

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
JUNE 23, 2020

The Mayor and City Council of Morgan City, Louisiana, met at 6:00 pm (local time) in regular session, this date, in the Morgan City Municipal Auditorium Theater, 725 Myrtle Street, Morgan City, Louisiana.

There were present: Honorable Frank P. Grizzaffi, III Mayor; and Council Members Ron Bias, Steve Domangue, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: None

Also present were Mr. Marcus Folse, Chief Administrative Officer and Mr. Paul Landry, City Attorney.

The invocation was given by Pastor Marty Harden.

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

Mr. Bill Goessl submitted a request to hold the annual BBQ Bash under the US 90 bridge (copy on file). He stated that it would only be the cooking teams, and that there would be food sold to the public. There would be no music this year as there was in years past. All measures would be taken to ensure that the social distancing guidelines would be followed. A motion to approve the BBQ Bash was made by Mr. Stephens, seconded by Mr. Hymel, and voted unanimously in favor.

The minutes of the May 26, 2020 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Pastor Bias, seconded by Mr. Domangue, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending May 31, 2020.

MONTHLY FINANCIAL STATEMENTS

DATE: June 23, 2020
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended May 31, 2020.

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 May 31, 2020. The following comments are related thereto:

General and Ancillary Funds: Revenues are over budget by \$21,000. Sales taxes in General Fund are over budget by \$79,000. Revenues in Lake End Park and Parkway are considerably under budget due to COVID-19. Operating expenses are below budget by \$356,000. The net loss, after transfers, of \$468,000 is a favorable variance of \$377,600 compared to the budget.

Utility Fund: Actual revenues are under budget by \$930,000, with operational expenses also under budget by \$911,000. The net income, after transfers, of \$44,700 creates an unfavorable variance this month of \$32,200.

Sanitation and Sewer Fund: The operating revenues are now \$46,500 over budget, with total operating expenses under budget by \$80,800. The net income, after transfers, of \$468,200 leaves a favorable variance this month of \$127,500.

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

CITY OF MORGAN CITY
CONSOLIDATED STATEMENT
Actual Revenues and Expenses Compared to Budget
Period Ended May 31, 2020

	MAY 2020	MAY 2020	
GENERAL AND ANCILLARY FUNDS	ACTUAL	BUDGET	VARIANCE
REVENUES			
General Fund	2,444,847	2,323,288	121,559
Recreation Fund	24,264	45,562	(21,298)
Library Fund	5,929	6,054	(125)
Auditorium Fund	27,430	36,851	(9,421)
Lake End Park Fund	237,579	306,798	(69,219)
Total Revenues	2,740,049	2,718,553	21,496
EXPENSES-OPERATIONAL			
General Fund	3,968,201	4,155,851	(187,650)
Recreation Fund	119,342	196,821	(77,479)
Library Fund	32,892	48,524	(15,632)
Auditorium Fund	158,767	195,693	(36,926)
Lake End Park Fund	295,567	333,972	(38,405)
Total Expenses	4,574,769	4,930,861	(356,092)
TRANSFERS			
Transfers from Funds	1,521,665	1,521,665	0
Transfers to Funds	(155,000)	(155,000)	0
Net Transfers	1,366,665	1,366,665	0
EXCESS NET OF TRANSFERS	(468,055)	(845,643)	377,588
UTILITY FUND			
Total			
Revenues	7,692,895	8,622,906	(930,011)
Total Expenditures	6,200,171	7,111,245	(911,074)
Net			
Excess	1,492,724	1,511,661	(18,937)
Net Transfers and non-oper.	(1,448,020)	(1,434,802)	(13,218)
Excess net of transfers	44,704	76,859	(32,155)
SANITATION AND SEWER FUND			
Total			
Revenues	1,237,340	1,190,878	46,462
Total			
Expenses	1,215,562	1,296,398	(80,836)
Net			
Excess	21,778	(105,520)	127,298
Net Transfers/non-operating expenses	446,458	446,271	187
Excess net of transfers and non-operating	468,236	340,751	127,485

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

Mr. Anthony Governale, Director of Planning & Zoning, gave an update on the Free Board Requirements. He stated that in order to adopt these requirements, an ordinance had to be passed. It would require landowners to have their new construction at least one foot above base flood elevation.

The next matter on the agenda was Change Order One for the First Street extension project; whereupon,

Pastor Bias offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 20-21

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the Mayor be and he is hereby authorized, empowered, and directed in the name of and on behalf of said municipal corporation, to execute Change Order Number 1 under Contract Number R: 20-17, between the City of Morgan City and Gray Construction Corp., for the First Street Extension project.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 23rd day of June, 2020.

/s/ Frank P. Grizzaffi, III
Frank P. Grizzaffi, III
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

Mayor Grizzaffi stated that the First Street Extension needed to be placed in substantial completion; whereupon,

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

RESOLUTION NO. R: 20-22

WHEREAS, the firm of Gray Construction Corp. has substantially completed the work done under contract No. R:20-17 for the First Street Extension project, dated April 7, 2020 and recorded in the mortgage records of the Parish of St. Mary, Book 1588, Page 295, and

WHEREAS, the contractor has requested that this work be put in the lien period, and

WHEREAS, the engineer for the project has recommended acceptance of said project as substantially complete, to begin the forty-five (45) day lien period with no items remaining to be done, and

WHEREAS, before final payment is made, the engineer will so certify to the City that the project is fully complete and approve the payment of the retainage,

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, Louisiana that the Mayor be and he is hereby authorized, empowered, and directed to execute the "Certificate of Substantial Completion" and that a copy of this resolution, along with said "Certificate" be filed with the Clerk of Courts of the Parish of St. Mary to initiate the forty-five (45) day lien period for the work done under the above mentioned contract.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 23rd day of June, 2020.

/s/ Frank P. Grizzaffi, III
Frank P. Grizzaffi, III
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

Mayor Grizzaffi stated that another grant application was to be submitted for the Bike Morgan City project and a resolution of support needed to be passed; whereupon,

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

RESOLUTION NO. R: 20-22

A RESOLUTION OF THE CITY OF MORGAN CITY APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE FHWA RECREATIONAL TRAILS PROGRAM FOR LOUISIANA (FTRPL), AS ESTABLISHED BY CFFDA 20.2019

WHEREAS, the US Federal Government provides funds to the State of Louisiana for grants to state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trails; and

WHEREAS, the FRTPL has been delegated the responsibility for the administration of this program within the state and setting up necessary procedures governing project application under the program; and

WHEREAS, said procedures require the applicant to certify by resolution the approval of the application before the submission of said application.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City that it does hereby:

1. Approve the filing of an application with the FRTPL; and
2. Certify that the said applicant had or will have available prior to commencement of any work on the project included in this application, sufficient funds to build (including 20% local match), operate and maintain the aforementioned project.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 23rd day of June, 2020.

/s/ Frank P. Grizzaffi, III
Frank P. Grizzaffi, III
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The next matter on the agenda was the first reading of the 2020 Millage Ordinance. No definitive action was necessary.

The public hearing for the Firearms Ordinance was opened. No one appeared for or against said ordinance; whereupon,

This ordinance was introduced with a first reading on May 26, 2020. Published by title on June 1, 2020.

Mr. Domangue offered the following ordinance, who moved for its adoption.

ORDINANCE NO. 20-03

AN ORDINANCE AMENDING AND REENACTING CHAPTER 74, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE V – OFFENSES AFFECTING THE PUBLIC GENERALLY, SEC. 74-190, FIREARMS, AIR RIFLES, SLINGSHOTS, CROSSBOWS AND SIMILAR WEAPONS.

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Section 74-190 of Chapter 74, Offenses and Miscellaneous Provisions, Article V, Offenses Affecting the Public Generally, Section 74-190 Firearms, air rifles, slingshots, crossbows and similar weapons is hereby amended and re-enacted, said sub-section to read as follows:

Chapter 74

Offenses and Miscellaneous Provisions

Article V – Offenses Affecting the Public Generally

Sec. 74-190. – *Firearms*, air rifles, slingshots, crossbows and similar *weapons*.

(a) It shall be unlawful for any person to discharge or cause to be discharged any *firearm*, rifle, air rifle, air *gun*, slingshot or crossbow within the corporate limits. This section shall not apply to any police officer in carrying out his official duties.

(b) Whoever violates the provisions of this section shall be fined not more than \$500.00 or imprisoned for not more than 180 days, or both.

c) Nothing herein shall prohibit the discharging of any firearm under the following conditions:

- 1) If performed by someone in the business of manufacturing or assembling of a firearm with a permit from the City of Morgan City
- 2) If performed between the hours of 8:00 a.m. and 5:00 p.m.
- 3) If performed with all necessary state and federal permits and approval

- 4) If the caliber of the weapon does not exceed 30 caliber
 - 5) If the conduct does not violate any noise ordinance
 - 6) If the amount of ammunition stored at the business location is limited to only the amount necessary to facilitate the testing
 - 7) If conducted in a manner similar to ballistic testing to limit the amount of noise created
 - 8) If not located within 300 feet of a building used exclusively as a residence, regular church or synagogue, public library, school or orphans' home (except a school for business education conducted as a business college or school), or within 300 feet of a public playground. The method of measuring the distance requirements set forth in this subsection shall be made from the nearest point of the property line of the residence, church, synagogue, library, playground or school to the nearest point of the property line of the premises where the discharging of the firearm takes place.
- d) Each violation of any provision of this section shall constitute a separate offense. In criminal prosecutions for the violation of any portion of this section where any owner, operator, and/or their servants, agents or employees are convicted of any offense punishable with fine or imprisonment, the city court judge may sentence the person so convicted to work on any city property belonging to the city for a period equal to half of the term of imprisonment for which he may be sentenced. The officer or agent in charge of any corporation for which a license and permit may have been issued under this article, shall be subject to prosecution for any violation by such corporation, and upon conviction may be punished as provided in this section. Any agent, or employee of any licensee or permittee under this article violating any of the provisions of this article, upon conviction may be punished as provided in this section. Violation of or failure to comply with any of the provisions of this article by any person licensed under this article or by such person's manager, agent, servant or employee shall forfeit the right to any permit issued under this article; and such permit may be suspended or revoked.

SECTION 2

Should any section, paragraph, sentence, clause, or phrase be declared unconstitutional or repealed for any reason, the remainder of the ordinance shall not be affected hereby. That all laws or parts of laws in conflict with this ordinance be and the same are hereby repealed. This ordinance shall take effect immediately after its passage within the time prescribed by law.

Pastor Bias seconded the motion.

The vote thereon was as follows:

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

Certified approved and adopted this 23rd day of June, 2020.

Delivered to Mayor Grizzaffi at 10:30 am, this 24th day of June, 2020.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 24th day of June, 2020.

/s/ Frank P. Grizzaffi, III
Frank P. Grizzaffi, III, Mayor

Received from Mayor Grizzaffi at 11:00 am on June 24, 2020.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: June 30, 2020

The application for a Class "A" Liquor and Beer permit for CTC, LeBeouf, LLC was submitted. A motion to approve the application was made by Pastor Bias, seconded by Mr. Domangue, and voted unanimously in favor.

The application for a Class "A" Liquor and Beer permit for the Michelada House, LLC was submitted. A motion to approve the application was made by Pastor Bias, seconded by Mr. Stephens, and voted unanimously in favor.

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

Debbie Harrington
Clerk

Frank P. Grizzaffi, III
Mayor