

OFFICIAL PROCEEDINGS  
CITY OF MORGAN CITY  
FEBRUARY 21, 2017

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, James Fontenot, 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 Reverend Terry Bunner.

Mayor Grizzaffi stated that Dr. F. Scott Sicard had once again requested use of Lawrence Park to hold the second annual Porch Fest. Dr. Sicard stated that the date was April 29, 2017 from Noon until 7 PM. He was requesting closure of Third Street between Everett Street and Freret Street. The Kiwanis would sell alcohol and there would be free music on various front porches during the event. All proceeds would go to an account for the Lawrence Park playground renovations. A motion to allow use of Lawrence Park for the Porch Fest was made by Mr. Stephens, seconded by Reverend Bias, and voted unanimously in favor.

Jean Paul Bourg with the St. Mary Consolidated Drainage District #2 addressed the Council regarding the back water levee construction. He stated that the District was in the process of putting together a mailing regarding the work that was about to begin. There would be a \$6.25 million bond on the March 25, 2017 ballot and he asked for the support of the Mayor, Council and citizens in approving this. He stated passing the bond would not raise taxes, but would allow the Drainage District to complete the new pumping station that was not yet funded.

Pat Cloutier asked the Mayor for an update on LEPA. Mayor Grizzaffi stated that he had no other information than what was provided during the LEPA meeting conference call that both he and Mr. Cloutier were on. Mr. Cloutier asked about the perpetual scaling problem at the new plant. Mayor Grizzaffi stated he would get an answer to the question from LEPA and report back to Mr. Cloutier.

The minutes of the January 24, 2017 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Reverend Bias, seconded by Mr. Fontenot, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending January 31, 2017.

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**MONTHLY FINANCIAL STATEMENTS**

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**DATE:** February 21, 2017  
**TO:** Mayor and Council  
**FROM:** Deborah Garber  
**RE:** Comments related to summary of revenues and expenses compared to budget for the period ended January 31, 2017.

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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 January 31, 2017. The following comments are related thereto:

**General and Ancillary Funds:** Actual total revenues are over budget by \$12,500. Sales taxes in General Fund were over budget by \$8,500 only due to the City-wide 3/10 sales tax which was over budget by \$11,000. Operating expenses are below budget by \$103,200. The net income, after transfers, of \$69,800 is a favorable variance of \$115,700 compared to the budget.

**Utility Fund:** Actual revenues are under budget by \$147,100, with operational expenses also under budget by \$265,500. Energy and gas costs are \$155,500 under budget. The net income, after transfers, of \$49,400 creates another favorable variance of \$125,000.

**Sanitation and Sewer Fund:** The operating revenues are \$7,400 under budget, with total operating expenses under budget by \$32,000. The net income, after transfers, of \$49,300 leaves another favorable variance of \$24,600.

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

CONSOLIDATED STATEMENT  
 Actual Revenues and Expenses Compared to Budget  
 Period Ended January 31, 2017

<b>GENERAL AND ANCILLARY FUNDS</b>	<b>JANUARY 2017 ACTUAL</b>	<b>JANUARY 2017 BUDGET</b>	<b>VARIANCE</b>
<b>REVENUES</b>			
General Fund	605,713	592,038	13,675
Recreation Fund	4,999	3,118	1,881
Library Fund	3,036	1,168	1,869
Auditorium Fund	3,974	5,013	(1,039)
Lake End Park Fund	36,934	40,865	(3,931)
Total Revenues	654,656	642,201	12,455
<b>EXPENSES-OPERATIONAL</b>			
General Fund	779,576	826,560	(46,984)
Recreation Fund	21,565	43,114	(21,549)
Library Fund	9,809	11,453	(1,644)
Auditorium Fund	29,555	43,336	(13,781)
Lake End Park Fund	50,986	70,270	(19,284)
Total Expenses	891,491	994,733	(103,242)
<b>TRANSFERS</b>			
Transfers from Funds	316,666	316,666	0
Transfers to Funds	(10,000)	(10,000)	0
Net Transfers	306,666	306,666	0
<b>EXCESS NET OF TRANSFERS</b>	<b>69,831</b>	<b>(45,866)</b>	<b>115,697</b>
 <b>UTILITY FUND</b>			
Total Revenues	1,448,193	1,595,314	(147,121)
Total Expenditures	1,127,266	1,392,786	(265,521)
Net Excess	320,927	202,528	118,400
Net Transfers and non-oper.	(271,515)	(278,083)	6,568
Excess net of transfers	49,412	(75,556)	124,968
 <b>SANITATION AND SEWER FUND</b>			
Total Revenues	214,881	222,311	(7,430)
Total Expenses	236,211	268,306	(32,095)
Net Excess	(21,330)	(45,995)	24,665
Net Transfers/non-operating expenses	70,594	70,625	(31)
Excess net of transfers and non-operating	49,264	24,630	24,634

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

The next matter on the agenda was the Police Pension and Relief Fund financial statement. Mrs. Garber stated that there were only three retirees remaining on the fund and submitted the following statement.

CITY OF MORGAN CITY, LOUISIANA  
BALANCE SHEET  
Police Pension and Relief Fund  
December 31, 2016

	2016	2015
<b>ASSETS</b>		
Cash	\$ 6,943	\$ 6,943
Investments (Restricted)	15,064	15,027
Receivables:		
Accrued Interest Rec.	33	38
Other		
Total Assets	\$ 22,040	\$ 22,008
<b>LIABILITIES &amp; FUND BALANCE</b>		
Accrued liabilities		
Due to other funds		
Restricted Fund Balance (as restated)	22,040	22,008
Total Liabilities and Fund Balance	\$ 22,040	\$ 22,008

A motion to accept the Police Pension and Relief Fund statement was made by Mr. Tamporello, seconded by Mr. Fontenot, and voted unanimously in favor.

Mayor Grizzaffi stated that there were several ongoing projects around the City and he wanted to give updates on them. He stated that the contractual completion date for the City Wharf was March 31, 2017. All decking would be completed by the end of the following week and a bathroom facility as well as some drainage and cement work would need to be completed by the City crews. The City was also in the process of getting quotes to pressure wash and seal the seawall from G & J to Brashear Avenue on both sides.

The Myrtle Street Gravity Sewer Upgrade project was scheduled to begin after Mardi Gras. It would place a larger pipe under the Highway. Myrtle Street traffic would be affected for about thirty days. There were about thirty road repair projects that needed to be handled and the City was currently looking to see if the best way to handle them would be in house or by contractors.

At Lake End Park a new walking trail had been completed with help from the American Heart Association and the H & B Young Fund. It will be designated as the American Heart Walk National Trail and there was a ribbon cutting upcoming.

A new playground installation had been completed by City crews on the Parkway side of Lake End Park.

The next matter on the agenda was the demolition of 515 Freret Street. Mr. Pete Lawton, Compliance Officer the with Planning & Zoning Department of the City stated that this property had come before the Council for demolition a few years ago but the owners said they would complete the repairs. That never happened and it was now up to the Council to move forward with the demolition. He stated all necessary paperwork and notifications had been completed and he requested that the 60 day time frame be enforced to allow him to get quotes on demolition of the house. A motion to allow the City to receive bids and demolish the house located at 515 Freret Street was made by Mr. Tamporello, seconded by Mr. Stephens and voted unanimously in favor.

Mr. Gabe Beadle, Candidate for St. Mary Parish Council District 10 At Large, addressed the council and asked for their support in the upcoming election on March 25, 2017.

The next matter on the agenda was the surplus equipment, whereupon,  
Reverend Bias offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 17-11

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the item shown below are hereby declared surplus and no longer needed:

- |  |                       |
|--|-----------------------|
| 1. Miscellaneous Office Furniture            | Utility Department    |
| 2. Unit 709 1999 Sterling Garbage Truck      | Sanitation Department |
| 3. Dell Monitor CN-0CU889-71618-7AM          | City Court            |
| 4. Dell Monitor CN-0YG601-71618-681          | City Court            |
| 5. Dell Speaker CN-0UH837-48220-67E          | City Court            |
| 6. Encore Router 5408EI202ZA03926            | City Court            |
| 7. HP Keypad NAUDR0HCPZQAK3                  | City Court            |
| 8. Dell Monitor CN-0UH572-46633-67P1H35      | City Court            |
| 9. Dell Monitor CN-0UH572-46633-67P1T95      | City Court            |
| 10. Dell Monitor CN-0WH317-72872-67C0d9L     | City Court            |
| 11. Dell Monitor CN-0C5369-64180-52L         | City Court            |
| 12. EVGA Motherboard 36102076897             | City Court            |
| 13. ATI Technologies CN94202251              | City Court            |
| 14. HP Monitor CNC1120PCHT99GSEEKS           | City Court            |
| 15. Tripp-lite Battery Backup BE750BB3B0611X | City Court            |
| 16. Lexmark Printer 2854-08-2982 (01)        | City Court            |
| 17. 4500 PSI Cascade Air bottle #741694      | Fire Department       |
| 18. 4500 PSI Cascade Air bottle #741616      | Fire Department       |
| 19. 4500 PSI Cascade Air bottle #741591      | Fire Department       |
| 20. 4500 PSI Cascade Air bottle #741700      | Fire Department       |
| 21. 4500 PSI Cascade Air bottle #741618      | Fire Department       |
| 22. 4500 PSI Cascade Air bottle #741589      | Fire Department       |

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: Bias, Hymel, Fontenot, Stephens, Tamporello  
NAYS: None  
ABSENT: None

The Resolution was therefore declared approved and adopted this 21<sup>st</sup> day of  
February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Mayor Grizzaffi stated that a Fiscal Agent must be designated every four years. All area banks came together to submit one proposal, whereupon,

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

RESOLUTION NO. R: 17-12

**A RESOLUTION DESIGNATING THE FISCAL AGENT OF THE CITY OF MORGAN CITY**

WHEREAS, in response to the City's public notice requesting bids for a Fiscal Agent, six (6) local banks (MC Bank and Trust Company, MidSouth Bank, Patterson State Bank, Regions Bank, Iberia Bank, and Whitney National Bank) submitted one (1) joint bid, and

WHEREAS, each bank is qualified and capable of handling the account of the City as a Fiscal Agent,

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the MC Bank and Trust Company, MidSouth Bank, Patterson State Bank, Regions Bank, Iberia Bank, and Whitney National Bank are hereby named and designated as the Fiscal Agents for the City of Morgan City, Louisiana,

BE IT FURTHER RESOLVED, etc., that the MC Bank and Trust Company is designated as Managing Depository bank for the accounts of the City.

BE IT FURTHER RESOLVED, etc., that the accounts of the City now on deposit with each of the said banks or any future accounts of the City shall be divided equally among the said six (6) banks as allowable by state law.

BE IT FURTHER RESOLVED, etc., that investments of funds in excess of those required for demand accounts shall be invested at the discretion of the City.

BE IT FURTHER RESOLVED, etc., that any account now on deposit with any bank by virtue of a resolution naming said bank as official depository of a trust agreement shall not be affected by this resolution.

Reverend Bias seconded the motion.

The vote thereon was as follows:

AYES: Hymel, Bias, Fontenot, Stephens, Tamporello

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2016.

/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 Wharf Rehabilitation Change Order #4, whereupon,

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

RESOLUTION NO. R: 17-13

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 under Contract Number R:15-20, between the City of Morgan City and Larry Doiron, Inc., for the Front Street Wharf Rehabilitation project.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Chief Alvin Cockerham stated that the new State Fire Marshall was requesting a resolution from each city assuming responsibility for its personnel and their fire inspections, whereupon,

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

RESOLUTION NO. R: 17-14

WHEREAS, the City of Morgan City does hereby find as follows:

WHEREAS, the City Council of the City of Morgan City created the Morgan City Fire Department to conduct fire safety inspections within the City of Morgan City; and

WHEREAS, the Morgan City Fire Department was created pursuant to Louisiana RS 40:1563.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the City of Morgan City assumes all responsibility and liability for and releases the fire marshal and any other State entity for responsibility or liability for

those inspections performed by the Morgan City Fire Department, or the consequences thereof, within the City of Morgan City.

Reverend Bias seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

Mayor Grizzaffi stated that the St. Mary Levee District requested that we pass resolutions regarding the Bayou Chene Project, the CPRA 2017 Coastal Master Plan, the Backwater Levee Project, and the Point Au Fer Restoration project. He stated that similar resolutions were passed by the St. Mary Parish Council at their last meeting, whereupon,

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

RESOLUTION NO. R: 17-15

A resolution requesting the Louisiana Coastal Protection and Restoration Authority (CPRA) to recognize the Bayou Teche Flood Protection Project as a separable component of the Iberia/St. Mary Upland Levee Project.

**WHEREAS**, the Bayou Teche Flood Protection Project is an interim protection plan developed by the St. Mary Levee District and is included in the Louisiana Coastal Protection and Restoration Authority's (CPRA's) 2017 Coastal Master Plan;

**WHEREAS**, the Bayou Teche Flood Protection Project will provide protection anticipated to be provided by the Iberia/St. Mary Upland Levee Project; however, the Iberia/St. Mary Upland Levee Project will need several other components in order to be effective;

**WHEREAS**, the Bayou Teche Flood Protection Project could be implemented and would stop several instances of repetitive flood losses due to hurricane storm surge;

**WHEREAS**, this project is permitted by both the Louisiana Department of Natural Resources and the United States Army Corps of Engineers.

**NOW THEREFORE BE IT RESOLVED**, by the City Council, the governing authority of the City of Morgan City, that it requests that the Bayou Teche Flood Protection Project be recognized as a separable component of the Iberia/St. Mary Parish Upland Levee Project.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Fontenot, Bias, Hymel, Stephens

NAYS: None  
ABSENT: None

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

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

RESOLUTION NO. R: 17-16

A resolution requesting funding from the Louisiana Coastal Protection and Restoration Authority (CPRA) for the Morgan City Back Levee projects (03b.HP.10), which are included in CPRA's 2017 Coastal Master Plan.

**WHEREAS**, the Morgan City Back Levee projects (03b.HP.10) are included in the Louisiana Coastal Protection and Restoration Authority's (CPRA's) 2017 Coastal Master Plan and is nearing construction of significant portions of this project;

**WHEREAS**, its full implementation is critical for our area as it will allow the citizens of Morgan City and surrounding areas of St. Mary Parish to achieve 100-year flood protection and give the community the Flood Insurance status previously enjoyed;

**WHEREAS**, Coastal Louisiana is a working coast and as such, having people able to work in this vital region is important;

**WHEREAS**, this level of flood protection is critical to maintain the vital economy of the State of Louisiana.

**NOW THEREFORE BE IT RESOLVED**, by the City Council, the governing authority of the City of Morgan City, that it requests an additional investment by CPRA in this project, which will provide protection from storm surges and allow for a continuing presence in Coastal Louisiana for critical services.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

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

RESOLUTION NO. R: 17-17

A resolution requesting the inclusion of the Bayou Chene Flood Protection and Diversion Project within the Louisiana Coastal Protection and Restoration Authority's 2017 Coastal Master Plan.

**WHEREAS**, the 2012 Coastal Master Plan of the Louisiana Coastal Protection and Restoration Authority (CPRA) included the Bayou Chene Flood Protection and Diversion Project, which has been included within the St. Mary Levee District's Master Plan after the 2011 emergency closure demonstrated its effectiveness in protecting Assumption, Iberville, Lafourche, St. Mary, lower St. Martin, and Terrebonne Parishes from backwater flooding;

**WHEREAS**, it has come to the attention of the City Council of the City of Morgan City that CPRA has inexplicably failed to include the Bayou Chene Flood Protection and Diversion Project within its newly revised 2017 Coastal Master Plan;

**WHEREAS**, CPRA's 2017 Coastal Master Plan should be developed with extensive engagement and input from stakeholders, including the local governmental entities which have benefitted from the flood protection afforded by the closure of Bayou Chene and which have experience in studying the closures' diversionary effectiveness;

**WHEREAS**, CPRA's proposed "Increased Atchafalaya Flow to Terrebonne" (TE-110) project will be significantly less effective without a closure across Bayou Chene.

**NOW THEREFORE BE IT RESOLVED**, by the City Council, the governing authority of the City of Morgan City, that it requests that CPRA include the Bayou Chene Flood Protection and Diversion Project within its 2017 Coastal Master Plan.

Mr. Fontenot seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

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

ATTEST:

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

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

RESOLUTION NO. R: 17-18

A resolution of support relative to the Point Au Fer (03b.MC.09) Restoration Project, which is included in the Louisiana Coastal Protection and Restoration Authority's 2017 Coastal Master Plan.

**WHEREAS**, the City Council of the City of Morgan City supports the efforts of the Morgan City Harbor and Terminal District (Port of Morgan City) relative to projects of their interest, specifically the Point Au Fer (03b.MC.09) Restoration Project, which is included in the Louisiana Coastal Protection Authority's (CPRA's) 2017 Coastal Master Plan;

**WHEREAS**, the project would provide a disposal area for dredged material from the Atchafalaya River, which could improve the ability of the River to carry flood flows;

**WHEREAS**, the City Council of the City of Morgan City supports the Port of Morgan City's interest in the Atchafalaya River Long Distance Pipe Project, which has been supported by residents of our region for many years;

**WHEREAS**, the City Council of the City of Morgan City recognizes the benefit of healthy marshlands to our south protecting us from storm surge;

**NOW THEREFORE BE IT RESOLVED**, by the City Council, the governing authority of the City of Morgan City, that it does support the Point Au Fer (03b.MC.09) Restoration Project and hereby requests that it remain in the CPRA's 2017 Coastal Master Plan.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

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

The resolution was therefore declared approved and adopted this 21<sup>st</sup> day of February, 2017.

/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 Declaring Surplus and Sale of Property Ordinance. Paul Landry, City Attorney, stated that it would probably be put out for public bid in accordance with a published Attorney General opinion. A public hearing was held on the ordinance. Mr. Leonard Price, owner of the property surrounding this property stated that he was under the impression that the land could be sold at a private sale. He said that he had hired an attorney to draw up the ordinance, and had paid for the property to be appraised. He said if it could not be sold privately, he would rather the property just remain as it was. Councilman Stephens made a motion to table the Ordinance and take it up at the March Council meeting, seconded by Hymel and voted unanimously in favor.

The public hearing on the Flood Insurance Study and Flood Insurance Rate maps was opened. No one appeared for or against said ordinance, whereupon,

This ordinance was introduced with a first reading on January 24, 2017. Published by title on January 26, 2017.

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

ORDINANCE NO. 17-01

AN ORDINANCE OF THE CITY OF MORGAN CITY AMENDING AND REENACTING SECTION 46-33, GENERAL PROVISIONS OF CHAPTER 46, FLOODS, ARTICLE II, FLOOD DAMAGE PREVENTION, OF THE CODE OF ORDINANCES OF THE CITY OF MORGAN CITY PROVIDING FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD.

SECTION 1

BE IT ORDAINED, by the City Council, the governing authority of the City of Morgan City, Louisiana, that Section 46-33, sub-section B of the code of ordinances be amended and reenacted as follows:

(b) *BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.* The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for St. Mary Parish, Louisiana and Incorporated Areas" dated April 19, 2017, with accompanying Flood Insurance Rate Maps (FIRM) dated April 19, 2017, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

## 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. Fontenot seconded the motion.

The vote thereon was as follows:

AYES: Bias, Fontenot, Hymel, Stephens, Tamporello

NAYS: None

ABSENT: None

Certified approved and adopted this 21<sup>st</sup> day of February, 2017.

Delivered to Mayor Grizzaffi at 10:00 am, this 22<sup>nd</sup> day of February, 2017.

/s/ Debbie Harrington  
Debbie Harrington, Clerk

Approved this 22<sup>nd</sup> day of February, 2017.

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

Received from Mayor Grizzaffi at 11:30 am on February 22, 2017.

/s/ Debbie Harrington  
Debbie Harrington, Clerk

Published: February 27, 2017

Mr. Jason Akers, bond counsel for Foley & Judell, LLC stated that in order to a revenue anticipation note this ordinance needed to be approved. He stated that there was a \$2 million cap on the note and it would only be good for the current year. The public hearing was opened. No one appeared for or against said ordinance, whereupon,

The following ordinance having been introduced at a duly convened meeting on January 24, 2017, and notice of its introduction having been published in the official journal on January 26, 2017, was offered for final adoption by Mr. Tamporello and seconded by Mr. Stephens:

### **ORDINANCE No. 17-02**

An ordinance authorizing the issuance and sale by the City of Morgan City, State of Louisiana of not exceeding Two Million Dollars (\$2,000,000) of Revenue Anticipation Notes, Series 2017; providing for the payment thereof, establishing the rate of interest thereon; providing for a pledge of revenues of said

City for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

WHEREAS, Sections 745 through 748, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, authorize entities to pay their current expenses by anticipating their revenues for the year and to borrow money to pay these current expenses in anticipation of such revenues; and

WHEREAS, the City of Morgan City, State of Louisiana (the "Issuer") desires to borrow moneys to pay said current operation costs and to dedicate and set aside revenues for the payment of Revenue Anticipation Notes issued under the provisions of the Act and this ordinance (the "Note"), which Note will fall due and will mature no more than twelve (12) months from the date of issuance, together with interest thereon as provided herein; and

WHEREAS, the Issuer has found and determined that the estimated revenues of the Issuer for the current fiscal year will be in excess of the amount borrowed;

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

SECTION i) There is hereby authorized the issuance of not exceeding Two Million Dollars (\$2,000,000) of Revenue Anticipation Notes, Series 2017 (the "Note"), of the Issuer to pay the costs of current operations of the Issuer in anticipation of the revenues of the Issuer for the current fiscal year. The Note shall bear interest at the rate of 4.00% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), and shall mature on March 1, 2018 (the "Maturity Date"), all in accordance with the provisions of the Act. The principal amount of the Note may be advanced by the Purchaser (as defined below) to the Issuer on an "as needed" basis, and interest on the Note will only accrue on the principal amount of the Note which shall have been advanced to the Issuer and will only accrue on a particular amount of principal advanced to the Issuer from the date of its advancement. Each installment shall be advanced by the Purchaser (as defined below) upon the Issuer furnishing a requisition to the Purchaser (as defined below) signed by the Mayor and Finance Director of the Issuer. Such interest shall be due and payable on the Maturity Date.

SECTION ii) The Issuer hereby accepts the offer to purchase the Note submitted MC Bank and Trust Company, Morgan City, Louisiana (the "Purchaser"), attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The Note shall be delivered to the Purchaser upon the payment of the initial installment of the purchase price thereof.

SECTION iii) The principal of and interest on the Note shall be secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2017.

SECTION iv) The Mayor of the Issuer and the Clerk of the Governing Authority are each hereby authorized, empowered and directed to execute the Note to represent said indebtedness. Said officers are further authorized and empowered to deliver the Note to the Purchaser, upon the payment of the initial installment of the purchase price thereof, and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Note shall be issued in the form of a single, fully registered note, dated the date of delivery thereof, and shall be in substantially the following form:

(FORM OF NOTE)

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

REVENUE ANTICIPATION NOTE, SERIES 2017  
OF THE  
CITY OF MORGAN CITY, STATE OF LOUISIANA

<u>Number</u>	<u>Maximum Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Date</u>
R-1	\$2,000,000	March ____, 2017	March 1, 2018

The City of Morgan City, State of Louisiana (the "Issuer"), here by promises to pay, but solely from the source and as hereinafter provided, to MC Bank and Trust Company, of Morgan City, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, **to the amount thereof advanced to the Issuer**, together with interest thereon from the Issue Date set forth above at the rate of 4% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

The principal of this Note may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Note are payable at maturity in lawful money of the United States of America to the registered owner of this Note upon presentment hereof to the Issuer.

This Note has been issued by the Issuer to represent a debt created under the provisions of Sections 745 through 748 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of paying the costs of current operations for the fiscal year ending December 31, 2017, and this Note was specially authorized by an ordinance adopted on February 21, 2017 (the "Ordinance").

This Note is secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2017. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Note, for the terms of which reference is made to the Ordinance.

It is certified that this Note is authorized by and 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 Note 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 this Note does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, City of Morgan City, State of Louisiana has caused this Note to be signed by the facsimile and/or manual signatures of Mayor of the Issuer and Clerk of the Morgan City Council and the corporate seal of the Issuer to be hereon impressed.

CITY OF MORGAN CITY, STATE OF LOUISIANA

/s/ Debbie Harrington  
Clerk of the Morgan City Council

/s/ Frank P. Grizzaffi, III  
Mayor

(SEAL)

\* \* \* \* \*

PROVISIONS FOR REGISTRATION

<u>Registered Owner</u>	<u>Registration Date</u>	<u>Signature of Clerk of City Council</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*

SECTION v) The principal of the Note may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION vi) The Mayor of the Issuer and Clerk of the Governing Authority 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 Ordinance.

SECTION vii) If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION viii) The provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission (the "Rule") are not applicable to the Bonds because the Issuer is not selling the Bonds to a participating underwriter as defined in the Rule. The Purchaser will certify that it is purchasing the Bonds for its own loan account and without a view to offering the Bonds to any other person or entity.

SECTION ix) The foregoing ordinance shall take effect immediately upon its adoption.

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

YEAS: Tamporello, Stephens, Bias, Fontenot, Hymel

NAYS: None

ABSENT: None

And the resolution was declared adopted on this, the 21st day of February, 2017.

/s/ Debbie Harrington  
Clerk of the Council

/s/ Frank P. Grizzaffi, III  
Mayor

**Exhibit A**

February 21, 2017

Honorable Morgan City Council  
Morgan City, Louisiana

Series

Re: 2,000,000 Revenue Anticipation Note,  
2017 of the City of Morgan City, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following Revenue Anticipation Note upon the terms and conditions outlined below:

1.Issuer and Amount – Not exceeding \$2,000,000 Revenue Anticipation Note (the "Note") of the City of Morgan City, State of Louisiana (the "City" or the "Issuer") for the purpose of paying expenses. The principal amount of the Notes may be advanced (at par on the date of each advance) by the Purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Notes which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.

2.Authority of Issue – Sections 745 through 748, inclusive of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

3.Dated Date of Note – Date of delivery, which is expected to be March \_\_\_\_, 2017.

4.Form of Note – Single typewritten note in fully registered form.

5.Interest Rate – 4.0% per annum.

6.Interest Payment – March 1, 2018.

7.Principal Payment – March 1, 2018. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2018.

8.Prepayment Provisions – Interest may be paid at any time. Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to date of prepayment.

9.Security – Pledge of all revenues accruing to the City for the fiscal year ending December 31, 2017.

10.Legal Opinion – Legal opinion of Foley & Judell, L.L.P., as to the due authorization and validity of the Note. The interest on the Note will not be exempt from federal income taxes for the holder thereof.

11.Non-Bank Eligibility – The note will **not** be designated as a “qualified tax-exempt obligation” under Section 265(b) of the Internal Revenue Code of 1986, as amended.

12.Investment Letter – The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by and on behalf of the City, and that it is purchasing the Note without any intention to sell any portion thereof to any person other than another financial institution.

13.Paying Agent – The purchaser of the Note shall serve as the initial Paying Agent for the Note. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.

14.Annual Financial Statements – Until principal and interest of the Note are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 180 days after each fiscal year-end of the Issuer.

15.Comprehensive Budget – The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Financer Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) within 30 days after its adoption.

16.Continuing Disclosure – It is understood that, with respect to the Note, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-

A motion to go into executive session to discuss litigation was made by Mr. Tamporello, seconded by Mr. Reverend Bias and voted unanimously in favor.

#### **EXECUTIVE SESSION – 6:52 TO 7:04 PM**

A motion to convene into regular session was made by Mr. Dufrene, seconded by Reverend Bias, and voted unanimously in favor.  
12(b).

Sincerely yours,

MC BANK AND TRUST COMPANY  
Morgan City, Louisiana

By: /s/ Larry Callais  
Title: President & CEO

Cc: Mr. Jason Akers, Foley & Judell, L.L.P., Bond Counsel

The application for a Class "B" Liquor and beer permit (copy on file) for Harapet Singh d/b/a Services d/b/a H & H Food Mart, 7028 Highway 182 East, was submitted. A motion to approve the application was made by Mr. Hymel, seconded by Reverend Bias, and voted unanimously in favor.

The application for a Class "A" liquor and beer permit (copy on file) for William Smith d/b/a Bourbon's, 501 First Street was submitted. A motion to approve the application was made by Reverend Bias, seconded by Mr. Stephens and voted unanimously in favor.

A motion to go into executive session to discuss litigation was made by Reverend Bias, seconded by Mr. Hymel and voted unanimously in favor.

**EXECUTIVE SESSION – 7:02 PM TO 7:20 PM**

A motion to reconvene into regular session was made by Mr. Hymel, seconded by Reverend Bias, and voted unanimously in favor.

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

/s/ Debbie Harrington  
Debbie Harrington  
Clerk

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