

CITY OF CROWLEY
REGULAR MEETING
SEPTEMBER 8, 2021

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. Wednesday the 8th day of September 2021 at the regular meeting place of said Mayor and Board of Aldermen, the Council Chambers, 426 North Avenue F, Crowley, Louisiana.

Mayor Tim Monceaux presided with the following Aldermen present: Jeff Cavell, Thompson Bradford Core, Clint Cradeur, Lyle Fogleman, Jr., Vernon Martin, Steven Premeaux, Samuel J. Reggie, III, Kim Stringfellow, and Byron K. Wilridge.

Alderman Brad Core led the Pledge of Allegiance to the flag. Alderman Bryon Wilridge gave the invocation.

APPEARANCES:

Ms. Emily Stoma, Citizens Against Blight provided an update to the Council on the blighted properties in Crowley.

PUBLIC HEARING:

Mayor Tim Monceaux opened the public hearing on proposed Ordinance No. 1524, the Ordinance was read by title as follows:

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 4-17 AND 4-18 OF ARTICLE I OF CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO REDUCE THE REQUIRED NUMBER OF DAYS OF IMPOUNDMENT AND DETENTION OF ANIMALS AND LIVESTOCK FROM TEN (10) DAYS TO FIVE (5) DAYS, EXCEPT FOR ANIMALS IMPOUNDED FOR INJURIES TO PERSONS OR RABIES AND FERAL CATS; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

City Attorney Tom Regan asked for proponents to the proposed ordinance no. 1524. A third and final call was made with no one coming forward to speak. The call for opponents of the proposed ordinance no. 1524 was made with no one coming forward to speak. A third and final call was made with no one coming forward to speak. Mayor Monceaux called the public hearing on ordinance no. 1524 to a close and reconvened the regular Council meeting.

AGENDA AMENDMENTS:

None.

READING & APPROVAL OF MINUTES:

Alderman Vernon Martin moved to dispense with the reading of the minutes of the August 11, 2021 Regular Council meeting, the August 18, 2021 Special Council meeting, the August 19, 2021 Special Council meeting, and the August 30, 2021 Special Council Meeting seconded by Alderman Brad Core and duly adopted.

MAYOR'S REPORTS:

Mayor presented the Sales Tax chart and User Fee chart that track the collection trend.

PUBLIC WORKS COMMITTEE:

A motion was offered by Alderman Clint Cradeur and seconded by Alderman Brad Core to approve Partial Payment, Estimate No.14 to Southern Constructors, Inc. for the City-Wide Drainage Improvements Project in the amount of \$346,139.74. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the motion carried unanimously.

A motion was offered by Alderman Clint Cradeur and seconded by Alderman Samuel Reggie to approve Change Order No. 5 to the construction contract with Southern Constructors, Inc. for the City-Wide Drainage Improvements Project to grant 180 calendar days of additional contract time under the contract. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the motion carried unanimously.

A motion was offered by Alderman Clint Cradeur and seconded by Alderman Samuel Reggie to approve Partial Payment, Estimate No. 6 to Triton Construction, LLC for the City-Owned Parking Lot Improvements Project in the amount of \$316,651.19. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the motion carried unanimously.

ZONING & ANNEXATION COMMITTEE:

A motion was offered by Alderman Lyle Fogleman and seconded by Alderman Jeff Cavell to consider a resolution introducing an ordinance to amend and enlarge the corporate boundary of the City of Crowley and to rezone the property so annexed to C-3 Highway Commercial and to call for a public hearing and scheduling the date and time thereof. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the resolution carried unanimously.

RESOLUTION

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, that the following ordinance be and it is hereby introduced for consideration of and to hold a public hearing and special session of the Mayor and Board of Aldermen, to-wit:

AN ORDINANCE AMENDING AND ENLARGING THE CORPORATE BOUNDARY OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, DEFINING THE BOUNDARY OF A TRACT OF LAND CONTAINING 4.307 ACRES LOCATED IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 1 EAST,

ACADIA PARISH, LOUISIANA, SHOWN AS TRACT A ON THAT CERTAIN PLAT OF SURVEY SHOWING PROPERTY TO BE ACQUIRED BY DOUG MILLER DATED MAY 3, 2021, PREPARED BY RYAN P. HEBERT, REGISTERED PROFESSIONAL LAND SURVEYOR, LOCATED ADJACENT TO VFW DRIVE AND THE SOUTH BOUNDARY OF I-10, A PORTION OF WHICH TRACT IS WITHIN THE CORPORATE LIMITS OF THE CITY AND A PORTION OF WHICH LIES JUST WEST OF THE EXISTING CORPORATE BOUNDARY OF THE CITY OF CROWLEY, WHICH TRACT IS PROPOSED TO BE INCLUDED WITHIN THE CORPORATE LIMITS OF THE CITY OF CROWLEY; TO PROVIDE THAT THE PROPERTY SO ANNEXED AND ALL OF TRACT A BE ZONED C-3, HIGHWAY COMMERCIAL DISTRICT; TO PROVIDE THE AREA SO ANNEXED SHALL BE A PART OF WARD 1 OF THE CITY OF CROWLEY; TO PROVIDE THE AREAS SO ANNEXED SHALL BE A PART OF DISTRICT 1 (NORTH) OF THE SPECIAL GATEWAY OVERLAY DISTRICTS IN SECTION 3.14 OF THE ZONING ORDINANCE AND REDEFINE THE BOUNDARY THEREOF; TO REDEFINE AND RESTATE THE BOUNDARY OF THE CORPORATE LIMITS OF THE CITY OF CROWLEY; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen that the Board of Aldermen shall hold a public hearing and shall meet in special session on the 27th day of September, 2021 at 6:00 p.m. in the Council Chambers, 2nd Floor, Criminal Justice Building, 426 North Avenue F, Crowley, Louisiana; and

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 PUBLIC HEARING AND PROPOSED ADOPTION OF
ORDINANCE

The Board of Aldermen of the City of Crowley shall meet in special session on the 27th day of September, 2021, at 6:00 o'clock p.m. in the Council Chambers, 2nd Floor, Criminal Justice Building, 426 North Avenue F, Crowley, Louisiana, to hold a public hearing and to consider the adoption of the following ordinance:

AN ORDINANCE AMENDING AND ENLARGING THE CORPORATE BOUNDARY OF THE CITY OF CROWLEY, ACADIA PARISH, LOUISIANA, DEFINING THE BOUNDARY OF A TRACT OF LAND CONTAINING 4.307 ACRES LOCATED IN SECTION 29, TOWNSHIP 9 SOUTH, RANGE 1 EAST, ACADIA PARISH, LOUISIANA, SHOWN AS TRACT A ON THAT CERTAIN PLAT OF SURVEY SHOWING PROPERTY TO BE ACQUIRED BY DOUG MILLER DATED MAY 3, 2021, PREPARED BY RYAN P. HEBERT, REGISTERED PROFESSIONAL LAND SURVEYOR, LOCATED ADJACENT TO VFW DRIVE AND THE SOUTH BOUNDARY OF I-10, A PORTION OF WHICH TRACT IS WITHIN THE CORPORATE LIMITS OF THE CITY AND A PORTION OF WHICH LIES JUST WEST OF THE EXISTING CORPORATE BOUNDARY OF THE CITY OF CROWLEY, WHICH TRACT IS PROPOSED TO BE INCLUDED WITHIN THE CORPORATE LIMITS OF THE CITY OF CROWLEY; TO PROVIDE THAT THE PROPERTY SO ANNEXED AND ALL OF TRACT A BE ZONED C-3, HIGHWAY COMMERCIAL DISTRICT; TO PROVIDE THE AREA SO ANNEXED SHALL BE A PART OF WARD 1 OF THE

CITY OF CROWLEY; TO PROVIDE THE AREAS SO ANNEXED SHALL BE A PART OF DISTRICT 1 (NORTH) OF THE SPECIAL GATEWAY OVERLAY DISTRICTS IN SECTION 3.14 OF THE ZONING ORDINANCE AND REDEFINE THE BOUNDARY THEREOF; TO REDEFINE AND RESTATE THE BOUNDARY OF THE CORPORATE LIMITS OF THE CITY OF CROWLEY; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

Copies of the proposed ordinance are available for a nominal fee in the office of the City Clerk, City Hall, Crowley, Louisiana.

THUS DONE, SIGNED AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 8th day of September, 2021, at which a quorum was present and acting throughout.

PUBLIC SAFETY COMMITTEE:

A motion was offered by Alderman Brad Core and seconded by Alderman Clint Credeur to approve the new beer and liquor licenses, to-wit:

M & R Rentals (d/b/a Main Street Patio)
Owner: Margaret Istre
Location: 223 N. Parkerson Avenue
2021 Class A Retail Outlet Beer Permit
2021 Class A Retail Outlet Liquor Permit

Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; Alderman Samuel Reggie abstained; the motion carried.

A motion was offered by Alderman Brad Core and seconded by Alderman Jeff Cavell to authorize a Resolution of the Board of Aldermen of the City of Crowley requesting additional signage to identify the truck route for Louisiana Highway 13 southbound traffic to U.S. Highway 90; authorizing the execution of an MOU between the Louisiana Department of Transportation and Development (LDOTD) and the City of Crowley in connection with same; and to provide for all matter relative thereto and in connection therewith. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the resolution carried unanimously.

RESOLUTION

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY REQUESTING ADDITIONAL SIGNAGE TO IDENTIFY THE TRUCK ROUTE FOR LOUISIANA HIGHWAY 13 SOUTHBOUND TRAFFIC TO US HIGHWAY 90; AUTHORIZING THE EXECUTION OF AN MOU BETWEEN THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LDOTD) AND THE CITY OF CROWLEY IN CONNECTION WITH SAME; AND TO PROVIDE ALL MATTER RELATIVE THERETO AND IN CONNECTION THEREWITH.

WHEREAS, the City of Crowley has an established truck route for southbound traffic on Louisiana Highway 13 providing an alternate route for trucks around the downtown area to and from US Highway 90; and

WHEREAS, the truck route allows large, heavy trucks to avoid multiple 90 degree turns around the Acadia Parish Court Circle and exiting into a busy downtown shopping district; and

WHEREAS, the joint LDOTD and City of Crowley Downtown Rehabilitation Project provided new concrete curbing, brick paved sidewalks and handicap aprons, which, due to the inadequacy of signage identifying the truck route for southbound traffic, are being damaged by large 18-wheelers with trailers unable to negotiate the 90 degree turns; and

WHEREAS, the Louisiana Department of Transportation and Development (LDOTD) traffic engineer for the District agreed that better signage is necessary and has recommended a revised sign layout with additional signage to identify the “Crowley Local Traffic Route”; and

WHEREAS, the Mayor and Board of Aldermen concur with those recommendations and request the LDOTD complete a redesign of additional signage to identify the “Crowley Local Traffic Route” for southbound traffic on Louisiana Highway 13; and

WHEREAS, an MOU is required between the LDOTD and the City of Crowley wherein the City agrees to furnish the required additional signage to identify the route as may be necessary and appropriate and the LDOTD agrees to install and maintain the signs along Louisiana Highway 13 to the US Highway 90/Avenue F traffic signal identifying the route;

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Parish of Acadia, in regular session duly convened, that they do hereby request the LDOTD to complete final plans and recommendations for additional signage together with an MOU to be executed between the LDOTD and the City of Crowley to enhance the identification of the “Crowley Local Traffic Route” (truck route) for southbound traffic requiring the City to furnish the said signs and the LDOTD to install and maintain the signs for the truck route from LA Highway 13 to the US Highway 90/Avenue F intersection.

BE IT FURTHER RESOLVED that the Honorable Tim Monceaux, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to enter into an MOU between the LDOTD and the City of Crowley setting forth the terms and provisions of the agreement for additional signage; and

BE IT FURTHER RESOLVED by the Board of Aldermen of the City of Crowley, Parish of Acadia, that the Honorable Tim Monceaux, Mayor of the City of Crowley, be and he is hereby authorized, empowered and directed to execute any and all necessary forms, documents, assurances and provisions as may be meet and proper in the premises necessary to conclude said transaction.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 8th day of September, 2021, at which a quorum was present and acting throughout.

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE:

A motion was offered by Alderman Samuel Reggie and seconded by Alderman Clint Cradeur to authorize Approval of request from Crowley Main Street for the City of Crowley to co-sponsor "Kid's Day Out" on Saturday, September 18, 2021, from 9:00 a.m. to 12:00 p.m. on historic N. Parkerson Avenue. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the motion carried unanimously.

A motion was offered by Alderman Samuel Reggie and seconded by Alderman Jeff Cavell to approve a Resolution of the Board of Aldermen of the City of Crowley examining the analysis of the 2020 Census population of the City of Crowley and determining whether redistricting is required; and to provide for all matters relative thereto and in connection therewith. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the resolution carried unanimously.

RESOLUTION

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF CROWLEY EXAMINING THE ANALYSIS OF THE 2020 CENSUS POPULATION OF THE CITY OF CROWLEY AND DETERMINING WHETHER REDISTRICTING IS REQUIRED; AND TO PROVIDE ALL MATTER RELATIVE THERETO AND IN CONNECTION THEREWITH.

WHEREAS, LA R.S. 33:1371 requires an examination of the Bicentennial Census to examine the apportionment plan of the municipal districts composing the municipal governing authority; and

WHEREAS, a statement of determination as to whether redistricting of the municipal election districts of the City of Crowley is necessary; and

WHEREAS, the United States Census Bureau has released the 2020 Census Population Counts and the PL 94-171 reapportionment data which was delivered to the State of Louisiana on the 12th day of August, 2021; and

WHEREAS, LA R.S. 33:1371 requires the governing authority (Board of Aldermen) of the City of Crowley must make a determination whether reapportionment is necessary to balance the population of the election districts; and

WHEREAS, a study was commissioned to calculate the new census counts to determine the new district population for each election district; and

WHEREAS, the results of the study have been completed and the following chart shows that a determination of the population numbers after examining the 2020 Census Counts:

City of Crowley 2020 Election District Population Determinations								
District	District Population	Average District Size	Deviation	% Deviation	White	% White	Black	% Black
1	3,102	2,928	174	6%	2,087	67%	856	28%
2	2,971	2,928	43	1%	2,338	79%	448	15%
3	2,647	2,928	-281	-10%	349	13%	2,199	83%
4	2,990	2,928	62	2%	2,361	79%	354	12%
Census 2020 Total: 11,710. Average (Ideal) District 2020 Size: 2,928								
Source: U.S. Census Bureau 2020 PL 94-171 Datafile. Compiled by GPDS, LLC								

WHEREAS, Districts 1 and 3 are outside of the allowable +/-5% deviation from the ideal district population of 2,928;

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Parish of Acadia, in regular session duly convened, that they do hereby declare that reapportionment of the election district boundaries must commence in order to rebalance the district population to within +/-5% of the ideal district population of 2,928 and that such plan as adopted by the Board of Aldermen be submitted to the US Department of Justice for Section 5 Pre-Clearance, if required, by January 31, 2022 and the State of Louisiana no later than June 7, 2022.

THUS DONE AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, this the 8th day of September, 2021, at which a quorum was present and acting throughout.

REVENUE & FINANCE COMMITTEE:

A motion was offered by Alderman Jeff Cavell and seconded by Alderman Steven Premeaux to approve a Resolution authorizing the City of Crowley, Louisiana, to incur debt and to borrow from the Louisiana Local Government Environmental Facilities and Community Development Authority an amount not to exceed \$6,000,000 to mature not later than 20 years from date of issuance, at a rate or rates not exceeding 7.00% per annum, for the purpose of financing the costs of engineering, construction, additions, acquisitions, repairs and/or expansions needed for city-wide street improvements including drainage, and to pay costs of issuance of the bonds; authorizing preparation and distribution of the preliminary official statement and the official statement and authorizing the form of and execution of the bond purchase agreement; and providing for other matters in connection with the foregoing. Mayor Monceaux opened the floor for discussion. There being no remarks from the Council. The motion having been submitted to a voice vote; the resolution carried unanimously.

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF CROWLEY, LOUISIANA, TO INCUR DEBT AND TO BORROW FROM THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY AN AMOUNT NOT TO EXCEED \$6,000,000 TO MATURE NOT LATER THAN 20 YEARS FROM DATE OF ISSUANCE, AT A RATE OR RATES NOT EXCEEDING 7.00% PER ANNUM, FOR THE PURPOSE OF FINANCING THE COSTS OF ENGINEERING, CONSTRUCTION, ADDITIONS, ACQUISITIONS, REPAIRS AND/OR EXPANSIONS NEEDED FOR CITY WIDE STREET IMPROVEMENTS INCLUDING DRAINAGE, AND TO PAY COSTS OF ISSUANCE OF THE BONDS; AUTHORIZING PREPARATION AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT AND THE OFFICIAL STATEMENT AND AUTHORIZING THE FORM OF AND EXECUTION OF THE BOND PURCHASE AGREEMENT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.

WHEREAS, on December 11, 2018, the City of Crowley, Louisiana (the "City") adopted a resolution declaring its intention to proceed with a financing through the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") an

amount not to exceed \$20,000,000 to be financed by the Authority's Revenue Bonds, in accordance with the provisions of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "*Act*");

WHEREAS, preliminary approval of the bonds was granted by the Authority on January 10, 2019 and the Authority granted final approval on April 9, 2020;

WHEREAS, on April 24, 2019, the Louisiana State Bond Commission members present at said meeting gave unanimous approval and authority to the Authority to issue, sell and deliver not to exceed \$20,000,000 in one or more series of bonds;

WHEREAS, on November 18, 2020, the Authority issued \$14,000,000 Revenue Bonds (City of Crowley, Louisiana Project), Series 2020; as the first series of bonds authorized by the City on December 11, 2018 and authorized by the Authority on April 9, 2020;

WHEREAS, the City desires to proceed with a second and final series of bonds through the Authority of not to exceed \$6,000,000 Louisiana Local Government Environmental Facilities and Community Development Authority Revenue Bonds (City of Crowley, Louisiana Project), Series 2021 (the "*Bonds*");

WHEREAS, the City further desires to proceed with issuance of the Bonds by authorizing and approving the form and execution of a Loan Agreement (the "*Loan Agreement*"), a Bond Purchase Agreement (the "*Bond Purchase Agreement*") and/or Bond Placement Agreement (the "*Placement Agreement*") and any other certificates, documents or instruments deemed necessary in such form as may be approved by the Authority and its counsel, as well as bond counsel to the Authority;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN, GOVERNING AUTHORITY OF THE CITY OF CROWLEY, LOUISIANA (the "*Council*"), in regular session convened, that:

SECTION 1. The statements of fact expressly contained within the preamble to this Resolution have been specifically reviewed by the Council and are found to be factually true and correct, and are made resolutions of the City.

SECTION 2. The City is authorized to proceed with development of issuance of the Bonds through the Authority, as the second series of bonds approved by the Authority on April 9, 2020.

SECTION 3. The Council hereby authorizes approval of the form of the Loan Agreement (herein attached as **Exhibit A**), and the Trust Indenture (herein attached as **Exhibit B**), subject to such changes as may be approved by the city attorney and bond counsel to the Authority; and further authorizes preparation and distribution of the Preliminary Official Statement and Official Statement. Upon sale of the Bonds, the Mayor, Mayor Pro-Tem and/or Clerk of the City are hereby authorized, empowered and directed to execute on behalf of the City, the Bond Purchase Agreement, the Loan Agreement, and any other certificates, documents or instruments in such form as may be approved by bond counsel to the Authority, in order to effectuate issuance, sale and delivery of the Bonds.

SECTION 4. If any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared to be severable.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

BE IT FURTHER RESOLVED that all resolutions in conflict herewith are hereby repealed.

This Resolution adopted and passed on this 8th day of September, 2021.

ORDINANCE:

The following was offered by Alderman Jeff Cavell and seconded by Alderwoman Kim Stringfellow, and duly resolved and adopted.

ORDINANCE NO. 1524

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 4-17 AND 4-18 OF ARTICLE I OF CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO REDUCE THE REQUIRED NUMBER OF DAYS OF IMPOUNDMENT AND DETENTION OF ANIMALS AND LIVESTOCK FROM TEN (10) DAYS TO FIVE (5) DAYS, EXCEPT FOR ANIMALS IMPOUNDED FOR INJURIES TO PERSONS OR RABIES AND FERAL CATS; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES CONTRARY THERETO OR IN CONFLICT THEREWITH; TO PROVIDE FOR THE PROVISIONS HEREOF TO BE SEVERABLE; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, the City of Crowley Animal Control officers and Haseya New Beginnings have noted a dramatic increase in the number of animals and livestock which have been impounded for running at large and other violations of the Code of Ordinances and laws; and

WHEREAS, when considering the requirement to impound these animals for ten (10) days before any disposition can be made, the number of animals being captured have regularly exceeded the capacity of the shelter's available space and the ability of the staff and volunteer workers to provide care to so many animals; and

WHEREAS, City of Crowley Animal Control and Haseya New Beginnings have recommended and requested the period of time for the impoundment/holding of these animals be reduced from ten (10) days to five (5) days to alleviate the strain on the facilities and personnel; and

WHEREAS, this ordinance was duly introduced and notice of this ordinance and of the public hearing having been published in accordance with law; and

WHEREAS, a public hearing having been held in accordance with law in special session on the 8th day of September, 2021, at 6:00 o'clock p.m. at Council Chambers in the Criminal Justice Building, Crowley, Louisiana; and

WHEREAS, after considering the information provided by the Animal Control and Haseya New Beginnings, the Mayor and Board of Aldermen have determined that it is in the best interest of the City of Crowley and its residents to reduce the impoundment and detention period of animals and livestock, except for animals impounded for injuries to persons or rabies and feral cats, from ten (10) days to five (5) days;

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

SECTION 1: Section 4-17 of Article I 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:

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

(a) Unrestrained and animals kept, harbored or maintained in violation of this Chapter may be taken by police, the Animal Control officers or the humane officers and impounded in an animal shelter and there confined in a humane manner. Impounded animals shall be kept for not less than five (5) days unless reclaimed by the owners. Animals not claimed by the owners within five (5) days shall be humanely destroyed or disposed of to any person paying all fees and charges due on such animals and otherwise complying with this Chapter.

(b) Any animal not disposed of in accordance with Subsection (a) hereof may, in the discretion of the Animal Control officer, be sold or disposed of under the provisions of Section 4-18 of this Article.

(c) The owner of any animal impounded under the provisions hereof and disposed of, destroyed or humanely disposed shall pay a fee for euthanasia of the animal as provided for herein and otherwise complying with this Chapter.

(d) Notwithstanding the impoundment of the animal, nothing shall preclude prosecution for violations of the provisions of this Chapter.

SECTION 2: Section 4-18 of Article I of Chapter 4 of the Code of Ordinance of the City of Crowley be and the same is hereby amended and re-enacted to read as follows, to-wit:

Sec. 4-18. Impoundment.

(a) *Authorized; notice to owner.* It shall be the duty of the animal control officer (humane officer, police officer) to take charge of any unrestrained animal or animals/livestock kept, maintained or harbored in violation of this chapter and to impound such animal/livestock in the Animal Control Shelter there to be impounded and detained for a period of not less than five (5) calendar days. The Animal Control Shelter shall make a reasonable effort to determine the identity of the owner of such impounded animal/livestock and the Animal Control Shelter shall send a notice in substantially the following form to the owner of such animal/livestock, if known, and shall post such notice in a conspicuous location upon the property from which the animal/livestock was taken, if the animal/livestock was not running at large at the time of taking.

To: _____
From: _____
Supervisor, City of Crowley Animal Control Shelter Crowley, Louisiana
Re: _____ (Description of Animal/Livestock)
You are hereby notified that the animal/livestock described above has been impounded by the City of Crowley Animal Control Shelter pursuant to the authority of Chapter 4 of the Code of Ordinances of the City of Crowley. Such animal/livestock has been impounded because of the following incident(s) or circumstances: _____ _____ _____
An appeal may be made in writing to the Animal Control, Officer by the owner in person within five (5) days of the date of this notice.

You are further notified that unless the above animal/livestock is/are claimed by their owner in person within five (5) days of the date of this notice, all rights to the animal/livestock shall be forfeited to the Animal Control Shelter and the animal/livestock may be offered for sale after that time by the Animal Control Shelter for the amount of accrued fees against the animal/livestock. The original owner of the animal/livestock may reclaim it/them within 30 days of the date of sale by paying the purchaser at any such sale twice the purchase price of the animal/livestock. Such redemption of this/these animals/livestock shall not release the owner from fines assessed in connection with the impoundment of this/these animal(s)/livestock or violations of Chapter 4 of the Code of Ordinances of the City of Crowley by this/these animal(s)/livestock or its/their owner. This notice given this the _____ day of _____, 200____, in compliance with Section 4-18 of the City of Crowley Code of Ordinances.

Owner _____

Date _____

City of Crowley
Animal Control Shelter

Supervisor _____

Except in the case of those animals propounded under the provisions of Section 4-19, the notice shall read ten (10) days.

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

(c) *Redemption by owner; fees.* The owner of any impounded animal/livestock may upon presentation of satisfactory proof of ownership reclaim the livestock upon payment of the following charges and/or fees, where applicable, unless such animal/livestock has injured someone or has rabies or is suspected of having rabies in which case the animal/livestock must be held for at least ten (10) days for observation:

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

(2) A boarding fee of a minimum of \$10.00 per day the animal/livestock has been impounded.

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

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

(f) *Impoundment of Feral Cat(s).*

(1) In the event the Animal Control Officer (Humane Officer/Police Officer) takes charge of an unrestrained animal defined as a *Feral Cat*, such animal shall be impounded in the Animal Control Shelter and detained for a period of not less than three (3) calendar days.

(2) The Animal Control Shelter shall make a reasonable effort to determine the identity of the owner of such impounded animal. Since the owner of said animal is unknown, the Animal Control Shelter shall post notice substantially in the following form in a conspicuous location upon the property from which the animal was captured or trapped while roaming at large.

To: <u>Unknown Person(s) Claiming to Own the Following Described Animal</u>
From: _____ City of Crowley Animal Control Shelter 220 Jack Mitchell Avenue Road Crowley, Louisiana 70526 (337) 788-8004
Re: <u>Feral Cat</u> (Description of Animal/Livestock)
You are hereby notified that the Feral Cat described above was captured/trapped and has been impounded by the City of Crowley Animal Control Shelter pursuant to the authority of Chapter 4 of the Code of Ordinances of the City of Crowley. Said Feral Cat was running at large and has been impounded because of the following incident(s) or circumstances: ____ Roaming At Large ____ No Rabies Tag ____ Other _____
An appeal may be made in writing to the Animal Control, Officer by the owner in person within three (3) days of the date of this notice. You are further notified that unless the above described Feral Cat is claimed by its owner in person within three (3) days of this notice, all rights to the Feral Cat shall be forfeited to the Animal Control Shelter and the Feral Cat may be disposed of by the Animal Shelter or destroyed. This notice given this the _____ day of _____, 202____, in compliance with Section 4-18(f) of the City of Crowley Code of Ordinances.
_____ Date
By: _____ City of Crowley Animal Control Warden

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, SIGNED AND ADOPTED in regular session at Crowley, Acadia Parish, Louisiana, on this the 8th day of September, 2021, at which a quorum was present and acting throughout, a roll call vote as follows:

YEAS: Alderman Jeff Cavell, Alderman Brad Core, Alderman Clint Cradeur, Alderman Lyle Fogleman, Alderman Vernon Martin, Alderman Steven Premeaux, Alderman Samuel Reggie, Alderwoman Kim Stringfellow and Alderman Bryon Wilridge.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderman Brad Core and seconded by Alderwoman Kim Stringfellow the meeting was adjourned at 6:32 p.m.


TIM MONCEAUX, MAYOR

ATTEST:


SHANTEL ALLEMAN, INTERIM CITY CLERK

Presented rough draft to Mayor on 9/9/21 at 11:00 AM/PM.

Presented for Mayor signature on 9/9/21 at 10:00 AM/PM.

Mayor signed & returned to City Clerk on 9/20/21 at 10:41 AM/PM.

Publish in newspaper on _____