



Town of Berwick

NOTICE OF PUBLIC MEETING

November 11, 2008

AGENDA:

Call to Order: 7:00 P.M.

Prayer

Pledge of Allegiance

Roll Call: Edgar Thomas, Damon Robison, Duval Arthur, Penny Crappell, Troy Lombardo

Minutes from last meeting: October 14, 2008

Treasurer's Report

Guests:

Police Report

Fire Report

Public Works Report

Consulting Engineers Report

Committee Reports

NEW BUSINESS:

1. Authorize Town Attorney to proceed with expropriation of property adjacent to cemetery.
2. Authorize Town Attorney to negotiate sale of Utah Street property.
3. Declare surplus property:
 - a. 1994 Chevrolet 2500 S/N 1GCFC24Z4RZ189881
 - b. 1998 Dodge 1500 S/N 1BC16X1WS645547
 - c. 2000 Ford Contour S/N 3FAFP6638YM108553
4. Resolution 1-09 – Resolution of respect for Mr. Ray Rasberry
5. Cable TV Franchises – Allen's TV Service and AT&T
6. Charitable Video Bingo
7. Resolution 2-09 – Final Approval of Renwick Subdivision Phase III

Adjournment

Newell W. Slaughter, Town Clerk

Town of Berwick

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Berwick, Louisiana 70342

(985) 384-8858

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**PROCEEDINGS OF THE MAYOR AND COUNCIL
OF THE TOWN OF BERWICK, STATE OF LOUISIANA
TAKEN AT A REGULAR MEETING HELD ON TUESDAY**

November 11, 2008

The Mayor and Council of the Town of Berwick, State of Louisiana, met in regular session at their regular meeting place, the Town Hall, Berwick, Louisiana, Tuesday, November 11, 2008 at seven (7:00) o'clock p.m.

There were present: Council members, Edgar Thomas, Damon Robison, Duval Arthur, Penny Crappell and Troy Lombardo.

Absent: None

Also present were representatives of The Daily Review, KQKI and KWBJ.

Councilman Damon Robison led the prayer.

Councilman Edgar Thomas led the Pledge of Allegiance.

The Mayor and Council of the Town of Berwick, State of Louisiana were duly convened as the governing authority of said Town, by the Honorable Louis Ratcliff, Mayor, who then stated that the Mayor and Council were ready for the transaction of business.

The minutes of the previous meeting, having been reviewed, were approved without reading upon motion by Duval Arthur and seconded by Troy Lombardo.

The Treasurer's report, having been reviewed, was approved without reading upon motion by Duval Arthur and seconded by Penny Crappell.

Chief James Richard presented the police report, a copy of which was included in each of the Councilmen's packets, for the month of October, 2008. Chief Richard stated that the speeding tickets issued for October, 2008 were a lot less than October, 2007. Chief Richard also compared citations and arrests for 2008 to 2007. Chief Richard noted that his department arrested 13 individuals for soliciting without a permit. He also noted that some of the individuals had criminal records and that they were using aggressive sales techniques. Chief Richard advised citizens to request to see the solicitor's permit before buying the product. After no further comments from the council or audience, the mayor moved on to the next item on the agenda, Fire Department report.

Fire Chief Francis Fromenthal presented the fire report for October, 2008. Chief Fromenthal stated that the department worked 7 calls for the month. The most serious call was the building fire at Twin City Gospel. Other calls were 2 residential calls, a Wal-Mart bomb threat, a vehicle accident, a good intent call and an oven fire. Chief Fromenthal reported that the Gumbo fund raiser was a success, but the turnout was not as great as expected. Chief Fromenthal urged Berwick residents to check the batteries in their smoke detectors. After no further comments, the mayor moved on to the next item on the agenda, the Public Works report.

A copy of the Public Works Report was included in the packet for each Councilman. Town Superintendent Allen Benoit was available for comment. Mr. Benoit stated that his crews had completed the installation of the electrical conduit for Phase III of Renwick Subdivision. Cleco will begin installing the electrical wire this week. Street light installation should begin next week and they should be energized by next week. Town crews repaired two water main breaks during October. Louisiana Rural Water Association is scheduled to begin testing for water leaks. This is a free service provided to LRWA members. Installation of holiday decorations has begun and will be completed for the annual lighting of the lights on Thanksgiving night. Mayor Ratcliff asked Mr. Benoit about the status of non-functioning street lights. Mr. Benoit stated that Cleco will begin repairing the street lights this week and repair will be completed by the end of next week. After no further comments, the Mayor moved on to the next item on the agenda, committee reports.

Gary Beadle, Planning and Zoning Director, stated that the Planning and Zoning Board met last week and approved the final plat for Renwick Phase III and requests that the mayor and council approve

the final plat. The Economic Development Committee did not meet but Councilman Robison stated that the RV Park on the west side of town is nearing completion and a permit has been issued for the construction of a hotel near the Hollywood Truck Plaza. The Recreation Committee did have a meeting and Rhonda Burtner gave a brief report. Mrs. Burtner has set the third Wednesday of each month as their regular meeting night. Meeting will be at 6:00 P.M. at the Berwick Civic Center. Mrs. Burtner stated that the Flag Football League season is nearing completion and that basketball registration is underway. The recreation department ran the concessions for a wooden bat baseball tournament this past weekend and netted approximately \$1,000. Mrs. Burtner requested a plat of the recently purchased land at the civic center and Town Engineer Glen Miller stated that he would have copy sent to the town. Councilwoman Crappell complimented Mrs. Burtner on the success of the adult co-ed volley league. Councilwoman Penny Crappell stated that the St. Mary Beautification Committee held its first certification class and it was well attended. The committee is working hard to become affiliated with Keep America Beautiful. After no further comments, the mayor moved on to the next item on the agenda, new business.

Item #1 on the agenda – Authorize town attorney to proceed with expropriation of the property adjacent to the cemetery. Town Attorney Allen McElroy stated that an appraisal of the property had been completed by Leon Kahn. The property has been appraised at approximately \$10,000 per lot. Total appraised value of the six lots is \$59,600. Preliminary research at the St. Mary Courthouse has indicated that it will be difficult to determine the rightful owners of the property. Mr. McElroy stated that the funds will be deposited into the registry of the courts and the owners will have to prove ownership to the court. Upon motion by Duval Arthur and seconded by Troy Lombardo, the council voted unanimously for Mr. McElroy to proceed with the expropriation of the property.

Item #2 on the agenda – Authorize town attorney to negotiate sale of Utah Street property. It was determined by St. Mary Parish Assessor Sherel Martin that no one was being assessed taxes on this property. Mr. McElroy was able to acquire ownership of the property through the court system. Mr. McElroy stated that the owners of the adjacent property had expressed an interest in acquiring the property and that he would contact them. If they were not interested, he recommended that the property be listed for sale by Realtor Carroll Thorguson. On motion by Penny Crappell and seconded by Troy Lombardo, authorization was granted unanimously.

Item #3 on the agenda – Declare surplus property:

- a. 1994 Chevrolet 2500 – S/N 1GCFC24Z4RZ189881
- b. 1998 Dodge 1500 – S/N 1BC16X1WS645547
- c. 2000Ford Contour – S/N 3FAFP6638YM108553

Upon motion by Damon Robison and seconded Edgar Thomas, the property was declared surplus unanimously.

Item #4 on the agenda – Resolution of respect for Mr. Ray Rasberry. Mayor Ratcliff read a resolution of respect and presented a copy to the family of Mr. Rasberry.

Item #5 on the agenda – Cable TV Franchises – Allen’s TV Cable and AT&T. This item was deferred to the December 9, 2008 council meeting.

Item #6 on the agenda – Charitable Video Bingo. Town Attorney Allen McElroy stated that the town has an existing ordinance that addresses bingo but it does not address video bingo. The ordinance also references a state statute that has been repealed by the state. The State of Louisiana has since adopted new statutes that deal with gaming. Mr. McElroy asked for direction from the Mayor and Council as to what direction they would like to go with the video bingo issue. He explained that they could elect to ban the activity all together or decide to allow it, but with certain rules and regulations. The rules and regulations that are placed on video bingo could not be more stringent than the state regulations. They could also decide to place a tax on the net proceeds derived from video bingo. Mr. McElroy stressed that the bingo parlor had to have a charitable organization that was licensed by the State of Louisiana before they could have a license to operate. He recommended that the Town check with other communities to see how they are dealing with video bingo. Syd Moffett addressed the mayor and council

and stated his intentions to renovate approximately 3,500 square feet of the old Randy's Lounge building into the Crystal Palace Bingo Parlor. He then introduced Mr. Richard Tate to explain the actual process of opening a bingo parlor. Mr. Tate, with XL Bingo, stated that his business is licensed video bingo distributor. XL Bingo actually operates video bingo machines and bingo parlors. Mr. Tate wanted to emphasize that video bingo parlors are not the same as video poker casinos. They do not generate as much revenue as video poker casinos. They do not serve alcoholic beverages and do not stay open 24 hours. They do provide an atmosphere that is a community type setting. Another difference between video poker and video bingo is that video poker casinos must remit 32.5% of their net win to the state whereas video bingo must pay 45% of their net win to charitable organizations. There must be a call bingo session in order to operate the video bingo machines. Mr. Tate stated that although Mr. Moffett and he are both licensed by the state, they do not have a written agreement between themselves. The video parlor would create 5-10 new jobs and that they would hire local citizens. They also have a policy of purchasing goods and services locally. Mr. Tate stated that he has talked to the Volunteer Fire Department, Council on Aging, Boys & Girls Club, St. Mary Outreach, Kiwanis Club, Emergency Aid Club, Knights of Columbus, Community Action Agency, Boy Scouts and the Rotary Club about participating in their business. Councilman Robison asked if the persons playing bingo know what charity that is benefiting from the game and Mr. Tate stated that it is announced before each game what charity is conducting the call bingo game. The parlor operating hours would be from 10 A.M. to 10 P.M. or from 12:00 noon to 12:00 midnight seven days per week. Depending on the number of charities, the hours of operation could be increased to 15 hours per day on the weekends. Councilwoman Crappell asked Mr. Tate if he would still consider the Berwick bingo parlor if the town decided to levy a 20% tax on net wins like the City of Hammond. He stated that he doesn't think his operation could not operate under such a system, but it may not keep him from opening the location. Mr. Tate currently operates properties in New Iberia and Chalmette. Town attorney McElroy asked Mr. Tate if his business paid a tax in either location. He stated that he does not pay a tax in New Iberia and that St. Bernard Parish requires a license to operate. Mayor Ratcliff thanked Mr. Tate and Mr. Moffett for attending the meeting and sharing their plan for development of video bingo in Berwick.

Item #7 on the agenda – Resolution 2-09 – Final approval of Renwick Subdivision Phase III. Upon motion by Damon Robison and seconded by Troy Lombardo, final approval was approved unanimously.

There being no further business to come before the Council, upon motion by Penny Crappell and seconded by Duval Arthur, the meeting adjourned.

Louis Ratcliff - Mayor

ATTEST:

Newell W. Slaughter - CAO/Town Clerk