

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
SEPTEMBER 22, 2015

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 Frank P. Grizzaffi, III Mayor; and Council Members Ron Bias, Barry Dufrene, James Fontenot, Tim Hymel, and Louis J. Tamporello, Jr.

Absent: None

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

The invocation was given by Reverend Herb Stanley.

Mayor Grizzaffi read his annual budget message into record (copy on file).

Mrs. Beverly Domengeaux with the St. Mary Council on Aging presented the Council with the annual service report (copy on file). She also requested that the City include their annual \$10,000 allocation in the 2016 budget.

Mr. Patrick Riggins and Mr. Bryan Landry with the Tri City Track Club requested permission to close the Long Allen Bridge to hold the Double Trouble Bridge Run on November 7, 2015 from 7:00 AM to 10:00 AM (copy on file). A motion to concur in the request was made by Mr. Hymel, seconded by Mr. Fontenot, and voted unanimously in favor.

Ms. Jennifer Edwards and Mr. Jason Anslum representing the upcoming Jeepers for the Creatures event addressed the council regarding street closures. They stated that the event had grown in size, and they were requesting that Third Street between Freret Street Everett Street and Everett Street between Second and Third Streets be made into one way streets, similar to the Shrimp & Petroleum Festival (copy on file). A motion to allow the requested streets to become one way for their event of September 26, 2015 from 11 AM to 4 PM was made by Reverend Bias, seconded by Mr. Dufrene, and voted unanimously in favor.

Mr. Kenny Duval with the Knights of Columbus addressed the council requesting permission to hold the annual Tootsie Roll Drive (copy on file). A motion to allow the Knights of Columbus to hold the Tootsie Roll Drive was made by Mr. Hymel, seconded by Mr. Dufrene, and voted unanimously in favor.

Mr. Kenny Duval stated that the Red Ribbon Committee was asking for a resolution of support for Red Ribbon week, whereupon,

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

RESOLUTION NO. R: 15-29

WHEREAS, alcohol and other drug abuse have reached epidemic stages, and
WHEREAS, it is imperative that visible, unified prevention education efforts be
launched to eliminate the demand for drugs, and

WHEREAS, the “Red Ribbon” has become a symbol of opposition to drug use
and alcohol abuse, and

WHEREAS, a Parish-wide red ribbon campaign will be celebrated in St. Mary
Parish during drug-free week, **October 23 – November 1, 2015**, and

WHEREAS, business, government, law enforcement, schools, religious
institutions, service organizations, youth, medical, senior citizens, military, sports teams,
and individuals will demonstrate their commitment to drug-free, healthy lifestyles by
wearing and displaying red ribbons during this week-long campaign, and

WHEREAS, the City of Morgan City commits its resources to ensure the success
of the St. Mary parish “Red Ribbon Campaign”,

NOW THEREFORE BE IT RESOLVED by the City Council, the governing
authority of the City of Morgan City, Louisiana that it does hereby support October 23 –
November 1, 2015 as

“RED RIBBON DRUG-FREE WEEK”

and encourages its citizens to participate in drug awareness and drug educational
activities, making a visible statement that we are strongly committed to drug-free,
healthy lifestyles.

BE IT FURTHER RESOLVED, etc. that all citizens are encouraged to pledge to
this year’s theme:

“Shine your Light! Do what’s Right! BE DRUG-FREE!”

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Fontenot, Bias, Dufrene, Tamporello
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III, Mayor

ATTEST:

Debbie Harrington, Clerk

Deputy Jennifer McDill with the St. Mary Sheriff's Department requested street closures for their annual Run with the Fuzz race on October 10, 2015 at 8 AM (copy on file). A motion to concur in the street closures was made by Reverend Bias, seconded by Mr. Fontenot, and voted unanimously in favor.

Mr. Reginald Weary, candidate for St. Mary Parish Council at Large, introduced himself to the Council and asked for their support on election day.

Mr. Gary Duhon, candidate for St. Mary Parish President, introduced himself to the Council and asked for their support on election day. He stated that he was also a member of the St. Mary Port Commission, and that a 20' channel needed to be maintained year round for the businesses in our area.

The minutes of the August 25, 2015 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Reverend Bias, seconded by Mr. Hymel, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending August 31, 2015.

MONTHLY FINANCIAL STATEMENTS

DATE: September 22, 2015
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended August 31, 2015.

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 August 31, 2015. The following comments are related thereto:

General and Ancillary Funds: Actual total revenues are over budget by \$321,000. Sales taxes in General Fund were under budget by 316,000. Operating expenses are below budget by \$283,800. The net loss, after transfers, of \$1,026,178 creates a favorable variance of \$604,800.

Utility Fund: Actual operating revenues are under budget by \$215,200, with operational expenses under budget by \$1,086,400. Energy and gas costs are \$706,000 under budget. The net income, after transfers, of \$1,033,700 creates a favorable variance of \$1,306,600.

Sanitation and Sewer Fund: The operating revenues are \$5,700 under budget, with total operating expenses under budget by \$47,700. The net loss, after transfers, of \$14,600 leaves a favorable variance of \$62,500.

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

CONSOLIDATED STATEMENT
 Actual Revenues and Expenses Compared to Budget
 Period Ended August 31, 2015

| GENERAL AND ANCILLARY FUNDS | August 2015 ACTUAL | August 2015 BUDGET | VARIANCE |
|----------------------------------|--------------------------|--------------------------|-------------|
| REVENUES | | | |
| General Fund | 3,991,841 | 3,657,368 | 334,473 |
| Recreation Fund | 131,329 | 140,293 | (8,964) |
| Library Fund | 11,345 | 9,340 | 2,005 |
| Auditorium Fund | 82,192 | 76,783 | 5,409 |
| Lake End Park Fund | 491,686 | 503,643 | (11,957) |
| Total Revenues | 4,708,393 | 4,387,428 | 320,965 |
| EXPENSES-OPERATIONAL | | | |
| General Fund | 6,692,077 | 6,902,436 | (210,359) |
| Recreation Fund | 412,900 | 339,045 | 73,855 |
| Library Fund | 79,667 | 83,425 | (3,758) |
| Auditorium Fund | 299,155 | 353,870 | (54,715) |
| Lake End Park Fund | 478,070 | 566,912 | (88,842) |
| Total Expenses | 7,961,869 | 8,245,688 | (283,819) |
| TRANSFERS | | | |
| Transfers from Funds | 2,868,328 | 2,868,328 | 0 |
| Transfers to Funds | (641,030) | (641,030) | 0 |
| Net Transfers | 2,227,298 | 2,227,298 | 0 |
| EXCESS NET OF TRANSFERS | (1,026,178) | (1,630,962) | 604,784 |
| UTILITY FUND | | | |
| Total Revenues | 13,676,630 | 13,891,842 | (215,212) |
| Total Expenditures | 11,071,333 | 12,157,794 | (1,086,461) |
| Net Excess | 2,605,297 | 1,734,048 | 871,249 |
| Net Transfers and non-oper. | (1,571,608) | (2,007,021) | 435,413 |
| Excess net of transfers | 1,033,690 | (272,973) | 1,306,663 |
| SANITATION AND SEWER FUND | | | |

| | | | |
|--|-----------|-----------|----------|
| Total | | | |
| Revenues | 1,896,927 | 1,902,613 | (5,686) |
| Total Expenses | 2,111,370 | 2,159,075 | (47,705) |
| Net Excess | (214,443) | (256,461) | 42,019 |
| Net Transfers/non- operating expenses | 199,778 | 179,288 | 20,490 |
| Excess net of transfers and non-operating | (14,665) | (77,173) | 62,509 |

A motion to accept the financial statement was made by Mr. Dufrene, seconded by Reverend Bias, and voted unanimously in favor.

The next matter on the agenda was the Finance Committee recommendations, whereupon,

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

RESOLUTION NO. R: 15-30

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. Reallocate \$23,135 of \$50,000 that was budgeted in Water, Sewer, Gas to purchase a refurbished boring machine to use on the PVC/Copper Gas services in Cypress Gardens.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Dufrene, Hymel, Bias, Fontenot, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

Mr. Blake Baudoin with Water Companies of America addressed the Council regarding water loss. He stated that his company would come in free of charge and look for any losses that may be occurring throughout the city system. He stated they would receive sixty percent of any findings and it would be a performance based contract. If no water loss was found, the City would owe nothing, whereupon,

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

RESOLUTION NO. R: 15-31

WHEREAS, the City of Morgan City desires to maximize the billable revenue for the City of Morgan City water services; and

WHEREAS, ISI Water Company (Water Company of America) has submitted a service contract to perform the services by trained and skilled personnel.

NOW THEREFORE 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 and empowered to execute an contract between the City of Morgan City and Water Company of America, for the water loss services.

Mr. Dufrene seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Dufrene, Hymel, Fontenot

NAYS: Bias

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

Mayor Grizzaffi stated that the Municipal Water Pollution Prevention audit needed to be performed yearly and adopted by the council, whereupon,

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

RESOLUTION NO. R: 15-31

WHEREAS, the City of Morgan City is committed to minimizing the amount of infiltration and inflow into the wastewater collection system and its associated impact on the design flow of the wastewater treatment plant, and

WHEREAS, the City of Morgan City has dedicated adequate budget funds to aggressively pursue location of and repairs to cracked and broken pipes in the wastewater collection system, employing both City and contract resources,

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that it hereby informs the Louisiana Department of Environmental Quality that the following actions were taken by the City of Morgan City, Louisiana.

1. Reviewed the Municipal Water Pollution Prevention Audit Report which is attached to this resolution.
2. Set forth the following actions necessary to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit, number LA0065986:
 - a. Continued mapping of the wastewater collection system to characterize and document the size, type, and maintenance history of each main;
 - b. Continued systematic surveying and investigation of sections of the collection system to determine the extent and priority of repair efforts; and
 - c. Continued repairing and/or replacement of damaged sections of the collection system.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Hymel, Bias, Dufrene, Fontenot,
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

Mayor Grizzaffi stated that service providers for both the Administrative and Engineering portions of the LCDBG program needed to be secured, whereupon,

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

RESOLUTION NO. R: 15-33

A resolution pertaining to the contract for ADMINISTRATIVE
SERVICES for the 2016/2017 Louisiana
Community Development Block Grant Program

WHEREAS, the City of Morgan City Louisiana wishes to submit an application for public facilities improvements to the Louisiana Office of Community Development for the 2016/2017 Louisiana Community Development Block Grant Program, and

WHEREAS, the City of Morgan City Louisiana is in need of Administrative Services to assist in application preparation, and if funded, provide administrative services for the 2016/2017 Louisiana Community Development Block Grant Program, and

WHEREAS, past performance on such applications shows that Community Design Group, Ltd. is qualified to provide all administrative services required for this project, and they possess an understanding of the specific needs to be addressed by the grant; and the

City of Morgan City is desirous of employing the said firm, Community Design Group, Ltd. for the purposes and reasons stated above, and

WHEREAS, the City of Morgan City is further desirous of obtaining additional rating points in the LCDBG Application process and does herewith agree that the City of Morgan City will, upon funding of the grant, pay the cost of administrative services.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that that the Mayor, Frank P Grizzaffi III, be and is hereby authorized to enter a contract for employment of the firm Community Design Group Ltd., for the purposes outlined herein and in behalf of the City of Morgan City, Louisiana. Financial obligation for such contract is contingent upon the receipt of LCDBG grant funds.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

AYES: Dufrene, Fontenot, Bias, Hymel, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III, Mayor

ATTEST:

Debbie Harrington, Clerk

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

RESOLUTION NO. R: 15-34

A resolution pertaining to the contract for ENGINEERING SERVICES for the 2016/2017 Louisiana Community Development Block Grant Program

WHEREAS, the City of Morgan City Louisiana wishes to submit an application for public facilities improvements to the Louisiana Office of Community Development for the 2016/2017 Louisiana Community Development Block Grant Program, and

WHEREAS, the City of Morgan City Louisiana is in need of Engineering Services to assist in application preparation, and if funded, provide engineering services for the 2016/2017 Louisiana Community Development Block Grant Program, and

WHEREAS, past performance on such applications shows that Miller Engineers & Associates, Inc. is qualified to provide all engineering services required for this project, and they possess an understanding of the specific needs to be addressed by the grant; and the City of Morgan City is desirous of employing the said firm, Miller Engineers & Associates, Inc., for the purposes and reasons stated above, and

WHEREAS, the City of Morgan City is further desirous of obtaining additional rating points in the LCDBG Application process and does herewith agree that the City of Morgan City will, upon funding of the grant, pay the cost of engineering services.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the Mayor, Frank P Grizzaffi III, be and is hereby authorized to enter a contract for employment of the firm Miller Engineers & Associates, Inc., for the purposes outlined herein and in behalf of the City of Morgan City, Louisiana. Financial obligation for such contract is contingent upon the receipt of LCDBG grant funds.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Bias, Tamporello, Dufrene, Fontenot, Hymel

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III, Mayor

ATTEST:

Debbie Harrington, Clerk

Mayor Grizzaffi stated that the signature on the cooperative endeavor agreement for the Water Plant Improvements needed to be authorized, whereupon,

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

RESOLUTION NO. R: 15-35

WHEREAS, the City of Morgan City was awarded a Capital Outlay appropriation from the State of Louisiana, Division of Administration, Office of Facility Planning & Control, for the purpose of Water Plant Improvements, Planning & Construction; and

WHEREAS, the Office of Facility Planning & Control requires the City to designate a signing authority.

NOW THEREFORE 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 and empowered as signing authority for the City of Morgan City.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Fontenot, Bias, Dufrene, Hymel

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

Mr. Oscar Boudreaux, engineer with Environmental Engineering Services, addressed the council regarding a change order on the Federal and Bowman lift station project. He stated that the amount of the change order was \$30,000 to change out a lid and lower it for better visibility for drivers in that area, whereupon,

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

RESOLUTION NO. R: 15-36

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:15-20, between the City of Morgan City and Larry Doiron, LLC, for the Federal and Bowman Lift Station Upgrade project.

Mr. Dufrene seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Dufrene, Bias, Fontenot, Hymel

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

The next matter of the agenda was the date change for the November and December meetings. Mr. Tamporello stated that he had spoken to most of the councilmen and the best days would be November 16 and December 17, 2015, whereupon,

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

RESOLUTION NO. R: 15-37

WHEREAS, the November 2015 council meeting falls on November 24, 2015, Thanksgiving week; and

WHEREAS, the December 2015 council meeting falls on December 22, 2015, Christmas week; and

WHEREAS, children are out of school for this holiday and many families take vacations at this time, and

WHEREAS, from past experience it has been determined to be within the best interest of the city to change this council meeting date,

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the November 2015 and the December 2015 council meetings be changed as follows:

November 24, 2015 meeting changed to November 16, 2015

December 22, 2015 meeting changed to December 17, 2015

Mr. Hymel seconded the motion.

The vote thereon was as follows:

| | |
|----------|--------------------------------------|
| AYES: | Tamporello, Hymel, Dufrene, Fontenot |
| NAYS: | None |
| ABSENT: | None |
| ABSTAIN: | Bias |

The resolution was therefore declared approved and adopted this 22ns day of September, 2015.

Frank P. Grizzaffi, IIII
Mayor

ATTEST:

Debbie Harrington
Clerk

The first reading on the 2016 Budget Ordinance was opened. No definitive action necessary.

The public hearing for the Parking Ordinance was opened. No one appeared for or against said ordinance. Mayor Grizzaffi stated that there was some problem with the wording and the enforcement of the proposed ordinance. The City Attorney suggested that

the ordinance be readdressed at the October meeting after all parties had a chance to look over it again.

The public hearing for the Solid Waste ordinance was opened. No one appeared for or against said ordinance. The councilmen briefly discussed some of the measurements and wording used for the amount of curbside trash that would be picked up, whereupon,

This ordinance was introduced with a first reading on July 28, 2015 and a second reading on August 25, 2015. Published by title on July 31, 2015 and August 28, 2015.

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

ORDINANCE NO. 15-08

AN ORDINANCE AMENDING AND REENACTING CHAPTER 90, SOLID WASTE

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Section 90-31, Definitions, of Chapter 90, Solid Waste, is hereby amended and re-enacted, said sub-section to read as follows:

Chapter 90

Solid Waste

ARTICLE I. - IN GENERAL

Secs. 90-1—90-30. - Reserved.

ARTICLE II. - PICKUP AND COLLECTION

Sec. 90-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contractor means one who contracts; one who performs work or provides supplies on a large scale; or one who contracts to repair, remodel or erect buildings, cut trees, clear lots, etc., whether for himself or for another, whether such contractor is paid in money or not.

Curbside Pickup means any approved items placed on curbside outside of normal garbage can service.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Garbage cans means, for the purpose of this article only, those containers provided by the contractor specifically for use with the automated collection and disposal system which is operated by the solid waste collector. All such garbage containers are furnished by the contractor and shall remain the property of the solid waste collector, except that those households requesting and utilizing a second container compatible with the automated system shall be required to purchase such container at a price as determined by the solid waste collector. No other containers, such as lard cans, tubs, plastic baskets, cardboard boxes, etc., shall be used for the purpose of holding garbage and are specifically prohibited.

Litter means garbage, refuse, rubbish and all other waste materials which, if thrown or deposited as prohibited in this article, tends to create a danger to public health, safety and welfare.

Nondomestic establishment means a business establishment generating less than one cubic yard of solid waste.

Plastic and/or paper bags means any bags that are manufactured and sold for the purpose of holding garbage and/or trash; no bag will have a capacity of more than 30 gallons. All such bags that are put out for collection shall be tied tightly to exclude rainwater, flies and insects. Plastic and/or paper bags holding trash only may be put out for collection separately.

Refuse means all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, discarded or abandoned major appliances such as refrigerators, freezers, ranges or machinery, or other metal or other discarded items, and solid and industrial waste.

Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, metal cans, yard clippings, leaves, tree limbs or branches, grass cuttings or sweepings, wood, glass, bedding, crockery and similar materials.

Trash means leaves, grass, boxes, paper, tin cans, litter, etc.

Sec. 90-32. - Containers not meeting requirements.

Any containers put out for collection of garbage and/or trash not meeting the requirements of [section 90-31](#) will not be picked up and disposed of.

Sec. 90-33. - Number of containers required.

All owners or occupants of dwellings and business places, including apartments and mobile home parks, where garbage accumulates shall provide and have on hand at least one approved garbage can. When one container is not sufficient to adequately contain the garbage, the resident or business owner or manager shall procure as many garbage cans as necessary. The chief administrative officer (or authorized designee) shall have the authority to require additional containers or added pickups whenever it is appropriately documented that the current number of cans or pickups is not sufficient to maintain a healthy premises. Documentation shall include, but are not limited to, a list of complaints, photographs, copies of letters notifying owner of problems, etc. Residents and owners or managers of such businesses or apartment complexes are held responsible for assuring the cleanliness of the area surrounding their dumpster(s). It is not the responsibility of the solid waste collector to pickup items accumulated around the dumpster(s). If appropriate documentation illustrates an unwillingness of the property owner or manager to maintain a litter free environment around the can or dumpster, the resident or property owner will be considered in violation of [chapter 50](#), article III, Litter, of this Code.

Sec. 90-34. - Separate containers required; limitations.

(a) All garbage shall be properly secured (i.e. bagged), placed in approved garbage cans only, which shall be placed on the curb for pickup by the automated system; trash may also be placed in such garbage container; however, iron and concrete shall never be placed in the garbage container since such materials cause extreme damage to equipment and cause complete failure of the system. Additionally, the solid waste collector will not pick up these items as a trash pickup.

(b) Garbage shall never be placed in the trash. Garbage in a trash pile will result in the trash not being picked up until the garbage is separated from the trash. If the garbage is not removed from the trash pile within 24 hours of notification (doorknob notice), resident will be considered in violation of [chapter 50](#), article III, Litter, of this Code.

(c) Disposal of iron and concrete structures or material shall be the responsibility of the individual resident or business owner. Such items shall not be picked up by the city. Removal of the item(s) from the curb side shall occur within 24 hours of notifying (door knob notice) the resident that the items will not be picked up because of violating this article. If the item(s) are not removed from the curbside within 24 hours of notification (doorknob notice), the resident will be considered in violation of [chapter 50](#), article III, Litter, of this Code.

Sec. 90-35. - Salvage from garbage cans.

It is unlawful for any person to salvage material from garbage cans except by permission from the owner.

Sec. 90-36. - Cardboard boxes, loose trash, transportation.

(a) All papers, wrappings, packaging, leaves, grass, loose items, etc., shall be properly secured (i.e. bagged), placed in covered or closed containers to be put out for collections.

(b) All garbage, trash or refuse of any nature transported on or along the streets of the city shall be covered or loaded in closed or covered storage containers to prevent the littering of the city streets and adjacent properties.

Sec. 90-37. - Cleanliness of streets, sidewalks, responsibility of property owner.

All owners or managers of lunch stands, drugstores or other businesses using paper napkins, plates, or other such paper or plastic products are required to provide one or more trash/garbage receptacles outside the front of the buildings; and attendants shall at all times keep all paper napkins or other litter picked up and put in these cans. These receptacles will not be picked up by city. Garbage/trash must be transferred to proper receptacle to be picked up by city. Owners or managers are held responsible for the carrying out of these regulations. The property owner not providing such garbage can will be considered a violation of [chapter 50](#), article III, Litter, of this Code.

Sec. 90-38. - Removal.

All garbage cans and trash cans must be removed from the street side shortly after collection has been made.

Sec. 90-39. - Certain business establishments required to provide collectomatic (bulk-type) containers.

All business, commercial and industrial establishments shall procure at their own expense or may rent from the any approved solid waste collector sufficient approved collectomatic (bulk-type) containers to adequately contain and store its solid waste. Only 350-gallon, two-, four- or six-cubic yard collectomatic (bulk-type) containers specifically for use with the automated disposal and collection system which is operated by solid waste collector may be used within the city. The owner, lessor or proprietor, etc., of an apartment complex or mobile home park of more than six apartment or mobile homes shall provide, as a minimum, one collectomatic container.-

Additionally, the collector will reserve the right to refuse to service containers if such container is not placed on an adequately prepared hard surface or in an area easily accessible by the truck. The solid

waste collector will give notice allowing appropriate time for customers to construct a hard surface area or specific instructions for suggestions of placement of containers.

Sec. 90-40. Reserved

Sec. 90-41. - Discarded items and curbside pickups.

(a) Residential customers will receive curbside pickups as part of their normal monthly fee. Curbside pickups are defined as the collection of items as allowed in subsections [90-41](#)(b), (c), and (d) of the Code of Ordinances of Morgan City that are placed at curbside because the amounts are in excess of the capacity of the can provided for normal sanitation pickup.

(b) Tree stumps, tree trunks, logs, branches, limbs, etc., for residential customers shall also be classed as curbside pickups., Tree stumps, tree trunks, logs, branches, limbs, etc. resulting from moderate pruning or landscaping maintenance shall be cut in lengths not to exceed five feet and no greater than nine inches in diameter to permit compact loading of them into trucks. Any person desiring to place tree trimmings or hedges cutting or shrubbery of any kind for removal shall cause the same to be neatly stacked not to exceed forty (40) square feet (L x W) and no more than four feet in height.

(c) All curbside pickup not described in Section 90-41 will be charged at a rate of labor plus landfill charge. Customer will be given an estimated price from the City for the removal or will be given the option to arrange their own debris removal.

(d) Any owner or occupant of property who undertakes a demolition, major repair or remodeling, or major clean out of a residence or building thereon shall cause to be located one or more dumpsters of appropriate capacity prior to the commencement of such work at the appropriate rental fee and hourly pickup charge. Therefore, small home improvements producing less than not to exceed forty (40) square feet (L x W) and no more than four feet in height, not including broken glass, lumber with exposed nails, or any other items that would be considered a potential health risk to the sanitation employee, or unsecured sheetrock or drywall, will be classed as a curbside pickup. Small home improvement loose materials must be bagged (example: no pieces of sheetrock or drywall that can separate or crumble creating litter shall be left at curbside). Items left at curbside that are considered in violation of this ordinance shall be removed within 24 hours of notification (doorknob notice) to the resident that the items do not comply with the requirements of this section. If the item(s) are not removed from the curbside within 24 hours of notification (doorknob notice), the resident will be considered in violation of [chapter 50](#), article III, Litter, of this Code.

(e) Discarded appliances, hot water heaters, furniture, oversized toys, gym sets, etc., for residential customers shall be classed as white goods pickup and shall be put out to be picked up by the city on white goods pickup days. White goods pickup days shall be designated by the superintendent of sanitation. The cost of this monthly white goods pickup day for residential customers will be included in the monthly charge for residential services. Should a residential customer request a curbside pickup other than the designated white good pickup day, a curbside pickup may be scheduled with the city office for a charge of \$25.00. It will be in violation of [chapter 50](#), article III, Litter of this Code for these white good items to be placed at the curbside prior to 72 hours before the scheduled or special white goods pickup day. This service will be designated, advertised and provided at a minimum once each month.

Sec. 90-42. - Responsibility of contractors.

(a) Pick up of all trash left from repairs, remodeling, new construction, demolished buildings, clearing lots, etc., shall be the responsibility of the contractor. This covers all trash, from the time of clearing the property until the building is ready for occupancy, including, but not limited to trees, debris, drywall, wall boards, lumber, bricks, boxes, timbers, ceiling, tiles of all types, roofing, etc.

(b) If such contractor fails to remove these accumulations and refuse, the chief administrative officer shall issue or cause to be issued a written notice to the contractor to remove the accumulations and refuse within five days of such notice. If such accumulations and refuse are not removed, the chief administrative officer shall cause the necessary work to be done at the contractor's expense and shall deliver to the tax collector the duplicate copy of the notice served on the contractor, together with a statement of the cost of removing the accumulations and refuse. Upon receiving a duplicate copy of the written notice issued by the chief administrative officer to the contractor, together with a statement of the removal of the accumulation and refuse, etc., the city tax collector shall invoice the contractor for the cost of removal. The invoice shall be paid within 30 days from date of invoice, or the contractor shall have his license revoked until paid.

Sec. 90-43. - Exclusive collection and disposal by city only; exceptions permitted by council only.

(a) A contract or agreement for or to accomplish by means other than the city the removal and disposal of solid

waste may be undertaken with a person or entity which has been granted a non-exclusive franchise right as approved by the council of the city to provide solid waste pick-up, collection and disposal services within the city limits;

(b) The service provider, person or other business entity seeking a non-exclusive franchise right shall make

application to the council and appear at a regularly scheduled meeting and make presentation regarding

themselves or the business entity, such information provided to the council shall include but not be limited to

the entity's standing with the secretary of state. The council may approve the non-exclusive franchise right by

resolution and it shall have no cost.

(c) The service provider, person or other business entity granted a non-exclusive franchise right shall:

- (1) Insure that all commercial containers or bins placed within the city have lids which are in proper operating condition;
- (2) Pay a \$15.00 inspection fee per year per commercial container or bin;
- (3) Commercial bins or containers shall be inspected at least one time per month by the city;
- (4) Any commercial bin or container found to have a defect that creates a nuisance or may pose a health or litter problem shall be reported to the service provider, person or other business entity owning the commercial bin or container; and
- (5) The service provider, person, or business entity shall have 15 days to repair or replace the commercial bin or container after date of receipt of written notice of defect from city. (6) If the service provider, person or business entity fails to repair or replace the commercial bin or container within this 15-day period, a fine of up to \$25.00 a day may be imposed for each violation.

(d) That such person or entity pay to the city a non-exclusive franchise fee on a yearly basis in order to conduct business within the city.

The non-exclusive franchise fees for persons or business entities approved to conduct solid waste pick-up, collection and disposal services within the city shall be based on the following table with regard to the sizes of all commercial containers or bins placed at business establishments within the city limits:

- (1) Commercial (350 gal), per year\$25.00
 - (2) Commercial (2 yard), per year\$50.00
 - (3) Commercial (4 yard), per year\$75.00
 - (4) Commercial (6 yard), per year\$100.00
 - (5) Commercial (8 yard), per year\$125.00
- All other commercial containers or bins which are placed on a premises on a permanent basis (more than 360 days) not described herein:
- (6) Commercial bin (other), for each bin left over one year\$100.00

(e) Every person or entity conducting or providing solid waste pick-up, collection and disposal services within the city shall provide unto city hall no later than January 15 of each and every year the payment of the annual non-exclusive franchise fee based on totals for placement of all commercial containers or bins placed at business establishments within the city limits of the city which are placed on a premises on a permanent basis (more than 60 days);

(f) Any person or entity failing to provide payment of non-exclusive franchise fees or comply with other provisions of this section, may have its authority to conduct solid waste pick-up and collection and disposal services within the city revoked and terminated by the council; and

(g) Any person or business entity having their non-exclusive franchise for solid waste pick-up collection and disposal services within the city revoked shall have all commercial containers or bins removed from the city within 15 days of revocation.

Sec. 90-44. - Solid waste not in proper containers or properly prepared will not be picked up. All solid waste, to include boxes, loose trash, paper wrappings, grass, leaves, etc., shall be cut, collapsed, tied and placed in closed containers, as appropriate, as required by [section 90-36](#). Any solid waste, to include cardboard and paper boxes, not properly prepared shall not be picked up or collected and shall be considered in violation of [chapter 50](#), article III, Litter, of this Code.

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.

Reverend Bias seconded the motion.

The vote thereon was as follows:

| | |
|----------|--|
| AYES: | Tamporello, Bias, Dufrene, Fontenot, Hymel |
| NAYS: | None |
| ABSTAIN: | None |
| ABSENT: | None |

Certified approved and adopted this 22nd day of September, 2015.

Delivered to Mayor Grizzaffi at 9:30 am, this 24th day of September, 2015.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 5th day of October, 2015.

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

Received from Mayor at 9:00 am on October 5, 2015.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: October 9, 2015

The application for a Class "A" Liquor & Beer permit (copy on file) for Yan Yu d/b/a Geaux Fish, 621A Highway 182 East, was submitted. A motion to approve the application was made by Mr. Hymel seconded by Mr. Dufrene and voted unanimously in favor.

Mayor Grizzaffi offered the name of Mr. Luke Manfre for appointment to the Wharf Commission and Mrs. Mary Berry for reappointment to the Convention, Culture and Tourism Board. A motion to concur in these appointments was made by Reverend Bias, seconded by Mr. Fontenot, and voted unanimously in favor.

Mayor Grizzaffi stated that the longtime mayor of Plaquemine and a friend, Mayor Tony Gulotta had died unexpectedly and he would like the Council to pass a resolution of respect for Mayor Gulotta, whereupon,

Messrs. Bias, Dufrene, Fontenot, Hymel and Tamporello offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 15-38
IN MEMORIAM
Mark A. "Tony" Gulotta

WHEREAS, God, in his infinite wisdom has taken Mark A. "Tony" Gulotta from our midst; and

WHEREAS, Mr. Gulotta was a lifelong resident of Plaquemine; and

WHEREAS, he was the longest serving mayor of the City of Plaquemine, serving his twenty third year of his sixth consecutive term; and

WHEREAS, he was a loving husband, father, grandfather, brother , uncle and a friend to all who were blessed to know him; and

WHEREAS, Mr. Gulotta was known for his friendly demeanor and love for people; and

WHEREAS, his passion for developing his hometown was evident; and

WHEREAS, his untimely death has deprived the City of Plaquemine, the Parish of Iberville, and the entire State of Louisiana of a fine citizen; and

WHEREAS, he will be missed by the many, whose lives he touched.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that all those in attendance at this meeting rise and bow their heads in silent prayer out of respect for the late Mark A. "Tony" Gulotta and extend to his bereaved family our sincere condolences in this, their hour of sorrow, and in these inadequate words endeavor to express the high regard in which we held him in life and honor his memory in death.

BE IT FURTHER RESOLVED, etc., that this resolution be inscribed on a separate page of the official proceedings of this meeting; that a copy of this resolution be sent to his bereaved family; and that this meeting adjourn out of respect for the late Mark A. "Tony" Gulotta.

Messrs. Bias, Dufrene, Fontenot, Hymel and Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Bias, Dufrene, Fontenot, Hymel, Tamporello
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 22nd day of September, 2015.

Frank P. Grizzaffi, III, Mayor

ATTEST:

Debbie Harrington, Clerk