



Town of Berwick

NOTICE OF PUBLIC MEETING

February 11, 2013

Call to Order: 7:00 P.M.

Prayer

Pledge of Allegiance

Roll Call: Duval Arthur, Jacki Ackel, Troy Lombardo, Damon Robison, Edgar Thomas

Minutes from last meeting: January 8, 2013

Guests:

The Beacon Shines On... Alvin Willis

Police Report

Fire Report

Public Works Report

Consulting Engineers Report

Committee Reports

NEW BUSINESS:

- 1. Approve Partial Payment Request No. 8 to LA Contracting Enterprise, LLC - \$152,717.48 – Renwick Phase V**
- 2. Approve Partial Payment Request No. 10 to Miller Engineers \$10,470.86 – Renwick Phase V**
- 3. Change Order No. 2 – Phase V**
- 4. Substantial Completion – Renwick Phase V**
- 5. Resolution No. 04-13 – Michael Knobloch - Morgan City Port and Harbor District grant**
- 6. Liner Family 5K Run – Mike Liner, April 13, 2013**
- 7. Intergovernmental Agreement with City of Morgan City – 1992 SPTN Model CB Fire Truck**
- 8. Cooperative Agreement between the Town of Berwick and Morgan City Harbor and Terminal District**
- 9. Declare Surplus Property – 1991 Hitachi Excavator – S/N 133-2630**

Adjournment

Newell Slaughter, Town Clerk

Town of Berwick

P.O. Box 486

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 SPECIAL MEETING HELD ON TUESDAY**

February 11, 2013

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, Monday, February 11, 2013, at seven (7:00) o'clock p.m.

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

Absent: Jacki Ackel

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

Councilman Edgar Thomas led the prayer.

Councilman Duval Arthur 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 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 Troy Lombardo.

Guests: Beverly Demengeaux and Jackie Nell. Mrs. Demengeaux attended the meeting to present the mayor with an audit report for the Council on Aging, as required by State law. Mrs. Nell addressed the mayor and council requesting a parade permit for the Chitimacha District Cub Scouts. The parade will be held on February 23, 2013. The parade will begin at Pharr Park and proceed down Francis, Fifth, Texas, Second, Canton and Third Streets, ending at Town Hall. Upon motion by Duval Arthur and seconded by Troy Lombardo, the permit was approved unanimously.

For January, 2013, the Beacon Shines On Alvin Willis, Chairman of the Berwick Development District. Mr. Willis has served on the board since 2006 and as Chairman for the past six years. He has ably led the board through the construction of Phases III, IV and V of Renwick Subdivision.

Police Chief James Richard presented the police report for the month of January, 2013. Chief Richard stated that the speeding tickets issued for January, 2013, were about the same amount written in December 2012. Chief Richard also stated that arrests for January, 2013, were also about the same amount written in January, 2012. Chief Richard also stated that tickets and arrests for 2013 were about the same as previous years. He also reported that the new radar trailer has been stationed at various locations around town with good results. After no further comments from the council or audience, the mayor moved on to the next item on the agenda, the fire report.

Chief Allen Rink presented the fire report for January, 2013. The department worked ten calls for the month: 3 vehicle crashes, 6 medical assistance calls, and 1 good intention call. Chief Rink stated that the department has taken possession of a donated fire truck from the City of Morgan City. The truck will have to undergo some repairs to the transfer case before being put into service. When repairs are completed, the unit will be stationed at the Hilton Rebaradi Fire Station on River Road. Chief Rink also stated that their annual Seal Drive fund raiser will commence next week. After no further comments, the mayor moved on to the next item on the agenda, the Public Works report.

Town Superintendent Allen Benoit presented the Public Works report. Mr. Benoit stated that due to the rain that we have been experiencing, some projects have not been completed. The

walking trail reconstruction on Highway 182 has been completed and the town crews are working on clearing drainage canals and ditches. After no further comments, the mayor moved on to the next item on the agenda, committee reports.

Town Engineer Reid Miller was not present but recommended that the town declare Phase V of Renwick Subdivision as substantially complete. He also stated that a punch list of items remaining to be completed should be complete in the next week. Planning and Zoning Director, Gary Beadle, stated that the Planning and Zoning Board met on February 6, and recommended that the Council call for a public hearing to discuss the rezoning of property at 2166 and 2176 River Road from B-1 to R-3. The item will be discussed further under an expanded agenda item below. The recreation committee will have a meeting on February 13, 2013 at 5:00 PM to discuss possible new equipment purchases and a new baseball/softball complex at the Civic Center. Mayor Ratcliff announced that Patterson Mayor Rodney Grogan would be heading the St. Mary Parish anti-litter campaign. There were no other reports for the month. After no further comments, the mayor moved on to the next item on the agenda, new business.

Item # 1 on the agenda – Approve Partial Payment Request No. 8 to LA Contracting Enterprise, LLC for \$152,717.48. Upon motion by Damon Robison and seconded by Edgar Thomas the payment was approved by unanimous voice vote.

Item #2 on the agenda – Approve Partial Payment Request No. 10 to Miller Engineers for \$10,470.86. Councilman Robison questioned Mayor Ratcliff if this was the final payment to the contractor and engineer. Mayor Ratcliff stated that it was the final payment to the contractor, less retainage in the amount of \$56,699.63. Mr. Robison questioned the validity of the payment, since all of the work that was requested payment for had not been completed. Town Attorney Allen McElroy stated that if the work was not completed that payment for the work not completed should be not be paid. Mr. McElroy stated that the town should approve the payment of \$152,717.48, but withhold \$43,921 and pay that amount once the engineers give their approval. Mr. McElroy recommended that the council rescind the previous motion and second to approve partial payment No. 8 to LA Contracting Enterprise, LLC for \$152,717.48. Damon Robison made the motion, Duval Arthur seconded the motion. The motion was approved by unanimous voice vote. Damon Robison made a motion to approve partial payment No. 8 to LA Contracting Enterprise, LLC for \$152,717.48 less \$43,921 giving Mayor Ratcliff the authority to pay the balance due upon the written verification by Miller Engineers that the work had been completed. Duval Arthur seconded the motion. The motion was approved by unanimous voice vote. Duval Arthur made a motion to approve partial payment No. 10 to Miller Engineers for \$10,470.86. Troy Lombardo seconded the motion. The payment was approved by unanimous voice vote.

Item #3 on the agenda – Change Order No. 2 – Phase V of Renwick Subdivision which reduced the contract amount by \$12,865.00. Upon motion by Troy Lombardo and seconded by Damon Robison, the change order was approved by unanimous voice vote.

Item #4 on the agenda – Substantial Completion of Renwick Phase V. Damon Robison made a motion that was seconded by Troy Lombardo, that once Miller Engineers provides written verification that the work has been completed, Mayor Ratcliff can declare the job substantially complete. The motion was approved by unanimous voice vote.

Item #5 on the agenda – Resolution No. 04-13 – Michael Knobloch – Morgan City Port and Harbor District Grant. This resolution was necessary to receive a grant from the Morgan City Harbor and Terminal District which will be used to purchase three night vision goggles and two thermal cameras. Damon Robison made the motion and Troy Lombardo seconded the motion. The resolution was approved unanimously.

Item #6 on the agenda – Liner Family 5K run. The run will be held on April 13, 2013. The parade will begin at Berwick High School and proceed down Pattie Drive to Fairview, then to Renwick Boulevard, then to Oakland Drive. The runners will then make a u-turn and proceed

back to Berwick High School. Upon motion by Duval Arthur and seconded by Damon Robison, the permit was approved unanimously.

Item #7 on the agenda – Intergovernmental Agreement with the City of Morgan City relating to the donation of a 1992 SPTN Model CB Fire Truck. Upon motion by Duval Arthur and seconded by Damon Robison, the agreement was approved unanimously.

Item #8 on the agenda – Cooperative Agreement between the Town of Berwick and Morgan City Harbor and Terminal District. Upon motion by Damon Robison and seconded by Edgar Thomas, the agreement, which will result in the Town of Berwick receiving a grant for \$90,000, was approved unanimously. The grant will be used to make improvements to the docks along the Atchafalaya River.

Item #9 on the agenda – Declare surplus property – 1991 Hitachi Excavator. Upon motion by Edgar Thomas and seconded by Damon Robison, the property was declared surplus unanimously.

Mayor Ratcliff called for the council to consider expanding the agenda to call for a public hearing to amend the zoning maps to rezone property at 2166 and 2176 River Road from B-1 to R-3. Councilman Troy Lombardo made a motion to expand the agenda to consider amending the zoning map. Duval Arthur seconded the motion. The motion was approved by unanimous vote. Councilman Robison then made a motion to call for the public hearing on March 12, 2013. Duval Arthur seconded the motion. The motion was approved by unanimous vote.

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

Louis Ratcliff – Mayor

ATTEST:

Newell W. Slaughter - CAO/Town Clerk