

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
DECEMBER 17, 2013

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 Folse, Chief Administrative Officer and Mr. Paul Landry, Assistant City Attorney.

The invocation was given by Reverend Terry Bunner.

The minutes of the November 19, 2013 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Mr. Tamporello, seconded by Mr. Dufrene, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending November 30, 2013.

MONTHLY FINANCIAL STATEMENTS

DATE: December 17, 2013
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended November 30, 2013.

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 November 30, 2013. The following comments are related thereto:

General and Ancillary Funds: Actual total revenues exceed budget by \$549,342. Operating expenses are below budget by \$382,734. The net loss, after transfers, of \$1,014,085 creates a favorable variance of \$932,076.

Utility Fund: Actual revenues are over budget by \$525,719, with operational expenses under budget by \$302,498. The net income, after transfers, of \$174,290 creates a favorable variance of \$922,828.

Sanitation and Sewer Fund: The operating revenues are \$12,324 over budget, with total operating expenses under budget by \$276,704. The net income, after transfers, of \$843,297 leaves a favorable variance of \$683,452.

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

CONSOLIDATED STATEMENT
Actual Revenues and Expenses Compared to Budget
Period Ended November 30, 2013

	November 2013 ACTUAL	November 2013 BUDGET	VARIANCE
GENERAL AND ANCILLARY FUNDS			
REVENUES			
General Fund	5,237,244	4,674,536	562,708
Recreation Fund	175,289	143,742	31,547
Library Fund	14,820	16,618	(1,798)

Auditorium Fund	103,403	103,308	95
Lake End Park Fund	620,074	663,283	(43,209)
Total Revenues	6,150,830	5,601,488	549,342
EXPENSES-OPERATIONAL			
General Fund	8,939,986	9,153,924	(213,938)
Recreation Fund	544,769	640,079	(95,310)
Library Fund	102,083	115,350	(13,267)
Auditorium Fund	375,780	420,493	(44,713)
Lake End Park Fund	628,412	643,918	(15,506)
Total Expenses	10,591,030	10,973,764	(382,734)
TRANSFERS			
Transfers from Funds	3,950,599	3,950,599	0
Transfers to Funds	(524,484)	(524,484)	0
Net Transfers	3,426,115	3,426,115	0
EXCESS NET OF TRANSFERS	(1,014,085)	(1,946,161)	932,076
UTILITY FUND			
Total			
Revenues	19,112,961	18,587,242	525,719
Total Expenditures	15,649,091	15,951,588	(302,498)
Net Excess	3,463,870	2,635,654	828,217
Net Transfers and non-oper.	(3,289,580)	(3,384,192)	94,612
Excess net of transfers	174,290	(748,538)	922,828
SANITATION AND SEWER FUND			
Total			
Revenues	2,015,199	2,002,875	12,324
Total Expenses	2,677,946	2,954,650	(276,704)
Net Excess	(662,747)	(951,774)	289,028
Net Transfers/non-operating expenses	1,506,044	1,111,620	394,424
Excess net of transfers and non-operating	843,297	159,845	683,452

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

The next matter on the agenda was the LEPA report. Mr. Tim Matte updated the Council on the status of the new LEPA power plant. He stated that the money was in the bank and the orders had been placed for the equipment. He stated the contract would be signed in January 2014 with the general contractor who would actually build the facility. The Council members thanked Mr. Matte for his efforts on the LEPA board for the past year.

The next matter on the agenda was the System Survey & Compliance Questionnaire, whereupon,

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

RESOLUTION NO. R: 13-72

WHEREAS, as required by the Legislative Auditor of the State of Louisiana, a Systems Survey and Compliance Questionnaire is to be completed and submitted to the firm of Kolder, Champagne, Slaven, & Company for the City of Morgan City and

WHEREAS, along with the audit report, the results of this questionnaire must be submitted to the Legislative Auditor.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that it hereby approves and adopts the Systems Survey and Compliance Questionnaire as completed and submitted by the Finance Director.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

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

The Resolution was therefore declared approved and adopted this 17th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington, Clerk

Mayor Grizzaffi stated that Mr. Marc Distefano was trying to raise enough money to put a Fallen Warrior Memorial in Cypress Park. Mr. Distefano stated that they were trying to build the memorial at no cost to the City. This foundation would be accountable for all donations for tax purposes. He stated the goal for the project was \$150,000, with \$130,000 for construction and the remainder would be for maintenance on the monument. Mayor Grizzaffi stated that this agreement would be for this specific project only, whereupon,

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

RESOLUTION NO. R: 13-73

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the Mayor Grizzaffi be, and he is hereby authorized and empowered for an on behalf of, and in the name of this corporation, to enter into the following transaction:

To submit a Fiscal Sponsorship Grant Proposal to the Community Foundation of Acadiana for the benefit of the Fallen Warrior Memorial Project by which the foundation will receive, manage, and administer charitable dollars given to it by private donors, corporation, foundation, and others, for the benefit of said project. The Project is that of the City of Morgan City; Community Foundation of Acadiana will serve as a fiscal sponsor of the Project. Contributions will be made payable to the St. Mary Parish Foundation, an Affiliate of the Community Foundation of Acadiana.

BE IT FURTHER RESOLVED, that the Mayor is further authorized to execute any documents, as shall, in his sole discretion and judgment, be appropriate and desirable to accomplish the foregoing, containing such terms as he, in his sole judgment, deems advisable.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 17th day of December, 2013.

/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 LEPA Director and Alternate Director, whereupon,

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

RESOLUTION NO. R: 13-74

BE IT RESOLVED, etc., that Frank P. Grizzaffi, III, Mayor, is hereby appointed to serve as Director on the Board of Directors of the Louisiana Energy and Power Authority (LEPA), and William Cefalu, Sr., Utilities Director, is hereby appointed to serve as Alternate Director.

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 17th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington, Clerk

Mayor Grizzaffi stated that a few meetings ago they had talked about evaluating mosquito control and figuring out what was best for the City. He said that he was offering an opportunity to have a contract with Mr. Matthew Yates of MS&CC Mosquito Control as the overseer of the program for the City. He stated that the City would supply the employees, the equipment and the vehicle for the program. Mr. Tamporello stated that since both the current and the proposed mosquito control representative were present, he would like a chance to hear from them. Mr. Matthew Yates stated that he had retired from East Baton Rouge Mosquito Control last year. He started in mosquito control in 1968 at the University of Texas Health Science Center in Houston. He was past president of Louisiana Association, Texas Mosquito Control Association and the American Mosquito Control Association. He had done training in several states and also one foreign country. He stated he would actually work himself out of a job after a couple of years working with the City employees. He stated that he had spoken to some other in house programs in New Iberia and New Orleans and that if there were ever any emergency situations where equipment went down, they would be willing to enter into professional services agreements to provide equipment to the City for the duration of the situation. Mr. Tamporello asked if there was an estimated cost of pesticides and insecticides because he did not see one in the proposal.

Mr. Yates stated that the City would be responsible for maintenance of the equipment and the chemicals. All reports would meet LDAP requirements and the city employees would be trained to complete the reports. Mayor Grizzaffi stated that the City had previously done in-house mosquito control and it was successful. Reverend Bias stated that if it would save the taxpayers \$40,000, he thought it was a good idea. Mr. Tamporello suggested that, out of courtesy, Mr. Boudreaux be allowed to speak. Mr. Jesse Boudreaux with Cajun Mosquito Control stated that he had a vested interest in making sure that the program worked. The last two years and three months he had put together a good program that made outdoor events more comfortable for the citizens. He stated that he employed over thirty people and that gave him an advantage over anyone in the State. He stated if he did not win tonight he would be on standby for the opportunity to serve the City again. Mr. Fontenot stated that the City was trying to get away from subsidizing different programs and he felt an opportunity to save any money needed to be taken advantage of, whereupon,

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

RESOLUTION NO. R: 13-75

WHEREAS, the City of Morgan City plans to implement a Mosquito Abatement plan;
and

WHEREAS, Mosquito Surveillance & Control Consulting, LLC has submitted a Mosquito Control Plan for the City of Morgan City; and

WHEREAS, the plan will include training and direction of City employees who will conduct mosquito control operations within the City; and

WHEREAS, Mosquito Surveillance & Control Consulting, LLC will permit purchases and applications under their LDAF license; and

WHEREAS, Mosquito Surveillance & Control Consulting, LLC will charge the City \$25,500 per year, to be paid in twelve monthly payments of \$2,125.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that Mayor Grizzaffi be, and that the Mayor be, and he is hereby authorized, empowered, and directed to execute the agreement between the City and Mosquito Surveillance and Control Consulting, LLC.

Reverend Bias seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 17th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington, Clerk

Mayor Grizzaffi stated that Carl Blum and LA Contracting Enterprise had come to an agreement on the cabin floors. He stated that Mr. Aucoin would facilitate the trust account for the City. He advised that a Compromise, Settlement and Release needed to be signed, whereupon,

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

RESOLUTION NO. R: 13-76

WHEREAS, the City of Morgan City entered into a written contract with LA Contracting Enterprise, LLC to build three Lake Houses in Morgan City in accordance with drawings and specifications prepared by Carl P. Blum, Architect, and

WHEREAS, a problem with the floors developed in the three Lake Houses, and

WHEREAS, an expert architect was hired and determined the repairs that needed to be completed; and

WHEREAS, in the interest of avoiding anticipated litigation and litigation expense and maintaining harmonious professional and commercial relationships, potential defendants offered to make the repairs at no expense to the City, and

WHEREAS, a Compromise, Settlement and Release needs to be signed.

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.

Reverend Bias seconded the motion.

The vote thereon was as follows:

AYES: Dufrene, Bias, Fontenot, Hymel, Tamporello

NAYS: None

ABSENT: none

The resolution was therefore declared approved and adopted this 17th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

Mayor Grizzaffi stated that a change order needed to be completed on the Cannata's pump station upgrade project, whereupon,

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

RESOLUTION NO. R: 13-77

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, an decrease in the amount of \$9,400.00, under Contract Number R:13-41, between the City of Morgan City and Sealevel Construction, Inc. for the Cannata's Pump Station Upgrade project.

Reverend Bias seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Bias, Dufrene, Fontenot, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 17th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

Mayor Grizzaffi stated that the Cannata's pump station upgrade project needed to be placed in substantial completion, whereupon,

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

RESOLUTION NO. R: 13-78

WHEREAS, the firm of Sealevel Construction, Inc. has substantially completed the work done under contract No. R:13-41, for the Cannata's Pump Station Upgrade project, dated July 8, 2013, and recorded in the mortgage records of the Parish of St. Mary, Book 1371, Entry 319980, Page 470, 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, Environmental Engineering Services, Inc., 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. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Fontenot, Tamporello, Bias, Dufrene, Hymel

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 13th day of December, 2013.

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

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The public hearing was opened on the Transformer Recovery Surcharge Extension ordinance. No one appeared for or against said ordinance, whereupon,

This Ordinance introduced with first reading on November 19, 2013. Published by title on November 25, 2013.

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

ORDINANCE NO. 13-09

AN ORDINANCE OF THE CITY OF MORGAN CITY AMENDING AND REENACTING SECTION 110-31, SCHEDULE OF RATES, OF CHAPTER 110, UTILITIES, ARTICLE II, ELECTRIC SERVICE TO PROVIDE FOR THE SCHEDULE OF RATES FOR PROVIDING ELECTRIC SERVICE TO CONSUMERS FROM THE CITY'S SYSTEM

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Section 110-31 of Chapter 110, Article II is hereby amended and re-enacted, said section to read as follows:

Section 110-31 - Schedule of Rates

The following shall be the scheduled monthly rates for providing electrical service to consumers from the city's system of electrical distribution effective January 1, 2010:

(8) *Transformer Cost Recovery Surcharge.* As an addition to the monthly power adjustment, there shall be a surcharge to recover the cost of the ancillary equipment required for full installation of the new power transformer. The charge shall be equal to \$.00225 per KWH in addition to the Power Adjustment calculated as provided above. This charge shall be assessed beginning on January 1, 2013 and continue for 24 monthly bills. It shall then expire.

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.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

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

Certified approved and adopted this 17th day of December, 2013.

Delivered to Mayor at 9:00 am, this 18th day of December, 2013

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 18th day of December, 2013.

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

Received from Mayor at 9:15 am on December 18, 2013.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: December 20, 2013

The public hearing was opened for the Sewer User Rates ordinance. No one appeared for or against said ordinance, whereupon,

This ordinance was introduced with first reading on November 19, 2013. Published by title on November 25, 2013.

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

ORDINANCE NUMBER 13-10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF MORGAN CITY, LOUISIANA, AMENDING THE CODE OF ORDINANCES BY AMENDING AND REENACTING ARTICLE IV, WATER SERVICE, SECTION 110-151, SCHEDULE OF SEWER USER RATES.

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Article IV, Water Service, Section 110-151, is hereby amended and re-enacted, said sections to read as follows:

ARTICLE IV – WATER SERVICE

Section 110-151 - Schedule of sewer user rates.

- (a) Rates. The following shall be scheduled rates to be charged for the treatment of wastewater from water consumers and industrial waste generators, treated by the municipal sewer treatment plant:
- (1) One hundred percent of the total monthly water bill for residential water customers, to include master meter customers of the city.
 - (2) One hundred percent of the total monthly water bill for business and commercial water customers.

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.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

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

Certified approved and adopted this 17th day of December, 2013.

Delivered to Mayor at 9:00 am, this 18th day of December, 2013.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 18th day of December, 2013.

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

Received from Mayor at 9:15 am on December 18, 2013.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: December 20, 2013

The public hearing for the 2013 Budget Amendment ordinance was opened. No one appeared for or against said ordinance, whereupon,

This Ordinance introduced with first reading on October 22, 2013 and a second reading on November 19, 2013. Published by title on October 28, 2013 and November 25, 2013.

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

ORDINANCE NO. 13-11

AN ORDINANCE OF THE CITY COUNCIL OF MORGAN CITY, LOUISIANA AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013.

WHEREAS, by Ordinance Number 12-12 dated November 29, 2012, the City Council adopted the operating budget for the fiscal year beginning January 1, 2013 and ending December 31, 2013, and

WHEREAS, during the year certain amendments were deemed necessary,

NOW THEREFORE BE IT ORDAINED by the City Council, the governing authority of the City of Morgan City, Louisiana, that revenues for 2013 be amended to \$36,761,070 and the expenditures be amended to \$35,872,106 leaving a net excess of \$888,964.

BE IT FURTHER ORDAINED, etc., that said net excess in the amount of \$888,964 be applied to the fund balance of \$23,536,855, leaving a fund balance of \$24,425,819 for the fiscal year ended 2013.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

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

Certified approved and adopted this 17th day of December, 2013.

Delivered to Mayor Grizzaffi at 9:00 am, this 18th day of December, 2013.

/s/ Debbie Harrington
Debbie Harrington
Clerk

Approved this 18th day of December, 2013.

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

Received from Mayor Grizzaffi at 9:15 am on December 18, 2013.

/s/ Debbie Harrington
Debbie Harrington
Clerk

Published: December 20, 2013

The application for a Class B package liquor and beer permit (Copy on file) for Gezahegn Paulos d/b/a MERSHA, 7028 Highway 182, was submitted. A motion to approve the application was made by Mr. Tamporello, seconded by Reverend Bias, and voted unanimously in favor.

Reverend Bias acknowledged the Men of Value group and thanked them for their attendance at the meeting.

Mr. Tamporello wished everyone a Merry Christmas and a Happy New Year.

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

Debbie Harrington
Clerk

Frank P. Grizzaffi, III
Mayor