



Town of Berwick

NOTICE OF PUBLIC MEETING

July 13, 2010

Date of Notice: July 5, 2010

A Public hearing will be held as follows:

Date: July 13, 2010

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

Minutes from last meeting: June 8, 2010

Treasurer's Report

Guests:

Police Report

Fire Report

Public Works Report

Consulting Engineers Report

Committee Reports

NEW BUSINESS:

- 1. Public Hearing for Ordinance No. 612 – Man Made Water Bodies**
- 2. Public Hearing for Ordinance No. 613 – Set Drainage Fee for 2010**
- 3. Public Hearing for Ordinance No. 614 – Set Millage Rates for 2010**
- 4. Adopt Ordinance No. 612 – Man Made Water Bodies**
- 5. Adopt Ordinance No. 613 – Set Drainage Fee for 2010**
- 6. Adopt Ordinance No. 614 – Set Millage Rates for 2010**
- 7. Appointment to Morgan City Harbor & Terminal District Board**
- 8. Set budget workshop for July15, 2010 at 6:00 P.M.**
- 9. Parade Permit – August 3, 2010 - National Night Out Against Crime – Keith Fontenot**
- 10. Introduce Ordinance No. 615 – AT&T Agreement – IP Enabled Video Service**
- 11. Resolution No. 13-10 – OCD-LRA Infrastructure Grant**
- 12. Approve Preliminary & Engineering for Phase IV of Renwick Subdivision**

Adjournment

Newell W. 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 REGULAR MEETING HELD ON TUESDAY**

July 13, 2010

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, July 13, 2010 at seven (7:00) o'clock p.m.

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

Absent: None

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

Councilman Duval Arthur 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 were approved without reading upon motion by Duval Arthur and seconded by Edgar Thomas.

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

Police Chief James Richard presented the police report for the month of June, 2010. Chief Richard stated that the speeding tickets issued for June, 2010 were less than June, 2009. Chief Richard also stated that arrests for June, 2010 were less than June, 2009. After no further comments from the council or audience, the mayor moved on to the next item on the agenda, the Fire Department report.

Fire Chief Wayne LaCoste presented his report. There were three calls, one mutual aide and two false alarms. The annual Shrimp Gumbo fund raiser will be held Labor Day Weekend. 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. Slip lining of sewer pipes around the elementary school will begin in the first week of August. Approximately 20% of old Berwick has been completed. Mayor Pro-Tem Duval Arthur asked that with proposed replacement of the Thorguson Road bridge near the parish land fill had the issue of rerouting of large trucks through the Town of Berwick been addressed. Mayor Ratcliff stated that it will be a hardship on the citizens, but the bridge must be replaced and further meetings with the parish will be scheduled to discuss the issue. After no comments, the Mayor moved on to the next item on the agenda, committee reports.

Consulting Engineer Glen Miller stated that Renwick Phase IV had received preliminary and engineering approval from the Berwick Development District and was awaiting approval from the Town Council. Renwick Phase IV will be addressed in Agenda Item No. 12.

Penny Crappell presented the Anti-Litter and Recreation Committee reports. She stated that the Pickle Ball league now has 47 members. The co-ed volleyball league is underway and registration is ongoing. Closing ceremonies for girl's softball will be held on Thursday, July 22 at 6:00 P.M. The outdoor fitness center construction has begun and the equipment should be installed in August. The Anti-Litter Committee is excited about some new educational programs that will be used in conjunction with the St. Mary Parish School System. The Saturday litter cleanup program is still ongoing and Berwick is on the list for August. The Economic Development Committee did not meet. Gary Beadle gave the Planning and Zoning report. He stated that the Berwick Development District and the Planning and Zoning boards met and approved preliminary and engineering for Phase IV of Renwick Subdivision and recommended that the town council also approve the same. Once approved by the council, the Town

engineers, Miller and Associates would put Phase IV out for bids. 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. 612 – Man Made Water Bodies. Mayor Ratcliff opened the public hearing. The first speaker was Melynda Leleux who resides at 1441 Evergreen Street in Bayou Vista. Mrs. Leleux read a prepared statement in which she stated that Cajun Sunrise, LLC., spent a lot of time and money in the development of their subdivision and wished that the moratorium imposed on the digging of lakes and ponds as it pertains to the Corp of Engineers be lifted and that their status be grandfathered so that they may continue their negotiations with the Corp. In the event an agreement can be reached between Cajun Sunrise and the Corp, all parties would meet with the Town of Berwick to insure all issues of safety and engineering are addressed and satisfied. Mrs. Leleux also had concerns with certain provisions of the proposed ordinance, stating that portions that deal with setbacks, landscaping, letters of credit, navigability, compliance with state and federal authorities, fencing and right-of-way were vague. She felt like the proposed ordinance is simply an outgrowth and virtual overreaction to the fact that Cajun Sunrise was discussing the construction of a lake and the moratorium was a direct result of those talks. Their desire and intent is to do what is right by the town and its citizens and that Cajun Sunrise and the Town of Berwick need to work together to complete this worthy project. After no further comments, Mayor Ratcliff closed the public hearing.

Item #2 on the agenda – Public Hearing for Ordinance No. 613 – Set Drainage Fee for 2010. Mayor Ratcliff opened the public hearing and after no comments from the audience or council the public hearing was closed.

Item #3 on the agenda – Public Hearing for Ordinance No. 614 – Set Millage Rates for 2010. Mayor Ratcliff opened the public hearing and Councilman Lombardo wanted to state that the millage rates would remain the same as the previous year. After no further comments, Mayor Ratcliff closed the public hearing.

Item #4 on the agenda – Adopt Ordinance No. 612 – Man Made Water Bodies. Councilman Robison stated that he had read an article in the newspaper where Plaquemines Parish President Billy Nungesser stated that his parish was starting to look like Swiss cheese because of all of the pits dug in his parish and that he did not want to see that happen in the Town of Berwick. There are similar instances in Bossier Parish. Councilman Robison made a motion to adopt Ordinance No. 612. Mayor Pro-Tem Arthur seconded the motion. Mr. David Webster stated that he wished for the statement read by Melynda Leleux be made as part of the official record. Mr. Webster further stated that his intention from the very beginning was to dig a lake as part of his subdivision and he had made preparations to begin talks with the Corp of Engineers, but the moratorium has halted those discussions. The selling of the dirt to the Corp would enhance the completion of the project. Mayor Ratcliff stated that once the ordinance was adopted, the moratorium would be expiring on August 1, 2010. Mr. Webster thought that the proposed ordinance was too broad in its intent and would make negotiations with the Corp difficult. Attorney Al Lippman, who represents Mr. Webster, wanted to make a brief statement. He would like the moratorium lifted in respect to Mr. Webster's negotiations with the Corp., but with the town retaining the right to approve the actual construction of the lake. Mr. Lippman does not think the Corp will negotiate with Mr. Webster once the ordinance is adopted. Mr. Lipman felt that the proposed ordinance was vague and ambiguous and would put undue hardships on developers. He thought that the ordinance needed to be reworked and presented in a fairer manner. Councilwoman Crappell stated that the lifting of the moratorium was not on the agenda and that Ordinance No. 612 had already received a motion and a seconded to adopt. Town Attorney Allen McElroy concurred, but said the council could expand the agenda to consider the issue. After no further discussion, Mayor Ratcliff called for a roll call vote. The vote was as follows: Ayes – Duval Arthur, Penny Crappell, Troy Lombardo, Damon Robison and Edgar Thomas. Nays, none. The ordinance was adopted unanimously.

Item #5 on the agenda – Adopt Ordinance No. 613 - Set Drainage Fee for 2010. Upon motion by Penny Crappell and seconded by Edgar Thomas the ordinance was adopted unanimously.

Item #6 on the agenda – Adopt Ordinance No. 614 – Set Millage Rates for 2010. Upon motion by Duval Arthur and seconded by Troy Lombardo, the ordinance was adopted unanimously.

Item #7 on the agenda – Appointment to the Morgan City Harbor & Terminal District Board. Upon motion by Penny Crappell and seconded by Duval Arthur, the appointment of Duane Lodrigue was approved unanimously.

Item #8 on the agenda – Set Budget Workshop for July 27, 2010. Mayor Ratcliff set the budget workshop for the full council for July 27, 2010 at 6:00 P.M.

Item #9 on the agenda – Parade Permit – August 3, 2010 – National Night Out Against Crime. Upon motion by Duval Arthur and seconded by Penny Crappell, the permit was approved unanimously.

Item #10 on the agenda – Introduce Ordinance No. 615 – AT&T Agreement, IP enabled video service. Upon motion by Penny Crappell and seconded by Duval Arthur, the ordinance was introduced unanimously.

Item No. #11 on the agenda – Resolution No. 13-10 – OCD-LRA Infrastructure Grant. Upon motion by Damon Robison and seconded Duval Arthur, the resolution was approved unanimously.

Item No. #12 on the agenda – Approve Preliminary and Engineering for Phase IV on Renwick Subdivision. Upon motion by Penny Crappell and seconded by Troy Lombardo, preliminary and engineering for Renwick Phase IV were approved unanimously.

Charlie Driskill wanted to announce that his church, Twin City Gospel, would have a revival starting July 25. He wanted to invite the Mayor and Council to attend.

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

Louis Ratcliff - Mayor

ATTEST:

Newell W. Slaughter - CAO/Town Clerk