

CITY OF CROWLEY
REGULAR COUNCIL MEETING
AUGUST 10, 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 10th day of August, 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, Laurita D. Pete, Steven C. Premeaux, Ira Thomas and Kitty Valdetero.

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

Alderwoman Melancon moved to amend the agenda to consider a beer and liquor license for Donald Ray Hill. Seconded by Alderman Martin and duly adopted after an unanimous vote.

Alderman Martin moved to amend the agenda to consider Partial Payment No. 9 to E. L. Habetz for the Ford Building Complex. Seconded by Alderman Thomas and duly adopted after a unanimous vote.

Alderwoman Melancon moved to amend the agenda to consider Partial Payment No. 6 to E. L. Habetz for the Concession Complex. Seconded by Alderwoman Valdetero and duly adopted after a unanimous vote.

Alderwoman Melancon moved to amend the agenda to discuss the fire truck bids. Seconded by Alderwoman Pete and duly adopted after a unanimous vote.

Alderman Buatt moved to amend the agenda to consider the employment of Brandon K. Stagg. Seconded by Alderwoman Melancon and duly adopted after a unanimous vote.

Patrick C. Moore Landscape Architect received an award in recognition of outstanding professional achievement from the American Society of Landscape Architects for his design of the Crowley Baseball Complex Masterplan. Ms. Randal Moore presented a framed award that was accepted by Alderman Premeaux, Chairman of the Recreation Committee.

PUBLIC HEARINGS:

Mayor de la Houssaye opened the public hearing to receive comments on a proposed strategic plan for a West Crowley Neighborhood Revitalization program.

Ms. Randal Moore gave a presentation on the program.

Mayor de la Houssaye asked for opponents to the proposed plan for West Crowley Neighborhood Revitalization program. A third and final call was made with no one from the audience coming forward to speak.

Mayor de la Houssaye asked for proponents of the proposed plan for West Crowley Neighborhood Revitalization program. There were no comments from the audience after the third and final call.

There were many comments of appreciation and thanks to the people involved in this project.

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

Alderwoman Pete offered a motion to approve the strategic plan for a West Crowley Neighborhood Revitalization program. Seconded by Alderwoman Melancon and duly adopted.

Mayor de la Houssaye opened the public hearing to show cause why the property of Ralph Primeaux should not be condemned. Pamela and Robert Lowstader are co-owner of the property and request that they be permitted to demolish the building themselves.

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

A RESOLUTION OF THE MAYOR AND BOARD
OF ALDERMEN OF THE CITY OF CROWLEY,
ACADIA PARISH, LOUISIANA, ORDERING THE
CONDEMNATION OF IMPROVEMENTS ON LOT
6 AND THE E 10' OF LOT 7 OF BLOCK 5 OF THE
H. THIBODEAUX ADDITION, CROWLEY,
LOUISIANA

WHEREAS, a Condemnation Hearing was held regarding the above described property on the 10th day of August, 2004; and

WHEN AFTER, considering the evidence presented, the testimony of all parties interested, after due consideration of the circumstances and condition of the building, the report of the Building Inspector;

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 Order the buildings and/or structures situated on Lot 6 and the E. 10' of Lot 7 of Block 5 of the H. Thibodeaux addition, Crowley, Louisiana, being the property of Ralph J. Primeaux, having a municipal address of 522 East 14th Street, Crowley, Louisiana, be and the same are hereby condemned; and

IT IS FURTHER ORDERED that the said building and/or structure be demolished and/or removed together with all trash and debris within sixty (60) days from the date of receipt of notice.

THUS DONE AND ADOPTED at Crowley, Acadia Parish, Louisiana, on this the 10th day of August, 2004.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

Mayor de la Houssaye opened the public hearing to show cause why the property of Placide Bourque, should not be condemned.

The following resolution was offered by Alderwoman Valdetero, 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 THE
CONDEMNATION OF IMPROVEMENTS ON LOT
1 OF BLOCK 1, KILMER ADDITION CROWLEY,
LOUISIANA.

WHEREAS, a Condemnation Hearing was held regarding the above described property on the 10th day of August, 2004; and

WHEN, after considering the evidence presented, the testimony of all parties interested, after due consideration of the circumstances and condition of the building, the report of the Building Inspector;

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 Order the buildings and/or structures situated on Lot 1 of Block 1, Kilmer Addition, Crowley, Louisiana, being the property of Placide Bourque, c/o Pierre Bourque, having a municipal address of 1425 North Avenue I, Crowley, Louisiana, be and the same are hereby condemned; and

IT IS FURTHER ORDERED that the said building and/or structure be demolished and/or removed together with all trash and debris within sixty (60) days from the date of receipt of notice.

THUS DONE AND ADOPTED at Crowley, Acadia Parish, Louisiana, on this the 10th day of August, 2004.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

Mayor de la Houssaye opened the public hearing to show cause why the property of Phyllis Clark Credeur, should not be condemned.

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

A RESOLUTION OF THE MAYOR AND BOARD
OF ALDERMEN OF THE CITY OF CROWLEY,
ACADIA PARISH, 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, Marlon Keith Williams and Jennifer Jeanice Morris Williams, by the City Inspector's office for repairs and/or demolition to be made of the improvements on Lot 8 of Block 81, Original City of Crowley, having a municipal address of 411 West Hutchinson Avenue, Crowley, Louisiana; and

WHEREAS, no action has been taken and that 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 Alderman of the City of Crowley, in regular session duly convened, that Notice of Rule to Show Cause should be issued to Marlon Keith Williams and Jennifer Jeanice Morris Williams, for a public hearing to be held by the Mayor and Board of Aldermen on the 14th day of September, 2004, 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, on this the 10th day of August, 2004, in regular session duly convened, at Crowley, Acadia Parish, LA.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1291, the ordinance for a SLEMCO Franchise and Streetlight Agreement.

Mr. Regan asked for proponents on the public hearing. Mr. Ken Bordelon, Mr. Ted Carmichael and Mr. Jimmy Davidson requested a favorable consideration on behalf of SLEMCO.

Mr. Regan asked for opponents on the public hearing. Mrs. Sabrina Salling, Mr. Mark Segura and Mr. Ron Albarado requested a favorable consideration on behalf of CLECO.

Council member asked questions for clarification on the proposed ordinance.

Mayor de la Houssaye called the public hearing on proposed ordinance no. 1291 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1292, the ordinance to amend the fiscal 2004 budget.

Mr. Regan asked for opponents to the proposed ordinance no. 1292. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1292. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1292 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1295, the ordinance on exhaust brake devices.

Mr. Regan asked for opponents to the proposed ordinance no. 1295. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1295. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1295 to a close.

Mayor de la Houssaye opened the public hearing on proposed ordinance no. 1296, the ordinance on identification of dogs deemed to be vicious.

Mr. Regan asked for opponents to the proposed ordinance no. 1296. A third and final call was made with no one coming forward to speak.

Mr. Regan asked for proponents of the proposed ordinance no. 1296. There were no comments after the third and final call.

Mayor de la Houssaye called the public hearing on ordinance no. 1296 to a close.

READING & APPROVAL OF MINUTES / BILLS:

Alderman Valdetero moved to dispense with the reading of the minutes of the July 13, 2004 regular council meeting; and approve them as written and distributed. Seconded by Alderman Melancon and duly adopted.

Alderman Martin moved to dispense with the reading of the minutes of the July 28, 2004 special 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 Alderwoman Melancon 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 eleven months of the fiscal year to the budgeted revenues and expenditures of the same period.

STANDING COMMITTEE REPORTS:

PUBLIC WORKS:

Alderwoman Melancon offered a motion to table until Thursday's Committee meeting the 2003-2004 Annual Materials and Street Repair Work. Seconded by Alderman Martin and duly adopted.

Alderwoman Melancon offered a motion to award the following 2004-05 Annual Materials Contracts: 1) 2004-2005 Annual Materials Contract, Proposal #1 (Item Nos. 1-3) and Proposal No. 6 (Item Nos. 1 & 2) to Port Aggregates; 2) 2004-2005 Annual Materials Contract, Proposal No. 2 (Item No. 1) and Proposal No. 4 (Item Nos. 12, 22, and 23) to Vermilion Shell; 3) 2004-2005 Annual Materials Contract, Proposal No. 3 (Item Nos. 1-3) to Quality Construction 4) 2004-2005 Annual Materials Contract, Proposal No.4 (Item Nos. 1-11 and 13-21) and Proposal No. 5 (Item Nos. 9-13, 15 and 16) to Coastal Culvert. Seconded by Alderman Istre and duly adopted.

Alderwoman Melancon offered a motion to authorize the Mayor to engage the services of Wastewater Services, Inc. to provide additional cleaning and television work for the Downtown Sidewalk, Street, and Safety Improvements Project on 1st Street from Avenue G to Avenue F, and on Avenue F from Third Street to the Center Ditch at a cost between \$30,000 and \$40,000. Seconded by Alderman Martin and duly adopted.

Alderwoman Melancon offered a motion to award a contact to H. D. Truck and Tractor, LLC for the Fire Training Facility Phase I in the amount of \$107,317.64 and refer to Revenue and Finance. Seconded by Alderman Martin and duly adopted.

UTILITY:

Alderman Martin moved to authorize the City Attorney to research a solution with East Park Subdivision property owners to allow the city to access rights-of-way to the sewer mains. Seconded by Alderman Buatt and duly adopted.

Alderman Martin moved to approve Partial Payment No. 17 to Stelly Construction for the "West Crowley Sewerage Improvements (LCDBG 2001 Program)" in the amount of \$251,787.24. Seconded by Alderwoman Pete and duly adopted.

Alderman Martin moved to award a contract to Kaough & Jones Electric Company for Upgrading of Control Systems for Pump Stations City-Wide in the amount of \$119,616. Seconded by Alderwoman Pete and duly adopted.

Alderman Martin moved to award a contract to E. B. Feucht for the I/I Rehabilitation Program – 2004 in the amount of \$133,375 and refer to Revenue and Finance. Seconded by Alderwoman Pete and duly adopted.

PUBLIC SAFETY:

Alderman Buatt offered a motion to reappoint Alicia Damon as a Police Officer effective August 13, 2004 and refer to the Insurance & Personnel Committee. Seconded by Alderman Premeaux and duly adopted.

Alderwoman Valdetero offered a motion to table and refer back to committee a 2004 application from Donald Ray Hill for an initial Class A – Retail Beer Permit and a Class A – Retail Liquor Permit for Bootsie Carry-Out. Seconded by Alderman Martin and duly adopted.

Alderman Buatt offered a motion to take the fire truck bids under advisement. Seconded by Alderman Istre and duly adopted.

Alderman Premeaux offered a motion to employ Brandon K. Stagg as a Recruit Police Officer effective August 12, 2004 pending his passing the physical and drug test. Seconded by Alderman Buatt and duly adopted.

ZONING & ANNEXATION:

Alderman Marceaux offered a motion to approve the Planning Commission's recommendation for Miles Frank regarding a variance of five (5') feet to add a storage shed on the east side of the property line located at 424 West 17th Street and a request for a variance for a three foot (3') set back on the west side of the property to build a store room. Seconded by Alderman Istre and duly adopted.

Alderman Marceaux offered a motion to approve the Planning Commission recommendation for Blake Vidrine regarding a rear yard set back variance of ten (10') feet at 132 Cypress Drive. Seconded by Alderman Premeaux and duly adopted.

Alderman Marceaux offered a motion to approve the Planning Commission recommendation for Ted Carmichael regarding a variance of three feet (3') for a north side yard set back, in order to add on to the building at 1016 North Parkerson Avenue. Seconded by Alderman Premeaux and duly adopted.

PUBLIC BUILDING:

Alderman Thomas offered a motion to approve Partial Payment No 8 to E. L. Habetz Builders, Inc. for Restoration to the Ford Building in the amount of \$19,950. Seconded by Alderwoman Melancon and duly adopted.

Alderman Thomas offered a motion to approve Change Order No. 1 to Fruge Lumber Company for renovation to the Central Fire Station to add 60 days to the contract time due to rain delays. Seconded by Alderman Buatt and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 5 to E. L. Habetz Builders, Inc. for the Recreation Baseball Park Concession Complex in the amount of \$34,653. Seconded by Alderman Premeaux and duly adopted with Aldermen Istre and Marceaux voting nay.

Alderman Thomas offered a motion to approve Change Order No. 3 to E. L. Habetz Builders, Inc. for the Recreation Baseball Park Concession Complex to add 24 days to the contract time due to rain delays. Seconded by Alderwoman Melancon and duly adopted with Marceaux voting nay.

Alderman Thomas offered a motion to approve Partial Payment No. 4 to Bessette Development Company for LaPac Plant addition in the amount of \$179,772.30. Seconded by Alderman Premeaux and duly adopted.

Alderman Thomas offered a motion to approve Change Order No. 6 to Bessette Development Corporation for LaPac Manufacturing to add 18 days due to rain and adverse site conditions due to rain. Seconded by Alderman Premeaux and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 3 to Fruge Lumber Company for renovation to the Central Fire Station in the amount of \$35,457.30. Seconded by Alderwoman Melancon and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No 9 to E. L. Habetz Builders, Inc. for Restoration to the Ford Building in the amount of \$ 90,391.00. Seconded by Alderwoman Melancon and duly adopted.

Alderman Thomas offered a motion to approve Partial Payment No. 6 to E. L. Habetz Builders, Inc. for the Recreation Baseball Park Concession Complex in the amount of \$38,895.00. Seconded by Alderman Premeaux and duly adopted with Aldermen Istre and Marceaux voting nay.

INSURANCE & PERSONNEL:

Alderwoman Pete offered a motion to hire Alicia Damon as a Police Officer effective August 13, 2004. Seconded by Alderman Buatt and duly adopted.

Alderwoman Pete offered a motion to confirm Scott Fogleman from Probational Police Officer to Permanent Police Officer effective July 16, 2004. Seconded by Alderwoman Valdetero and duly adopted.

Alderwoman Pete offered a motion to place Michael Breaux on Administrative Leave with pay effective July 14, 2004. Seconded by Alderman Istre and duly adopted.

Alderwoman Pete offered a motion to terminate Michael Breaux's Administrative Leave with pay effective July 20, 2004. Seconded by Alderman Buatt and duly adopted.

Alderwoman Pete offered a motion to confirm Yolanda Lewis from Probational Police Office to Permanent Police Officer effective June 16, 2004. Seconded by Alderman Buatt and duly adopted.

Alderwoman Pete offered a motion to terminate extended sick leave for Berton Gauthreaux effective August 2, 2004. Seconded by Alderman Istre and duly adopted.

Alderwoman Pete offered a motion to place Richard Baudoin on extended sick leave effective July 30, 2004. Seconded by Alderman Buatt and duly adopted.

Alderman Premeaux offered a motion to employ Brandon K. Stagg as a Recruit Police Officer effective August 12, 2004 pending his passing the physical and drug test. Seconded by Alderman Buatt and duly adopted.

REVENUES:

Alderwoman Valdetero offered a motion to award a contract to E. B. Feucht for the I/I Rehabilitation Program – 2004 in the amount of \$133,375. Seconded by Alderman Martin and duly adopted.

Alderwoman Valdetero offered a motion to award a contract to H. D. Truck and Tractor, LLC for the Fire Training Facility Phase I in the amount of \$107,317.64. Seconded by Alderwoman Melancon and duly adopted.

Alderwoman Valdetero offered a motion to award to H&S Construction Co. the following 2003-04 city wide street repairs: The base bid in the amount of \$250,300 plus Additive Alternate #1 in the amount of \$76,166 plus Additive Alternate #2 in the amount of \$87,360 for the total contract amount of \$413,826, such that with the previously authorized QCS Work Order No. 1 for Crack Routing, Cleaning and Sealing in the amount of \$197,145, and including contingencies and engineering, \$514,013 is to be funded from General Fund/Sales Tax Fund; \$104,832 is to be funded from ½ Cent Sales Tax Street Improvement Fund; and \$114,391 is to be funded from the Utility Fund for a total estimated expenditure of \$733,236. Seconded by Alderwoman Melancon. An amendment was offered by Alderman Marceaux and seconded by Alderman Martin to fund half of the \$514,013 from General

Fund/Sales Tax Fund and the other half from the ½ Cent Sales Tax Street Improvement Fund. The main motion as amended was voted on and passed.

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, AUTHORIZING THE EXECUTION OF AN ACT OF CORRECTION FOR TAX REDEMPTION; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, an Act of Redemption of Property was executed by the City Clerk and Ex-Officio Tax Collector, the Honorable Judy L. Istre, in favor of Elridge Hoffpauir, Sr. on July 19, 2002; and

WHEREAS, during the preparation of the Act of Redemption of Property, errors were committed in the date of the act, the undivided interest in the property which was conveyed for the unpaid taxes, the consideration shown which was paid and the legal description of the property; and

WHEREAS, these errors should be corrected by the Clerk and Ex-Officio Tax Collector to properly reflect the intent of the transaction as a full redemption of the property; and

WHEREAS, the Clerk and Recorder of Acadia Parish, Louisiana, requires an indemnity and hold harmless clause to be included in the Act of Correction in order to accept said act for recordation;

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 Judy L. Istre, City Clerk and Ex-Officio Tax Collector, to execute and Act of Correction of that certain Act of Redemption of Property recorded on July 25, 2002, under Act No. 702041 in Conveyance Book A-59 at Page 142; and to release, indemnify and hold harmless the Clerk and Recorder of Acadia Parish, Louisiana, from any liability or responsibility for the recordation of said Act of Correction; and

THUS DONE AND ADOPTED on this the 10th day of August, 2004, in Crowley, Acadia Parish, Louisiana.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Alderman Istre offered a motion to authorize Mayor de la Houssaye to sign the engagement letter to contract with Broussard, Poche', Lewis & Breaux for audit services for the year ending August 31, 2004. Seconded by Alderwoman Melancon and duly adopted.

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

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

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

WHEREAS, the proposed ordinance must be introduced by its title; and

WHEREAS, a public hearing must be held prior to its adoption; and

WHEREAS, the title of the proposed ordinance must be published in the official journal and the notice shall provide for the time and place where the Board will consider its adoption.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen, that the following ordinance be and it is hereby introduced for consideration at the next regular meeting of the Mayor and Board of Aldermen, to-wit:

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF CROWLEY; 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 14th day of September, 2004 at 6:00 o'clock p.m. in the Council Chambers, City Hall, Crowley, LA, to consider the adoption of the following ordinance.

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF CROWLEY; 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 10th day of August, 2004.

JUDY L. ISTRE, CITY CLERK

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

ORDINANCES:

The following Ordinance was offered by Alderman Marceaux, duly seconded by Alderwoman Valdetero, and failed.

FAILED - ORDINANCE NO. 1291

AN ORDINANCE PURSUANT TO LA. R.S. 33:4401, ET SEQ, THIS MUNICIPALITY'S POLICE POWERS AND IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC, GRANTING A NON-

EXCLUSIVE FRANCHISE, THE RIGHT AND PRIVILEGE TO SOUTHWEST LOUISIANA ELECTRIC MEMBERSHIP CORPORATION (“SLEMCO”), ITS SUCCESSORS AND ASSIGNS FOR A PERIOD OF ELEVEN (11) YEARS RETROACTIE TO JULY 2, 2003 FROM THE DATE OF ADOPTION HEREOF, FOR CONSTRUCTING, ERECTING, MAINTAINING AND OPERATING ELECTRICAL UTILITY TRANSMISSION AND DISTRIBUTION FACILITIES AND SYSTEMS IN, THROUGH, OVER AND ACROSS, UNDER AND ON THE STREETS, LANES, ALLEYWAYS, HIGHWAYS, PUBLIC ROADS AND OTHER PUBLIC PLACES IN THE CITY OF CROWLEY, LOUISIANA (THE “MUNICIPALITY”) FOR THE PRIVILEGE OF SELLING, SERVICING, HANDLING AND DISTRIBUTING ELECTRICITY AND ELECTRIC ENERGY WITHIN THE MUNICIPALITY; FIXING THE TERMS, CONSIDERATIONS AND LIMITATIONS THEREOF AND PROVIDING FOR THE PAYMENT BY SOUTHWEST LOUISIANA ELECTRIC MEMBERSHIP CORPORATION, ITS SUCCESSORS AND ASSIGNS OF A SUM EQUAL TO FOUR (4%) PERCENT OF THE AMOUNT RECEIVED BY SAID COMPANY FROM THE SALE AND DELIVERY OF ELECTRICAL ENERGY AT RETAIL FOR RESIDENTIAL AND COMMERCIAL PURPOSES BILLED FOR SERVICE WITHIN THE CORPORATE LIMITS OF SAID MUNICIPALITY, AS SAME MAY NOW OR MAY HEREAFTER LAWFULLY EXIST; AND TO PROVIDE FOR ALL OTHER MATTERS RELATIVE OR PERTAINING 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 10th day of August, 2004 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the area previously served by the existing electric power franchisee within the corporate limits of the MUNICIPALITY has been excluded from the service area proposed by SLEMCO; and

WHEREAS, the Mayor and Board of Aldermen find that it is in the best interest of the City of Crowley and the citizens to grant a non-exclusive franchise for the distribution of electric power within the corporate limits; and

WHEREAS, the Mayor and Board of Aldermen desire to grant a non-exclusive franchise to SLEMCO subject to the terms, limitations and conditions provided for herein.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, PARISH OF ACADIA, STATE OF LOUISIANA, IN REGULAR SESSION DULY CONVENED, THAT:

SECTION 1: There is hereby granted unto Southwest Louisiana Electric Membership Corporation, a Louisiana Electric Cooperative organized and existing pursuant to the Louisiana Electric Cooperative Law, RS 12:401 et seq., and domiciled in Lafayette Parish, Louisiana, and hereinafter referred to as “SLEMCO”, it successors and assigns, a non-exclusive franchise, right and privilege for a term of eleven (11) years, effective beginning on the July 3, 2003, and ending at midnight July 2, 2014, to:

(1) distribute, deliver, sell and supply electricity, electrical energy and/or electric service throughout all areas of the corporate limits of the MUNICIPALITY, as the same now exist or as the corporate limits may be extended from time to time during the term of the

Franchise Agreement, excluding those areas which were within the corporate limits of the MUNICIPALITY prior to July 3, 2003, to the inhabitants thereof and to any person, firm or corporation in such a manner and from such sources as SLEMCO chooses. It is understood that the MUNICIPALITY shall provide to SLEMCO in writing a legal description of the MUNICIPALITY'S corporate limits as of July 3, 2003, the current description of the MUNICIPALITY'S corporate limit and shall notify SLEMCO in writing of each annexation of property into the corporate limits during the term hereof. Payments of all Franchise Fees by SLEMCO to the MUNICIPALITY shall begin thirty (30) days after said notifications provided that SLEMCO is then serving the customers within the annexed area;

(2) acquire, erect, construct, operate and maintain such plants, structures, transmission lines and/or systems, distribution lines and/or systems, cables, fibers, facilities and equipment as may be useful or necessary for the generation, production, transportation, distribution, delivery and/or sale of electric power and energy throughout the MUNICIPALITY;

(3) erect, operate and maintain poles, lines, masts, supports, wires, cables, fibers, installations, transformers, braces, guys, transmission lines, conduits, conductors, substances, distribution systems and any and all other appliances, attachments and appurtenances useful or necessary in connection with the sale, transportation, delivery and/or distribution of electricity, electric energy, electrical service on, over, under, along, upon and across all of the present and/or future streets, roads, highways, alleys and public places of the MUNICIPALITY;

(4) repair, replace or remove same or any portion thereof; and

(5) connect any such facilities to any other such facilities for the purpose of selling, transporting and/or distributing electric service into, through or beyond the boundaries of the MUNICIPALITY;

SECTION 2: This Franchise does not authorize SLEMCO to use the facilities for the transportation, distribution or sale of electric service for or on behalf of third parties to any person, firm, or corporation other than SLEMCO located within the boundaries of the MUNICIPALITY, unless and until SLEMCO has been notified, in writing, by the MUNICIPALITY that the interests of the MUNICIPALITY, including but not limited to, its recovery of Franchise Fee revenue on such third party transaction, are adequately protected in connection with the provision of such third party service by SLEMCO. In the event that the operations of SLEMCO are unbundled, in connection with the adoption of a plan for retail open access or otherwise, SLEMCO will have the right to assign its franchise rights with respect to particular facilities or operations as may be necessary to facilitate unbundled operations; provided, however, that any such assignment (1) shall be to any entity that, directly or indirectly, controls, is controlled by or is under common control with SLEMCO; (2) shall not result in a reduction in the revenue received by the MUNICIPALITY pursuant to this Franchise; and (3) shall ensure the MUNICIPALITY retains all other rights and protections afforded by this Franchise;

SECTION 3: This Franchise is granted upon and subject to the following provisions:

(1) SLEMCO shall comply with all laws, ordinances, regulations and requirements of the State of Louisiana and the MUNICIPALITY and obtain all necessary permits for construction required by ordinance;

(2) In maintaining its properties, SLEMCO shall not unnecessarily or unreasonably damage, impair or obstruct the streets, roads, highways, alleys, sidewalks and public grounds, and SLEMCO shall at its own expense, without unreasonable delay, make all necessary repairs to remedy any damages to the MUNICIPALITY or remove any obstruction caused by its operations hereunder in accordance with industry or the MUNICIPALITY'S standards, whichever is greater;

(3) SLEMCO shall use reasonable precautions to avoid damage or injury to persons or property, and shall indemnify and hold and save harmless the MUNICIPALITY

from all damages, losses and/or expenses caused by the sole negligence or fault of SLEMCO, its agents or employees, while exercising any of the rights and privileges herein granted;

(4) SLEMCO shall comply with all laws and obtain all necessary permits, to-wit:

(a) SLEMCO shall at all times be subject to all laws, statutes, ordinances, codes, rules, regulations, standards and procedures regarding the construction, operation or maintenance of SLEMCO'S facilities, whether Federal, State or local, now in force or which, hereafter may be promulgated (including but not limited to zoning, land use, historic preservation ordinances, safety standards and other applicable requirements). However, if any term of condition of this ordinance shall be in conflict with any local ordinance, code, rule or regulation, the provisions in this ordinance shall govern and control. SLEMCO shall obtain all necessary permits or approvals for construction, maintenance and operations;

(b) No action or omission of the MUNICIPALITY shall operate as a future waiver of any laws, statutes, ordinances, codes, rules, regulations, standards or procedures of the MUNICIPALITY under this ordinance;

(5) SLEMCO shall provide safe and efficient services to the MUNICIPALITY, to-wit:

(a) During the term of this Franchise, SLEMCO shall provide services to meet the reasonable demands of the MUNICIPALITY and the customers located within the city limits of the MUNICIPALITY without discrimination. SLEMCO shall acquire, construct, maintain, equip and operate all necessary SLEMCO facilities to provide such services. SLEMCO shall not curtail services to the MUNICIPALITY or to its customers except in compliance with a curtailment plan filed and approved by the Louisiana Public Service Commission;

(b) SLEMCO shall promptly make any extension of SLEMCO'S facilities as may be necessary to service one or more current or potential customers, provided that if the anticipated revenues to be derived from such extension shall not afford a reasonable return of the cost of providing and rendering service by SLEMCO, SLEMCO may decline to make such extension unless the customer(s) to be serviced by such an extension submit(s) cash advances, minimum guarantees, service guarantees or other arrangements as will enable SLEMCO to earn a reasonable return of its costs of providing such services;

(c) SLEMCO shall be entitled to charge customers within the MUNICIPALITY for services at its usual and customary rates for the general area approved by the Louisiana Public Service Commission. If SLEMCO shall file with the Louisiana Public Service Commission any rate or other tariff change which involves services using SLEMCO facilities subject to this Franchise, SLEMCO shall give the MUNICIPALITY written notice of such proposed rate or other tariff changes within five (5) days of such filing. The MUNICIPALITY reserves all rights to participate in proceedings before the Louisiana Public Service Commission with respect to any rate or tariff filing by SLEMCO which involves the use of SLEMCO'S facilities subject to this Franchise.

(d) The reading of meters, services, repairs, construction, billing and collecting for services rendered shall all be in accordance with the usual and customary policies and procedures of SLEMCO which are applicable in the general area.

SECTION 4:

(1) For and in consideration of the non-exclusive Franchise and all the rights and privileges herein granted unto SLEMCO, it is understood and agreed that SLEMCO shall:

(a) pay to the MUNICIPALITY a lump sum of Ten Thousand & No/100 (\$10,000.00) Dollars cash, upon execution of the Franchise Agreement covering the period from July 3, 2003 to date hereof which payment shall not be assessed to or collected from customers of SLEMCO;

(b) pay to the MUNICIPALITY a Franchise Fee for the use of its public rights of way and for the privileges of selling electricity within the corporate limits of the MUNICIPALITY, the sum of which shall be equal to four (4%) of the gross receipts collected by SLEMCO from the metered kilowatt-hour consumption sold to its customers within the corporate limits of the MUNICIPALITY at SLEMCO'S rates as approved by the Louisiana Public Service Commission, excepting from those sales the following:

- Revenue received by SLEMCO from billing to city accounts;
- Revenue from the kilowatt-hour consumption derived from streetlights and/or security lights paid by SLEMCO.
- Revenue from the kilowatt-hour consumption derived from selling or exchanging power to or with other utilities.
- Revenue from the kilowatt-hour consumption unpaid by a customer.
- Revenue derived from collections of any taxes or assessments collected and remitted directly to and on behalf of any Federal, State, Parish, Municipal or Local Governmental Units.
- Revenue received from collection of delinquent fees.
- Revenue received from industrial customers involved in manufacturing process.
- SLEMCO revenues not attaching to electric energy sales.

(c) have the right to collect the Franchise Fee payments made to the MUNICIPALITY, pursuant to the foregoing Section 4(b), from the customers served by SLEMCO under this Franchise.

(2) It is distinctly understood and agreed that the percentage of gross receipts paid to the MUNICIPALITY shall not apply to or include any receipts from the sale of electric energy to the MUNICIPALITY, or to government or MUNICIPALITY agencies, or to any sale for industrial purposes or for resale within the corporate limits of the MUNICIPALITY;

(3) SLEMCO'S obligation to make such payments to the MUNICIPALITY shall remain in full force and effect so long as SLEMCO holds a good, valid and irrevocable eleven (11) year franchise granted by the MUNICIPALITY;

(4) If the Rural Utilities Service (RUS) or the Louisiana Public Service Commission were to declare that SLEMCO cannot be a party to this Franchise Agreement, SLEMCO shall have the right to cancel this contract upon thirty (30) days notice; it being understood, however, that in the event of the cancellation by SLEMCO upon the grounds set out in this paragraph, SLEMCO shall not be entitled to any refund of any monies heretofore paid to the MUNICIPALITY pursuant hereto;

(5) Should the MUNICIPALITY levy any new taxes, of any nature whatsoever, subsequent to the date of this contract, or increase the rates of any taxes in existence on the date of this contract (except uniform ad valorem taxes now authorized by Article VII, Section 18 of the Constitution of the State of Louisiana), then the payments herein provided to be made by SLEMCO to the MUNICIPALITY will be reduced in an amount equal to the sum of such new and increased taxes, if any. The Franchise Fee shall not be considered a tax for purposes of this ordinance;

SECTION 5:

(1) Franchise Fee. Definition of gross receipts:

(a) Subject to the foregoing provisions of Section 4(b) hereof, SLEMCO shall calculate the gross receipts of SLEMCO based on all revenues collected by SLEMCO from any and all electrical services provided to all SLEMCO'S residential and commercial customers within the city limits of the MUNICIPALITY'S. The Franchise Fee payment shall be exclusive of and in addition to (1) the usual and general or special ad valorem taxes which the MUNICIPALITY is authorized to levy and impose upon real and personal property; (2) any applicable sales taxes on SLEMCO'S service to the extent permitted by State law; and (3) assessments for public improvements;

(b) For the purpose of confirming the Franchise Fee paid under this subsection, SLEMCO shall provide the MUNICIPALITY documentation supporting its gross receipts statement(s) for the prior year. The MUNICIPALITY shall have the right to conduct an independent review of the books and records of SLEMCO only relating to the calculation.

(c) It is understood and agreed that the payment aforesaid shall be made at such intervals and pursuant to such accounting as is mutually agreed upon between the MUNICIPALITY and SLEMCO, provided however, that all payments made pursuant to this Agreement shall be reconciled at the close of the calendar year by statements showing the gross revenue collected by SLEMCO from the retail sale and delivery of electric energy in the MUNICIPALITY limits, subject to other provisions of this Franchise Agreement and the total amount due to the MUNICIPALITY listed thereon and any amount not theretofore paid before the close of said calendar year shall be paid by SLEMCO within thirty (30) days after the end of the calendar year.

SECTION 6: In the event that CLECO (or any subsidiary, affiliate or other related company to CLECO) pays a Franchise Fee as above described and defined of more than 4% to the MUNICIPALITY, SLEMCO shall increase the aforesaid 4% Franchise Fee to that being paid by CLECO. However, the foregoing notwithstanding, the amount or percentage payment shall never exceed the percentage allowed by Law and/or Statute which can be recovered from the customers.

SECTION 7: SLEMCO is hereby granted the right and privilege of cutting and trimming trees, shrubbery and vegetation of all MUNICIPALITY rights-of-way in order to properly maintain the electric lines and electric service and to cut down, from time to time, all dead, weak, leaning or dangerous trees, shrubbery, etc. that are tall enough to strike or endanger the lines and distribution system. SLEMCO agrees and binds and obligates itself to fully protect and indemnify the MUNICIPALITY from any and all claims, demands, causes of action, damages and expenses arising because of such trimming, cutting or removal of trees, shrubbery and vegetation pursuant to this Agreement.

SECTION 8: It is understood that all changes or rearrangements made necessary in SLEMCO distribution and/or transmission lines in connection with the improvements of streets, lanes, public roads, bridges, or other public places shall be made by SLEMCO, its successors or assigns, at no cost to the MUNICIPALITY, and the said SLEMCO shall likewise repair all damages to the streets, lanes, public roads, bridges, or other public places caused by the construction or maintenance of its said distribution and transmission lines.

SECTION 9: In the event that the MUNICIPALITY shall at any time elect to levy a MUNICIPALITY Customer Service Charge on SLEMCO customers within the MUNICIPALITY, it is understood and agreed that SLEMCO shall bill and collect for and on behalf of the MUNICIPALITY, such MUNICIPALITY Customer Service Charges, which amounts shall be shown separately on the bills as an amount being charged by the MUNICIPALITY and collected on its behalf by SLEMCO. The amount of this charge shall be determined by the Mayor and City Council. There shall be excepted from the foregoing: (1) those charges for kilowatt-hours unpaid by customers and (2) those receipts billed to the MUNICIPALITY. It is understood and agreed that the payments to the MUNICIPALITY for the aforesaid amounts collected by SLEMCO on behalf of the MUNICIPALITY shall be made monthly and pursuant to such accounting as is mutually agreed upon between the MUNICIPALITY and SLEMCO; provided, however, that all such payments made pursuant to this Agreement shall be reconciled at the close of each calendar year by statements showing the total kilo-watt hours to which the charges apply and the total amount due to the

MUNICIPALITY and any amounts not therefore paid to the close of the said calendar year shall be paid by SLEMCO within thirty (30) days after the end of the said calendar year.

SECTION 10: The MUNICIPALITY agrees to pay for and SLEMCO agrees to furnish, install and operate a street lighting system on SLEMCO poles as requested by the MUNICIPALITY located on legally dedicated and/or accepted public streets and/or roads as requested in writing by the MUNICIPALITY, with the exception of the Excluded area. Said system will be owned by SLEMCO.

SLEMCO will provide the operation and maintenance for the existing fifteen (15) streetlights located within the limits of the MUNICIPALITY at no charge to the MUNICIPALITY.

SLEMCO will charge and the MUNICIPALITY agrees to pay per month for all future street-lighting service rendered pursuant to the terms hereof. Said service shall be provided at rates which shall be equal to the rates charged by SLEMCO in the general area, as they presently exist, as approved by the Louisiana Public Service Commission.

SLEMCO will maintain and replace, when necessary, all fixtures, lamps, brackets, and other devices and material necessary for the proper operation of the SLEMCO street lighting system.

The MUNICIPALITY shall be responsible for the cost of said installation, operation, and maintenance. Said charges charged will be at standard SLEMCO rates in effect from time to time during this agreement. All streetlights will be installed in accordance with SLEMCO standard engineering and construction polices. When additional facilities are required (poles, wire, transformer, etc.), the MUNICIPALITY shall be responsible for the cost of such additional facilities. All costs under this paragraph will be considered as a contribution in aid of construction and not refundable.

Bills for said services provided hereunder shall be paid or mailed to Southwest Louisiana Electric Membership Corporation, P.O. Box 98055-8055, Lafayette, La. 70509. Payments shall be due twenty (20) days after the billing date. If the MUNICIPALITY should fail to make any such payment by the twenty-first day after the billing date, SLEMCO may discontinue service to the lights upon five (5) business days of written notice to the MUNICIPALITY of its intention to do so; provided however, that such discontinuation of service shall not relieve the MUNICIPALITY of any obligations under this Agreement. If nonpayment is rectified following the MUNICIPALITY'S receipt of the service discontinuation notice, the service will not be terminated.

One hundred (100) watt High Pressure Sodium streetlights, which will automatically turn "on" at night and "off" at daybreak, will be used. Where 175watt Mercury Vapor streetlights are presently being used, they will be replaced with 100watt High Pressure Sodium when maintenance or replacement is required.

Lighting of different wattage and/or style may be used where possible if requested by the MUNICIPALITY. Should the MUNICIPALITY request a streetlight which is not classified as SLEMCO standard lighting, the MUNICIPALITY will be required to pay the additional cost above the cost of SLEMCO standard light at that time.

In the event a light is requested to be relocated by the MUNICIPALITY, the MUNICIPALITY will be responsible for the cost of said relocation.

If a rate increase or decrease should be made applicable to the class of service furnished hereunder, by SLEMCO, or by order of or permission of any regulatory body having jurisdiction, such increase or decrease rate shall be applicable to the service rendered hereunder from and after the effective date of such rate change.

The MUNICIPALITY will be responsible for notifying SLEMCO of streetlight outages and/or damage.

SECTION 11: The Franchise granted by this ordinance may be revoked, at the sole discretion of the MUNICIPALITY, upon SLEMCO'S failure to meet its agreements and obligations set forth herein.

SECTION 12: The MUNICIPALITY shall make, adopt and enforce all ordinances necessary to protect the property and property rights of SLEMCO owned and operated under this Franchise, while still recognizing the rights of all other entities holding valid franchises with the MUNICIPALITY, and that the MUNICIPALITY will not in any way interfere with the legal use by SLEMCO of the property which it now maintains or may hereafter maintain in the MUNICIPALITY, except as required under the valid exercise of its police powers and as may be necessary to protect the health, safety and welfare of its citizens.

SECTION 13: This ordinance, the public health and welfare and the public necessity requiring it, shall take effect from and after its adoption.

SECTION 14: Nothing herein shall be construed to constitute the granting of a franchise for the provision of any service, other than electrical, to citizens within the MUNICIPALITY;

SECTION 15: If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance and do hereby declare the provisions hereof to be severable, then in that event, only that particular provision, part, word, section, subsection, sentence, clause or phrase shall be deemed unconstitutional or invalid and the remaining provisions, parts, words, sections, subsections, sentences, clauses and phrases will not be affected and shall continue in full force and effect;

SECTION 16: All ordinance or parts of ordinances inconsistent with or in conflict herewith be and the same are hereby repealed.

SECTION 17: A Franchise Agreement containing the provisions hereof shall be executed by the MUNICIPALITY and SLEMCO and recorded in the conveyance records of the Clerk of Court's office of Acadia Parish, Louisiana.

THUS FAILED on this the 10th day of August, 2004, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

YEAS: Woody Marceaux, Laurita D. Pete, and Kitty Valdetero

NAYS: James M. Buatt, Tiger Istre, Vernon Martin, Mary T. Melancon, and Steven C. Premeaux

ABSTAIN: Ira Thomas

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1292

AN ORDINANCE AMENDING THE BUDGETS FOR THE CITY OF CROWLEY FOR THE FISCAL YEAR, BEGINNING SEPTEMBER 1, 2003 AND ENDING AUGUST 31, 2004; 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 10th day of August, 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 10th day of August, 2004 that the following Amended Operating Budgets are hereby approved, adopted and finalized.

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the amended 2003-2004 fiscal budget, however nothing shall be construed to prohibit the Governing Authority from making amendments to the budget.

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

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

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

THUS AMENDED, APPROVED, ADOPTED AND FINALIZED on this the 10th day of August, 2004 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Account Name General Fund Budget	2003-2004 Budget	Amendment	Amended Budget
Revenue			
Franchise Taxes	740,000	15,000	755,000
Licenses & Permits	432,275	23,000	455,275
Grants & Loans	2,904,300	(1,270,000)	1,634,300
Other Revenues	978,920	(374,970)	603,950
Expenditures			
General Administration			
Operational Expense	141,950	23,000	164,950
Other Expense	91,330	(10,000)	81,330
Police Department			
Salary & Fringe	1,235,225	(10,000)	1,225,225
Operational Expense	123,185	10,775	133,960
Capital Outlays	79,950	2,475	82,425
Other Expense	136,125	10,000	146,125
Fire Department			
Capital Outlays	127,100	201,200	328,300
Street Department			
Capital Outlays	2,226,800	(1,700,000)	526,800
Public Building & Drainage Department			
Repairs & Supplies	74,000	15,525	89,525
Operational Expense	76,000	10,750	86,750
Capital Outlays	1,073,770	332,730	1,406,500
Other Expense	8,900	8,100	17,000
Non Departmental			
Operational Expense	170,000	37,500	207,500
1 & 1/2 Cent Sales Tax Budget			
Other Financing Uses - Operating Transfers Out Transfers & Appropriations	3,437,950	356,000	3,793,950
1/2 Cent Sales Tax - Salary Budget			
Revenues			
Other Revenues	1,392,140	(405,473)	986,667
1/2 Cent Sales Tax - Street Improvement			
Expenditures			
Operational Expense	116,575	(100,000)	16,575
Capital Outlays	300,000	(300,000)	-
Other Financing Uses - Operating Transfers Out Transfers & Appropriations			
	473,650	12,615	486,265
Youth Recreation Operation Budget			
Revenues			
Grants & Loans	3,000	25,000	28,000
Rentals	44,800	(10,000)	34,800
Other Revenues	140,850	9,315	150,165
Youth Division Expenditure			
Repairs & Supplies	111,100	20,225	131,325
Capital Outlays	110,000	250,600	360,600
Adult Division Expenditure			
Operational Expense	6,000	3,100	9,100
Other Expense	15,230	(10,000)	5,230
Other Financing Sources -Operating Transfers In	464,000	270,000	734,000
Youth Recreation Building Maintenance			
Revenues			

	2003-2004 Budget	Amendment	Amended Budget
Grants & Loans	32,500	(32,500)	-
Other Revenues	14,000	(12,500)	1,500
Expenditures			
Operational Expense	3,800	6,575	10,375
Capital Outlays	296,900	(104,500)	192,400
Other Financing Sources - Operating Transfers In Transfers & Appropriations			
	204,400	86,000	290,400
Main Street Budget			
Revenues			
Other Revenues	10,850	(9,000)	1,850
Expenditures			
Repairs & Supplies	4,760	500	5,260
Other Expense	26,785	(9,000)	17,785
Utility Fund - Sewage Budget			
Revenues			
Grants & Loans	1,150,000	(650,000)	500,000
Other Revenues	1,965,335	(631,335)	1,334,000
Utility Administrative Expenditure			
Other Expense	34,750	238,275	273,025
Disposal Expenditure			
Capital Outlays	5,500	108,750	114,250
Sewer Expenditure			
Capital Outlays	1,488,500	(966,500)	522,000
Other Expense	56,055	30,000	86,055
Workmen's Compensation Budget			
Expenditures			
Other Expense	95,700	30,000	125,700
Sales Tax Bond Sinking Fund 1997 Street Imp.			
Other Financing Sources - Operating Transfers In Transfers & Appropriations			
	473,650	12,615	486,265

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

ORDINANCE NO. 1293

AN ORDINANCE ADOPTING, FINALIZING AND IMPLEMENTING THE ANNUAL OPERATING BUDGETS OF REVENUES AND EXPENDITURES 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.

WHEREAS, Isabella L. de la Houssaye, in her capacity as Mayor of the City of Crowley prepared the proposed Operating Budgets for the fiscal year beginning September 1, 2004 and ending August 31, 2005, which was accompanied by a budget message and summary description of the budget and a budget adoption ordinance; and

WHEREAS, the proposed 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 Operating Budgets and notice of the availability of the proposed 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 28th day of July, 2004 at 6:00 o'clock p.m. at City Hall on the proposed 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 10 day of August, 2004 that the following Annual Operating Budgets are hereby approved, adopted and finalized.

BE IT FURTHER ORDAINED, the amounts shall be available for expenditures only to the extent and only as included within the 2004-2005 fiscal budget, however nothing shall be construed to prohibit the Governing Authority from making amendments to the budget.

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

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

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

THUS APPROVED, ADOPTED AND FINALIZED on this the 10th day of August, 2004 at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: Woody Marceaux

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

**CITY OF CROWLEY
2005 ANNUAL BUDGET**

GENERAL FUND
Revenues

Ad Valorem Tax	1,147,000
Franchise Taxes	777,000
Licences & Permits	456,825
Grants & Loans	4,193,045
Rentals	106,565

	Other Revenues	<u>564,250</u>
	Total Revenues	7,244,685
<u>Expenditures</u>		
<u>General Government</u>		
<u>General Administration</u>		
	Salary & Fringe	574,550
	Repairs & Supplies	27,200
	Operational Expense	153,000
	Other Expense	<u>53,375</u>
	Total General Administration	808,125
<u>Court Department</u>		
	Salary & Fringe	136,365
	Repairs & Supplies	150
	Operational Expense	10,800
	Transfers & Appropriations	20,000
	Other Expense	<u>9,850</u>
	Total Court Department	177,165
<u>Public Safety</u>		
<u>Police Department</u>		
	Salary & Fringe	1,316,725
	Repairs & Supplies	121,950
	Operational Expense	135,850
	Other Expense	<u>130,890</u>
	Total Police Department	1,705,415
<u>Fire Department</u>		
	Salary & Fringe	1,351,495
	Repairs & Supplies	62,475
	Operational Expense	67,600
	Transfers & Appropriation	12,000
	Capital Outlay	65,000
	Other Expense	<u>17,875</u>
	Total Fire Department	1,576,445
<u>Code Enforcement</u>		
	Salary & Fringe	238,125
	Repairs & Supplies	18,500
	Operational Expense	15,800
	Other Expense	<u>36,550</u>
	Total Code Enforcement	308,975
<u>Public Works</u>		
<u>Street Department</u>		
	Salary & Fringe	675,350
	Repairs & Supplies	152,000
	Operational Expense	194,850
	Capital Outlay	2,570,000
	Other Expense	<u>111,500</u>
	Total Street Department	3,703,700
<u>Public Building & Drainage</u>		
	Salary & Fringe	286,200
	Repairs & Supplies	76,000
	Operational Expense	83,150
	Capital Outlay	1,525,000
	Other Expense	<u>8,900</u>
	Total Public Building & Drainage	1,979,250
<u>Non Departmental</u>		
	Repairs & Supplies	3,000
	Operational Expense	170,000
	Transfers & Appropriations	4,000
	Debt Service	403,435
	Other Expense	<u>179,550</u>
	Total Non Departmental	759,985
	Total Expenditures	11,019,060
	Excess (Deficiency)	-3,774,375
<u>Other Financing Sources (Uses)</u>		

Operating Transfers In		3,774,375
Operating Transfers Out		-
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	-
	Fund Balance Fiscal 2003	4,016,510
	Estimated Fund Balance Fiscal 2004	4,117,540
	Proposed Fund Balance Fiscal 2005	4,117,540
<u>1 & 1/2 CENT SALES TAX</u>		
<u>Revenues</u>		
	Other Revenues	3,115,000
	Total Revenues	3,115,000
<u>Expenditures</u>		
	Operational Expense	51,450
	Other Expense	25
	Total Expenditures	51,475
	Excess (Deficiency)	3,063,525
<u>Other Financing Sources (Uses)</u>		
	Transfers Out	3,293,525
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	(230,000)
	Fund Balance Fiscal 2003	4,072,006
	Estimated Fund Balance Fiscal 2004	3,604,381
	Proposed Fund Balance Fiscal 2005	3,374,381
<u>1/2 CENT SALES TAX-SALARY</u>		
<u>Revenues</u>		
	Other Revenues	1,020,000
	Total Revenues	1,020,000
<u>Expenditures</u>		
	Operational Expense	17,150
	Other Expense	25
	Total Expenditures	17,175
	Excess (Deficiency)	1,002,825
<u>Other Financing Sources (Uses)</u>		
	Transfers Out	1,254,550
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	(251,725)
	Fund Balance Fiscal 2003	1,091,894
	Estimated Fund Balance Fiscal 2004	704,814
	Proposed Fund Balance Fiscal 2005	453,089
<u>1/2 CENT SALES TAX-STREET IMPROVEMENT</u>		
<u>Revenues</u>		
	Other Revenues	1,043,000
	Total Revenues	1,043,000
<u>Expenditures</u>		
	Operational Expense	17,150
	Capital Outlay	300,000
	Other Expense	15
	Total Expenditures	317,165
	Excess (Deficiency)	725,835
<u>Other Financing Sources (Uses)</u>		
	Transfers Out	481,550
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	244,285
	Fund Balance Fiscal 2003	1,806,594
	Estimated Fund Balance Fiscal 2004	2,327,228
	Proposed Fund Balance Fiscal 2005	2,571,513

MOTOR VEHICLE FACILITY

<u>Revenues</u>	
Other Revenues	60,640
Total Revenues	60,640
<u>Expenditures</u>	
Repairs & Supplies	5,000
Operational Expense	11,200
Other Expense	440
Total Expenditures	16,640
Excess (Deficiency)	44,000
<u>Other Financing Sources (Uses)</u>	
Transfers Out	44,000
Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
Fund Balance Fiscal 2003	49,954
Estimated Fund Balance Fiscal 2004	51,422
Proposed Fund Balance Fiscal 2005	51,422

YOUTH RECREATION OPERATIONS

<u>Revenues</u>	
Ad Valorem Tax	156,000
Rentals	32,500
Other Revenues	143,050
Total Revenues	331,550
<u>Expenditures</u>	
<u>General Division</u>	
Operational Expense	100,500
Other Expense	7,950
Total General Division	108,450
<u>Youth Division</u>	
Salary & Fringe	282,025
Repairs & Supplies	123,000
Operational Expense	27,000
Other Expense	36,150
Total Youth Division	468,175
<u>Adult Division</u>	
Salary & Fringe	98,985
Repairs & Supplies	32,850
Operational Expense	8,100
Other Expense	6,990
Total Adult Division	146,925
Total Expenditures	723,550
Excess (Deficiency)	(392,000)
<u>Other Financing Sources (Uses)</u>	
Transfers In	392,000
Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
Fund Balance Fiscal 2003	214,159
Estimated Fund Balance Fiscal 2004	293,804
Proposed Fund Balance Fiscal 2005	293,804

YOUTH RECREATION BLDG. MAINTENANCE

<u>Revenues</u>	
Ad Valorem Tax	52,000
Other Revenues	1,050
Total Revenues	53,050
<u>Expenditures</u>	
Salary & Fringe	60,165
Repairs & Supplies	41,750
Operational Expense	3,775
Capital Outlay	230,000
Other Expense	31,810
Total Expenditures	367,500

	Excess (Deficiency)	(314,450)
<u>Other Financing Sources (Uses)</u>	Transfers In	314,450
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
	Fund Balance Fiscal 2003	59,949
	Estimated Fund Balance Fiscal 2004	35,609
	Proposed Fund Balance Fiscal 2005	35,609
<u>CEMETERY</u>		
<u>Revenues</u>	Ad Valorem Tax	39,000
	Other Revenues	<u>3,250</u>
	Total Revenues	42,250
<u>Expenditures</u>	Salary & Fringe	36,550
	Repairs & Supplies	2,800
	Operational Expense	2,625
	Other Expense	275
	Total Expenditures	42,250
	Excess (Deficiency)	0
	Fund Balance Fiscal 2003	137,193
	Estimated Fund Balance Fiscal 2004	137,218
	Proposed Fund Balance Fiscal 2005	137,218
<u>CEMETERY DEVELOPMENT</u>		
<u>Revenues</u>	Other Revenues	<u>4,100</u>
	Total Revenues	4,100
<u>Expenditures</u>	Repairs & Supplies	100
	Operational Expense	3,850
	Other Expense	<u>150</u>
	Total Expenditures	4,100
	Excess (Deficiency)	0
	Fund Balance Fiscal 2003	22,515
	Estimated Fund Balance Fiscal 2004	24,508
	Proposed Fund Balance Fiscal 2005	24,508
<u>INDUSTRIAL INDUCEMENT</u>		
<u>Revenues</u>	Other Revenues	<u>15,250</u>
	Total Revenues	15,250
<u>Expenditures</u>	Operational Expense	<u>250</u>
	Total Expenditures	250
	Excess (Deficiency)	15,000
<u>Other Financing Sources (Uses)</u>	Transfers Out	15,000
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
	Fund Balance Fiscal 2003	480,459
	Estimated Fund Balance Fiscal 2004	479,499
	Proposed Fund Balance Fiscal 2005	479,499
<u>RICE CITY CIVIC CENTER</u>		
<u>Revenues</u>	Rentals	10,500
	Other Revenues	<u>11,500</u>
	Total Revenues	22,000

<u>Expenditures</u>		
	Salary & Fringe	16,265
	Repairs & Supplies	12,400
	Operational Expense	17,280
	Other Expense	<u>10,805</u>
	Total Expenditures	56,750
	Excess (Deficiency)	(34,750)
<u>Other Financing Sources (Uses)</u>		
	Transfers In	34,750
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
	Fund Balance Fiscal 2003	32,653
	Estimated Fund Balance Fiscal 2004	15,886
	Proposed Fund Balance Fiscal 2005	15,886
<u>MAIN STREET</u>		
<u>Revenues</u>		
	Grants & Loans	8,000
	Other Revenues	<u>5,700</u>
	Total Revenues	13,700
<u>Expenditures</u>		
	Salary & Fringe	36,635
	Repairs & Supplies	4,960
	Operational Expense	5,475
	Other Expense	<u>18,130</u>
	Total Expenditures	65,200
	Excess (Deficiency)	(51,500)
<u>Other Financing Sources (Uses)</u>		
	Transfers In	51,500
	Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
	Fund Balance Fiscal 2003	415
	Estimated Fund Balance Fiscal 2004	1,136
	Proposed Fund Balance Fiscal 2005	1,136
<u>UTILITY FUND - SEWAGE</u>		
<u>Revenues</u>		
	Ad Valorem Taxes	182,000
	Grants & Loans	1,150,000
	Other Revenues	<u>1,306,500</u>
	Total Revenues	2,638,500
<u>Expenditures</u>		
<u>Sewage Utility Administration</u>		
	Salary & Fringe	77,685
	Repairs & Supplies	3,000
	Operational Expense	775,249
	Other Expense	<u>15,525</u>
	Total Sewage Administration	871,459
<u>Disposal Department</u>		
	Salary & Fringe	80,410
	Repairs & Supplies	35,000
	Operational Expense	98,350
	Other Expense	<u>685,162</u>
	Total Disposal Department	898,922
<u>SEWER DEPT.</u>		
	Salary & Fringe	100,625
	Repairs & Supplies	81,175
	Operational Expense	9,350
	Capital Outlay	1,150,000
	Other Expense	<u>44,185</u>
	Total Sewer Department	1,385,335
<u>INFLOW / INFILTER</u>		
	Salary & Fringe	101,035
	Repairs & Supplies	10,500
	Operational Expense	4,050
	Other Expense	<u>266</u>

	Total Inflow / Infiltration	115,851
<u>Sewer Cleaner Department</u>		
	Salary & Fringe	24,250
	Repairs & Supplies	2,500
	Operational Expense	1,550
	Other Expense	<u>150</u>
	Total Sewer Cleaner Department	28,450
	Total Expenditures	3,300,017
	Excess (Deficiency)	-661,517
	Fund Equity Fiscal 2003	10,271,444
	Estimated Fund Equity Fiscal 2004	9,046,097
	Proposed Fund Equity Fiscal 2005	8,384,580
<u>INDUSTRIAL PLANT</u>		
	<u>Revenues</u>	0
	<u>Expenditures</u>	
	Other Expense	3,701
	Total Expenditures	3,701
	Excess (Deficiency)	-3,701
	Fund Equity Fiscal 2003	37,299
	Estimated Fund Equity Fiscal 2004	33,599
	Proposed Fund Equity Fiscal 2005	29,898
<u>EMPLOYEE BENEFIT PLAN</u>		
	<u>Revenues</u>	
	Other Revenues	<u>634,360</u>
	Total Revenues	634,360
	<u>Expenditures</u>	
	Operational Expense	262,935
	Other Expense	<u>371,425</u>
	Total Expenditures	634,360
	Excess (Deficiency)	0
	Fund Balance Fiscal 2003	140,505
	Estimated Fund Balance Fiscal 2004	201,665
	Proposed Fund Balance Fiscal 2005	201,665
<u>WORKMEN'S COMPENSATION</u>		
	<u>Revenues</u>	
	Other Revenues	<u>209,705</u>
	Total Revenues	209,705
	<u>Expenditures</u>	
	Operational Expense	89,150
	Other Expense	<u>120,555</u>
	Total Expenditures	209,705
	Excess (Deficiency)	0
	Fund Balance Fiscal 2003	341,463
	Estimated Fund Balance Fiscal 2004	332,888
	Proposed Fund Balance Fiscal 2005	332,888
<u>COLLISION & LOSS</u>		
	<u>Revenues</u>	
	Other Revenues	<u>8,350</u>
	Total Revenues	8,350
	<u>Expenditures</u>	
	Operational Expense	10,350
	Other Expense	<u>38,000</u>
	Total Expenditures	48,350
	Excess (Deficiency)	(40,000)
	<u>Other Financing Sources (Uses)</u>	
	Transfers In	40,000

Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
Fund Balance Fiscal 2003	217,997
Estimated Fund Balance Fiscal 2004	230,527
Proposed Fund Balance Fiscal 2005	230,527

SALES TAX BOND SINKING FUND-1997 STREET IMP.

<u>Revenues</u>	
Other Revenues	10,000
Total Revenues	10,000
<u>Expenditures</u>	
Operational Expense	500
Bond & Interest Payable	491,050
Total Expenditures	491,550
Excess (Deficiency)	(481,550)
<u>Other Financing Sources (Uses)</u>	
Transfers In	481,550
Excess (Deficiency) of revenues and other financing sources over expenditures and other financing uses	0
Fund Balance Fiscal 2003	633,062
Estimated Fund Balance Fiscal 2004	643,329
Proposed Fund Balance Fiscal 2005	643,329

Ordinance No. 1294, to fix the compensation of the following Officers and Officials, was offered by Alderwoman Melancon and duly seconded by Alderman Premeaux.

Officer/Official	Salary
1) Mayor	\$58,140.00
2) Mayor-Pro-Tem	\$6,600.00
3) Aldermen-at-Large	\$6,600.00
4) Alderman/Alderwoman	\$6,000.00
5) City Judge	\$26,591.76
6) Chief of Police	\$44,628.00
7) City Marshall	\$21,152.40
8) Fire Chief	\$44,378.64
9) City Clerk	\$44,785.20
10) Street Commissioner	\$39,744.72
11) City Attorney	\$11,037.00
12) City Prosecutor	\$15,822.84
13) City Inspector	\$35,587.92
14) Director of Public Works	\$33,600.00
15) Director of Youth Recreation	\$37,824.48
16) Director of Adult Recreation	\$37,824.48
17) Utility/Wastewater Superintendent	\$41,616.00
18) Mayor's Administrative Assistant	\$36,531.60
19) Mayor's Executive Assistant	\$38,400.00

A motion was offered by Alderwoman Pete and seconded by Alderman Martin to amend the proposed Ordinance No. 1294 by including the following levels of increase in an Alderman's salary.

Un-Expired Term	- \$500.00 per month
1 st Term Council	- \$500.00 per month
2 nd Term Council	- \$600.00 per month
3 rd Term Council	- \$700.00 per month
4 th Term Council	- \$800.00 per month
5 th Term Council	- \$900.00 per month
6 th Term Council	- \$1,000.00 per month

The amendment failed after a roll call vote as follows:

YEAS: Woody Marceaux, Vernon Martin, Laurita D. Pete and Steven C. Premeaux,

NAYS: James M. Buatt, Tiger Istre, Mary T. Melancon, Ira Thomas and Kitty Valdetero

ABSENT: None

A motion was offered by Alderman Premeaux and seconded by Alderwoman Pete to amend the proposed Ordinance No. 1294 and substitute the following salaries:

Officer/Official	Salary
2) Mayor-Pro-Tem	\$7,200.00
3) Aldermen-at-Large	\$7,200.00
4) Alderman/Alderwoman	\$6,600.00

The amendment passed after a roll call vote as follows:

YEAS: Tiger Istre, Woody Marceaux, Vernon Martin, Laurita D. Pete, Steven C. Premeaux, and Kitty Valdetero

NAYS: James M. Buatt, Mary T. Melancon, and Ira Thomas

ABSENT: None

The following Ordinance as amended was duly ordained and adopted.

ORDINANCE NO. 1294

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 28th day of July, 2004 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 salaries;

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 salaries are hereby fixed and established for each office as set forth hereunder, to-wit:

Office/Official	Salary
1) Mayor	\$58,140.00
2) Mayor-Pro-Tem	\$7,200.00
3) Aldermen-at-Large	\$7,200.00
4) Alderman/Alderwoman	\$6,600.00
5) City Judge	\$26,591.76
6) Chief of Police	\$44,628.00
7) City Marshall	\$21,152.40
8) Fire Chief	\$44,378.64
9) City Clerk	\$44,785.20
10) Street Commissioner	\$39,744.72
11) City Attorney	\$11,037.00
12) City Prosecutor	\$15,822.84
13) City Inspector	\$35,587.92
14) Director of Public Works	\$33,600.00
15) Director of Youth Recreation	\$37,824.48
16) Director of Adult Recreation	\$37,824.48
17) Utility/Wastewater Superintendent	\$41,616.00
18) Mayor's Administrative Assistant	\$36,531.60
19) Mayor's Executive Assistant	\$38,400.00

- 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 immediately upon its adoption.

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 10th day of August, 2004, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: Woody Marceaux and Ira Thomas

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1295

AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY BY ADDING THERETO SECTION 14-34 TO DEFINE AND PROHIBIT THE USE OF EXHAUST BRAKE DEVICES IN THE CITY OF CROWLEY AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF; 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 the public hearing having been published; and

WHEREAS, a public hearing having been held in accordance with law on the 10th day of August, 2004, at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the Mayor and Board of Aldermen find that loud and excessive noise is created by the use of braking devices (commonly known as "Jake Brakes") which use engine power to absorb energy thereby producing a braking effect through the exhaust system of the engine causing unnecessary loud and excessive noise within the City; and

WHEREAS, the Mayor and Board of Aldermen find that exhaust assisted braking devices are unnecessary to control the movement of or stop vehicle equipped with air brakes required by the Louisiana Highway Regulatory Act, Title 32, Louisiana Revised Statutes;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, IN REGULAR SESSION, DULY CONVENED THAT:

SECTION 1:

Article II of Chapter 14 of the City of Crowley be and is hereby amended and reenacted to add thereto Section 14-34 to read as follows, to-wit:

Section 14-34: Exhaust assisted braking devices defined, prohibited and penalty for violation.

- a. Definition. A device which utilizes the power of an engine to produce a power absorbing and retarding effect to assist the slowing or braking of a vehicle (commonly known as "Jake Brakes") which increases engine noise and sound through the exhaust system while in use.

- b. Prohibition. It shall be unlawful to operate or use engine powered braking devices within the corporate limits of the City of Crowley, Louisiana vehicles or equipment.
- c. Exceptions. The provisions of this section shall not apply to emergency vehicles or equipment
- d. Penalty. Any person upon conviction shall be subject to a fine of not less than \$100.00 and not more than \$500.00 and maybe be incarcerated for not more than 30 days in jail, or both.

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;

SECTION 3

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

SECTION 4

The provisions of this ordinance shall become effective after having been approved in writing by the Commissioner of the Department of Public Safety in accordance with the provision of Louisiana Revised Statute 32:41 (C) and ten (10) days after signs giving notice of said local traffic regulation have been posted at all highways entering the corporate limits of the City of Crowley.

THUS DONE AND ADOPTED on this the 10th day of August, 2004, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

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

ORDINANCE NO. 1296

AN ORDINANCE TO AMEND THE PROVISIONS OF THE VICIOUS DOG ORDINANCE TO REQUIRE THE IDENTIFICATION OF DOGS DEEMED TO BE VICIOUS WITH MICROCHIPS, TO PROVIDE FEES AND CHARGES THEREFOR BY AMENDING SECTION 4-21.1(a), (b) AND

(c); AND TO PROVIDE FOR THE PENALTY FOR FAILURE TO DO SO BY AMENDING SECTION 4-21.6(a); AND TO REQUIRE LIABILITY INSURANCE COVERAGE FOR THE PROTECTION OF THE PUBLIC BY ADDING SECTION 21.10; AND TO REQUIRE THE OWNER TO PROVIDE PROOF OF SAID COVERAGE; 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 10th day of August, 2004 at 6:00 o'clock p.m. at City Hall, Crowley, Louisiana; and

WHEREAS, the Mayor and Board of Aldermen find that identification of dangerous dogs has become difficult due to the similarities and markings and efforts by owners to alter the dog's tags and identification; and

WHEREAS, the technology is available to implant an unalterable microchip identification into the body of the animal at minimal cost and with little or no danger to the animal which facilitates the use of permanent identification;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY, ACADIA PARISH, IN REGULAR SESSION, DULY CONVENED THAT:

SECTION 1: Section 4-21.1 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, to-wit:

Section 4-21.1. **Permit and Tag Requirement for a Dangerous Dog.**

(a) The owner of a dangerous dog shall, within three (3) business days after the classification of the dog as dangerous or upon acquisition of such a dog, present the animal for implantation of a microchip identification tag and obtain an annual permit from the Department of Animal Control to harbor the dog. The fee for such a permit shall be fifty (\$50.00) dollars and the fee for implantation shall be thirty-five (\$35.00) dollars.

(b) At the time the permit is issued a red circular tag shall be issued to the owner of the dangerous dog. The tag shall be worn at all times by the dog to clearly and easily identify it as a dangerous dog. No person shall tamper with, remove or interfere with the microchip identification.

(c) The permit for maintaining a dangerous dog shall be presented to and the animal shall be presented for microchip scan identification to an animal control officer upon demand.

SECTION 2: Section 4-21.6 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, to-wit:

Section 4-21.6. **Destruction.**

(a) The Director of Animal Control or his designee may order the destruction of a dog that it determines to be extremely dangerous to public health or safety, a dog that has made an extremely vicious attack upon an individual, or a dog declared dangerous whose owner is unable or unwilling to adequately restrain it or has failed to present the animal for microchip implantation.

SECTION 3: Section 4-21.10 shall be added to 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, to-wit

Section 4-21.10. **Liability insurance coverage and requirement of proof.**

(a) A policy of liability insurance in an amount not less than 100,000.00 shall be maintained in full force and effect at all times with a good solvent insurance company, licensed and doing business in the State of Louisiana, maintaining membership in the Louisiana Insurance Guaranty Association.

(b) No permit or tag shall be issued until the owner of such animal shall present a certificate of insurance yearly evidencing insurance valid from September 1 of each year to August 31 of the following year.

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

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

THUS DONE AND ADOPTED on this the 10th day of August, 2004, at Crowley, Acadia Parish, Louisiana, after a roll call vote as follows:

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

NAYS: None

ABSENT: None

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

There being no further business to come before the Council upon motion duly made by Alderwoman Melancon and seconded by Alderman Premeaux the meeting was adjourned at 8:45 p.m.

ISABELLA L. DE LA HOUSSAYE, MAYOR

ATTEST:

JUDY L. ISTRE, CITY CLERK

Presented rough draft to Mayor on August 14, 2004 at 4:00 p.m.
Presented for Mayor's signature on August 16, 2004 8:45 a.m.
Mayor Signed & returned to City Clerk on August 24, 2004 at 9:30 a.m.