

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
JULY 25, 2023

The Mayor and City Council of Morgan City, Louisiana, met at 6:00 pm (local time) in regular session, this date, in the City Court Building, Highway 182 East, Morgan City, Louisiana.

There were present: Honorable Lee Dragna, Mayor; and Council Members Steve Domangue, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: Ron Bias.

Also present was Mr. Paul Landry, City Attorney.

The invocation was given by Reverend David Scott.

There was no Positive Image recipient for the month of July.

Mayor Dragna stated that Mr. Giroir submitted a request to hold a benefit to raise money for a burial (copy on file). He was requesting to use the area under the US 90 bridge between 2nd and 3rd Streets on July 29, 2023 from 10 AM to 5 PM. A motion to approve the request was made by Mr. Stephens, seconded by Mr. Domangue, and voted unanimously in favor.

Mayor Dragna said that he had spoken to Mr. Matherne and he asked to remove him from the agenda.

Patrick Haller with the Morgan City Firefighters Association requested permission to hold the annual boot drive to benefit the Muscular Dystrophy Association on September 1, 2023 from 2 PM to 6 PM at the intersection of Highway 90 and Highway 182 (copy on file). A motion to allow the Boot Drive was made by Mr. Domangue, seconded by Mr. Stephens, and voted unanimously in favor.

Mr. Peter Soprano was the next guest on the agenda. He announced his candidacy for Parish Council, At Large District 10, and asked the Mayor, Council, and citizens of Morgan City for their support.

Ms. Lucy Kincade addressed the Council regarding the creation of a Mayoral Youth Council (copy on file). She gave a brief presentation on what the Council would consist of. Mr. Hymel thought it was a great idea but suggested that maybe the 3.0 GPA should be removed or revisited to be more inclusive. A motion to create the Mayoral Youth Council was made by Mr. Hymel, seconded by Mr. Domangue and voted unanimously in favor.

Morgan City Main Street Director Mrs. Sadie Rankin requested permission to hold the Moonlight Monday event on November 20, 2023, the Spirit of Morgan City Christmas Festival on November 25, 2023, and the annual Christmas Parade on December 16, 2023. She stated she would come back before the Council once she had times and schedules in place. A motion to concur in the request was made by Mr. Stephens, seconded by Mr. Hymel and voted unanimously in favor.

Mr. Gerard Bourgeois addressed the Council regarding a class action suit against the manufacturer of firefighting foam products and products containing perfluoroalkyl substances. The City water had been tested in June and showed a small amount of the substance that was beneath the limits, but the City was a candidate for inclusion in the class. If the City did not act quickly, they would receive 25% less of an award than if they joined in the immediate future. He stated that by joining at this point 10% was already lost. A motion to expand the agenda to discuss the class action suit was made by Mr. Tamporello, seconded by Mr. Domangue, and voted unanimously in favor. Mr. Stephens expressed some concerns with not knowing much about the class action suit, and felt it was not good to enter into anything without the facts; whereupon,

It was moved by Mr. Tamporello, seconded by Mr. Domangue that the following Resolution be adopted:

RESOLUTION NO. R: 23-28

A Resolution providing for the execution of contract with the law firms of Baron & Budd, P.C., Cossich, Sumich, Parsiola & Taylor, LLC, and Bourgeois Law, LLC (collectively referred to as "Attorneys"), designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this City of Morgan City is authorized to contract with an employ attorneys for provision of particular services, and,

WHEREAS, this City of Morgan City believes it necessary and that real and genuine necessity exist therefor, to contract with the Attorneys in connection with damages, compensation, and other relief to which the City may be entitled as a result of an action to be filed by Attorneys on behalf of the City against the manufacturer(s) of firefighting foam products (known as "aqueous film forming foam" or "AFFF") and/or other products containing perfluoroalkyl substances ("PFAS") (including perfluorooctanoic acid ("PFOA" or "C8"), perfluorooctane sulfonate ("PFOS"), and any other related compounds.

BE IT RESOLVED that the Mayor, Lee A. Dragna, is hereby authorized and directed to execute on behalf of the City of Morgan City a legal services agreement, substantially in accordance with the terms and conditions of the legal services agreement presented this day.

WHEREUPON, the motion was put to vote and the vote thereon was as follows:

YEAS: Tamporello, Domangue, Hymel
NAYS: Stephens
ABSENT AND NOT VOTING: Bias

And the Resolution was declared adopted on this 25th day of July, 2023.

Lee Dragna, Mayor

ATTEST:

Debbie Harrington, Clerk

Mr. Bryce Merrill with the Oilfield Divers Monument stated that they were in the planning stages of their annual gathering, and it would be held on the last weekend of April at Lake End Park. He also noted that the remaining \$25,000 from the Diving Monument fund would be used toward a scholarship program to aid students attending the South Louisiana Community College Diving Program.

The minutes of the June 27, 2023 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Mr. Tamporello, seconded by Mr. Domangue, and voted unanimously in favor.

Mrs. Kristen Holcombe with Kolder, Champagne, Slaven & Co. gave the annual audit report for the City for the year ending December 31, 2022 (copy on file).

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending June 30, 2023.

MONTHLY FINANCIAL STATEMENTS

DATE: July 25, 2023
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended June 30, 2023.

Attached is a summary that compares our actual revenues and expenses to our operational budget for our major funds subject to budgetary control for the period ending June 30, 2023. The following comments are related thereto:

General and Ancillary Funds: The actual total revenues are over budget by \$619,815. Some of the main overages are as follows:

Sales taxes	185,000
Occupational licenses	134,000
Fines	144,000
LWCC Dividend	76,000
Lake End Park/Parkway	131,000

Operating expenses are below budget by \$405,917. The net loss of \$2,127,835 is a favorable variance of \$1,025,732 compared to the budget.

Utility Fund: Actual revenues are increasingly under budget by \$2,104,811 mainly due to electrical revenues. However, the operational expenses are also under budget by \$1,949,777. This is in large part due to being under budget in purchased power costs \$1,526,000. The net income of \$2,702,289 creates a favorable variance in the amount of \$33,343.

Sanitation and Sewer Fund: The operating revenues are \$87,518 under budget, with total operating expenses under budget by \$197,258. The net loss of \$135,631 leaves another favorable budget variance of \$109,895.

Respectfully submitted,
/s/ Deborah Garber
Deborah Garber
Finance Director

**CITY OF MORGAN CITY
CONSOLIDATED STATEMENT**

Actual Revenues and Expenses Compared to Budget
Period Ended June 30, 2023

	JUNE 2023	JUNE 2023	
GENERAL AND ANCILLARY FUNDS	ACTUAL	BUDGET	VARIANCE
REVENUES			
General Fund	3,978,583	3,548,577	430,006
Recreation Fund	68,135	36,212	31,923
Library Fund	6,287	7,009	(722)
Auditorium Fund	57,936	31,421	26,515
Lake End Park Fund	564,593	432,500	132,093
State Prisoner Fund	99,292	128,470	(29,178)
Total Revenues	4,675,534	4,055,719	619,815
EXPENSES-OPERATIONAL			
General Fund	5,503,197	5,692,321	(189,124)
Recreation Fund	269,425	318,374	(48,949)
Library Fund	38,472	62,853	(24,381)
Auditorium Fund	227,365	245,441	(18,076)
Lake End Park Fund	399,452	520,322	(120,870)
State Prisoner Fund	365,458	369,975	(4,517)
Total Expenses	6,803,369	7,209,286	(405,917)
TRANSFERS			
Transfers from Funds	1,745,000	1,745,000	0
Transfers to Funds	0	0	0
Net Transfers	1,745,000	1,745,000	0
EXCESS NET OF TRANSFERS	(382,835)	(1,408,567)	1,025,732
UTILITY FUND			
Total			
Revenues	11,235,904	13,340,715	(2,104,811)
Total Expenditures	8,533,615	10,483,392	(1,949,777)
Net	2,702,289	2,857,323	(155,034)

Excess			
Net Transfers and non-oper.	(1,531,734)	(1,720,111)	188,377
Excess net of transfers	<u>1,170,555</u>	<u>1,137,212</u>	<u>33,343</u>

SANITATION AND SEWER FUND

Total			
Revenues	1,549,003	1,636,521	(87,518)
Total			
Expenses	<u>1,684,634</u>	<u>1,881,892</u>	<u>(197,258)</u>
Net			
Excess	(135,631)	(245,371)	109,740
Net Transfers/non-			
operating expenses	<u>570,758</u>	<u>570,603</u>	<u>155</u>
Excess net of transfers			
and non-operating	<u>435,127</u>	<u>325,232</u>	<u>109,895</u>

A motion to accept the financial statement was made by Mr. Stephens, seconded by Mr. Domangue, and voted unanimously in favor.

The next matter on the agenda was the Finance Committee Recommendations; whereupon,

Mr. Stephens offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-33

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the following Finance Committee recommendations be and the same are hereby approved:

1. Allocate \$10,000 from excess sales tax towards the purchase of bus for Morgan City Youth Center.
2. Allocate \$12,325 from TED detail money to purchase 10 rifles for Police Department.
3. Allocate up to \$10,000 from City Hall Construction fund to repair outside of Police Department and City Court.
4. Allocate up to \$300,000 of ARPA funds to build a new pavilion on Lake End Parkway.
5. Allocate up to \$30,000 from excess sales tax to install cameras at Police Department, Jail and City Court.
6. Allocate \$53,200 from excess court and fine revenues to install 8 license plate readers throughout the City.

Mr. Domangue seconded the motion.

The vote thereon was as follows:

AYES: Stephens, Domangue, Hymel, Tamporello
 NAYS: None
 ABSENT: Bias

The resolution was therefore declared approved and adopted this 25th day of July, 2023.

 Lee Dragna, Mayor

ATTEST:

 Debbie Harrington, Clerk

Mr. Michael Loupe, Public Works Director, stated that the City had received proposals for solid waste collection. He said that after looking at all proposals, it was his recommendation that the City go with the firm Waste Pro. New trucks and carts had been ordered, and although the transition would be a little tricky, Waste Pro was prepared for it; whereupon;

Mr. Tamporello offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-29

WHEREAS, the City received proposals for solid waste collections, and

WHEREAS, the firm of Waste Pro has submitted a proposal to accomplish this,

NOW THEREFORE BE IT RESOLVED, that the Mayor, be and he is hereby authorized, empowered, and directed to execute a contract with said Waste Pro, for and on behalf of and in the name of said Municipal Corporation, to perform the collection, hauling and disposal of municipal solid waste for the City of Morgan City.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Hymel, Domangue, Stephens
NAYS: None
ABSENT: Bias

The resolution was therefore declared approved and adopted this 25th day of July, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

The next matter on the agenda was the surplus vehicles; whereupon,

Mr. Hymel offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-30

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the item shown below are hereby declared surplus and no longer needed:

- | | |
|--|----------------------|
| 1. 1998 Ram VIN #1B7HC16X9WS718034 | Water, Sewer, Gas |
| 2. 2008 Ford F250 VIN #1FTSX20578EE39996 | Water, Sewer, Gas |
| 3. 2006 Chevy Silverado VIN #3GCEC14X566164102 | Wastewater Treatment |
| 4. 2005 Volvo Backhoe VIN #BL60D10507 | Water, Sewer, Gas |
| 5. 2008 Ford F250 VIN #1FTSW20588EE993 | Public Works |
| 6. Vermeer Tree Spade | Electric Department |
| 7. 2006 Ford Crown Victoria VIN #2FAFP71W96X156734 | Police Department |
| 8. 2010 Ford Crown Victoria VIN #2FAPP7BV2AX142400 | Police Department |
| 9. 2003 Chevy Trailblazer VIN #1GNDT13S932333373 | Utilities |
| 10. 2008 Ford F250 VIN #1FTSW205X8EE39994 | Public Works |
| 11. 2005 Chevy Silverado VIN #1GCEC14Z65Z285589 | Electric Department |
| 12. 2006 Ford F-250 VIN #1FDNF20546ED91351 | Electric Department |
| 13. 2006 Ford F-250 VIN #1FDNF20527EA02174 | Electric Department |
| 14. Car Lift | Central Garage |

BE IT FURTHER RESOLVED, etc., that said items be sold either by auction, on GovDeal.com, or by receiving bids.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Stephens, Domangue, Tamporello
NAYS: None
ABSENT: Bias

The Resolution was therefore declared approved and adopted this 25th day of July, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

The next matter on the agenda was the notice of intent to create the Morgan City Hotel/Motel Corridor Economic Development District; whereupon,

The following resolution was offered by Mr. Hymel and seconded by Mr. Stephens:

RESOLUTION R:23-31

A resolution authorizing the publication of a notice of intention to create the Morgan City Hotel/Motel Corridor Economic Development District, State of Louisiana, and to levy a hotel occupancy tax therein, under the authority of Part II, Chapter 27, of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith.

WHEREAS, Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*) (the "Act"), authorizes municipalities and other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana, and possess such power and authority and have such duties as provided by the Act and other constitutional and statutory authority; and

WHEREAS, the City of Morgan City, State of Louisiana (the "City"), acting through this Morgan City Council as its governing authority (the "Governing Authority"), desires to avail itself of the Act to create an economic development district to be called the "Morgan City Hotel/Motel Corridor Economic Development District, State of Louisiana" (the "District"), in accordance with La. R.S. 33:9038.32; and

WHEREAS, La. R.S. 33:9038.39 permits economic development districts such as the District to levy hotel occupancy taxes at a rate up to two percent (2%) for authorized purposes; and

WHEREAS, La. R.S. 33:9038.34(O) provides that this Governing Authority may create a special trust fund for the furtherance of economic development projects, as defined in the Act, into which certain new hotel occupancy tax revenues and/or incremental increases in hotel occupancy taxes shall be deposited and loaned, granted, donated, or pledged in furtherance of economic development projects as defined in the Act; and

WHEREAS, in accordance with the Act, particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, the City now desires to give notice of its intention to hold a public hearing relative to (1) the proposed creation of the District and (2) the proposed levy of a two percent (2%) hotel occupancy tax therein, which notice shall be published in the City's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearing; and

WHEREAS, a notice in substantially the form attached hereto as **Exhibit A** shall be published two (2) times in the *Daily Review*, the official journal of the City;

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Council (the "Governing Authority"), acting as the governing authority of the City of Morgan City, State of Louisiana, that:

SECTION 1. In accordance with the Act, and particularly La. R.S. 33:9038.32 and La. R.S. 33:9038.39, this Governing Authority does hereby give notice of its intention to create an economic development district to be called the "Morgan City Hotel/Motel Corridor Economic Development District, State of Louisiana," and to levy therein a two percent (2%) hotel occupancy tax pursuant to La. R.S. 33:9038.39 for the purpose of paying the costs of economic development projects as defined in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36.

SECTION 2. Publication of the notice in substantially the form attached hereto as **Exhibit A** is hereby approved, and the City Clerk is authorized and directed to publish such notice two (2) times in the official journal of the City, the first publication to appear at least fourteen (14) days before the date of the public hearing. At the date, time and place set forth in said notice, as published, the Governing Authority will meet in open and public session to hear any objections to the proposed creation of the District and the levy of the hotel occupancy tax therein, and may consider the adoption of ordinance(s) creating the District and levying the hotel occupancy tax.

SECTION 3. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel on matters related to the creation of the District, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, is hereby employed as special counsel for said purpose. The fee to be paid said special counsel shall be an amount computed at hourly rate based on the Attorney General's then current Maximum Hourly Fee Schedule, together with reimbursement of out-of-pocket expenses, and the Director of Finance is authorized to pay such invoices as and when presented.

SECTION 4. The Mayor and Clerk of the Council are hereby authorized and empowered to do all acts, sign any and all instruments or documents, and do all things necessary and proper in order to carry out the purposes of this resolution.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Hymel, Stephens, Domangue, Tamporello

NAYS: None

ABSENT: Bias

And the resolution was declared adopted on this, the 25th day of July, 2023.

Clerk of the Council

Mayor

CITY OF MORGAN CITY, STATE OF LOUISIANA

NOTICE OF INTENTION

NOTICE IS HEREBY GIVEN that the Morgan City Council (the "Governing Authority"), acting as the governing authority of the City of Morgan City, State of Louisiana (the "City"), pursuant to the authority of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 through 9038.42, inclusive)(the "Act"), proposes to consider creating an economic development district within the City to be called Morgan City Hotel/Motel Corridor Economic Development District, State of Louisiana (the "District").

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority proposes to levy a two percent (2%) hotel occupancy tax within the District. The proceeds of such tax will be deposited in a special trust fund to be used for the furtherance of economic development projects within the District, all pursuant to the authority of the Act.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet in open and public session on Tuesday, August 22, 2023, at 6:00 p.m., at its regular meeting place, City Court Building, 7261 Highway 182 East, Morgan City, Louisiana, and will at that time hear any and all objections to the proposed creation of the District and the levy of a hotel occupancy tax therein.

The boundaries of the District are proposed to be as follows:

Beginning at the intersection of the Brashear Avenue and Louisiana Highway 182; thence proceeding northeasterly along Brashear Avenue to its intersection with 8th Street; thence proceeding northwesterly along 8th Street to its intersection with Willard Street; thence proceeding northeasterly along Willard Street to its intersection with 9th Street; thence proceeding southerly along 9th Street to its intersection with Brashear Avenue; thence proceeding northeasterly along Brashear Avenue to its intersection with Victor II Boulevard; thence proceeding southeasterly along Victor II Boulevard to its intersection with the property line of 1324 and 1328 Victor II Boulevard; thence proceeding southerly and easterly along the property line of 1324 and 1328 Victor II Boulevard to its intersection with Redwood Street; thence southerly along Redwood Street to its intersection with Sandra Street; thence southeasterly along Sandra Street to its intersection with Cottonwood Street; thence southerly along Cottonwood Street to its intersection with Louisiana Highway 182; thence easterly along Louisiana Highway 182 to its intersection with Myrtle Street; thence northerly along Myrtle Street to its intersection with Victor II Boulevard; thence easterly along Victor II Boulevard to its intersection with Martin Luther King Jr. Boulevard; thence northerly along Martin Luther King Jr. Boulevard to its intersection with U.S. Highway 90; thence easterly along U.S. Highway 90 to its intersection with the extension of the property line of 704 Martin Luther King Jr. Boulevard; thence, proceeding southerly along the property line of 704 Martin Luther King Jr. Boulevard and its extension south to its intersection with Louisiana Highway 182; thence proceeding easterly along Louisiana Highway 182 to its intersection with Roderick Street; thence proceeding northerly along Roderick Street to its intersection with the property line of 516 Roderick Street; thence proceeding easterly and northerly and westerly and northerly and westerly along the property line of 516 Roderick Street to its intersection with Roderick Street; thence northerly along Roderick Street to its intersection with U.S. Highway 90; thence easterly along U.S. Highway 90 to its intersection with the levee east of 520 Roderick Street; thence proceeding southerly along the levee to its intersection with Louisiana Highway 182; thence proceeding westerly along Louisiana Highway 182 to its intersection with East Boulevard; thence proceeding southerly along East Boulevard to its intersection with Railroad Avenue; thence proceeding westerly along Railroad Avenue to its intersection with Myrtle Street; thence proceeding northerly along Myrtle Street to its intersection with Louisiana Highway 182; thence proceeding northwesterly along Louisiana Highway 182 to its intersection with Brashear Avenue, the point of beginning.

Public Works Director Michael Loupe said that the City had received proposals for a Pre-Event Disaster Company to assist the City in the event of a Hurricane or other disaster. He said after the grading process he felt the best option was to go with the firm of DRC Emergency Services; whereupon,

Mr. Stephens offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 23-32

WHEREAS, FEMA requires cities to seek proposals for a Pre-Event Disaster Recovery Assistance Contract, and

WHEREAS, the City of Morgan City has fulfilled this obligation, and

WHEREAS, the proposal to be chosen must meet the needs of the City of Morgan City, and

WHEREAS, the firm of DRC Emergency Services meets that criteria and the City's needs in its proposal, and

WHEREAS, members of the Council wish to have the approval of the Utilities Director.

NOW THEREFORE BE IT RESOLVED by the City Council, the governing authority of the City of Morgan City, Louisiana the Mayor be authorized to execute any documents between the City of Morgan City and DRC Emergency Services, necessary to have this Pre-Event Disaster Recovery Assistance Contract in place after obtaining approval of the Utilities Director.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Stephens, Hymel, Domangue, Tamporello

NAYS: None

ABSENT: Bias

The resolution was therefore declared approved and adopted this 25th day of July, 2023.

Lee Dragna
Mayor

ATTEST:

Debbie Harrington
Clerk

The creation of the Morgan City Hotel/Motel Corridor Economic Development District was the next matter on the agenda. This was a first reading. Mayor Dragna read into record a letter from Mrs. Emmy Fuson with the Louisiana Travel Association (copy on file). Mrs. Fuson addressed the Mayor and Council. She stated that she represented 900 plus members and felt that the Cajun Coast was a hidden gem. She was there to protect the interest of the hotel owners. She stated that she and Mayor Dragna had a telephone conversation earlier in the day and it was ascertained that both were working towards the best interests of the stakeholders. She said if anyone ever had any questions they could contact her at any time.

The first reading of the Levy of a 2% Hotel/Motel Occupancy Tax was the next matter on the agenda. No definitive action was necessary.

The first reading of the Creation of Zoning District R1-E, Residential was the next matter on the agenda. No definitive action was necessary.

The Amending of the Official Zoning Map of the City was the next matter on the agenda. This was a first reading. No definitive action was necessary.

Mayor Dragna submitted the name of Kristin Pasqua for appointment to the Main Street Committee. A motion to concur in the appointment was made by Mr. Hymel, seconded by Mr. Domangue, and voted unanimously in favor.

There being no further business, a motion to adjourn was made by Mr. Hymel, seconded by Mr. Tamporello and voted unanimously in favor.

Debbie Harrington
Clerk

Lee Dragna
Mayor