

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING – MARCH 22, 2012
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, March 22, 2012 and called to order. Council Chairman Gary Spillman requested that all electronic devices be silenced and recognized Ricky Loupe, who led everyone in the pledge of allegiance.

Roll call was taken with the following members being present:

Messrs. Phil Porto, Jr., Chris “Fish” Kershaw, Ricky Loupe, Gary M. Spillman, Edward G. “Bob” Robertson, Barry Huggins

Absent: Ms. Charlene Gordon, Mr. Randal “Randy” Mouch, Ms. Naomi Fair

Parish President Riley Berthelot, Jr. was also present.

Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized, reviewed the bids received and opened 3/9/12 for OCD/DR Project No. 61PARA2301 (Lynndale Subdivision Sewer & Drainage Improvements – Hurricanes Gustav/Ike Disaster Recovery), funded through Louisiana Recovery Authority. Mr. Gravois confirmed received 9 bids and based upon grant administrator’s clearance recommend awarding bid to Magnolia Construction Company as low bidder at \$1,359,596.00. Mr. Gravois also confirmed receipt of protest from third bidder (Tullier Services) and based on attorney recommendation moving forward with bid award for project pending opinion from Attorney General’s Office.

Ms. Gordon entered the meeting at this time.

Mr. Gravois clarified Tullier Services based protest on employee verification program regarding illegal aliens, explained legislative bid submission changes, and compliance of successful bidder. Mr. Huggins confirmed Magnolia Construction Company’s responsive bid and concurrence of Administration.

Ms. Fair entered the meeting at this time.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Chris Kershaw to accept the total base bid of Magnolia Construction Company, LLC received and opened 3/9/12 in the amount of \$1,359,596.00 for OCD/DR Project No. 61PARA2301 – Lynndale Subdivision Sewer & Drainage Improvements – Hurricane Gustav/Ike Disaster Recovery contingent upon approval of the Office of Community Development (LCDBG) and grant administrator, as recommended by Administration and Project Engineer, and authorizing the President to sign all required documentation. (Bid tabulation sheet appears elsewhere in these minutes)

Roll call vote on the motion was recorded as follows:

YEAS: 7 (Messrs. Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

ABSTAINED: 1 (Ms. Fair)

As a result of the roll call vote the motion was adopted by a majority of the members present.

At this time Parish President Riley Berthelot, Jr. was recognized and read his State of the Parish address into the record as required by Home Rule Charter, a copy of which appears elsewhere in these minutes. There were no questions.

Riley Berthelot, Jr. was again recognized and introduced Chris Lemoine of the Baton Rouge Bike Club, who expressed appreciation on behalf of club for support through public awareness and education. At this time Mr. Berthelot read the proclamation into the record declaring April as "Bike Month" in West Baton Rouge Parish and presented same to Mr. Lemoine. Brief comments followed on proposed bicycle projects.

Parish Attorney was recognized and stated Cooperative Endeavor Agreement would be drafted to transfer listed equipment that the Parish no longer needs (fully depreciated) for use by the Sheriff's Department, and requested authorizing President to sign same.

A motion was made by Mr. Barry Hughhins, seconded by Ms. Charlene Gordon to approve transfer of the following equipment that the Parish no longer needs (fully depreciated) for use by the Sheriff's Department, and authorizing the President to sign Cooperative Endeavor Agreement for same:

Three (3) John Deere Mowers Model #797TZRAX with 72" cut;
Three (3) Honda 4-wheelers Model #TRX 250 TE 2005;
One (1) Coxreels Field Spraying Model #1125-4-325 (300 gallons).

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Mr. Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Robertson, Ms. Fair, Messrs. Hughhins, Porto)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Ms. Gordon was recognized under item 10 (communications with Council members and/or other elected or appointed officials) requested installation of right-turn lane at corner Court Street and Highway 1 due to issuance of tickets to drivers turning right at light. Public Works Director Kevin Durbin was recognized and read list into the record of nine (9) projects through Capital Region Planning Commission including installation of right-hand turn lanes at La. 1/La. 76 (Court Street) intersection and requested members prioritizing. Brief discussion held on potential for connectivity through culvert and sidewalk installation on Highway 986 (Rosedale Road). Mr. Loupe requested list be emailed to members.

Mr. Hughhins was recognized and discussed alternate fuels (compressed natural gas and propane). Mr. Hughhins provided summary of benefits and requested President meet with representative regarding participation.

Mr. Robertson was recognized and expressed appreciation to Administration for meeting with Poplar Grove Baptist Church members to resolve sewer problem.

Executive Assistant Jason Manola was recognized and reported that recent rain event had produced 3 to 5 inches of rain over 12 hour period. Mr. Manola reported the only area to experience minor flooding was Chamberlin Elementary School Cafeteria and power outage in area. Mr. Manola reported on Office of Emergency Preparedness new “face-book” page (www.facebook.com/wbrohsep) as another notification resource.

President Berthelot requested that Kevin Gravois provide update on Westport Sewer Project. Mr. Gravois provided history on project that post due by 90 days, bonding company and La. Department of Environmental Quality have been given notice, liquidated damages of \$400.00 per day can be assessed if there are any ramifications, but contractor now estimates project to be completed by the end of April. Mr. Spillman recommended that contractor’s name be kept on record with reference to future bids.

Riley Berthelot, Jr. was recognized under Parish President’s Report and discussed the following:

Legislators assisting with scope change on investment grade study;

In receipt of letter confirming \$63,000.00 in Louisiana Government Assistance Program funding to be used for permitting and engineering for La. 1 drainage near Lynndale;

Meeting held recently with Levee Board regarding approximately \$95,000.00 grant Margaret Canella obtained for walk trail on levee in Brusly area;

Reminded of Household Hazardous Materials Collection Day scheduled for Saturday, March 31st from 9:00AM until 1:00PM at Multi-purpose Center sponsored by entities listed on flyer;

Reminded of WBR Convention & Visitors Bureau Kite Fest scheduled for Friday-Sunday in connection with resolution to be introduced later in meeting designating West Baton Rouge as Kite Capital of Louisiana. There were no questions.

Gary Spillman was recognized under Council Chairman’s Report regarding honor as Bureau board member to have received award as best festival in the state for the Kite Fest, proclamation will be made to list Parish as Kite Festival of Louisiana, and requested volunteers to assist with 2,000 kids expected on Friday.

The following resolution was offered by Ms. Charlene Gordon, seconded by Mr. Edward Robertson

RESOLUTION

To the Citizens of West Baton Rouge Parish, state of Louisiana

WHEREAS, Kite flying is family friendly, nonpolluting, healthy, educational, outdoor oriented, fun, and has a significant contribution to the arts, science, mathematics, cultural awareness, and history, and

WHEREAS, West Baton Rouge Parish was the first location for a Kite Festival in the state of Louisiana and has been the location of Kite Fest Louisiane` since its inception in 2005, and

WHEREAS, Kite Fest Louisiane` has hosted crowds in excess of 14,000 visitors in 2011 with kite flyers attending from Canada and all over the United States and has been designated the 2011, Louisiana Festival of the Year, and

WHEREAS, Kite Fest Louisiane` was created and has been recorded with the Secretary of State’s office in the registered name of the West Baton Rouge Convention & Visitors Bureau, and

BE IT THEREFORE RESOLVED that the official record and trade mark, has been filed and recorded on March 15, 2012 which recordation is for a term of ten years and that the West Baton Rouge Parish Council does concur with the recorded distinction of West Baton Rouge, **Kite Capital of Louisiana**, and

BE IT FURTHER RESOLVED, that the West Baton Rouge Parish Council hopes that the citizens, businesses and organizations of West Baton Rouge Parish, will use this distinction to enhance all marketing initiatives to the benefit of West Baton Rouge Parish.

Roll call vote on the resolution was recorded as follows:

YEAS: 8 (Ms. Gordon, Messrs. Loupe, Spillman, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the roll call vote the resolution was unanimously adopted by those members present.

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 March 22, 2012 at which meeting a majority of the members were present and voting.

/s/Sharon Zito

The Council Clerk read by the title the below listed ordinance being introduced and publicized by title, and considered for adoption following a public hearing at the meeting of April 12, 2012 at 6:30PM in the Council Meeting Room of the Governmental Building, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 22 Elections, Sec. 22-59 Polling places to relocate 01-B from Addis Fire Station, 4353 Harris Street, Addis, La. to the YMCA, 3688 Sugar Plantation Parkway, Addis, La.

Mr. Durbin was recognized regarding family partition for the Salter family, stated surveyor was present to answer any questions, confirmed Planning Commission recommended approval 3/20/12, and projected plat on overhead screen.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto, Jr. to approve the final plat showing subdivision of Tract 3-C-1 Weyman Salters Property into Tract 3-C-1-B & Tract 3-C-1-C (a family partition) located in Section 24, T6S-R10E for Wanda Salter Hembra & Stephen Salter as previously recommended by the Planning Commission.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Messrs. Loupe, Spillman, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw, Ms. Gordon)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Mr. Durbin was recognized at this time, projected sketch of proposal on overhead screen, clarifying location, and read excerpts from variance application & evaluation form from the Office of Community Planning & Development, parcel description, and site plan on the request of Kenny Carr, 2485 Suggs Road, Port Allen, La. for side setback (applicant's front yard) variance reduction to 4 feet to extend driveway to proposed workshop building. Mr. Durbin confirmed that adjacent neighbor signature of "no objection" had been obtained as well as department heads. Mr. Kershaw confirmed copy of power of attorney and on file in permit office. Mr. Porto confirmed power of attorney due to Mr. LeBlanc's age and health, and saw no problem with applicant's request within his district.

A motion was made by Mr. Phil Porto, Jr., seconded by Mr. Ricky Loupe to grant the variance request of Kenny Carr, 2485 Suggs Road, Port Allen, La. for side setback (applicant's front yard) for reduction to 4 feet to extend driveway to proposed workshop building based upon receipt of signatures of "no objection" to proposed relocation of buffer setback line.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Messrs. Spillman, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw, Ms. Gordon, Mr. Loupe)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Mr. Durbin was recognized and read excerpts from variance application & evaluation form from the Office of Community Planning & Development, parcel description, and site plan on the request of Sidney Williams, 6283 Highway 1 S for snowball stand with the following five (5) variances:

- 20' setback adjacent to residential district;
- 8' wooden fence within 20' setback adjacent to residential district;
- 10' greenbelt that surrounds front property line;
- 30' site triangle required on corner lots;
- 35' driveway turning radius.

Mr. Durbin projected sketch on overhead screen and confirmed that applicant was present to answer any questions. Mr. Williams was recognized and confirmed that 16 x 16 building was on site, Collins home encroaching on 10' of William's property, and location and signatures of "no objection" from adjacent neighbors. Discussion held confirming state turning radius requirements and installation of culverts. Ms. Fair stated saw no problem with applicant's request within her district. Mr. Huggins discussed lack of department head signatures and 30 foot visibility site requirement with Mr. Durbin and applicant. Mr. Williams clarified that Utilities Director Daryl Babin requested approval be contingent upon installation of expansion joint should gas line inspections and/or repairs be required. Mr. Berthelot was recognized and clarified that applicant had actually improved site triangle visibility by removal of trees,

house, and billboard. Messrs. Kershaw and Porto commended applicant on improvements. Mr. Spillman stated variances were minor; applicant had obtained adjacent neighbors signatures on fence requirement, and expressed appreciation to applicant in obtaining information.

A motion was made by Ms. Naomi Fair, seconded by Mr. Edward Robertson to grant the variance request for five (5) variances as aforementioned for Sidney Williams, 6283 Highway 1 S, Brusly, La. for snowball stand based upon receipt of signatures of "no objection" to proposed relocation of buffer setback lines, contingent upon installation of expansion joints should gas lines inspections and/or repairs be required, and applicant's agreeing to 30' feet site triangle from corner.

Roll call vote on the motion was recorded as follows:

YEAS: 8 (Mr. Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the roll call vote the motion was unanimously adopted by those members present.

Messrs. Durbin and Williams expressed appreciation for patience during process.

At this time under Correspondence Report the Council Clerk read excerpt from the West Baton Rouge Parish Planning & Zoning Commission meeting agenda scheduled for April 3, 2012 at 6:30PM.

Following brief discussion Mr. Spillman stated he would request Lynn Robertson consider filling his position at end of term in October as Mrs. Robertson had been contacted by Dr. Kasofsky to ensure that two names were submitted the Governor for appointment to the Capital Area Human Services District. A motion was made by Mr. Barry Huggins, seconded by Mr. Ricky Loupe and approved by acclamation to submit Cora Stewart's name in nomination to the Governor for 3 year term commencing 4/14/12 to fill one position on the Capital Area Human Services District.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon, seconded by Mr. Barry Huggins and approved by acclamation at 7:15PM.

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

/s/Sharon Zito
Sharon Zito, Council Clerk

