

CITY OF CROWLEY
REGULAR MEETING
FEBRUARY 10TH, 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 10th day of February 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, and Kim Stringfellow. Alderman Byron K. Wilridge was absent.

Alderman Lyle Fogleman led the Pledge of Allegiance to the flag. Alderman Vernon Martin gave the invocation.

PUBLIC HEARING:

City Attorney, Tom Regan, opened the public hearing on the condemnation of property situated on Lots 2 and 3 of Block 2 of the Savy Broussard Subdivision of the City of Crowley belonging to Michael Stafford and Casey Comeaux Stafford, having a municipal address of 1008 West 11th Street, Crowley, Louisiana, Mr. Glenn Howie was not present to represent the property owner's interest in the property; however, he did communicate with the City Attorney. The hearing was closed.

City Attorney, Tom Regan opened the public hearing on proposed ordinance no. 1513, the ordinance was read by title as follows:

AN ORDINANCE TO PROVIDE FOR THE LEVY, COLLECTION AND ADMINISTRATION OF A FIVE (5%) PERCENT HOTEL OCCUPANCY TAX FOR THE OCCUPANCY OF HOTEL ROOMS AS DEFINED HEREIN, INCLUDING DEFINING THE TERMS AS USED HEREIN, LEVYING AND PROVIDING FOR THE ASSESSMENT, COLLECTION, PAYMENT AND DEDICATION OF THE PROCEEDS OF SAID TAX AS PROVIDED FOR IN THE PROPOSITION APPROVED BY THE ELECTORS OF THE CITY OF CROWLEY ON THE 5TH DAY OF DECEMBER, 2020, PERPETUALLY, COMMENCING ON THE 1ST DAY OF APRIL, 2021; PROVIDING RULES AND REGULATIONS FOR THE ENFORCEMENT OF THIS ORDINANCE AND FOR THE COLLECTION OF THE TAX LEVIED HEREBY; PROVIDING VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE AND THE PENALTIES THEREFOR; PROVIDING THAT THIS ORDINANCE SHALL BE INCORPORATED INTO CHAPTER 11 OF THE CODE OF ORDINANCES 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.

Tom Regan asked for proponents to the proposed ordinance no. 1513. A third and final call was made with no one further coming forward to speak. The call for opponents of the proposed ordinance no. 1513 was made and there were no comments after the third and final call. The public hearing on ordinance no. 1513 was closed.

PRESENTATION OF PROCLAMATION:

Proclamation

Whereas, African Americans have played central roles in some of the most triumphant and courageous moments in our Nation's history; and

Whereas, during National Black History Month, we honor the rich heritage of African Americans and pay tribute to their many contributions to our Nation; and

Whereas, the theme of Black History Month for 2021 is “The Black Family: Representation, Identity, and Diversity” and according to the Association for the Study of African American Life and History, the black family offers a rich tapestry of images for exploring the African American past and present; and

Whereas, in 1915, Dr. Carter Godwin Woodson recognized the need for our country to gain a more complete and informed understanding of our past; and

Whereas, he founded the Association for the Study of Negro Life and History and established the first Negro History Week to emphasize that "We have a wonderful history behind us"; and

Whereas, through the pioneering efforts of Dr. Woodson and the hard work of the Association, this observance officially became Black History Month in 1976; and

Whereas, for generations, African Americans have strengthened our Nation by urging reforms, overcoming obstacles, and breaking down barriers; and

Whereas, during Black History Month, we recognize these champions of justice and the sacrifices they made to bring us to this point, we honor the contributions of African Americans since our country’s beginning, and we recommit to reaching for a day when no person is judged by anything but the content of their character; and

Whereas, as we rejoice in the victories won by men and women who believed in the idea of a just and fair America, we remember that, throughout history, our success has been driven by bold individuals who were willing to speak out and change the status quo; and

Whereas, African Americans reflect a proud legacy of courage and dedication that has helped to guide our Nation's success and prosperity; and

Whereas, the City of Crowley has been fortunate to have many African American citizens who have contributed in a direct and positive way to our community, we take this opportunity to recognize two (2) of those leaders, namely, Bishop Louis Dugar, who passed away on October 23, 2019, and Mr. Robert Dominick, who continues to lead by example; and

Whereas, let us also not forget those who made the ultimate sacrifice so that we could make our voices heard by exercising our right to vote. Even in the face of legal challenges, every eligible voter should not take for granted what is our right to shape our democracy; and

Whereas, our responsibility as citizens is to address the inequalities and injustices that linger, and we must secure our birthright freedoms for all people; and

Now, Therefore, I, Tim Monceaux, Mayor of the City of Crowley do hereby declare February as

National Black History Month

let us reflect on the sacrifices and contributions made by generations of African Americans and let us resolve to continue our march toward a day when every person knows the unalienable rights to life, liberty, and the pursuit of happiness.

IN WITNESS WHEREOF, I have hereunto set my hand and officially caused the Great Seal of the City of Crowley to be affixed this the 10th day of February, 2021.

TIM MONCEAUX, MAYOR
CITY OF CROWLEY, LOUISIANA

Mayor Monceaux also acknowledged Alderman Vernon Martin and thanked him for his years of service and dedication to the City of Crowley and its citizens.

APPEARANCES:

Mr. Charles Dawson with Geo Surfaces addressed the council members questions regarding the Recreation Departments Turf and Lighting Improvements project. Mr. Rick Villejoin spoke in regard to economic development and how important it is to the success of the project. He also addressed the Mayor and Council and asked them to put Crowley first by working together for the betterment of the community.

READING & APPROVAL OF MINUTES:

Alderman Vernon Martin moved to dispense with the reading of the minutes of the January 13th, 2021 Regular Council meeting and February 3rd, 2021 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.

Mayor presented the monthly budget-to-actual comparisons that report the spending of major funds.

PUBLIC WORKS COMMITTEE:

Chairperson – Alderman Clint Cradeur
Vice-Chairperson – Alderman Brad Core
Members – Aldermen Byron Wilridge, Lyle Fogleman, Jr. and Vernon Martin

A motion was offered by Alderman Clint Cradeur and seconded by Alderman Lyle Fogleman to approve Partial Payment Estimate No. 8 to Southern Constructors, Inc. for the City-Wide Drainage Improvements Project in an amount of \$ 244,067.75. Motion carried.

A motion was offered by Alderman Clint Cradeur and seconded by Alderman Brad Core to award contracts for the FY 2020-2021 Material Purchases based on the bid tabulation and recommendations presented therein by Mader Engineering, Inc. Motion carried.

Acadiana Shell & Limestone

Proposal No. 1 - Surface Coarse Aggregates, Furnish Only

F.O.B. City of Crowley	Pick Up by City Vehicle	Item No.	Description & Unit
36.40	31.00	1	Gray Limestone #610 (6 Month Unit Price) (3000 lbs. per cu. yd.), per ton
37.90		2	Gray Limestone #57 (2600 lbs. per cu. yd.), per ton

Port Aggregates, Inc.

Proposal No. 1 - Surface Coarse Aggregates, Furnish Only

F.O.B. City of Crowley	Pick Up by City Vehicle	Item No.	Description & Unit
	32.15	2	Gray Limestone #57 (2600 lbs. per cu. yd.), per ton

Barriere Construction Co., LLC

Proposal No. 2 – Asphalt Cold Mix, Furnish Only

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
115.00	90.00	1	Cold Mix, per ton

Stripe Force 1

Proposal No. 3 - Crack Routing, Cleaning, and Sealing Pavement Cracks

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
1200.00		1	Mobilization for Routing, Cleaning and Sealing Pavement Cracks, per each
1.50		2	Routing Pavement Cracks, per ln. ft.
2.40		3	Cleaning and Sealing Pavement Cracks, per ln. ft.

Design PreCast is awarded
Proposal No 4- Concrete Pipe and Arch Pipe, Furnish Only
(Prices shall include cost of Flexible watertight Gaskets), 8' Joints

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
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	16.80	1	15" Reinforced Concrete Pipe, per ln. ft.
168.48	155.52	9	60" Reinforced Concrete Pipe, per ln. ft.
235.56	217.44	10	72" Reinforced Concrete Pipe, per ln. ft.
391.63	361.50	11	84" Reinforced Concrete Pipe, per ln. ft.

Coburn's Supply Co.

Proposal No 4- Concrete Pipe and Arch Pipe, Furnish Only
(Prices shall include cost of Flexible watertight Gaskets), 8' Joints

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
18.01		1	15" Reinforced Concrete Pipe, per ln. ft.
21.84	21.84	2	18" Reinforced Concrete Pipe, per ln. ft.
32.58	32.58	3	24" Reinforced Concrete Pipe, per ln. ft.
46.84	46.84	4	30" Reinforced Concrete Pipe, per ln. ft.
61.76	61.76	5	36" Reinforced Concrete Pipe, per ln. ft.
80.81	80.81	6	42" Reinforced Concrete Pipe, per ln. ft.
101.22	101.22	7	48" Reinforced Concrete Pipe, per ln. ft.
123.64	123.64	8	54" Reinforced Concrete Pipe, per ln. ft.
23.21	23.21	12	11"X18"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
28.06	28.06	13	13"X22"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
39.52	39.52	14	18"X28"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
48.85	48.85	15	23"X36"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
66.32	66.32	16	27"X44"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
86.95	86.95	17	31"X51"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
111.16	111.16	18	36"X58"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
139.20	139.20	19	40"X65"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
166.99	166.99	20	45"X73"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.
232.91	232.91	21	54"X88"(Nominally)Reinforced Concrete Arch Pipe, per ln. ft.

Coburns is awarded

Proposal No 5- Ribbed Polyvinyl Chloride Pipe, Furnish Only

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
	9.29	1	15" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP), per ln. ft.
	13.63	2	18" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln. ft.
	21.75	3	21" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln. Ft
24.69	24.69	4	24" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP, per ln. ft.
		5	27" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP, per ln. ft.
34.95	34.95	6	30" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln. ft
46.18	46.18	7	36" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln. ft

Kedco, LLC is awarded

Proposal No 5- Ribbed Polyvinyl Chloride Pipe, Furnish Only
per ln. Ft.

8.99		1	15" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln. Ft.
12.39		2	18" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP),per ln.Ft.
17.99		3	21" Ribbed Polyvinyl Chloride Culvert Pipe(RPVCCP)

Barry Concrete is awarded

Proposal No.6 - Portland Cement Concrete & Flowable Fill, Furnish Only

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
114.00	100.00	1	Portland Cement Concrete, per cu. yd.
100.00	90.00	2	Flowable Fill, per cu. yd.

*polypropylene fibers (1-pound bag) \$9.00 per yard extra charge

Port Aggregates, Inc. is awarded

Proposal No.6 - Portland Cement Concrete & Flowable Fill, Furnish Only

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
114.00	N/A	1	Portland Cement Concrete, per cu. yd.
100.00		2	Flowable Fill, per cu. yd.

Port Aggregates, Inc. is awarded
Proposal No.7 - Portland Cement Concrete & Flowable Fill, Furnish Only

F.O.B. City of Crowley	Pick-Up by City Vehicle	Item No.	Description & Unit
	78.00	1	Hot mix, per ton

RECREATION COMMITTEE:

Chairperson – Alderman Steven Premeaux
Vice-Chairperson – Alderman Clint Cradeur
Members – Aldermen Jeff Cavell., Sammy Reggie and Lyle Fogleman

A motion was offered by Alderman Steven Premeaux and seconded by Alderman Brad Core to approve Application No. 1 from E.L. Habetz Builders, Inc. for Crowley Rice Festival Building Renovations in the amount of \$32,711.22. Motion carried.

ZONING & ANNEXATION COMMITTEE:

Chairperson – Alderman Lyle Fogleman
Vice-Chairperson – Alderman Vernon Martin
Members – Aldermen Sammy Reggie, Kim Stringfellow and Steven Premeaux

A motion was offered by Alderman Lyle Fogleman and seconded by Alderwoman Kim Stringfellow, after considering a favorable recommendation of the City of Crowley Planning Commission, to approve the Preliminary Plat for Christopher J. Monceaux to subdivide .89 acres, being Lot 4 of LIMCO S/D #1 into Lot 4A and Lot 4B of LIMCO S/D #1, City of Crowley, Acadia Parish, Louisiana, contingent upon the review and approval of the City Engineer and City Attorney. Motion carried.

A motion was offered by Alderman Lyle Fogleman and seconded by Alderman Steven Premeaux, after considering a favorable recommendation of the City of Crowley Planning Commission, to approve the zoning change from C3 “Commercial 3” to R3 “Residential 3” for Harvest Trace Subdivision located on Oddfellows Road. Motion carried.

PUBLIC SAFETY COMMITTEE:

Chairperson – Alderman Brad Core.
Vice-Chairperson – Alderman Byron Wilridge
Members – Aldermen Vernon Martin, Kim Stringfellow and Steven Premeaux

A motion was offered by Alderman Brad Core and seconded by Alderwoman Kim Stringfellow to approve the following beer and liquor renewal permits:

Dollar General #04187	2021 Class B Package Beer Permit
2019 N. Parkerson Ave.	2021 Class B Package Liquor Permit
Crowley, LA	

Dollar General Store #16248	2021 Class B Package Beer Permit
910 N. Parkerson Ave.	2021 Class B Package Liquor Permit
Crowley, LA	

Big Daddy 2020 Inc	2021 Class B Package Beer Permit
d/b/a Cajun Mart	2021 Class B Package Liquor Permit
109 S. Eastern Ave	
Crowley, LA	

Bid Daddy 2020 Inc
d/b/a Winners Circle Deli
815 E Hargrave Street
Crowley, LA
Motion carried with Sammy Reggie recusing.

2021 Class A Retail Beer Permit
2021 Class A Retail Liquor Permit

A motion was offered by Alderman Brad Core and seconded by Alderman Vernon Martin to approve the following beer and liquor renewal permits:

Pizza Hut #35480
ADT Louisiana, LLC
1900 N Parkerson Ave

2021 Class A Retail Beer Permit

A & J Convenient Store
803 W. Hutchinson Ave
Damien C. Joseph

2021 Class B Package Beer Permit
2021 Class B Package Liquor Permit

Motion carried with Sammy Reggie recusing.

PUBLIC BUILDING COMMITTEE:

Chairperson – Alderman Byron Wilridge
Vice-Chairperson – Alderman Kim Stringfellow.
Members – Aldermen Brad Core, Clint Cradeur, and Steven Premeaux

A motion was offered by Alderwoman Kim Stringfellow and seconded by Alderman Vernon Martin to allow One Crowley the use, at no cost, of the Wells Fargo Building for a Farmers Market to be held every other weekend, pending the availability of the building, beginning Saturday, February 27, 2021 through December 18, 2021. Motion carried.

RESOLUTIONS:

The following resolution was offered by Alderman Clint Cradeur and seconded by Alderman Vernon Martin, and duly resolved and adopted.

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 shall provide the time and place where the Board will 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 and to hold a public hearing at the next regular meeting of the Mayor and Board of Aldermen, to-wit:

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE III OF
CHAPTER 13 OF THE CODE OF ORDINANCES OF THE CITY OF
CROWLEY TO ADD SECTION 13-30.1, ET SEQ. TO INCLUDE
REGULATIONS AND PERMITTING FOR PRIVATE PERSONS

WISHING TO CONTRACT WITH THE CITY OF CROWLEY TO PROVIDE CONSTRUCTION SERVICES FOR THE INSTALLATION OF CULVERTS WITHIN A DRAIN, DITCH OR CANAL AFFECTING PUBLIC RIGHTS OF WAY WITHIN THE CORPORATE BOUNDARY; 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 City Clerk shall publish the following notice in the Crowley Post Signal:

NOTICE OF PROPOSED ADOPTION OF ORDINANCE
AND PUBLIC HEARING

The Board of Aldermen of the City of Crowley shall meet in regular session on the 10th day of March, 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 TO AMEND AND RE-ENACT ARTICLE III OF CHAPTER 13 OF THE CODE OF ORDINANCES OF THE CITY OF CROWLEY TO ADD SECTION 13-30.1, ET SEQ. TO INCLUDE REGULATIONS AND PERMITTING FOR PRIVATE PERSONS WISHING TO CONTRACT WITH THE CITY OF CROWLEY TO PROVIDE CONSTRUCTION SERVICES FOR THE INSTALLATION OF CULVERTS WITHIN A DRAIN, DITCH OR CANAL AFFECTING PUBLIC RIGHTS OF WAY WITHIN THE CORPORATE BOUNDARY; 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 AND SIGNED on this the _____ day of _____, 2021.

ERIN S. CRADEUR, CITY CLERK

THUS DONE, SIGNED AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 10th day of February, 2021, at which a quorum was present and acting throughout.

TIM MONCEAUX, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

The following resolution was offered by Alderman Vernon Martin and seconded by Alderman Jeff Cavell, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY AUTHORIZING THE MAYOR TO SIGN AND SUBMIT THE COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE STATE OF LOUISIANA AND THE CITY OF CROWLEY FOR THE PLANNING AND CONSTRUCTION WORK ASSOCIATED WITH THE PROPOSED INSTALLATION OF A COMMUNOTOR AT THE CITY OF CROWLEY'S MAIN SEWERAGE PUMP STATION PROJECT

WHEREAS, the City of Crowley has received funding from the State of Louisiana via the Capital Outlay Act for the planning and construction work associated with the installation of a comminutor at the City of Crowley's main sewerage pump station project; and

WHEREAS, the City must enter into a Cooperative Endeavor Agreement with the State of Louisiana in order to receive said funds;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley that the honorable Timothy Monceaux, Mayor, is hereby authorized to sign and submit the required Cooperative Endeavor Agreement between the State of Louisiana and the City of Crowley for the planning and construction of the Installation of a Comminutor at the City of Crowley's Main Sewerage Pump Station project.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 10th day of February, 2021, at which a quorum was present and acting throughout.

TIM MONCEAUX, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

The following resolution was offered by Alderman Vernon Martin and seconded by Alderman Jeff Cavell, and duly resolved and adopted.

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CROWLEY AUTHORIZING THE MAYOR TO SIGN AND SUBMIT THE COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE STATE OF LOUISIANA AND THE CITY OF CROWLEY FOR THE PLANNING AND CONSTRUCTION WORK ASSOCIATED WITH THE PROPOSED PUBLIC SEWERAGE EXPANSION ALONG NORTH OF I-10 SERVICE ROAD (RICE CAPITAL PARKWAY) PROJECT

WHEREAS, the City of Crowley has received funding from the State of Louisiana via the Capital Outlay Act for the planning and construction work associated with the public sewerage expansion along north of I-10 service road project; and

WHEREAS, the City must enter into a Cooperative Endeavor Agreement with the State of Louisiana in order to receive said funds;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Crowley that the honorable Timothy Monceaux, Mayor, is hereby authorized to sign and submit the required Cooperative Endeavor Agreement between the State of Louisiana and the City of

Crowley for the planning and construction of the Public Sewerage Expansion Along North of I-10 Service Road project.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 10th day of February, 2021, at which a quorum was present and acting throughout.

TIM MONCEAUX, MAYOR

ATTEST:

ERIN S. CRADEUR, CITY CLERK

The following resolution was offered by Alderman Vernon Martin and seconded by Alderman Jeff Cavell, 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 SITUATED ON LOTS 2 AND 3 OF BLOCK 2 OF THE SAVY BROUSSARD SUBDIVISION OF THE CITY OF CROWLEY BEARING A MUNICIPAL ADDRESS OF 1008 WEST 11TH STREET, CROWLEY, LOUISIANA; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.

WHEREAS, a condemnation hearing was scheduled to be held on the 9th day of September, 2020, which hearing was continued and rescheduled for the 10th day of February, 2021, per resolution adopted y by the Board of Aldermen on January 13, 2021; and

WHEREAS, Notice of the rescheduling of the Condemnation Hearing date was mailed to the appointed attorney, Glen Howie, via Certified Mail Return Receipt No. 70201290000066898543 which notice was received by the said Glen Howie on January 27, 2021, as evidenced by the US Postal Service Return Receipt No. 70201290000066898543; and

WHEREAS, a Condemnation Hearing was held regarding the above described property on the 10th day of February, 2021, at which Glen Howie, appointed attorney, was unable to appear but did provide a report advising he was unable to locate the property owners or anyone on their behalf after his due diligence to do same and presented an affidavit to the Council attesting to same; and

WHEN AFTER considering the evidence presented and after due consideration of the circumstances and condition of the building/property, the testimony and affidavit of Glen Howie and the report of the City Inspector;

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the City of Crowley, Acadia Parish, Louisiana, in regular session duly convened that they DO HEREBY ORDER the building and/or structure situated on Lots 2 and 3 of Block 2 of the Savoy Broussard Subdivision of the City of Crowley bearing a municipal address of 1008 West 11th Street, Crowley, Louisiana, being the property of Michael Stafford and Casey Comeaux Stafford be and the same is hereby be condemned and IT IS ORDERED that the building and/or structure shall be brought up to building code requirements and/or demolished and/or removed, together with all trash and debris, within thirty (30) days from the date of receipt of this notice; and

BE IT FURTHER RESOLVED that the property owner shall obtain a building permit or demolition permit within seven (7) days of the date of receipt of this notice.

THUS DONE AND ADOPTED in regular session duly convened on the 10th day of February, 2021, at Crowley, Acadia Parish, Louisiana, at which a quorum was present and acting throughout.

TIM MONCEAUX, Mayor

ATTEST:

ERIN S. CRADEUR, City Clerk

ORDINANCES:

The following ordinance was offered by Alderman Jeff Cavell and seconded by Alderman Sammy Reggie, and duly resolved and adopted with the contingency that the Acadia Parish Tourist Commission agrees to collect the Tax for the City of Crowley.

ORDINANCE NO. 1513

AN ORDINANCE TO PROVIDE FOR THE LEVY, COLLECTION AND ADMINISTRATION OF A FIVE (5%) PERCENT HOTEL OCCUPANCY TAX FOR THE OCCUPANCY OF HOTEL ROOMS AS DEFINED HEREIN, INCLUDING DEFINING THE TERMS AS USED HEREIN, LEVYING AND PROVIDING FOR THE ASSESSMENT, COLLECTION, PAYMENT AND DEDICATION OF THE PROCEEDS OF SAID TAX AS PROVIDED FOR IN THE PROPOSITION APPROVED BY THE ELECTORS OF THE CITY OF CROWLEY ON THE 5TH DAY OF DECEMBER, 2020, COMMENCING ON THE 1ST DAY OF APRIL, 2021 IN PERPETUITY AND PROVIDING RULES AND REGULATIONS FOR THE ENFORCEMENT OF THIS ORDINANCE AND FOR THE COLLECTION OF THE TAX LEVIED HEREBY; PROVIDING VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE AND THE PENALTIES THEREFOR; PROVIDING THAT THIS ORDINANCE SHALL BE INCORPORATED INTO CHAPTER 11 OF THE CODE OF ORDINANCES 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.

WHEREAS, in accordance with the provisions of Act No. 270 of the 2020 regular session of the Louisiana Legislature, LA R.S. 47:338.222 was duly enacted to authorize and empower the Board of Aldermen of the City of Crowley to call a special election to determine a proposition to levy and collect a hotel occupancy tax within its jurisdiction not to exceed 5% of the amount paid for the rent or fee for occupancy of hotel rooms within the City of Crowley; and

WHEREAS, a special election was duly called by resolution of the Mayor and Board of Aldermen of the City of Crowley adopted on the 10th day of June, 2020, calling and ordering a special election to be held on the 5th day of December, 2020, between the hours of 7:00 a.m. and 8:00 p.m. and according to the provisions of the General Election Code of the State of Louisiana; and

WHEREAS notice of the following proposition was duly published and advertised as required by law, to-wit:

Shall the City of Crowley, State of Louisiana, (the "City") under the provisions of Article VI, Section 22, Section 29(B) and Section 30(A) of the Constitution of the State of Louisiana of 1974 and LA R.S. 47:338.22, as amended by Act 270 of the 2020 Louisiana Legislature, levy and collect a hotel occupancy tax not to exceed Five (5%) Percent per annum perpetually, commencing on the 1st day of April, 2021, upon the paid occupancy of hotel rooms within the City of Crowley (including furnishing and providing rooms or overnight camping facilities intended and designed for dwelling, lodging or sleeping purposes)(current estimated annual amount of \$44,036.14), dedicated for the purpose of provided funds for the promotion of tourism, recreation

and culture, economic development, financing (including the issuance of bonds and other forms of indebtedness), construction, maintenance and operation of the convention and conference center and related infrastructure (including the acquisition of property therefor) and to conduct and hold events, fairs and festivals for the promotion of tourism in the City of Crowley?

WHEREAS, the above proposition was duly submitted to the voter at the election conducted and held on the 5th day of December, 2020; and

WHEREAS, the Mayor and Board of Aldermen met in regular session on the 9th day of December, 2020, and publicly examined and canvassed the returns of said election as shown on the official tabulation sheets compiled by the Clerk of Court of the Parish of Acadia and as shown by the Proces Verbal of the examination and canvass of thereof and declared the result of the said election to be in favor of the Hotel Occupancy Tax; and

WHEREAS, on the 9th day of December, 2020, a resolution of the Mayor and Board of Aldermen of the City of Crowley was duly adopted promulgating the results of the said election, recorded and published in accordance with law declaring the majority of the qualified voters of the City of Crowley voting in said election voted in favor of the Hotel Occupancy Tax; and

WHEREAS, it is necessary that an ordinance providing for the levy, collection and administration of the Hotel Occupancy Tax not to exceed Five (5%) Percent per annum must be adopted to commence the collection of said tax in perpetuity; 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 regular session on the 10th day of February, 2021, at 6:00 o'clock p.m. at Council Chambers in the Criminal Justice Building, Crowley, Louisiana;

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

SECTION 1: This Tax shall be known as the "Hotel Occupancy Tax".

SECTION 2: This Ordinance shall be incorporated in and made part of Chapter 11 of the Code of Ordinances of the City of Crowley by adding thereto Article VI, as follows:

ARTICLE VI HOTEL OCCPUANCY TAX

Sec. 6.1. Definitions.

The words and phrases when used herein shall, for the purposes of this Ordinance, have the following respective meanings, except where the context clearly indicates a different meaning:

- (A) "*City*" shall mean the City of Crowley, Parish of Acadia, State of Louisiana.
- (B) "*Hotel*" shall mean and include any public or private establishment, hotel, inn, apartment hotel, hostelry, tourist home or house, motel, bed and breakfast, rooming house, cottages or cabins providing rooms, suites or overnight camping facilities intended and designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of two or more guest rooms and shall not include any hospital, convalescent, nursing home, sanitarium or hotel like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and family members.
- (C) "*Lease*" shall mean the lease of possession of property for more than 180 consecutive days.
- (D) "*Lodging*" shall mean any space or room occupied by any transient person.
- (E) "*Person*" shall mean and include, except as provided for herein:

- (1) Any individual, firm, co-partnership, joint venture, association, corporation, co-operative, estate, trust, business trust, receiver, syndicate, instrumentality, other group or combination acting as a unit.
- (2) For the purposes of the payment of this Tax, “*person*” shall not include the State of Louisiana, any parish, city, municipality, district or other political subdivision thereof, any agency, board or commission of the State or its political subdivisions.
- (F) “*Rental*” or “*Fee*” shall mean the total amount charged, exclusive of any tax imposed on such charge, for the occupancy of each room furnished for lodging.
- (G) “*Tax Collector*” shall mean the Sales Tax Collection Department of the Acadia Parish Convention & Visitors Commission acting as agent for the City.
- (H) “*Transient*” shall mean any person who, for a period of not more than 180 consecutive days or for short-term residential rentals, either at his own expense or at the expense of another, obtains lodging or hotel occupancy as herein defined for which a charge is made.

Sec. 6.2: Imposition and Levy of Tax.

(A) There is hereby levied upon, from and after the 1st day of April, 2021, and thereafter in perpetuity or until the repeal hereof, for the purposes hereinafter specified, a tax upon the amount paid for occupancy of hotel rooms as defined herein within the corporate limits of the City of Crowley in the amount of Five (5%) Percent of the total price paid for occupancy.

(B) The tax authorized herein shall be supplemental and in addition to all other taxes which the City of Crowley may now and hereafter levy and shall not be construed as to limit or restrict any present or future taxing authority.

Sec. 6.3. Collection of Tax.

(A) This tax shall be due by the person(s) as defined herein who occupied or obtained the right of occupancy of the room and shall be paid at the time the rental or fee for occupancy thereof is paid. The hotel operator is hereby charged with the duty and obligation to collect and remit the said Tax to the Tax Collector as defined herein.

(B) The Tax authorized herein shall not be assumed by the hotel operator and it shall be mandatory upon the hotel operator to collect such Tax from the person for remittance to the Tax Collector.

(C) The amounts required to be collected hereunder shall be deemed to be held in trust by the hotel operator required to collect them until remitted as hereinafter required.

(D) Any person who shall claim an exemption shall present a certificate from the head of the State or political subdivision for which the occupancy of the room is paid certifying that the occupancy was necessary for and on behalf of a governmental purpose.

(E) Collection of the Hotel Occupancy Tax in a sum in excess of the tax actually shall be a misdemeanor offense.

Sec. 6.4. Reports and Remittance of Tax.

(A) Except as hereinafter provided, the Tax levied hereunder shall be due and payable by all hotel operators monthly on the first day of the month commencing April 1, 2021. For the purpose of ascertaining the amount of tax due and payable under this Ordinance, it shall be the duty of the hotel operators to transmit, on or before the 20th day of the month following the month in which this tax becomes effective, to the Tax Collector, upon a form(s) prescribed and furnished by the Tax Collector setting forth all the information prescribed and required showing the total occupancy fees and charges due from each person for the occupancy of hotel rooms for the preceding calendar month and thereafter, like returns shall be prepared and transmitted to the Tax Collector by all hotel operators on or before the 20th day of each succeeding month. The signature of said person preparing the report shall affirm that he/she has examined the report and to the best of his/her knowledge, information and belief the statement and figures contained thereon are true, accurate and complete under the penalty of perjury.

(B) The remittance of the Tax shall be made on the dates and times as prescribed covering the amount of all taxes due and collected as shown on each monthly report.

Sec. 6.5. Dedication and Use of Proceeds of Tax.

The proceeds of the Tax levied herein less a reasonable sum to be retained by the Tax Collector and the City covering the cost of collection thereof shall be used by and appropriated solely for the purpose of providing funds for the promotion of tourism, recreation and culture, economic development, financing (including the issuance of bonds and other forms of indebtedness), construction, maintenance and operation of the convention and conference center and related infrastructure (including the acquisition of property therefor) and to conduct and hold events, fairs and festivals for the promotion of tourism in the City of Crowley.

Sec. 6.6. Maintaining Books and Records and the Inspection thereof.

(A) Every hotel operator required to complete a report and pay the Tax levied under this Ordinance shall keep, maintain and preserve suitable books and records of the transactions taxable under this Ordinance as may be necessary to determine the amount of Tax due hereunder and other information as may be required by the Tax Collector for a period of eight (8) years commencing with the calendar year in which the tax becomes due.

(B) The Tax Collector is specifically authorized to examine at all reasonable hours the books and records of the hotel operator in order to determine the amounts due, the accuracy of the reports and any other information deemed necessary by the Tax Collector for a period of five (5) years commencing with the calendar year in which the tax becomes due and continue for a period of three (3) subsequent calendar years thereafter.

Sec. 6.7. Termination or Transfer of Business.

(A) If any hotel operator liable for any tax, interest or penalty levied hereunder should sell his/her business or terminate his/her business for any reason, he/she shall make and file a final return and payment within fifteen (15) days after the date of selling or terminating the business. His/her successor or assigns, if any, shall withhold sufficient amounts of the purchase money to cover the amount of said tax, interest and penalties due and unpaid until such time as the former owner shall produce a receipt from the Tax Collector showing he/she has paid the amount due or a certificate showing no tax, interest or penalty is due.

(B) In the case of a hotel operator who terminates his/her business and subsequently opens another similar business under the same ownership, whether individual, partnership, corporation or otherwise, that operator shall be liable for any tax, interest or penalty owed by the original business.

(C) The Tax Collector may proceed in a Court of competent jurisdiction to force the examination of such books and records in the event of refusal by the hotel operator. This manner shall be in the form of a rule to show cause. However, the Tax Collector shall design, prepare and furnish to all hotel operators or make available to them all necessary forms for filing returns and instructions to ensure full collection from the hotel operators and the accounting for the Tax due. Failure of any hotel operator to obtain these forms shall not relieve him/her from the payment of the Tax at the time and manner herein provided.

Sec. 6.8. Penalties for Non-Payment of Tax.

(A) Civil:

(1) To further enforce collection of the Tax due hereunder, independent of and in addition to enforcement of criminal penalties provided hereunder, there is hereby added to the amount of the tax due, interest at the rate of One and One-Quarter (1.25%) Percent per month from the date due until paid, except in the case of a waiver in accordance with the rules and regulations promulgated by the Tax Collector of the interest or penalty assessed.

(2) The penalty for failure to file a return at such time a return becomes due, in addition to the monthly interest for late payment, shall be Ten (10%) Percent of the amount shown due.

(3) The penalty for the intentional disregard of rules and regulations, false or fraudulent returns shall be Fifty (50%) Percent.

(4) These specific penalties shall be an obligation in addition to the tax and interest due thereon and shall be collected and accounted for in the same manner under the rules and regulations promulgated by the Tax Collector.

(B) Audit:

In the event the Tax Collector shall determine a complete examination or audit of the books, records and documents is required, the Tax Collector shall add to the assessment of interest and penalties, the cost of such examination accruing therefor which amount shall be collected in the same manner as the tax and the interest and penalties accruing thereon imposed by this Ordinance.

(C) Criminal:

Any person required under this Ordinance to collect, account for and pay any tax penalty or interest imposed by this Ordinance who willfully fails to file any return or report or willfully files or causes to be filed a false or fraudulent return or report, willfully aids or abets another in the filing of false or fraudulent return or report or fails to collect and account for or pay such tax penalty or interest, shall, in addition to other penalties provided by law, be fined not more than One Thousand & No/100 (\$1,000.00) Dollars or six (6) months or both.

(D) Venue:

Action to enforce collection of taxes, including the applicable interest, penalties and other charges, levied by this Ordinance shall be brought in a Court of competent Jurisdiction of this Parish.

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.

SECTION 5: This Ordinance shall become effective on the day of its enactment, provided that the effective date of the Tax herein levied shall become effective on April 1, 2021.

THUS DONE, SIGNED AND ADOPTED in regular session duly convened at Crowley, Acadia Parish, Louisiana, on this the 10th day of February, 2021, at which a quorum was present and acting throughout.

YEAS: Jeff Cavell, Brad Core, Clint Cradeur, Lyle Fogleman, Vernon Martin, Steven Premeaux, Sammy Reggie and Kim Stringfellow

NAYS: None

ABSENT: Byron Wilridge

TIM MONCEAUX, MAYOR

ATTEST:

ERIN S. CRADEUR, CITY CLERK

OTHER BUSINESS:

There being no further business to come before the Council upon motion duly made by Alderman Brad Core and seconded by Alderman Sammy Reggie the meeting was adjourned at 7:32 p.m.

TIM MONCEAUX, MAYOR

ATTEST:

ERIN S. CRADEUR, CITY CLERK

Presented rough draft to Mayor on February 12, 2021 at 1:00 p.m.
Presented for Mayor signature on February 12, 2021 at 1:00 p.m.
Mayor signed & returned to City Clerk on February 12, 2021 at 1:30 p.m.
Publish in newspaper on February 26th, 2021