is 9235 Katy Freeway, Suite 400, Houston, Texas, 77024, for an oil, gas and mineral lease of the following tract of land is hereby accepted, to-wit:

All of the right, title and interest belonging to the City of Crowley, Acadia Parish, Louisiana, situated within an area outlined in red on a plat on file with the office of the Mayor, City of Crowley, Louisiana, which said area is located in Sections 28, 29, 32, 33 and 43, Township 9 South, Range 1 East, and is bounded as follows: North by the South lines of Lots 7 and 8 of the Lawrence Subdivision, said line extended easterly to the East right of way line of Cherokee Road, and westerly to the center of Section 29; also bounded North by the North line of Stutes Subdivision; Southeasterly by the South right of way of 16<sup>th</sup> Street, said line extended to the Northeast to its intersection with the aforementioned East line; and Westerly by the West line of Northview Heights, Beauvoir and Lawrence Acres Subdivisions, containing 22.00 acres, more or less.

BE IT FURTHER RESOLVED that said lease is accepted and granted on the following terms and conditions, to-wit:

- a) 22 acres of land
- b) Three (3) year lease;

- c) Bonus payment of \$5,500.00;
- d) Approximate price per acre \$250.00;
- e) Annual rental of \$5,500.00;
- f) Royalties as follows:
  - a) 25% of all oil produced and saved or utilized;
  - b) 25% of all gas produced and saved or utilized;
  - c) 25% of all other liquid or gaseous minerals in solution and produced with oil and gas saved and utilized;

BE IT FURTHER RESOLVED that the Honorable Isabella L. de la Houssaye, Mayor of the City of Crowley, be and she is hereby authorize, empowered and directed to execute an oil, gas and mineral lease on behalf of the City of Crowley to CINCO Land & Exploration, Inc. and to accept and receipt payment therefor subject to the submission and approval by the Louisiana State Mineral Board; and

BE IT FURTHER RESOLVED that a complete copy of the proposed lease, together with supporting documentation be submitted to the State of Louisiana, Department of Natural Resources, Louisiana State Mineral Board for its consideration and approval.

THUS DONE AND ADOPTED in regular session duly convened on this the 14<sup>th</sup> day of December, 2004, at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

Alderman Valdetero offered a motion to dedicate \$4,650 of the CINCO LAND & EXPLORATION, INC. monies for the purchase of the Fire Prevention Kiddie Fire House. Seconded by Alderman Melancon and duly adopted.

Alderman Valdetero offered a motion to introduce a resolution to amend the budget to appropriate \$4,650 of the CINCO LAND & EXPLORATION, INC. monies for the purchase of the Fire Prevention Kiddie Fire House. Seconded by Alderman Istre and duly adopted.

The following resolution was offered by Alderman 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 11<sup>th</sup> day of January, 2005 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 14<sup>th</sup> day of December, 2004.

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JUDY L. ISTRE, CITY CLERK

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

**ORDINANCES:**

The following Amended Ordinance was offered by Alderman Istre, duly seconded by Alderman Buatt, and duly ordained and adopted.

ORDINANCE NO. 1302

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 14<sup>th</sup> day of December, 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 14<sup>th</sup> day of December, 2004 that the following 2005 Amended Operating Budgets are hereby approved, adopted and finalized.

Account Name	Current Proposed Amendment	Amended Budget 2004-2005
General Fund		
Revenues		
Grants & Loans	45,350	4,373,395
Fire Department Expenditure		
Capital Outlay	45,650	203,760

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 14<sup>th</sup> day of December, 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, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSENT: Laurita D. Pete

ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Alderman Marceaux moved to defer Ordinance 1303 on Wastewater. Seconded by Alderman Premeaux and duly adopted.

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

ORDINANCE NO. 1304

AN ORDINANCE TO DESIGNATE AND NAME AN UNNAMED STREET IN RHONE VILLAGE AS D.L. MAY AVENUE FROM ITS INTERSECTION WITH HUTCHINSON STREET, SOUTHEASTERLY TO ITS TERMINUS; AND TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY 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 14<sup>th</sup> day of December, 2004, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the City of Crowley has received requests and recommendations from civic groups and others to designate and name an unnamed street in Rhone Village; and

WHEREAS, the Registrar of Voters and the Acadia Parish Communications District, after having been notified of the proposed change, have entered no objections to the proposed name change;

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:

SECTION 1: That certain unnamed street located in Rhone Village within the corporate limits of the City of Crowley, from its intersection with Hutchinson Avenue, thence southeasterly to its terminus, be and it is hereby designated and named D.L. May Avenue.

SECTION 2: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable, 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; and

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

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on this the 14<sup>th</sup> day of December, 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, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSENT: Laurita D. Pete

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1305

AN ORDINANCE TO REDESIGNATE AND RENAME JOHNSON DRIVE AS D.N. RHONE AVENUE FROM ITS INTERSECTION WITH HUTCHINSON AVENUE TO ITS TERMINUS; AND TO PROVIDE FOR ALL MATTERS IN CONNECTION THEREWITH; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY 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 14<sup>th</sup> day of December, 2004, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the City of Crowley has received requests and recommendations from civic groups and others to redesignate and rename Johnson Drive to honor D.N. Rhone after whom Rhone Village was named; and

WHEREAS, it is appropriate to honor D.N. Rhone in such a manner for his contributions to improve and enhance living conditions in the City of Crowley; and

WHEREAS, the Registrar of Voters and the Acadia Parish Communications District, after having been notified of the proposed change, have entered no objections to the proposed name change; and

WHEREAS, the Mayor and Board of Aldermen find the redesignation and the renaming of the street in honor of D.N. Rhone is appropriate;

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:

SECTION 1: That certain street located in Rhone Village within the corporate limits of the City of Crowley currently bearing the name of Johnson Drive, from its intersection with Hutchinson Avenue, thence southeasterly to its terminus, be and it is hereby redesignated and named D.N. Rhone Avenue.

SECTION 2: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable, 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; and

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

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on this the 14<sup>th</sup> day of December, 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, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSENT: Laurita D. Pete

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1307

AN ORDINANCE TO AMEND AND RE-ENACT THE FIRE PREVENTION CODE-ARTICLE II OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO ADOPT THE NFPA 54, NATIONAL FUEL GAS CODE AND THE NFPA 58, LIQUEFIED PETROLEUM GAS CODE TO PROVIDE REGULATIONS AND STANDARDS GOVERNING HAZARDOUS CONDITIONS AND MATERIALS FOR FIRE PROTECTION AND PREVENTION WITHIN THE CITY; AND TO PROVIDE THE PROVISIONS THEREOF TO BE SEVERABLE; 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 14<sup>th</sup> day of December, 2004, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the City of Crowley has adopted the Uniform State Construction Code in accordance with the provisions of Act 400, 1991, regular session of the Louisiana Legislature; and

WHEREAS, the International Fuel Code was adopted in part therewith and it is desirable to amend and re-enact the Fire Prevention Code to include the provisions published by the National Fire Protection Association for fuel gas and liquefied petroleum gas; and

WHEREAS, the Mayor and Board of Aldermen find that the adoption of NFPA 54, National Fuel Gas Code and NFPA, Liquefied Petroleum Gas Code of 2000 are necessary to

supplement the State Uniform Construction Code in order to enhance fire protection and prevention within the corporate limits of the city;

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:

SECTION 1: Article II. Fire Prevention Code 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:

#### ARTICLE II. FIRE PREVENTION CODE\*

##### Sec. 8-20. Adoption.

There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain codes known as NFPA 54, National Fuel Gas Code and NFPA 58, Liquefied Petroleum Gas Code, 2000 Edition, published by the National Fire Protection Association and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than three (3) copies have been and now are filed in the office of the clerk of the city and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this article shall take effect, the provisions thereof shall be controlling within the limits of the city.

##### Sec. 8-21. Enforcement.

The fire prevention code shall be enforced by the chief of this fire department and the city inspector.

##### Sec. 8-22. Amendments.

The fire prevention code is amended to provide as follows:

NFPA 54, National Fuel Gas Code and NFPA 58, Liquefied Petroleum Gas Code are deleted, modified or amended in accordance with the following sections as hereinafter set out.

##### Sec. 8-23. Definitions

Whenever the phrase "bureau of fire prevention" is used in the fire prevention code, it shall mean the fire department of the city.

##### Sec. 8-24.

The chief of the fire department shall have power to modify any of the provisions of the fire prevention code upon application in writing by the owner or lessee, or a duly authorized agent thereof, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

##### Sec. 8-25. Restriction on storage of flammables, etc.

(A) *Flammable liquids industrial storage districts.* The limits referred to in the fire prevention code is hereby adopted.

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

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

THUS DONE, SIGNED AND ADOPTED in regular session duly convened on this the 14<sup>th</sup> day of December, 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, Steven C. Premeaux, Ira Thomas and Kitty Valdetero

NAYS: None

ABSENT: Laurita D. Pete

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

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JUDY L. ISTRE, CITY CLERK

There being no further business to come before the Council upon motion duly made by Alderman Istre and seconded by Alderman Thomas the meeting was adjourned at 8:00 p.m.

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ISABELLA L. de la HOUSSAYE, MAYOR

ATTEST:

\_\_\_\_\_  
JUDY L. ISTRE, CITY CLERK

Presented rough draft to Mayor on December 17, 2004 at 2:30 p.m.

Presented for Mayor's signature on January 11, 2005 2:30 p.m.

Mayor Signed & returned to City Clerk on January 11, 2005 at \_\_\_\_\_ p.m.