

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

May 13, 2003

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, May 13, 2003 at seven (7:00) o'clock p.m.

There were present: Mayor Emmett Hardaway, and Councilmen, Louis Ratcliff, Bill Johnson, Ray Rasberry, Edgar Thomas, Jr. and Elaine Cantrell.

Absent: None.

Also present were representatives of the Daily Review, Radio Station KQKI and Channel 39.

Mayor Hardaway led the prayer.

Louis Ratcliff 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 Hon. Emmett Hardaway, 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 on motion by Mr. Rasberry and seconded by Mr. Johnson.

The Treasurer's report, having been reviewed, was approved without reading upon motion by Ms. Cantrell and seconded by Mr. Ratcliff.

The Mayor proceeded to item #2 on the agenda, which was a proclamation to honor the team and coaches of the Berwick High School girl's softball team who recently won the Class 3A State Championship. In attendance were Head Coach Lloyd Burchfield, Assistant Coach Blake Orgeron, and team members, Hillary Guidry, Kaylin Taylor, Lindsey Davis, Keisha Ingals, Loren Henry, Olivia Pitts, Sophie Casso, Torrie Smith, Leah Peterson, Lianne Albert, Catherine Guidry, Courtney Phillips, Emily Kornegay, Kristen Bourgeois, Elizabeth Morvant, Mandy Verrett, and Jessica Written. The Proclamation was approved by the Mayor and Council and presented to the team and coaches.

Chief Duval Arthur presented the police report, a copy of which was included in each of the Councilmen's packets, for the month of April 2003. Mayor Hardaway asked Chief Duval to check on a houseboat that has been parked by the new boat launch for quite some time to see when it will be moved. Chief Duval said he would get on this right away. Fines were up but monies collected were down, due to only having one court date in the month.

Fire Chief Ray Rasberry stated that there was one call in April, one cooking fire on Fortin St., smoke was vented and deodorizer was sprayed. Twelve firemen were used.

The Public Works report was the next item on the agenda. A copy of this report was included in the packet each Councilman received prior to the meeting.

The next item on the agenda was the committee report. There being none, the Mayor moved to the next item on the agenda.

Gulf South Engineers' monthly report was included in the packet, which each Councilman received prior to the meeting. There were five items as follows: (1) North LA 182 Pathway Extension Project is complete. A substantial completion inspection was held on May 8, 2003. A Resolution providing for the acceptance of work performed by Gray Bros. Construction, LLC, in accordance with the Certificate of Substantial Completion for the North LA 182 Pathway Extension was unanimously approved upon motion by Ms. Cantrell and second by Mr. Thomas. Payment request #4 in the amount of \$4,930.11 was unanimously approved upon motion by Ms. Cantrell and second by Mr. Ratcliff. Change Order #2, to reduce the contract with Gray Bros. by \$646.10 on the North LA Pathway Extension was unanimously approved upon motion by Mr. Ratcliff and second by Mr. Johnson, (2) South LA 182 Pathway Extension funding approved; scheduled to receive bids on May 28, 2003, (3) State Capital Outlay 2002, the police department addition should be ready for bidding shortly, (4) State Capital Outlay 2003 (a) Public Works Storage Building, (b) Reroofing Town Hall, (c) Pattie Drive Extension. The State Legislature is in session now to consider capital outlay requests, (5) Downtown Redevelopment Master Plan - Leesa Foreman and GSE Associates, Inc. will have presentations for the next council meeting. A Resolution authorizing the Town of Berwick to submit an application to the Louisiana Dept. of Transportation and Development for funding of the Downtown Re-development Seawall Pathway Project - Phase I, through the Transportation Equity Act for the 21st Century (TEA-21) Enhancement Program was unanimously approved upon motion by Ms. Cantrell and second by Mr. Johnson.

Item #4 on the agenda - Introduce Ordinance to acquire property from Frank A. Russo (or his successions and/or heirs) and Elvina Nini Russo located on First St. and to reconfirm acquisition and transfer of other properties to and from the Town of Berwick. Upon motion by Ms. Cornes, second by Mr. Rasberry and unanimous approval the Ordinance was introduced.

Item #5 on the agenda - A Resolution to approve a conditional use permit to UMC, Inc. for property located at 1536 River Road, for a period of 180 days was unanimously approved upon motion by Mr. Ratcliff and second by Mr. Thomas. Mr. Hardaway asked that Gary Beadle keep the Council informed on this situation.

Item #6 on the agenda - An Ordinance to become a member of an interlocal risk management agency known as "Louisiana Municipal Risk Management Agency" and to participate in all forms of insurance risks was introduced with unanimous approval upon motion by Mr. Johnson and second by Mr. Ratcliff.

Item #7 on the agenda - CLECO - Brown Outs - Mr. Ratcliff asked that a representative of CLECO appear before the Mayor and Council to discuss brown outs in the Town of Berwick, as the Town is fielding the majority of the complaints about the brown outs. Dan Smith, CLECO representative, reported that according to his records, since the first of the year there were only a few brown outs recorded. The latest was due to a vehicle accident involving a utility pole. He stated that CLECO is working hard to stay on top of maintenance to avoid future brown outs. Mr. Ratcliff asked that Mr. Smith report back to the Council in a few months concerning this matter.

Item #8 on the agenda - Animal and/or Cock Fighting - A Resolution to enact a moratorium to prevent animal fighting was unanimously approved and adopted upon motion by Mr. Rasberry and second by Mr. Thomas. The moratorium becomes effective May 13, 2003. An Ordinance to enact provisions of Code of Ordinance to prohibit animal fighting was introduced upon motion by Ms. Cantrell, second by Mr. Johnson and unanimous approval.

Mr. McElroy asked that the Mayor and Council go into executive session to discuss litigation and strategy in the matter of Paul Cox and Jason Burgess, Plaintiffs vs David Leonard etal, U.S.D.C. Docket #CV01-2057: Complaint for damages. The Mayor asked for a roll call vote at 8:00 P.M. to enter into Executive Session and upon unanimous vote of the Council in favor of, the Council adjourned to Executive Session. After private discussion, at 8:34 P.M., upon motion by Mr. Johnson, second by Ms. Cantrell and unanimous approval, Council proceeded to return to regular session. The Mayor stated that there would be no official action taken at this time.

There being no further business to come before the Council, upon motion duly made and seconded the meeting adjourned.

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Emmett Hardaway, Mayor

ATTEST:

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Cathy T. Guidry, Town Clerk