

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

June 10, 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, June 10, 2003 at seven (7:00) o'clock p.m.

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

Absent: Bill Johnson.

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

Mayor Hardaway led the prayer.

Elaine Cantrell 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. Ratcliff and seconded by Mr. Rasberry.

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

Chief Duval Arthur presented the police report, a copy of which was included in each of the Councilmen's packets, for the month of May 2003. Mayor Hardaway asked Assistant Chief Richard to inform the Council of the problem the Town is having with motorized scooters and motorized chairs riding on city streets. The police department has received numerous complaints of these motorized vehicles darting in and out of traffic and almost causing accidents. Chief Richard stated that the Police Dept. would begin issuing warnings to any motorized scooter or chair driving on city streets and after the warning, tickets will be issued. He also stated that if it were a juvenile being issued a warning, the parents would be notified. State law prohibits any motorized vehicle that is not licensed with the state or that does not have a licensed driver to drive on city streets. On the installation of flashing lights on Hwy. 182 for BJHS, Elaine Cornes stated that the school board has no objections to this and that they would pay the projected \$1,000.00 to purchase these lights if the town would install them and had clearance from the DOTD. Allen McElroy suggested that the Mayor and Council not do this, because the liability would then be on the Town. Mr. McElroy stated that he would have no problem with the Town entering into an intergovernmental agreement with DOTD with them absorbing the responsibility of maintenance and liability and the Town paying and installing the flashing lights. Allen McElroy suggested that we contact Rep. Jack Smith requesting that he amend the bill he is introducing to reduce the speed limit to include the flashing lights and/or a red light at Pattie Drive. The Mayor asked that Chief Arthur contact Rep. Jack Smith on these requests.

Fire Chief Ray Rasberry stated that there was one call in May, an electrical fire at B.I.M.S., using 10 firemen.

Mayor Hardaway called for a public hearing at 7:15 on three items: (1) Ordinance #517-Purchase of the Russo Property located on First St., (2) Ordinance #518-Becoming a member of the La. Municipal Risk Management Agency, (3) Ordinance #518-Prohibition of Animal Fighting. There being no comments, the Mayor proceeded to Items #4, #5, and #6 on the agenda.

Item #4 on the agenda – Ordinance #517, 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, was approved and adopted upon motion by Mr. Rasberry and second by Ms. Cantrell.

Item #5 on the agenda – Ordinance #518, to become a member of interlocal risk management agency known as “Louisiana Municipal Risk Management Agency: and to participate in all forms of insurance risks, was approved and adopted upon motion by Ms. Cantrell and second by Mr. Ratcliff.

Item #6 on the agenda – Ordinance #519, to enact provisions of Code of Ordinance to prohibit animal fighting, was approved and adopted upon motion by Mr. Rasberry and second by Mr. Thomas.

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 Mayor stated that we had received a complaint of red water from a resident on First St. The Town thought we had this problem under control and seeing that we don’t the Mayor would like to authorize Allen Benoit to proceed to bid out the replacement of this water line on First St. The Mayor will inform the Council of the cost of this project and will amend the budget as needed. Included in this project will be the installation of a 6” loop and two new fire hydrants. Mr. Ratcliff asked Allen Benoit to give an update on the rehabilitation of the River Rd. and Boudreaux St. water towers. The River Rd. water tower is 100% complete and the Boudreaux St. water tower is 75% complete. Not included in the public works packet was the Welcome to Berwick sign due to be installed within the next month or so. Mr. Tom Jones, a local contractor, will donate the foundation and brickwork on this project.

The next item on the agenda was the committee report. There being none the Mayor moved to item #12 on the agenda, which was to appoint a Recreation Director who has been needed for a long time. This will be a part time position to begin and will change if need be. The Mayor asked for the Council’s approval in appointing Hattie Lawton as Recreation Director.

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. (2) South LA 182 Pathway Extension, LA DOTD received bids on May 28, 2003. Gray Bros. submitted the low bid at \$149,356.24. A Resolution concurring in the award and authorizing the signing of the Construction Contract for State Project No. 004-08-0031, Berwick Pathway South and East Extension, Berwick, Louisiana and authorizing the issuance of the Notice to Proceed to commence construction of said Project was approved upon motion by Mr. Rasberry and second by Ms. Cantrell. (3) State Capital Outlay 2002, plans have been submitted to Facility Planning and are awaiting their authority to advertise for bids. (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. However, none of these projects appear on the current version of the Capital Outlay Bill. (5) Downtown Redevelopment Master Plan - Leesa Foreman and Carl Jakobs with GSE Associates, Inc. presented the final plan at tonight’s meeting. A copy is included in the minutes. The Mayor said that he would like to see the Council consider taking the first steps to see this plan implemented. Carl Jakobs also stated that he would be applying to DOTD through the Enhancement Program for funding of the Seawall Pathway.

Item #7 on the agenda – To introduce Ordinance #520, to establish the millage taxes for 2003 at 18.12 mills. Upon motion by Mr. Ratcliff and second by Ms. Cantrell, Ordinance #520 was introduced with unanimous approval.

Item #8 on the agenda – To introduce Ordinance #521, to establish the annual drainage taxes, \$25.00 per acre. Upon motion by Mr. Rasberry and second by Mr. Ratcliff, Ordinance #521 was introduced with unanimous approval.

Item #9 on the agenda – To introduce Ordinance #522, to enact Chapter 21 on Public Wharves and Docks, due to problems arising from boats tying up for long periods of time to do repairs on these boats. Mr. McElroy asked that the Mayor and Council look this ordinance over and introduce it at this meeting and if they wanted any changes these could be done at the next meeting prior to adoption. Upon motion by Ms. Cantrell and second by Mr. Ratcliff, Ordinance #522 was introduced with unanimous approval.

Item #10 on the agenda – A Resolution authorizing the Mayor to enter into an Intergovernmental agreement with the St. Mary Parish Recreation District #3 to acquire for public purposes 44 banquet style and 28 – 5’ round tables for a total consideration of \$1,000.00 was approved upon motion by Mr. Rasberry and second by Mr. Ratcliff.

Item #11 on the agenda – The Siracusa family requests that we release drainage canal property on a 100’ right-of-way from Gilmore Drive to the railroad tracks back to the landowners, excluding the property containing pipe, on the portions of land that they each own. Mr. McElroy suggested that we should develop a plan to release this property to each property owner along this 100’ right-of-way, with the landowner absorbing the cost for engineering fees and legal fees so that we can meet the terms of the agreement that the Town has with the U.S. Government, who gave us this property. The Mayor asked that Mr. McElroy contact the Siracusa family to find out exactly what they are looking to do and if they are willing to pay for expenses and bring it back to the Council once these questions are answered.

Item #13 on the agenda – SMIG is asking that the municipalities and the St. Mary Parish Council endorse a letter to Senator John Breaux concerning the river depths in the Atchafalaya River. A copy of this letter was included in each packet. Upon motion by Mr. Rasberry and second by Mr. Ratcliff the Mayor was given the authority to sign this letter showing our concern and support.

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

Emmett Hardaway, Mayor

ATTEST:

Cathy T. Guidry, Town Clerk