OFFICIAL PROCEEDINGS CITY OF MORGAN CITY AUGUST 28, 2018

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, Ray Autrey, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: None

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

The invocation was given by Pastor Ron Bias.

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

Mrs. Joy Sanders addressed the Council requesting permission to use Lawrence Park for their annual Jeepers for the Creatures event (copy on file). A motion to allow the use of Lawrence Park was made by Mr. Hymel, seconded by Mr. Autrey and voted unanimously in favor.

Mr. Ronnie Kinchen addressed the council requesting permission to use Lawrence Park on October 1, 2018 for the annual National Night Out Against Crime (copy on file). A motion to allow use of the park was made by Mr. Stephens, seconded by Mr. Tamporello, and voted unanimously in favor.

Mayor Grizzaffi stated that Mrs. Lauren Walker had submitted a letter requesting permission to use the area under the bridge for a garage sale fundraiser (copy on file). A motion to allow the use of the area under the bridge for a Garage Sale Fundraiser was made by Pastor Bias, seconded by Mr. Autrey and voted unanimously in favor.

Mr. Jarrod Wiggins, candidate for City Councilman District 4 introduced himself to the Mayor and Council and asked for their support in the upcoming election.

Mr. Steve Domangue, candidate for City Councilman District 4 introduced himself to the Mayor and Council and asked for their support in the upcoming election.

Mrs. Ellen Daigle-Doskey, candidate for 1st Circuit Court of Appeals introduced herself to the Mayor and Council and asked for their support in the upcoming election.

Mr. John Dubois, candidate for City Councilman District 4 introduced himself to the Mayor and Council and asked for their support in the upcoming election.

The minutes of the July 24, 2018 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Pastor Bias, seconded by Mr.Autrey, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending July 31, 2018.

MONTHLY FINANCIAL STATEMENTS			
DATE:	August 28, 2018		
TO:	Mayor and Council		
FROM:	Deborah Garber		
RE:	Comments related to summary of revenues and expenses compared to budget for the period ended July 31, 2018.		

Attached is a summary that compares our actual revenues and expenses to our **amended** budget that was adopted in June 2018 for our major funds subject to budgetary control for the period ending July 31, 2018. The following comments are related thereto:

<u>General and Ancillary Funds</u>: Actual total revenues are currently over budget by \$294,700. This is mostly due to Occupational Licenses. Operating expenses remain below budget by \$199,400. The net loss, after transfers, of \$825,200 is a favorable variance of \$494,205 compared to the amended budget.

<u>Utility Fund</u>: Actual revenues are only over budget by \$42,500, with operational expenses under budget by \$372,200. The net loss, after transfers, of \$170,700 creates a favorable variance of \$440,900.

Sanitation and Sewer Fund: The operating revenues are \$197,600 over budget, with total operating expenses under budget by \$399,400. The net income, after transfers of \$584,900 leaves another favorable variance of \$602,200.

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

CITY OF MORGAN CITY CONSOLIDATED STATEMENT

Actual Revenues and Expenses Compared to Budget Period Ended July 31, 2018

GENERAL AND ANCILLARY FUNDS	ACTUAL	BUDGET	VARIANCE
REVENUES			
General Fund	3,250,837	2,987,934	262,903
Recreation Fund	107,658	112,100	(4,442)
Library Fund	11,961	8,180	3,781
Auditorium	11,301	0,100	5,701
Fund	68,959	47,558	21,401
Lake End Park Fund	434,153	423,020	11,133
Total Revenues	3,873,568	3,578,792	294,776
EXPENSES-OPERATIONAL			
General Fund Recreation	5,772,880	5,950,997	(178,117)
Fund	283,735	288,466	(4,731)
Library Fund Auditorium	81,519	81,287	232
Fund	266,983	273,670	(6,687)
Lake End Park Fund	505,335	515,461	(10,126)
Total Expenses	6,910,452	7,109,881	(199,429)
TRANSFERS	-,,	.,,	(,,
Transfers from Funds	2,511,670	2,511,670	0
Transfers to Funds	(300,000)	(300,000)	0
Net Transfers	2,211,670	2,211,670	0
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EXCESS NET OF TRANSFERS	(825,214)	(1,319,419)	494,205
	40 705 404	40 750 740	40.470
Total Revenues	12,795,191	12,752,713	42,478
Total Expenditures	10,651,308	11,023,503	(372,195)
Net Excess	2,143,883	1,729,210	414,673
Net Transfers and non-oper.	(1,973,193)	(1,999,475)	26,282
Excess net of transfers	170,690	(270,265)	440,955

SANITATION AND SEWER FUND

Total Revenues	1,708,584	1,510,920	197,664
Total Expenses	1,624,654	2,024,075	(399,421)
Net Excess	83,930	(513,155)	597,085
Net Transfers/non-			
operating expenses	501,021	495,941	5,080
Excess net of transfers			
and non-operating	584,951	(17,214)	602,165

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

Mayor Grizzaffi stated that Mr. Anthony Governale was going to update them on the properties that were condemned at the July meeting at which the owners were given thirty days to show some progress in making repairs on the properties. Mr. Governale stated that The property owner on Lawrence Street had submitted a letter with a timeline of what his plans were. He stated that Mr. Pillaro was supposed to be tearing down two of the properties and the third property was going to be repaired. He felt that no council action needed to be taken on the Lawrence Street properties at this time. In the matter of the property located at 1430 Victor II Boulevard, Mr. Governale stated that at the June 2018 meeting the owner was given 60 days to do something with the holes in the roof. The deadline was August 25, and he had not even started the process. A motion to allow the property owner 30 more days to begin repairs on the roof at 1430 Victor II Boulevard and on day 31 action would be taken to demolish the property was made by Mr. Tamporello, seconded by Pastor Bias, and voted unanimously in favor.

The next matter on the agenda was the Bank Signatures resolution. Mayor Grizzaffi stated that an employee had retired and a new signer needed to be added, whereupon,

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

RESOLUTION NO. R: 18-24

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the following persons are hereby authorized to sign checks for the City of Morgan City, Louisiana bank accounts.

NAME AND TITLE

SIGNATURE

Marcus Folse Chief Administrative Officer

Genie G. Bonner Administrative Secretary

Ron Bias Councilman

Shawn St. Romain Treasurer

Daniel Aucoin Customer Service Representative

Elisabeth Price Portero Main Street Payroll Accounts Only

Mr. Hymel seconded the motion.

The vote thereon was as follows:AYES:Tamporello, Hymel, Autrey, Bias, StephensNAYS:NoneABSTAIN:NoneABSENT:None

The resolution was therefore declared approved and adopted this 28th day of August, 2018.

Frank P. Grizzaffi, III, Mayor

Debbie Harrington, Clerk

Mayor Grizzaffi stated that Mrs. Betsey Burke and Mr. Patrick Magee, the grandchildren of Dr. Brownell, desired to donate the Brownell Carilion Tower to the City of Morgan City to be enjoyed by many future generations. Mr. Magee stated that they were donating 15 acres of land, the Carilion Tower, all improvements on the property as well as a fund in the amount of \$700,000 that was used for park operations. He stated that the paperwork had been prepared and needed to be executed, whereupon,

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

RESOLUTION NO. R: 18-25

WHEREAS, the Brownell Foundation is desirous of donating to the City the Brownell

Memorial Park located in St. Martin Parish, and

WHEREAS, an Act of Donation has been prepared.

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 enter into an agreement with the Brownell Foundation for the

donation of the Brownell Memorial Park.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Hymel, Autrey, Bias, Stephens

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of August, 2018.

Frank P. Grizzaffi, III Mayor

ATTEST:

Debbie Harrington Clerk

The next matter on the agenda was the Myrtle Street generator project. Mr. Oscar Boudreaux, an engineer with EES, Inc. stated that there was a change order in the amount of \$900 that needed to be signed, whereupon,

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

RESOLUTION NO. R: 18-26

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: 17-55, between the City of Morgan City and Volute, Inc., for the Myrtle Street Generator project.

Mr. Autrey seconded the motion.

The vote thereon was as follows:

AYES: Bias, Autrey, Hymel, Stephens, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of August,

2018.

Frank P. Grizzaffi, III Mayor

ATTEST:

Debbie Harrington Clerk

Mr. Boudreaux also stated that the project needed to be place in substantial completion, whereupon,

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

RESOLUTION NO. R: 18-27

WHEREAS, the firm of Volute, Inc. has substantially completed the work done under contract No. R:17-55 for the Myrtle Street Generator project, dated February 26, 2018, and

recorded in the mortgage records of the Parish of St. Mary, Book 1532, Page 747, and

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

WHEREAS, the engineer for the project has recommended acceptance of said

project as substantially complete, to begin the forty-five (45) day lien period with no items

remaining to be done, and

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

Mr. Autrey seconded the motion.

The vote thereon was as follows:

AYES: Bias, Autrey, Hymel, Stephens, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of

August, 2018.

Frank P. Grizzaffi, III Mayor

ATTEST:

Debbie Harrington Clerk

The parking ordinance first reading was the next matter on the agenda. No definitive action was necessary.

The application for a Class "A" liquor and beer permit (copy on file) for Just 4 Him Morgan City, 1115 Ninth Street was submitted. A motion to approve the application was made by Mr. Hymel, seconded by Mr. Stephens and voted unanimously in favor.

The final matter on the agenda was executive session to discuss possible opiod litigation. Mr. John Young gave the Mayor and Council a brief presentation on how the opiod litigation would work. He stated he was working with several other attorneys who specialized in pharmaceutical litigation. He stated that their fee schedule had been approved by the State of Louisiana and the litigation would not cost the City anything up front. He stated a 25% contingency fee for the first \$10 Million, 20% for \$10 to \$20 Million, and 15% for anything about \$20 Million. He stated that they currently represented 17 Parish Governments including St. Mary Parish, along with the Louisiana Assessor's Association self-insurance fund and the North Caddo Hospital District. Mayor Grizzaffi stated that three firms were scheduled to attend this meeting and only their firm had showed up. He felt that their representing the Parish was a plus. A motion to authorize Mayor Grizzaffi to sign a contract based on the recommendations of the City Attorney, whereupon,

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

RESOLUTION NO. R: 18-28

WHEREAS, the City Council of the City of Morgan City seeks to enforce any and all

available remedies it may have and to seek any damages it may be entitled to, related to the

national, statewide, and/or local opioid litigation and that a real necessity exists to pursue its

rights and remedies; and

WHEREAS, the City Council of the City of Morgan City acknowledges that its general counsel does not possess the resources, staff, or specific expertise to handle such litigation and that because the city attorney's office does not have the resources, staff, or expertise to property and effectively handle the matter a "real necessity exists" for the employment of special counsel to represent the Council's interest therein; and

WHEREAS, the City Council of the City of Morgan City sees to retain outside counsel with specific expertise to handle the Opioid Litigation on a contingency fee basis, as the Council does not possess the resources to pay the potential attorney fees on an hourly basis, nor the potential expenses in advance; and

WHEREAS, other Parishes and municipalities have retained outside counsel with specific expertise to handle the opioid litigation on a contingency fee bases in a similar or identical basis.

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 to retain special counsel to represent the City in the Opioid Litigation at the recommendation of the City Attorney.

Mr. Tamporello seconded the motion.

The vote thereon was as follows:

AYES: Autrey, Tamporello, Bias, Hymel

NAYS: Stephens

ABSENT: None

The resolution was therefore declared approved and adopted this 28th day of August, 2018.

ATTEST:

Frank P. Grizzaffi, III, Mayor

Debbie Harrington, Clerk

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

Debbie Harrington Clerk Frank P. Grizzaffi, III Mayor