

Suit against city moving forward



By Wes Helbling

Nick Farone has filed suit against the City of Bastrop claiming this crater in the parking lot of New Beginnings Christian Center is the result of a collapsed drainage pipe, and that the center has been forced to close as a result.

A lawsuit filed by Nick Farone Music Ministry against the City of Bastrop is moving forward, according to the attorney for the plaintiff.

Documents on record with the Morehouse Parish Clerk of Court show Nick Farone Music Ministry (doing business as New Beginnings Christian Center) filed suit against the City of Bastrop in Sept. 2008.

The New Beginnings Christian Center on West Pine Avenue was donated to the Music Ministry by Golden Funeral Home of Bastrop Inc. in Dec. 1996. The Music Ministry is a nonprofit corporation.

Farone's petition states the City of Bastrop had maintained for four years prior to 2008 a drainage pipe beneath North Vine Street to the east of the New Beginnings property. The drainage pipe runs from a manhole in N. Vine underneath the New Beginnings parking lot, according to the petition.

The petition states an "enormous area" has collapsed directly above the City of Bastrop's storm-drain pipe and this has "created a crater of spectacular proportions on the grounds of the children's center. This seems to indicate that the City's storm-drain pipe has collapsed and is ingesting the earth above it."

The crater is located in the New Beginnings parking lot, just behind the drive-through side entrance into the property.

“Said crater and continuing collapse has caused New Beginnings Christian Center to close its doors. It has likewise caused two of New Beginnings’ employees to be laid-off until the problem can be resolved.

“Further, 143 Bastrop children have no access to the life-altering lessons in citizenship, respect, and love that they were receiving at the center until such time as this problem is resolved.

“The collapse has obstructed, closed and/or changed, at least partially, the usage available to petitioner and others to reach petitioner’s land above referenced.”

Farone’s petition states he has requested the City of Bastrop repair the crater on numerous occasions, but the City has refused.

The suit asks for an injunction against the City of Bastrop ordering it to repair the collapse, and for damages including compensation for lost income, general and special damages, together with legal interest from the date of judicial demand until paid.

“It’s an unusual situation,” said Monroe attorney Jack Wright Jr., who is representing Farone. “In the past, the city maintained it, but this time [in 2008] they refused. The hole keeps getting bigger.”

Wright said the City’s refusal to fix the crater is costing it the grant monies that New Beginnings brought into Bastrop, as well as obstructing a valuable ministry to area young people.

“We’re going to ask for reimbursement of those [grant] monies,” said Wright.

The two parties met in a pre-trial conference Monday. Wright said that he has made a “reasonable” offer to settle with the City, but he does not to go into specifics at this time. If the City does not accept the offer, the suit will go to court in October.

As of Wednesday afternoon, Bastrop city attorney Doug Lawrence had not returned a call to his office Tuesday seeking comment.

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