

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING – OCTOBER 24, 2013
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, October 24, 2013. Council Chairman Gary Spillman called the meeting to order and requested that all electronic devices be placed on silent. Mr. Spillman requested before pledge was recited a moment of silence be observed for former Parish employee Reverend Joe Paul (who recently celebrated 100th birthday and passed away), and requested that family be kept in prayers. Following moment of silenced Mr. Spillman recognized Randal Mouch, who led everyone in the pledge of allegiance. Mr. Spillman thanked Council members for wearing pink tonight in solidarity of Breast Cancer Awareness month and expressed appreciation to Charlene Gordon for supporting issue.

Roll-Call Pro System recorded the following members being present:

Messrs. Randal “Randy” Mouch, Chris “Fish” Kershaw, Ms. Naomi Fair, Mr. Ricky Loupe, Ms. Charlene Gordon, Messrs. Phil Porto, Jr., Gary M. Spillman, Barry Huggins, Edward G. “Bob” Robertson.

Parish President Riley Berthelot, Jr. was also present.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Randal Mouch to approve the minutes of the Regular Meeting of September 26, 2013 as published in the Parish Official Journal.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

As a result the motion was unanimously adopted.

At this time Executive Assistant Jason Manola made slide presentation on Group Medical Insurance for the period January 1, 2014 – December 31, 2014 covering: average annual premiums and worker contributions for family coverage for years 2002-2012, renewal plan design for each type of coverage showing in-network & out-of-network costs, and financial comparison. Mr. Manola confirmed Administration recommendation to: continue Blue Cross of Louisiana making slight changes to the plan design as it relates to deductibles and out of pocket maximums, continue health savings account contributions, fund 100 per cent of high deductible option plan premiums, and fund 85 per cent of preferred provider organizations option plan premiums. Following the presentation Mr. Manola offered to answer any questions, and clarified benefit of raising deductible and continuing employer HSA contributions this year to bring overall increase down to 9.92 per cent. Roll-Call Pro System vote on motion appears elsewhere in these minutes.

Finance Director Phillip Bourgoyne was recognized at this time and made presentation on estimated parish population scenarios to adjust the 1984 district sales tax only based on Louisiana State University yearly census counts (formerly calculated by Louisiana Tech). Mr. Bourgoyne concurred with population percentage figures based on building permits, garbage counts, etc. Mr. Bourgoyne clarified accordingly Parish portion will decrease by -

0.55 per cent, Port Allen portion will decrease by -0.73 per cent, Brusly portion will decrease by -0.23 per cent, and Addis portion will increase by 1.51 per cent. Mr. Bourgoyne offered to answer any questions. Mr. Huggins requested actual dollar amounts of percentages. Mr. Kershaw clarified population calculation process for increase and/or decrease for municipalities and Parish.

A motion was made by Mr. Barry Huggins, seconded by Mr. Randal Mouch to accept the Administration's recommendation of Blue Cross for 1) high deductible plan, 2) alternative co-payment plan to provide coverage for employee hospitalization and life insurance, 3) dental and vision plan through Reliance Standard, and 4) continue with Humana Group Medicare Advantage Paid Fee for Service (078031) for employees/retirees 65 or older with Medicare Parts A & B for the period January 1, 2014 – December 31, 2014, and authorize the Parish President to sign the necessary documentation.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

As a result the motion was unanimously adopted.

A motion was made by Mr. Phil Porto, Jr., seconded by Mr. Chris Kershaw to approve the Administration's recommendation of Louisiana State University 1984 District Sales Tax distribution based on adjusted population census count decreasing Parish portion by -0.55 per cent, decreasing Port Allen portion by -0.73 per cent, decreasing Brusly portion by -0.23 per cent, and increasing Addis portion by 1.51 per cent, effective 10/24/13.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

As a result the motion was unanimously adopted.

Public comments were requested at this time and Caster Brown was recognized representing West Baton Rouge Interfaith Sponsoring Committee regarding citizen concerns on plan for road coming back to Louisiana Avenue by the park & cost, increased traffic, and other park improvements. Mr. Spillman stated road by Williams & Lee Park on 14th Street had only been under discussion during budget for funding purposes to try to give people another access to park, and confirmed the next step would be to request City of Port Allen for concurring resolution of support prior to commencing project and improvements to park as well as resident notification. Ms. Gordon was recognized; stated road would start at 14th Street & Oregon and exit Louisiana Avenue to provide easy access to the park.

Mayor Demetric "Deedy" Slaughter was recognized and made statement regarding lack of information provided to citizens on plans for proposed roadway. Mr. Spillman informed Mayor Slaughter meeting would be scheduled shortly to present said plans.

Public Works Director Kevin Durbin was recognized under item 9 (communications with Council members and/or elected or appointed officials) and stated smaller engineering and

GIS firm of Environmental Science Service of Denham Springs had been selected as consultant, and requested authorizing Parish President to execute contract scheduled to commence in November for all departments to centralize, share and edit GIS data. Mr. Durbin stated would be happy to answer any questions and projected 1 year cost at \$40,000.00. Mr. Spillman requested item be placed on the 11/14/13 agenda for consideration.

Ms. Gordon was recognized, thanked everyone for wearing pink tonight, announced pins were donated by breast cancer survivor, and requested members remain following meeting for picture-taking session.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were requested to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning for rezoning request of Joseph Blanchard, 3480 Southern Pacific Road, Port Allen, La., designated as Lot 7 from A (Agricultural District) to R-M (Residential Minor Subdivision District). Civil Engineer Lyles Budden was recognized, stated preliminary plat of tract for subdivision into 6 lots would be submitted following rezoning, confirmed approval recommendation of Zoning Commission's 10/15/13, and offered to answer any questions. Mr. Porto confirmed unanimous vote of the Zoning Commission, and stated saw no problem with request as surrounding development is similar. Mr. Spillman made brief statement regarding review of proposed project prior to rezoning. Mr. Durbin confirmed Joseph Blanchard (property owner) had signed application for Troy & Jill Blanchard Blair, and compatible use under rezoning guidelines and criteria.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 21 of 2013 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Phil Porto, Jr., seconded by Mr. Ricky Loupe

ORDINANCE NO. 21 OF 2013

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 104-3 ESTABLISHMENT OF DISTRICTS, OFFICIAL ZONING MAP

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment of districts, official zoning map for rezoning request of Joseph Blanchard, 3480 Southern Pacific Road, Port Allen, La., designated as Lot 7 located in Sections 114 & 115, T7S-R12E from A (Agricultural District) to R-M (Residential Minor District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

WHEREUPON the ordinance was adopted on the 24th day of October, 2013.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

CERTIFICATE

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 24th day of October, 2013.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:40 o'clock AM on the 25th day of October, 2013.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 25th day of October, 2013.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 25th day of October, 2013.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was returned from the Parish President at 8:45 o'clock AM on the 28th day of October, 2013.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were requested to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning for rezoning request of J P Safford Enterprises, LLC, Choctaw Road, Brusly, La., designated as 16 acres in Section 79, T8S-R12E from A (Agricultural District) to R-M (Residential Minor Subdivision District). Cletus Langlois of Patin Engineers

and Surveyors was recognized (Mr. Safford's representative), clarified property parcel on overhead projector, and confirmed Zoning approval recommendation of 10/1513 carried with 6 yeas and 1 nay vote (Mr. Bill Schultz), who reserved the right to vote no on anything south of the Intracoastal Canal. Mr. Langlois confirmed 16 acre tract in rural area zoned agricultural for development of 4 to 6 lots, requested rezoning to minor subdivision with no variances, compatible to existing surrounding developments, and offered to answer any questions.

At this time Mr. Spillman read into the record excerpt of proceedings pertaining to Mr. Safford's rezoning request from the Zoning Commission meeting minutes of October 15, 2013 for clarification.

The following residents and members were recognized and expressed positions on Mr. Safford's rezoning request:

Ricky Dupuy	George Latliolais	Douglas Hebert
Travis Hebert	Naomi Fair	Cletus Langlois
Linda Dupuy	Jason Alford	Chandra Alford
Randal Mouch	Phil Porto, Jr.	Barry Huggins
Kevin Durbin	Ricky Loupe	Chris Kershaw
Riley Berthelot, Jr.	Gary Spillman	

Some of the issues discussed were:

- Impact on south-end or Parish;
- Highway 989-1 (Choctaw Road) substandard roadway;
- Contact Sheriff to regulate speeding;
- Improve drainage to alleviate flooding;
- Property taxes;
- Widening roadway;
- Request assistance of Senator & Representatives;
- New railroad track construction;
- Beautiful area for proper development;
- Area elevation & wetlands;
- Rezoning criteria, regulations & guidelines;
- Not easy to make decisions in these cases;
- Mr. Safford's previous developments;
- Limestone/asphalt road;
- Fire hydrants;
- Suggest alternate route at upcoming DOTD meeting.

No other interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 22 of 2013 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe

ORDINANCE NO. 22 OF 2013

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 104-3 ESTABLISHMENT OF DISTRICTS, OFFICIAL ZONING MAP

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment of districts, official zoning map for rezoning request of J. P. Safford Enterprises, LLC, Choctaw Road, Brusly, La., designated as 16 Acres located in Section 79, T8S-R12E from A (Agricultural District) to R-M (Residential Minor District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 5 (Messrs. Kershaw, Loupe, Ms. Gordon, Messrs. Porto, Spillman)

NAYS: 4 (Mr. Mouch, Ms. Fair, Messrs. Huggins, Robertson)

WHEREUPON the ordinance was adopted on the 24th day of October, 2013.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

CERTIFICATE

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 24th day of October, 2013.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:40 o'clock AM on the 25th day of October, 2013.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 25th day of October, 2013.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 28th day of October, 2013.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was returned from the Parish President at 8:45 o'clock AM on the 28th day of October, 2013.

/s/Sharon Zito

Sharon Zito, Council Clerk

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Announced Parish Attorney had been excused from meeting tonight due to another engagement;

Expressed appreciation to Jason, Phillip & Mitzi for work on employee insurance renewal;
Announced Veterans Day Parade November 10th @ 1:30PM commencing at Rivault Park and ending at Courthouse;

Announced Veterans Day Ceremony November 11th @ 11:00AM at Courthouse with guest speaker Senator Rick Ward and offered to answer any questions.

Mr. Loupe confirmed Department of Transportation & Development meeting as 11/6/13 at State Capital Senate Building.

Mr. Berthelot confirmed Sheriff agreed to budget amendments to hire one (1) consultant to review feasibility/jail layout for efficiency, and one (1) consultant to review financial cost of facility operation.

Mr. Berthelot clarified informal meeting with Port Allen Chief of Police Brown, presented drawing of proposed roadway (which was well received), and requested resolution of support or "no objection" from City. Mr. Spillman requested scheduling a meeting with City of Port Allen Mayor/area representative/Chief of Police, Parish President, Ms. Gordon, and Mr. Robertson to obtain formal concurrence prior to committing funding or proceeding with proposed roadway. Mr. Manola stated from School Board perspective the additional visibility to school, ability to patrol, and from safety standpoint don't see any objection.

Mr. Berthelot clarified the requested resolution due to Capital Outlay funding deadline of 11/1/13 for support for the FY 2013-2014 to construct approximately one-half mile of roadway to connect Sid Richardson and Highway 1148. Said resolution appears elsewhere in these minutes.

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Barry Huggins

RESOLUTION

A Resolution expressing West Baton Rouge Parish Council support for the FY 2013-2014 Capital Outlay request for project to construct approximately one-half mile of roadway to connect Sid Richardson Road and State Highway 1148

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council that the West Baton Rouge Parish Council does hereby express support for the FY 2013-2014 Capital Outlay request for project to construction approximately one-half mile of roadway to connect Sid Richardson Road and State Highway 1148.

Roll call vote on the resolution was recorded as follows:

YEAS: 9 (Mr. Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto)

NAYS: 0 (None)

As a result of the roll call vote the resolution was unanimously adopted.

CERTIFICATE

I, Sharon Zito, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of October 24, 2013 at which meeting all of the members were present and voting.

/s/Sharon Zito

Mr. Porto also requested resolution to Capital Outlay funding for support for the FY 2013-2014 to widen and upgrade substandard roadway namely State Highway 989-1 (Choctaw Road) to correct the hazard that exist. Said resolution appears elsewhere in these minutes.

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Barry Huggins

RESOLUTION

A Resolution expressing West Baton Rouge Parish Council support for the FY 2013-2014 Capital Outlay request for project to widen and upgrade substandard roadway namely State Highway 989-1 (Choctaw Road) to correct the hazard that exist and protect the public from injury and/or damages

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council that the West Baton Rouge Parish Council does hereby express support for the FY 2013-2014 Capital Outlay request for project to widen and upgrade substandard roadway namely State Highway 989-1 (Choctaw Road) to correct the hazard that exist and protect the public from injury and/or damages.

Roll call vote on the resolution was recorded as follows:

YEAS: 9 (Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw)

NAYS: 0 (None)

As a result of the roll call vote the resolution was unanimously adopted.

CERTIFICATE

I, Sharon Zito, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of October 24, 2013 at which meeting all of the members were present and voting.

/s/Sharon Zito

The Council Clerk read by title into the record the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearing at the

meeting of December 12, 2013 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of Southern Surplus Services, LLC and Kannon, 3121 U S Highway 190 W, Port Allen, La., designated as 10 Acres located in Section 44, T7S-R12E from Regional-Scaled Commercial District to Moderate Industrial District.

Mr. Durbin was recognized, reviewed variance application & evaluation form for Tony Clayton, West Shore Drive, Port Allen, La. (office complex off of La. 1) for reduction in turning radius of driveway to 29.8 feet instead of the required 35 foot radius for commercial properties for safety of delivery trucks due to location of existing power pole, and offered to answer any questions. Mr. Durbin confirmed that due to application timeline the signatures of “no objection” had not been obtained from either the Roads Superintendent or Director of Utilities. Mr. Durbin clarified request in connection with parking for two new proposed offices.

A motion was made by Ms. Naomi Fair, seconded by Mr. Ricky Loupe to approve the variance request of Tony Clayton, West Shore Drive, Port Allen, La. (office complex off of La. 1) for reduction in turning radius of driveway to 29.8 feet instead of the required 35 foot radius for commercial properties for safety of delivery trucks due to location of power pole, contingent upon obtaining signatures of “no objection” from department heads as aforementioned.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

As a result the motion was unanimously adopted.

The Council Clerk confirmed alcohol permit approval required for Tiger Trax #1 & The Video Joker in Erwinville as businesses had been leased from the Lemoine family by Gary Wayne Phillips.

A motion was made by Mr. Barry Huggins, seconded by Mr. Randal Mouch to approve the 2013 Class B Beer and/or Liquor Permit for Tiger Trax #1, 12724 U S Highway 190 W, Port Allen, La., and 2013 Class A Beer and/or Liquor Permit for The Video Joker, 12812 U S Highway 190 W, Port Allen, La., due to lease of businesses as aforementioned as establishment have met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 9 (Messrs. Mouch, Kershaw, Ms. Fair, Mr. Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

As a result the motion was unanimously adopted.

At this time under Correspondence Report the Council Clerk read excerpt into the record from the West Baton Rouge Parish Planning & Zoning Commission agenda scheduled for Tuesday, November 5, 2013 at 6:30PM.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon at 9:05PM and adopted by acclamation.

/s/Gary M. Spillman
Gary M. Spillman, Council Chairman

/s/Sharon Zito
Sharon Zito, Council Clerk