

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
December 18, 2012

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 Timothy Matte, Mayor; and Council Members Larry P. Bergeron, Ron Bias, Tim Hymel, Luke P. Manfre, and Louis J. Tamporello, Jr.

Absent: None

Also present were Mrs. Lorrie C. Braus, Chief Administrative Officer and Mr. Gregory Aucoin, City Attorney.

The invocation was given by Reverend Bias.

Mr. Paul Naquin, Parish Council President thanked Mayor Matte for his years of service to the City and told him it had been an honor and a privilege to work with him. He also thanked Mr. Bergeron and Mr. Manfre for their service to the City. He presented keys to the Parish to Mayor Matte, Mr. Bergeron and Mr. Manfre. Mr. Naquin also thanked Mrs. Lorrie Braus for her service to the City and congratulated her on her retirement.

Mr. Pat Cloutier made a third formal public records request concerning the property located next door to him. Mayor Matte stated that the information had been mailed out to Mr. Cloutier.

The minutes of the November 27, 2012 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Reverend Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending November 30, 2012.

MONTHLY FINANCIAL STATEMENTS

DATE: December 18, 2012
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, 2012.

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, 2012. The following comments are related thereto:

General and Ancillary Funds: Actual total revenues exceed budget by \$618,900. Operating expenses are below budget by \$119,400. The net income, after transfers, of \$565,300 creates a favorable variance of \$738,400.

Utility Fund: Actual revenues are under budget by \$1,988,000, with operational expenses also under budget by \$2,243,200. The net loss, after transfers, of \$536,200 creates a favorable variance of \$246,200.

Sanitation and Sewer Fund: The operating revenues are \$33,400 under budget, with total operating expenses under budget by \$195,300. The net loss, after transfers, of \$77,400 leaves a favorable variance of \$175,000.

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

CONSOLIDATED STATEMENT
Actual Revenues and Expenses Compared to Budget
Period Ended November 30, 2012

| GENERAL AND ANCILLARY FUNDS | November 2012 ACTUAL | November 2012 BUDGET | VARIANCE |
|---|-------------------------------------|-------------------------------------|--------------------|
| REVENUES | | | |
| General Fund | 6,645,946 | 6,141,799 | 504,147 |
| Recreation Fund | 142,744 | 141,350 | 1,394 |
| Library Fund | 22,016 | 21,261 | 755 |
| Auditorium Fund | 329,803 | 333,566 | (3,763) |
| Lake End Park Fund | 612,046 | 495,650 | 116,396 |
| Total Revenues | <u>7,752,555</u> | <u>7,133,626</u> | 618,929 |
| EXPENSES-OPERATIONAL | | | |
| General Fund | 8,668,486 | 8,808,170 | (139,684) |
| Recreation Fund | 558,569 | 620,487 | (61,918) |
| Library Fund | 108,364 | 120,863 | (12,499) |
| Auditorium Fund | 393,861 | 379,008 | 14,853 |
| Lake End Park Fund | 563,831 | 484,047 | 79,784 |
| Total Expenses | <u>10,293,111</u> | <u>10,412,576</u> | (119,465) |
| TRANSFERS | | | |
| Transfers from Funds | 3,811,430 | 3,811,430 | 0 |
| Transfers to Funds | <u>(705,534)</u> | <u>(705,534)</u> | 0 |
| Net Transfers | <u>3,105,896</u> | <u>3,105,896</u> | 0 |
| EXCESS NET OF TRANSFERS | <u>565,340</u> | <u>(173,054)</u> | 738,394 |
| UTILITY FUND | | | |
| Total Revenues | 18,158,582 | 20,146,576 | (1,987,994) |
| Total Expenditures | <u>15,298,512</u> | <u>17,541,695</u> | <u>(2,243,183)</u> |
| Net Excess | 2,860,070 | 2,604,881 | 255,189 |
| Net Transfers and non-oper. | <u>(3,396,319)</u> | <u>(3,387,365)</u> | <u>(8,954)</u> |
| Excess net of transfers | <u>(536,249)</u> | <u>(782,484)</u> | 246,235 |
| SANITATION AND SEWER FUND | | | |
| Total Revenues | 1,987,233 | 2,020,633 | (33,400) |
| Total Expenses | <u>2,694,644</u> | <u>2,889,988</u> | <u>(195,344)</u> |
| Net Excess | (707,411) | (869,355) | 161,944 |
| Net Transfers/non-operating expenses | <u>629,974</u> | <u>616,949</u> | 13,025 |
| Excess net of transfers and non-operating | <u>(77,437)</u> | <u>(252,406)</u> | 174,969 |

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

Mayor Matte stated that Mr. Trevor Haynes with Foley & Judell needed to attend a meeting in Houma and had asked to be moved up on the agenda. Mr. Haynes stated that the low bid came in at 1.89% interest. He stated that this would be an almost twelve percent savings to the taxpayers.

The public hearing was opened on the Bond Refunding Ordinance. No one appeared for or against said ordinance, whereupon,

The following ordinance having been introduced at a duly convened meeting on November 27, 2012, and notice of its introduction having been published in the official

journal on November 30, 2012, was offered for final adoption by Mr. Manfre and seconded by Mr. Tamporello:

ORDINANCE NO. 12-13

An ordinance providing for the issuance and sale of General Obligation Refunding Bonds, Series 2013, of the City of Morgan City, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal of and interest on such bonds and the application of the proceeds thereof to the refunding of certain bonds of said City; awarding said bonds to the purchaser thereof; and providing for other matters in connection therewith.

WHEREAS, pursuant to the provisions of Article VI, Section 33 of the Constitution of the State of Louisiana of 1974, Sub-Part A, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and a special election held on November 20, 1999, the result of which was duly promulgated in accordance with law, the City of Morgan City, State of Louisiana (the "Issuer"), issued \$1,600,000 of General Obligation Bonds, Series 2000, of which \$905,000, maturing serially on March 1 of the years 2013 to 2020, inclusive, is outstanding (the "2000 Bonds"); and

WHEREAS, the Issuer is authorized to borrow money and issue general obligation bonds payable from ad valorem taxes to refund its outstanding general obligation bonds, pursuant to Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority; and

WHEREAS, the Governing Authority of the Issuer has found and determined that the refunding of the 2000 Bonds which mature on March 1 of the years 2013 to 2020, inclusive (the "Refunded Bonds"), would be financially advantageous to the Issuer and would result in a lower effective interest rate on such Refunded Bonds and debt service savings to the Issuer; and

WHEREAS, pursuant to Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, it is now the desire of this Governing Authority to provide for the issuance of Nine Hundred Forty-Five Thousand Dollars (\$945,000) principal amount of its General Obligation Refunding Bonds, Series 2013, of the Issuer (the "Bonds"), for the purpose of refunding the Refunded Bonds, to fix the details of the Bonds and to sell the Bonds to the purchaser thereof; and

WHEREAS, in connection with the issuance of the Bonds, it is necessary that provision be made for the payment of the principal and interest of the Refunded Bonds described in Exhibit A hereto and to provide for the call for redemption of the Refunded Bonds, pursuant to a Notice of Redemption; and

WHEREAS, the Issuer desires to sell the Bonds to the purchaser thereof and to fix the details of the Bonds and the terms of the sale of the Bonds;

NOW, THEREFORE, BE IT ORDAINED by the Morgan City Council, acting as the governing authority of the City of Morgan City, State of Louisiana, that:

ARTICLE

DEFINITIONS AND INTERPRETATION

SECTION Definitions. In addition to the terms defined in the preambles hereto, the following terms shall have the following meanings unless the context otherwise requires:

"Act" shall mean Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority.

"Bond" or **"Bonds"** shall mean any or all of the General Obligation Refunding Bonds, Series 2013, of the Issuer, issued pursuant to the Ordinance, as the

same may be amended from time to time, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any previously issued Bond.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Executive Officers" shall mean, collectively, the Mayor of the Issuer and the Clerk of the Governing Authority.

"Governing Authority" shall mean the Morgan City Council.

"Interest Payment Date" shall mean March 1 and September 1 of each year, commencing March 1, 2013.

"Issuer" shall mean the City of Morgan City, State of Louisiana.

"Owner" or "Owners" shall mean the Person or Persons reflected as registered owners of any of the Bonds on the registration books maintained by the Paying Agent.

"Paying Agent" shall mean Whitney Bank, in the City of Baton Rouge, Louisiana, as paying agent and registrar hereunder, until a successor Paying Agent shall have become such pursuant to the applicable provisions of the Ordinance, and thereafter "Paying Agent" shall mean such successor Paying Agent.

"Person" shall mean any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

"Purchaser" shall mean Whitney Bank, in the City of Baton Rouge, Louisiana.

"Record Date" shall mean, with respect to an Interest Payment Date, the fifteenth day of the calendar month next preceding such Interest Payment Date, whether or not such day is a Business Day.

"Refunded Bonds" shall mean \$905,000 of the Issuer's General Obligation Bonds, Series 2000, consisting of all the bonds of that issue which mature March 1, 2013 through March 1, 2020, inclusive, which are being refunded by the Bonds, as more fully described in Exhibit A hereto.

"Ordinance" or "Bond Ordinance" shall mean this Ordinance, as it may be amended and supplemented as herein provided.

"State" shall mean the State of Louisiana.

ARTICLE

AUTHORIZATION AND ISSUANCE OF BONDS

SECTION Authorization of Bonds; Refunding of Refunded Bonds. This Ordinance creates a series of Bonds of the Issuer to be designated "General Obligation Refunding Bonds, Series 2013, of the City of Morgan City, State of Louisiana" and provides for the full and final payment of the principal and interest on all the Bonds.

The Bonds issued under this Ordinance shall be issued for the purpose of refunding the Refunded Bonds and paying the costs of issuance of the Bonds.

Provision having been made for the orderly redemption of all the Refunded Bonds on the delivery date of the Bonds, in accordance with their terms, it is hereby recognized and acknowledged that as of the date of delivery of the Bonds under this Ordinance, provision will have been made for the performance of all covenants and agreements of the Issuer incidental to the Refunded Bonds, and that accordingly, and in compliance with all that is herein provided, the Issuer is expected to have no future obligation with reference to the aforesaid Refunded Bonds, except to assure that the Refunded Bonds are paid from proceeds of the Bonds..

SECTION Ordinance to Constitute Contract. The provisions of this Ordinance shall be a part of the contract of the Issuer with the Owners of the Bonds and

shall be deemed to be and shall constitute a contract between the Issuer and the Owners from time to time of the Bonds.

SECTION Obligation of Bonds. The Bonds shall constitute general obligations of the Issuer, and the full faith and credit of the Issuer is hereby pledged for their payment and for the payment of all the interest thereon. The Issuer is bound under the terms and provisions of law and this Ordinance to impose and collect annually, in excess of all other taxes, a tax on all the property subject to taxation within the territorial limits of the Issuer, sufficient to pay the principal of and interest on the Bonds falling due each year, said tax to be levied and collected by the same officers, in the same manner and at the same time as other taxes are levied and collected within the territorial limits of the Issuer. All ad valorem taxes levied by the Issuer in each year for the payment of the Bonds shall, upon their receipt, be transferred to this Governing Authority, which shall have responsibility for the deposit of such receipts and for the investment and reinvestment of such receipts and the servicing of the Bonds and any other general obligation bonds of the Issuer.

SECTION Authorization and Designation. Pursuant to the provisions of the Act, there is hereby authorized the issuance of Nine Hundred Forty-Five Thousand Dollars (\$945,000) principal amount of Bonds of the Issuer to be designated "General Obligation Refunding Bonds, Series 2013, of the City of Morgan City, State of Louisiana," for the purpose of refunding the Refunded Bonds and paying the costs of issuance. The Bonds shall be in substantially the form set forth as Exhibit B hereto, with such necessary or appropriate variations, omissions and insertions as are required or permitted by the Act and this Ordinance.

This Governing Authority hereby finds and determines that upon the issuance of the Bonds, the total outstanding amount of general obligation bonds of the Issuer issued and deemed to be outstanding will not exceed the Issuer's general obligation bond limit.

SECTION Denominations, Dates, Maturities and Interest. The Bonds are issuable as fully registered bonds in the denominations corresponding to the principal amount of each maturity (one bond per maturity), and shall be numbered from R-1 upward. The Bonds shall be dated the date of delivery, shall bear interest from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable semi-annually on each Interest Payment Date, commencing March 1, 2013, at the following rates of interest and shall mature serially on March 1 of each year as follows:

| <u>DATE</u> <u>(MARCH 1)</u> | <u>PRINCIPAL</u> <u>INSTALLMENT</u> | <u>INTEREST</u> <u>RATE</u> |
|---------------------------------|--|--------------------------------|
| 2013 | \$114,000 | 1.89% |
| 2014 | 109,000 | 1.89% |
| 2015 | 110,000 | 1.89% |
| 2016 | 117,000 | 1.89% |
| 2017 | 118,000 | 1.89% |
| 2018 | 124,000 | 1.89% |
| 2019 | 124,000 | 1.89% |
| 2020 | 129,000 | 1.89% |

The principal of the Bonds is payable in such coin or currency of the United States of America at the time of payment is legal tender for payment of public and private debts at the principal corporate trust office of the Paying Agent, upon presentation and surrender thereof. Interest on the Bonds is payable by check mailed on or before the Interest Payment Date by the Paying Agent to the Owner (determined as of the close of business on the Record Date) at the address of such Owner as it appears on the registration books of the Paying Agent maintained for such purpose.

Except as otherwise provided in this Section, the Bonds shall bear interest from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, as the case may be, provided, however, that if and to the extent that the Issuer shall default in the payment of the interest on the Bonds due on any Interest Payment Date, then the Bonds shall bear interest from the most recent Interest Payment Date to which interest has been paid on the Bonds, or if no interest has been paid on the Bonds, from their dated date.

The person in whose name any Bond is registered at the close of business on the Record Date with respect to an Interest Payment Date shall in all cases be entitled to receive the interest payable on such Interest Payment Date notwithstanding the cancellation

of such Bond upon any registration of transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date.

ARTICLE

GENERAL TERMS AND PROVISIONS OF THE BONDS

SECTION Bond Register. The Issuer shall cause to be kept at the principal corporate office of the Paying Agent a register (the "Bond Register") in which registration of the Bond and transfers thereof shall be made as provided herein. The Bond may be transferred, registered and assigned only on the Bond Register of the Paying Agent, and such registration shall be at the expense of the Issuer. No transfer shall be valid unless made in the Bond Register and similarly noted on the back of the Bond.

SECTION Cancellation of Bonds. Upon payment in full, the Bond shall be promptly cancelled by the Paying Agent. The Paying Agent shall promptly furnish to the Clerk of the Governing Authority an appropriate certificate of cancellation.

SECTION Execution. The Bonds shall be executed in the name and on behalf of the Issuer by the manual or facsimile signatures of the Executive Officers, and the corporate seal of the Issuer (or a facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon.

SECTION Registration by Secretary of State. The Bond shall be registered with the Secretary of State of the State of Louisiana and shall bear the endorsement of the Secretary of State of the State of Louisiana substantially in the form set forth in Exhibit B hereto, provided such endorsement shall be manually signed only on the Bond initially delivered to the Purchaser. Any replacement Bond as permitted by State law may bear the facsimile signature of said Secretary of State.

SECTION Registration by Paying Agent. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Ordinance unless and until a certificate of registration on such Bond substantially in the form set forth in Exhibit B hereto shall have been duly executed on behalf of the Paying Agent by a duly authorized signatory, and such executed certificate of the Paying Agent upon such Bond shall be conclusive evidence that such Bond has been executed, registered and delivered under this Ordinance.

ARTICLE

SINKING FUND; PAYMENT OF BONDS

SECTION Sinking Fund. For the payment of the principal of and the interest on the Bonds, the Issuer will maintain a special fund, to be held by the regularly designated fiscal agent of the Issuer (the "Sinking Fund"), into which the Issuer will deposit the proceeds of the aforesaid tax described in Section 2.3 hereof and interest earnings thereon). The depository for the Sinking Fund shall transfer from the Sinking Fund to the Paying Agent at least three (3) days in advance of each Interest Payment Date, funds fully sufficient to pay promptly the principal and interest falling due on such date.

All moneys deposited with the regularly designated fiscal agent bank or banks of the Issuer or the Paying Agent under the terms of this Ordinance shall constitute sacred funds for the benefit of the Owner and shall be secured by said fiduciaries at all times to the full extent thereof in the manner required by law for the securing of deposits of public funds.

All or any part of the moneys in the Sinking Fund shall, at the written request of the Issuer, be invested in accordance with the provisions of the laws of the State in which event all income derived from such investments shall be added only to the Sinking Fund.

SECTION Payment of Bonds. The Issuer shall duly and punctually pay or cause to be paid as herein provided the principal of and interest on the Bond as the same fall due and at the place and in the manner stated in the Bond.

ARTICLE

APPLICATION OF BOND PROCEEDS

SECTION Application of Bond Proceeds. As a condition of the issuance of the Bonds, the Issuer hereby binds and obligates itself to:

Apply a sufficient amount of the proceeds derived from the issuance and sale of the Bonds, together with additional moneys of the Issuer, as will enable the Issuer to immediately redeem the Refunded Bonds in principal and accrued interest.

Retain such amount of the proceeds of the Bonds and/or other moneys available to the Issuer as will enable the Issuer to pay the costs of issuance of the Bonds.

ARTICLE

REDEMPTION OF BONDS

SECTION The Bonds are not callable for redemption prior to their stated maturities.

ARTICLE

TAX AND SECURITIES LAWS COVENANTS

SECTION Tax Covenants. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer shall not take any action or fail to take any action, nor shall it permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, to acquire any securities or obligations the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in the Code or would result in the inclusion of the interest on any Bond in "gross income" under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of the proceeds of the Bonds, (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America, or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds" under the Code.

The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION Bonds are "Bank-Qualified". The Bonds are designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the Issuer finds and determines that:

- (a) the Bonds are not "private activity bonds" within the meaning of the Code; and
- (b) the reasonably anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2013 does not exceed \$10,000,000.

SECTION Disclosure Under SEC Rule 15c2-12. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR ' 240.15c2-12(b)], because:

(a) the Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and

(b) the Bonds are being sold to only one financial institution (*i.e.*, no more than thirty-five persons), which (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the Bonds and (ii) is not purchasing the Bonds for more than one account or with a view to distributing the Bonds.

ARTICLE

CONCERNING FIDUCIARIES

SECTION Paying Agent; Appointment and Acceptance of Duties. The Issuer will at all times maintain a Paying Agent having the necessary qualifications for the performance of the duties described in this Ordinance. The designation of Whitney Bank, in the City of Baton Rouge, Louisiana as the initial Paying Agent is hereby confirmed and approved. The Paying Agent shall signify its acceptance of the duties and obligations imposed on it by the Ordinance by executing and delivering to the Executive Officers a written acceptance thereof. The Governing Authority reserves the right to appoint a successor Paying Agent by filing with the Person then performing such function a certified copy of a resolution or ordinance giving notice of the termination of the agreement and appointing a successor and causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a trust company or bank organized and doing business under the laws of the United States of America or of the State of Louisiana.

ARTICLE

MISCELLANEOUS

SECTION Defeasance. If the Issuer shall pay or cause to be paid to the Owner the principal and interest to become due on the Bond at the times and in the manner stipulated therein and in the Ordinance, then the covenants, agreements and other obligations of the Issuer to the Owner shall be discharged and satisfied. In such event, the Paying Agent shall, upon the request of the Issuer, execute and deliver to the Issuer all such instruments as may be desirable to evidence such discharge and satisfaction and the Paying Agent shall pay over or deliver to the Issuer all moneys, securities and funds held by them pursuant to this Ordinance which are not required for the payment of the Bond in full.

Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION Moneys Held for Particular Bonds. The amounts held by the Paying Agent for the payment due on any date with respect to particular Bonds shall, on and after such date and pending such payment, be set aside on its books and held in trust by it, without liability for interest, for the Owners of the Bonds entitled thereto.

SECTION Parties Interested Herein. Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Issuer, the Paying Agent, and the Owner any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in the Ordinance contained by and on behalf of the Issuer shall be for the sole and exclusive benefit of the Issuer, the Paying Agent and the owners of the Refunded Bonds and the Owner.

SECTION No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this Ordinance against any member of the Governing Authority or officer of the Issuer or any person executing the Bonds.

SECTION Successors and Assigns. Whenever in this Ordinance the Issuer is named or referred to, it shall be deemed to include its successors and assigns, and all the covenants and agreements in this Ordinance contained by or on behalf of the Issuer shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

SECTION Subrogation. In the event the Bonds should ever be held invalid by any court of competent jurisdiction, the Owners thereof shall be subrogated to all the rights and remedies against the Issuer had and possessed by the owners of the Refunded Bonds.

SECTION Severability. In case any one or more of the provisions of this Ordinance or of the Bond shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of the Ordinance or of the Bond, but this Ordinance and the Bond shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted

after the date of this Ordinance which validates or makes legal any provision of this Ordinance or the Bond which would not otherwise be valid or legal shall be deemed to apply to this Ordinance and to the Bond.

SECTION Publication of Ordinance. This Ordinance shall be published one time in the official journal of the Issuer; however, it shall not be necessary to publish any exhibits hereto if the same are available for public inspection and such fact is stated in the publication.

SECTION Execution of Documents. In connection with the issuance and sale of the Bond, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this Ordinance the signatures of the Executive Officers on such documents, certificates and instruments to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION Effective Date. This Ordinance shall become effective immediately.

ARTICLE

SALE OF BONDS

SECTION Sale of Bond. The Bond is hereby sold to the Purchaser at the price and under the terms and conditions set forth in the commitment letter attached hereto as Exhibit C.

SECTION Application of Funds. There is hereby authorized and directed the application of the proceeds from the sale of the Bonds to the costs of issuance thereof and the remainder , along with a contribution from the Issuer=s General Obligation Bond Sinking Fund, to the payment of the Refunded Bonds in principal and interest.

ARTICLE

REDEMPTION OF REFUNDED BONDS

SECTION Call for Redemption. The Refunded Bonds, as more fully described in Exhibit A hereto, are hereby called for redemption on January 29, 2013, or such other date on which the Bonds may be delivered, at the principal amount of each bond so redeemed, together with accrued interest to the call date, in compliance with the ordinance authorizing their issuance.

SECTION Notice of Redemption. In accordance with the ordinance authorizing the issuance of the Refunded Bonds, a notice of redemption in substantially the form attached hereto as Exhibit D, shall be sent by the paying agent for the Refunded Bonds to the registered owner of each of the Refunded Bonds at his address as shown on the bond register of said paying agent by means of registered or certified mail deposited in the United States mails not less than thirty (30) days prior to the date of redemption.

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

YEAS: Manfre, Tamporello, Bergeron, Bias, Hymel

NAYS: None

ABSENT: None

And the ordinance was declared adopted, on this, the 18th day of December, 2012.

/s/ Debbie Harrington
Clerk

/s/ Timothy Matte
Mayor

**EXHIBIT A
TO ORDINANCE**

OUTSTANDING BONDS TO BE REFUNDED

GENERAL OBLIGATION BONDS, SERIES 2000

| <u>DATE</u> <u>(MARCH 1)</u> | <u>PRINCIPAL</u> <u>PAYMENT</u> | <u>INTEREST</u> <u>RATE</u> |
|---------------------------------|------------------------------------|--------------------------------|
| 2013 | \$90,000 | 5.40% |
| 2014 | 95,000 | 5.45% |
| 2015 | 100,000 | 5.50% |
| 2016 | 110,000 | 5.55% |
| 2017 | 115,000 | 5.60% |
| 2018 | 125,000 | 5.65% |
| 2019 | 130,000 | 5.70% |
| 2020 | 140,000 | 5.75% |

Those bonds maturing March 1, 2013 and thereafter will be called for redemption on January 29, 2013, at the principal amount thereof and accrued interest to the date fixed for redemption.

**EXHIBIT B
TO ORDINANCE**

(FORM OF BOND)

NO. R- _____

PRINCIPAL AMOUNT \$ _____

**UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. MARY**

**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013
CITY OF MORGAN CITY, STATE OF LOUISIANA**

| <u>Bond</u> <u>Date</u> | <u>Maturity</u> <u>Date</u> | <u>Interest</u> <u>Rate</u> |
|----------------------------|--------------------------------|--------------------------------|
| _____, 2013 | March 1, _____ | |

CITY OF MORGAN CITY, STATE OF LOUISIANA (the "Issuer"), promises to pay to:

WHITNEY BANK

or registered assigns, on the Maturity Date set forth above, the Principal Amount set forth above, together with interest thereon from the Bond Date set forth above, or from the most recent interest payment date to which interest has been paid or duly provided for, payable on March 1 and September 1 of each year (each an "Interest Payment Date"), commencing March 1, 2013, at the Interest Rate per annum set forth above until said Principal Amount is paid. The principal of this Bond, upon maturity or redemption, is payable at the principal corporate trust office of Whitney Bank, in the City of Baton Rouge, Louisiana, or successor thereto (the "Paying Agent") upon presentation and surrender hereof, and interest on this Bond will be payable by the Paying Agent by check mailed by the Paying Agent to the registered owner (determined as of the close of business on the 15th calendar day of the month next preceding said interest payment date) at the address as shown on the registration books of the Paying Agent.

This bond is one of an authorized issue aggregating in principal the sum of Nine Hundred Forty-Five Thousand Dollars (\$945,000) of General Obligation Refunding Bonds, Series 2013, of the Issuer (the "Bonds"), this Bond having been issued by the Issuer pursuant to an ordinance adopted by its governing authority on December 18, 2012 (the "Ordinance"), for the purpose of refunding the Issuer's outstanding General Obligation Bonds, Series 2000, and paying the costs of issuance of the Bonds, under the authority of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

The Bonds are issuable as fully registered bonds in the denominations corresponding to the principal amount of each maturity (one Bond per maturity), exchangeable for the same principal amount of Bonds of the same maturity.

Subject to the limitations and requirements provided in the Ordinance, the transfer of this Bond shall be registered on the registration books of the Paying Agent upon surrender of this Bond at the principal corporate trust office of the Paying Agent, as Bond Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form and with a guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new Bond of the same maturity and of authorized denomination, for the same principal amount, will be issued to the transferee. Prior to due presentment for transfer of this Bond, the Issuer and the Paying Agent and any agent of either thereof may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest hereon and for all other purposes, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary. Upon such registration of transfer or exchange, the Paying Agent may require payment of an amount sufficient to cover any tax or other governmental charge in connection therewith.

The Bonds are not callable for redemption prior to their stated maturities.

The Issuer shall cause to be kept at the principal office of the Paying Agent a register (the "Bond Register") in which registration of this Bond and of transfers of the Bonds shall be made as provided herein. This Bond may be transferred, registered and assigned only on the Bond Register, and such registration shall be at the expense of the Issuer. This Bond may be assigned by the execution of the assignment form hereon or by other instrument of transfer and assignment acceptable to the Paying Agent. A new Bond will be delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bond after receipt of the Bond to be transferred in proper form. Such new Bond shall be in an authorized denomination. Neither the Issuer nor the Paying Agent shall be required to issue, register, transfer or exchange any Bond during a period beginning at the opening of business on a Record Date and ending at the close of business on the Interest Payment Date.

This Bond and the issue of which it forms a part constitute general obligations of the Issuer, and the full faith and credit of the Issuer is pledged for the payment of this Bond and the issue of which it forms a part. The Bonds are secured by a special tax to be imposed and collected annually in excess of all other taxes on all the property subject to taxation within the territorial limits of the Issuer, under the Constitution and laws of Louisiana, sufficient in amount to pay the principal of this Bond and the issue of which it forms a part and the interest thereon as they severally mature.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Issuer, including this Bond and this issue of which it forms a part, does not exceed the limitations prescribed by the Constitution and statutes of the State of Louisiana.

This Bond and the issue of which it forms a part have been duly registered with the Secretary of State of the State of Louisiana as provided by law.

IN WITNESS WHEREOF, the Issuer, acting through its governing authority, has caused this Bond to be executed in its name by the facsimile signatures of the Mayor of the Issuer and the Clerk of the Morgan City Council, and the corporate seal of the Issuer to be imprinted hereon.

CITY OF MORGAN CITY, STATE OF LOUISIANA

/s/ Debbie Harrington
Clerk

/s/ Timothy Matte
Mayor

(SEAL)

(FORM OF PAYING AGENT'S CERTIFICATE OF REGISTRATION)

This Bond is one of the Bonds referred to in the within-mentioned Ordinance.

WHITNEY BANK
as Paying Agent

Date of Registration: _____, 2013 By:

Authorized Officer

OFFICE OF SECRETARY OF STATE
STATE OF LOUISIANA
BATON ROUGE

This Bond secured by a tax. Registered on this the ____ day of _____, 2013.

Secretary of State

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and
transfers _____ unto

Please Insert Social Security
or other Identifying Number of
Assignee

[]

_____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

_____ attorney or agent to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

OFFER TO PURCHASE

**EXHIBIT C
TO ORDINANCE**

**EXHIBIT D
TO ORDINANCE**

**NOTICE OF CALL FOR REDEMPTION
GENERAL OBLIGATION BONDS, SERIES 2000
CITY OF MORGAN CITY, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN pursuant to an ordinance adopted December 18, 2012, by the Morgan City Council, acting as the governing authority of the City of Morgan City, State of Louisiana (the "Issuer"), that the Issuer hereby calls for redemption on January 29, 2013, the Issuer's outstanding General Obligation Bonds, Series 2000, dated March 1, 2000, which mature March 1, 2013 to 2020, inclusive (the "Refunded Bonds"), at the principal amount thereof and accrued interest to January 29, 2013, said Refunded Bonds being more fully described as follows:

| <u>Maturity Date</u> | <u>Principal Amount</u> | <u>Interest Rate</u> | <u>Cusip Number</u> |
|----------------------|-------------------------|----------------------|---------------------|
| March 1, 2013 | \$90,000 | 5.40% | 817022 HL5 |
| March 1, 2014 | 95,000 | 5.45% | 817022 HM3 |
| March 1, 2015 | 100,000 | 5.50% | 817022 HN1 |
| March 1, 2016 | 110,000 | 5.55% | 817022 HP6 |
| March 1, 2017 | 115,000 | 5.60% | 817022 HQ4 |
| March 1, 2018 | 125,000 | 5.65% | 817022 HR2 |
| March 1, 2019 | 130,000 | 5.70% | 817022 HS0 |
| March 1, 2020 | 140,000 | 5.75% | 817022 HT8 |

No further interest will accrue and be payable on said bonds from and after January 29, 2013. The foregoing Bonds should be surrendered for payment on January 29, 2013, at Regions Bank, in the City of Baton Rouge, Louisiana, as paying agent for the Refunded Bonds, as follows:

**By Hand, Express Mail, By Mail
or Courier Service**

Regions Corporate Trust
Attn: Kesha Moore
400 Convention Street, Third Floor
Baton Rouge, LA 70802

The CUSIP Numbers listed above are provided for convenience of the bondowner. The Issuer does not certify as to their correctness.

Owners of the Refunded Bonds are reminded that the Federal Interest and Dividend Tax Compliance Act of 1983 requires that the Paying Agent, as payor, withhold 30% of the principal amount if a Taxpayer Identification Number has not been provided by the Owner as payee. If the Tax Identification Number has not previously been provided to the Paying Agent, then such Owners are requested to provide this information to the Paying Agent with a Form W-9 in order to avoid the aforesaid withholding.

CITY OF MORGAN CITY, STATE OF
LOUISIANA

By: /s/ Debbie Harrington
Clerk

Dated: December 18, 2012

In the matter of the zoning ordinance discussion, Mayor Matte stated that for several months the Council had been entertaining changes to the zoning ordinances. The parking of recreational vehicles became a separate ordinance. The Planning and Zoning Committee had not been able to get a quorum to vote to make a recommendation to the Council on the proposed ordinances. He advised that the issue would have to be taken up after the new year. Mr. Luke Manfre stated that he had been working with Kendig Keast to put some language together so that the new code would not be completely grandfathered in. Mr. Lou Tamporello stated that he had received a telephone call from Mr. Lee Dragna who wanted to emphasize that he felt the City should look into the industrial area and three sided buildings and that Mr. Bill New and a few other business owners also felt the same way.

In the matter of the LEPA report, Mayor Matte stated that he had no report for the Council because the LEPA meeting had not yet taken place. He stated that he did have a report on the property in front of the Auditorium that Mr. Leon Kahn had approached the Council about the previous month. He stated that Mr. Kahn has reported that he had a second purchaser so the deal had changed. Mayor Matte stated that if the City would give up a smaller portion of the right of way Mr. Kahn believed he had a sale for the entire tract of land. It would involve the swap of some property between the City and the bank from a location stand point. Mayor Matte stated that in his discussions with Mr. Mike Loupe he stated that 65' would accommodate a boulevard similar to a Victor II Boulevard size. He state that 75' would be the preference, but 65' would still allow enough room.

In the matter of the Road Project Update, Public Works Director Mike Loupe stated that there had been some challenges encountered in the Victor II area due to trees that have rotted out. In order for the contract to warranty the project for a year, he must have a certain compaction rate. He stated that in some places there was up to thirty six inches of aggregate added instead of the projected twelve inches of aggregate and this was causing the total price of the job to increase. Mayor Matte stated that to date on the road projects \$3,500,000 had been expended with only \$500,000 remaining.

The next matter on the agenda was the Louisiana Shrimp & Petroleum Festival lease extension request. Mayor Matte stated that the Festival was exercising their first option on the current lease through January 31, 2018.

In the matter of the engagement of the auditors,

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

RESOLUTION NO. R: 12-80

WHEREAS, the firm of Kolder, Champagne, Slaven and Company, LLC submitted an agreement letter for the examination of the financial statements of the City of Morgan City for the year ending December 31, 2012, and

WHEREAS, said agreement letter must be approved by the Louisiana Legislative Auditor,

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, empowered, and directed to execute the letter agreement between the City and Kolder, Champagne, Slaven and Company, LLC for the purpose of conducting an examination of the City's financial statements for the year ending December 31, 2012.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Manfre, Hymel, Bergeron, Bias, Tamporello
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The next matter on the agenda was the Roadway Repairs & Improvements, Phase II Change Order, whereupon,

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

RESOLUTION NO. R: 12-81

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 4, in the amount of + 82,873.70, under Contract Number R: 12-15, between the City of Morgan City and Southern Constructors, LLC for the Roadway Repairs and Improvements, Phase II project.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Bergeron, Hymel, Bias, Manfre, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The next matter on the agenda was the Substantial Completion for the Roadway Repairs and Improvements, Phase II project, whereupon,

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

RESOLUTION NO. R: 12-82

WHEREAS, the firm of Southern Constructors, LLC has substantially completed the work done under contract No. R:12-15, for the Roadway Repairs & Improvements Phase II project, dated March 26, 2012, and recorded in the mortgage records of the Parish of St. Mary, Book 1319, Entry 311589, Page 85, and

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

WHEREAS, Michael Loupe, Public Works Director for the City 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, Public Works Director Michael Loupe 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. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Bergeron, Hymel, Bias, Manfre, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

Mayor Matte stated that Environmental Engineering had submitted a proposal to address some rehabilitation work at the headworks for the Wastewater Treatment Plant, whereupon,

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

RESOLUTION NO. R:12-83

WHEREAS, the City of Morgan City is desirous of performing a headworks rehabilitation and an upgrade to the Cannata's Pump Station, and

WHEREAS, the firm of Environmental Engineering Services, Inc., has proposed to provide the necessary engineering services for the projects.

NOW THEREFORE BE IT RESOLVED by the City Council, the governing authority of the City of Morgan City, Louisiana that (1) it hereby retains the firm of Environmental Engineering Services, Inc. (EES) to provide the necessary professional engineering services

in connection with the projects; and (2) the Mayor is hereby authorized to execute any and all necessary documents in connection with these projects.

Reverend Bias seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Bias, Bergeron, Manfre, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

In the matter of the gas line feasibility study, Mr. Charles Wood with SJB Group stated that they proposed to refresh and renew the areas to see if new problems have occurred and give updated cost estimates which could identify the areas the City should focus on. They would also deal with a compliance issue with the gas system that is the distribution and integrity plan (DIMP). He stated the City initiated the DIMP plan in August of 2011 but there was still work to be done to get the City fully compliant, whereupon,

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

RESOLUTION NO. R: 12-84

WHEREAS, the Mayor and Council are performing a feasibility study and developing cost estimates for replacement of existing PVC gas piping within the existing Morgan City Natural Gas Distribution System, and

WHEREAS, the firm of SJB Group, LLC has submitted a proposal for performing a feasibility study and cost estimate for the replacement of existing PVC piping within the system as well as assisting the City with the development of a Distribution Integrity Management Plan (DIMP) as required by the pipeline regulations.

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, empowered, and directed to execute any documents necessary in carrying out the intent and purpose of this resolution.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Bias, Hymel, Bergeron, Manfre, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The next matter on the agenda was the Parish CDBG grant, whereupon, Mr. Manfre offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 12-85

WHEREAS, as a result of Hurricane Gustav, St. Mary Parish was allocated \$19,461,923 from the State of Louisiana for the implementation of its Gustav/Ike Parish Recovery, and

WHEREAS, of that amount the City of Morgan City received \$551,538 for the reconstruction of Martin Luther King, Jr. Boulevard, and

WHEREAS, after the completion of the Martin Luther King, Jr. Boulevard project, there is a balance of \$476,756.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the St. Mary Parish Council allocate the balance \$476,756 be applied to the Levee Project.

Mr. Bergeron seconded the motion.

The vote thereon was as follows:

AYES: Manfre, Bergeron, Bias, Hymel, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

In the matter of the Young's Park Lease, Mayor Matte stated that the City wanted to continue to lease the property from the Young Fund, whereupon,

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

RESOLUTION NO. R: 12-86

WHEREAS, Lease Amendment No. R:05-77 between the City of Morgan City and the H & B Young Foundation for the Young's Ball Park located on Young's Road has expired, and

WHEREAS, both parties are desirous of renewing the lease.

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 in the name of and on behalf of the City of Morgan City to execute said lease between the City and the H & B Young Foundation.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Bias, Tamporello, Bergeron, Hymel, Manfre
NAYS: None
ABSENT: None

The Resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

ATTEST:

/s/ Debbie Harrington
Debbie Harrington
Clerk

The next matter on the agenda was the surplus property resolution, whereupon,

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

RESOLUTION NO. R: 12-87

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the items shown on the attached list are hereby declared surplus and no longer needed:

- | | | |
|----|---------------------------|------------|
| 1. | Kenmore Mini Refrigerator | Tag #05634 |
| 2. | Hoover Vacuum | |
| 3. | Dell Computer Monitor | Tag #04698 |
| 4. | Computer Monitor | Tag #05109 |
| 5. | Computer Speakers | |
| 6. | 3 Computer Modems | Tag #0431 |

- | | | |
|-----|--------------------------------|------------|
| 7. | IBM 4230 Printer | |
| 8. | Canon Printer | Tag #04647 |
| 9. | Laserjet Printer | Tag #03301 |
| 10. | Canon Calculator | Tag #05168 |
| 11. | Computer Monitor | |
| 12. | Sony MVC FD85 Camera | Tag #04063 |
| 13. | 3 Radax Handheld Meter Readers | |

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

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Bergeron, Hymel, Bias, Tamporello, Manfre

NAYS: None

ABSENT: None

The Resolution was therefore declared approved and adopted this 18th day of December, 2012.

/s/ Timothy Matte
 Timothy Matte
 Mayor

ATTEST:

/s/ Debbie Harrington
 Debbie Harrington
 Clerk

The public hearing was opened on the Transformer Cost Recovery Surcharge ordinance. Mrs. Jackie Price stated that she did not think it was clear what the charges were for. She stated that business owners would be charged more than residents and she did not think that was fair. Mrs. Debbie Price questioned whether the new transformer would be maintained by LEPA. Mayor Matte stated that the transformer repairs and transformer maintenance would be done by a consultant because it was a very specialized area. Mrs. Price asked if the new charge could be made a separate charge on the utility bill or would it be all lumped into one charge. Mayor Matte stated that he would look into putting the charge as a separate item on the bills.

There being no further discussion, the public hearing was closed, whereupon,

This Ordinance introduced with first reading on November 27, 2012. Published by title on November 30, 2012.

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

ORDINANCE NO. 12-14

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 12 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. Bergeron seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Bergeron, Bias, Hymel, Manfre
NAYS: None
ABSTAIN: None
ABSENT: None

Certified approved and adopted this 18th day of December, 2012

Delivered to Mayor Matte at 9:00 am, this 21st day of December, 2012.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 21st day of December, 2012.

/s/ Timothy Matte
Timothy Matte, Mayor

Received from Mayor Matte at 9:30 am on December 21, 2012.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: December 28, 2012

The public hearing for the Repair Material ordinance was opened. No one appeared for or against said ordinance, whereupon,

This ordinance was introduced with a first reading on November 27, 2012. Published by title on November 30, 2012.

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

ORDINANCE NO. 12-15

AN ORDINANCE REQUIRING WINDOW REPAIR MATERIALS TO BE COMPATIBLE AND CONSISTANT WITH REMAINING WINDOWS ON CONSTRUCTED HOMES WITIN THE CITY OF MORGAN CITY

WHEREAS, there may be the occasion that a residential building or structure within the city limits of Morgan City will experience damage to an existing window on such structure, and

WHEREAS, it may take some period of time for an owner of such building or structure adequately repair such window(s); and

WHEREAS, the City of Morgan City, in an effort to avoid any appearance of derelict properties within the City, desires to maintain a standard which keeps the value of neighboring properties from declining, an ordinance establishing standards for repairs of such windows has been discussed, considered, AND OFFERED AS FOLLOWS:

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that:

Any window which becomes damaged as to require temporary coverage by any material other than originally designed shall remain covered by temporary material for a period of time not longer than thirty (30) days. The permanent repair shall be made within the thirty (30) day time period with equal to or better than that of the original design or material compatible with the principal building in terms of:

a. Color, which shall be the same as the principal building or which shall compliment the principal building;

b. Materials, which shall be the same as those used on the principal building, and in the case of siding or brick, shall be installed with the same patterns as on the principal building;

In the event of damages caused by a storm, for which the Mayor and Council has declared a state of emergency, the Mayor or his designee may extend the time period provided for such repairs.

Failure to comply with these provisions after a notice from the City will result in a fine of \$50. Each 30 day period of failure to comply will constitute a separate violation.

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: Bergeron, Bias, Hymel, Manfre, Tamporello

NAYS: None

ABSENT: None

Certified approved and adopted this 18th day of December, 2012.

Delivered to Mayor Matte at 9:00 am, this 21st day of December, 2012.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Approved this 21st day of December. 2012.

/s/ Timothy Matte
Timothy Matte, Mayor

Received from Mayor Matte at 9:30 am on December 21, 2012.

/s/ Debbie Harrington
Debbie Harrington, Clerk

Published: December 28, 2012

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

This Ordinance introduced with first reading on October 23, 2012 and a second reading on November 27, 2012. Published by title on October 26, 2012 and November 30, 2012.

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

ORDINANCE NO. 12-16

AN ORDINANCE OF THE CITY COUNCIL OF MORGAN CITY, LOUISIANA AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012.

WHEREAS, by Ordinance Number 11-08 dated November 22, 2011, the City Council adopted the operating budget for the fiscal year beginning January 1, 2012 and ending December 31, 2012, 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 2012 be amended to \$39,310,742 and the expenditures be amended to \$40,443,954 leaving a net deficiency of \$1,133,212.

BE IT FURTHER ORDAINED, etc., that said net deficiency in the amount of \$1,133,212 be applied to the fund balance of \$22,106,071, leaving a fund balance of \$20,972,859 for the fiscal year ended 2012.

Mr. Manfre seconded the motion.

The vote thereon was as follows:

AYES: Bias, Manfre, Bergeron, Hymel, Tamporello
NAYS: None
ABSENT: None

Certified approved and adopted this 18th day of December, 2012.

Delivered to Mayor Matte at 9:00 am, this 21st day of December, 2012.

/s/ Debbie Harrington
Debbie Harrington
Clerk

Approved this 21st day of December, 2012.

/s/ Timothy Matte
Timothy Matte
Mayor

Received from Mayor Matte at 9:30 am on December 21, 2012.

/s/ Debbie Harrington
Debbie Harrington
Clerk

Published: December 28, 2012

In the matter of the liquor and beer permits, Mayor Matte stated that there was a request from Robert Conner with Craws and Claws Seafood for a Class "B" Package Beer Permit. A motion to authorize the Class "B" Package Beer permit was made by Mr. Manfre, seconded by Mr. Hymel, and voted unanimously in favor.

Mayor Matte submitted the names of Ms. Delores Henderson as Director Emeritus of the Library Commission, Mrs. Nathalie Weber for appointment to the Library Commission, Mr. Neil Mayon for appointment to the Archives Commission, and Mrs. Christina Bourg and Mrs. Lauren Hebert for appointment to the Main Street Board. A motion to concur in these appointments was made by Reverend Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

Mayor Matte stated that this was Lorrie Braus' last City Council meeting and thanked her for all her service to the City.

Mayor Matte stated that Councilman-elect James Fontenot had lost his father the past week and he wanted to adjourn the meeting with a moment of silence in honor of Mr. Fontenot as well as all of the victims of the Sandy Hook Elementary School shooting.

/s/ Debbie Harrington
Debbie Harrington
Clerk

/s/ Timothy Matte
Timothy Matte
Mayor