



Town of Berwick

## NOTICE OF PUBLIC MEETING

August 12, 2008

Date of Notice: August 5, 2008

A Public Meeting will be held as follows:

Date: August 12, 2008  
Time: 7:15 P.M.  
Place: Council Meeting Room  
3225 Third Street  
Berwick, LA 70342

### 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: July 8, 2008  
Treasurer's Report  
Guests:  
Police Report  
Fire Report  
Public Works Report  
Consulting Engineers Report  
Committee Reports

### NEW BUSINESS:

1. 7:15 P.M. – Public Hearing Ordinance No. 588 – Transfer ownership of Renwick Phase III to Berwick Development District
2. Adopt Ordinance No. 588 – Transfer ownership of Renwick Phase III to Berwick Development District
3. Introduce Ordinance 589 – Amend 2007-08 Budget
4. Introduce Ordinance 590 – Introduce 2008-09 Budget
5. Introduce Ordinance 591 – Accept donation of property to Town of Berwick by Dune Properties, Inc.
6. Approve liquor license for Stazione's Deli-Market (pending approval of State license)
7. Approve Contractor payment No. 5 for Renwick Phase III - \$69,142.35
8. Resolution 11-08 – Louisiana Recreational Trails Grant
9. Resolution 12-08 – Capital Outlay 2008-09
10. Ralph Guidry – Whitworth Street parking
11. Richard Tate – XL Bingo

### Adjournment

Newell W. Slaughter, Town Clerk  
Town of Berwick  
P.O. Box 486  
Berwick, Louisiana 70342  
(985) 384-8858

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Newell W. Slaughter at (985) 384-8858, describing the assistance that is necessary.

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

**August 12, 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, August 12, 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 Troy Lombardo led the prayer.

Councilwoman Penny Crappell 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 Edgar Thomas.

Chief James Richard presented the police report, a copy of which was included in each of the Councilmen's packets, for the month of July, 2008. Chief Richard stated that the speeding tickets issued for July, 2008 were a lot less than July, 2007. Chief Richard also compared citations and arrests for 2008 to 2007. The Dare Garage Sale was a success, netting the Dare Fund approximately \$3,000. 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 July, 2008. Chief Fromenthal stated that the department worked 12 calls for the month. The department worked four vehicle accidents, three false alarms, three good intent calls and two other fire calls. The annual Shrimp Gumbo fund raiser will be held on August 30, 2008. Mayor Ratcliff stated that he would begin interviewing for the vacant paid fireman position next week. After no comment, 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 repair of the sewer line on Hogan Street and that service had been restored. A broken water main in Renwick that had been broken by a utility contractor has been repaired. The generator at town hall was started and tested. It performed as expected. He also stated that street repair would begin on Pattie Drive, Old Spanish Trail and Third Street within the next two weeks. After no further comments, the Mayor moved on to the next item on the agenda, committee reports.

Town Engineers, Miller Engineers & Associates, were not present but a report was read by Town Clerk, Newell Slaughter. The report stated that Phase III of Renwick Subdivision would be complete in five or six working days. The major item remaining is the final grading of the lots and clean up. Once the contractor is complete Miller Engineers will monument all corners and present a final plat to Town Attorney Allen McElroy. This should be complete in three weeks. Contractor pay request No. 5 has been submitted in the amount of \$69,142.35.

Gary Beadle, Planning and Zoning Director, stated that the Planning and Zoning Board met and discussed the future re-writing of the Town's zoning ordinances. Parking requirements in business districts was discussed. Public meetings will be held. Next scheduled meeting is in the first week of September. Councilman Damon Robison reported that the Economic Development Committee met with

Grayling Hadnot, Acadiana Regional Development District and discussed economic development, grant possibilities, technical services and funding options. Another meeting is planned in the future. Mayor Pro-Tem Duval Arthur stated that the recreation committee met and that Cassie Callais and Chere Laiche would have a power point presentation for the Mayor and Council. The presentation listed the goals that the Recreation Committee would like to reach. They presented a three point plan. They recommended maintaining and revitalizing the existing facilities, and improving and adding new facilities, such as new swings at Pharr Park and a Gyro and Whirl at the Civic Center. Drinking fountains on the walking trail, and planting trees along the section of trail from Gilmore Street to Sandra Street was also recommended. The committee requested a budget for the next fiscal year. After no further comments, the mayor moved on to the next item on the agenda, new business.

Item #1 on the agenda – Public Hearing for Ordinance No. 588 – Transfer ownership of Renwick Phase III to Berwick Development District. After no comments from the council or audience, Mayor Ratcliff closed the public hearing.

Item #2 on the agenda – Adopt Ordinance No. 588. Upon motion by Damon Robison and seconded by Duval Arthur, the ordinance was adopted unanimously. Town Attorney Allen McElroy stated that the Berwick Development District would have to meet to finalize the transfer of the property to the District so that lots could be sold. A meeting is scheduled in the first week of September.

Item #3 on the agenda – Introduce Ordinance No. 589 – Amend 2007-08 Budget. Upon motion by Penny Crappell and seconded by Troy Lombardo, the ordinance was introduced unanimously.

Item #4 on the agenda – Introduce Ordinance No. 590 – Introduce 2008-09 Budget. Upon motion by Troy Lombardo and seconded by Damon Robison, the ordinance was introduced unanimously.

Item #5 on the agenda – Introduce Ordinance No. 591 – Accept donation of property from Dune Properties, Inc. Upon motion by Duval Arthur and seconded by Penny Crappell, the ordinance was introduced unanimously.

Item #6 on the agenda – Approve liquor license for Stazione’s Deli-Market. Upon motion by Troy Lombardo and seconded by Penny Crappell the license was approved unanimously.

Item #7 on the agenda – Approve contractor’s payment No. 5 for Renwick Phase III. Upon motion by Penny Crappell and seconded by Damon Robison, the payment was approved unanimously.

Item #8 on the agenda – Resolution No. 11-08 – Louisiana Recreational Trails Grant. Upon motion by Penny Crappell and seconded Troy Lombardo the resolution was approved unanimously.

Item #9 on the agenda – Resolution No. 12-08 – Capital Outlay 2008-09. Upon motion by Damon Robison and seconded by Edgar Thomas, the resolution was approved unanimously.

Item #10 on the agenda – Ralph Guidry – Whitworth Street parking issues. Mr. Guidry addressed the mayor and council seeking answers to questions regarding the parking of vehicles on Whitworth Street, as well as the parking of vehicles in the rest of the Town of Berwick. He wanted to know what the intended use of the easement was at the time of dedication. Mr. Guidry also wanted to know the difference between an easement and a right-of-way. Allen Benoit, Town Superintendent, stated the intended use of the easement would be on the documents used to dedicate the property to the Town of Berwick and that the document should be on file. Mr. Benoit stated that he should have a copy in his office, but if not, the courthouse would have a copy. Mr. Guidry wanted to see the intended use and he would like to have it in writing. Councilman Lombardo stated he was not sure that the document existed. Town attorney, Allen McElroy, stated that he had brought with him an actual map that is recorded of the Country Club Subdivision that had dedication of streets. The map stated that streets were dedicated as servitude for the use of public passage. Passage means passing from one area to another area. Mr. McElroy stated that he would have to review maps of other subdivisions to see if they used different language. Councilman Lombardo read the definition of a street from the Louisiana website. It states that a street means the entire width between the boundary lines of every way or place maintained for the use of vehicular traffic. Mr. Lombardo went on to say that as stated at the previous council meeting on July 8, parking was intended to be in the street and street is defined as from curb to curb. He added that the

right-of-ways are not maintained by the Town of Berwick and they are not maintained for vehicular traffic. Mr. Guidry said that in his opinion, the statute does not prohibit parking or use of the right-of-way by the citizens of Berwick. Councilman Lombardo asked Mr. Guidry what he wanted to use the right-of-way for. Mr. Guidry asked that if a citizen had to leave the roadway to pass an obstruction on the roadway would the Berwick Police be called to issue a citation. Mayor Ratcliff stated that parking issues in the Town of Berwick would be administered by the police department equally throughout the town and that in his interpretation vehicles could be parked in the streets if the passenger side tire is within eighteen inches of the curb. Vehicles should face in the direction of the traffic flow. Mayor Ratcliff also stated that he would be issuing an executive order that property owners could allow people to park on the easement of their property.

Item #11 on the agenda – Richard Tate – XL Bingo. Mr. Richard Tate representing XL Bingo, a business located in Metairie, Louisiana addressed the Mayor and Council concerning the possible opening of a Bingo Hall in the old Randy’s building. He stated that the Berwick ordinance that regulates Bingo would not allow his business to operate in the town. He stated that his attorney had drawn up a proposed ordinance and he would like the mayor and council to consider adopting the ordinance. Mr. Tate explained that the deadline for applying for a license to operate a Bingo Hall was August 15. After much discussion, Mayor Ratcliff stated that there was not enough time for the council to act on the ordinance and that a public hearing would have to be held before the council could make a decision.

Berwick resident Jan Sellers asked Mayor Ratcliff about the ordinance concerning leaving garbage cans on the road after pickup. Mayor Ratcliff stated that the police department would not be putting yellow stickers on the cans of citizens that left their can on the curb after pickup. He also stated that the front office workers would inform new customers of their obligation of removing their cans from the roadside after pickup.

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

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Louis Ratcliff - Mayor

ATTEST:

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Newell W. Slaughter - CAO/Town Clerk