

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING – MARCH 8, 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 8, 2012 and called to order, and Council Chairman Gary Spillman requested that all electronic devices be silenced. Chairman Spillman requested before pledge of allegiance take moment of silence be observed for two Utilities Department employees who recently lost their mothers, Craig Beasley (Gloria Beasley) and Brad Martin (Dolores Bergeron) and to keep families in prayers. Following the moment of silence Mr. Spillman recognized Chris Kershaw, 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, Ms. Charlene Gordon, Messrs. Ricky Loupe, Gary M. Spillman, Randal “Randy” Mouch, Edward G. “Bob” Robertson, Ms. Naomi Fair, Mr. Barry Huggins

Parish President Riley Berthelot, Jr. was also present.

A motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to approve the minutes of the Regular Meeting of February 9, 2012 as published in the Parish Official Journal.

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

Director-Department of Utilities Daryl Babin was recognized and reviewed the bids received and opened 2/22/12 for lawn maintenance and upkeep at water-well/tower and sewer sites for 2 year period and requested acceptance of low bid of Achee’s Unlimited.

A motion was made by Mr. Randal Mouch, seconded by Mr. Barry Huggins to approve the low bid of Achee’s Unlimited for Lawn Maintenance for 2 year period for aforementioned services per bid tabulation sheet which appears elsewhere in these minutes and based on recommendation of Utilities Department.

Roll call vote on the motion 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 motion was unanimously adopted.

Executive Assistant Jason Manola was recognized, stated received 9 bids on 72,000 pound excavator, and following review based on pricing and required specifications Administration recommends acceptance of low bid of Scott Machinery at \$304,746.00 (50% down or \$152,620.00 and financing \$152,620.00 at 2.9% for 24 months with monthly payments of \$6,539.45) as within budgeted amount of \$354,000.00 and financing \$177,000.00.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Chris Kershaw to accept the low bid of Scott Machinery as aforementioned, based on recommendation of the Administration, and authorizing the Parish President to sign required documentation for same.

Roll call vote on the motion 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 motion was unanimously adopted.

Mr. Manola reviewed bids received on two (2) John Deere 7230 Model Tractors (two-wheel drive for roads department and four-wheel for drainage department); determined 10 days after bids packages sent out that state contract amount increased from \$50,000.00 to \$65,000.00 therefore recommend rejection of bids and purchase of machines under state contract.

A motion was made Mr. Barry Huggins, seconded by Mr. Randal Mouch to reject bids received for one (1) John Deere 7230 Model Tractor with two-wheel drive for the Roads Department and one (1) John Deere 7230 Model Tractor with four-wheel drive for the Drainage as aforementioned and purchase same under state contract as recommended by Administration.

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

President Berthelot was recognized and read the proclamation into the record declaring March 2012 as "American Red Cross Month" within West Baton Rouge Parish and presented same to board member Owen Cope. Mr. Cope expressed thanks, accepted proclamation on behalf of Capital Area Red Cross Chapter of the American Red Cross, and provided information on area and services covered. Presentation was followed by picture-taking session.

A motion was made by Mr. Phil Porto, Jr., seconded by Ms. Charlene Gordon to cancel the regularly scheduled meeting of Thursday, July 12, 2012 due to date conflict with the 2012 National Association of Counties Conference and Exposition.

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

President Berthelot requested amending tonight's agenda to go into executive session at the end of the meeting to discuss pending litigation as read into the record by the Parish Attorney case being entitled "CHC Port Allen, LLC vs. West Baton Rouge Parish Council, United States District Court for the Middle District of Louisiana, Civil Action No. 03:12-CV-0093."

At this time the Council Chairman called for roll call vote to the amend the agenda as aforementioned:

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

NAYS: 0 (None)

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

Mr. Mouch was recognized under item 11 (communications with council members and/or other elected or appointed officials) and expressed thanks to Mr. Berthelot for clean-up of Sid Richardson Road.

Mr. Kershaw provided brief update on new polling place at YMCA for Sugar Mill residents, expressed thanks to all involved, confirmed YMCA board approval, and requested adoption of Ordinance required to obtain Justice Approval.

Chairman Spillman announced that the Public Hearing was now in order and all interested persons were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning on the rezoning request of Harry L. Laws & Company, Inc., Brusly, La. from A (Agricultural District) to TND (Traditional Neighborhood Development District), which was continued from 2/9/12 due to an advertising error. Cletus Langlois of Patin Engineers and Surveyors, introduced Harry L. Laws & Company representative and associate, reviewed general implementation plan documentation for Stonewall Plantation, and offered to answer any questions. During discussion Mr. Durbin stated that the Administration reserves the right to require conformity to the TND Code as full review of the GIP (General Implementation Plan) was not conducted due to timeline involved in applicant's submission of GIP.

The following were recognized, provided additional information, or stated positions on rezoning request:

Ricky Loupe	Phil Porto, Jr.	Naomi Fair	Gary Spillman
Kevin Durbin	Randal Mouch	Chris Kershaw	Jason Manola
Barry Huggins	Butch Plauche	Rosa Stelly	

Some of the topics discussed were:

Area growth and increase in volume of traffic;

Area planned street improvements;

Drainage;

Size of Lots;

Schools, parks, and civic facilities within walking distance;

Department of Transportation & Development roadway requirements;

Garbage collection and utility servitude;

Company good land steward;

Specific Implementation Plan to be furnished within 36 months;

Testing marketability of small portion of 250 acres;

Support concept.

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. Ordinance No. 4 of 2012 appears elsewhere in these minutes.

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

ORDINANCE NO. 4 OF 2012

AN ORDINANCE TO AMEND 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 Harry L. Laws & Company, Inc., Brusly, La. located in Sections 17, 18, 58, 59 & 60, T8S-R12E from A (Agricultural District) & C-1.3 (Regional-Scaled Commercial District) to TND (Traditional Neighborhood Development District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become 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 ORDAINED 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 yeas or nays on roll call vote:

YEAS: 6 (Ms. Fair, Messrs. Huggins, Kershaw, Loupe, Mouch, Robertson)

YEAS: 1 (Mr. Porto with the following statements: "Yes with a statement. You guys changed my mind.")

YEAS: 1 (Ms. Gordon with the following statement: "Yes with a loop.")

NAYS: 1 (Mr. Spillman)

WHEREUPON the ordinance was declared adopted on the 8th day of March, 2012.

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 8th day of March, 2012.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 9:40 o'clock AM on the 9th day of March, 2012.

IN FAITH WHEREOF witness my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 9th day of March, 2012.

/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 9th day of March, 2012.

/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 11:35 o'clock AM on the 9th day of March, 2012.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that the Public Hearing was now in order and all interested persons were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning on the rezoning request of Wayne Triche, 2031 Poydras Bayou Drive, Port Allen, La. designated as portion of the original Mrs. Henry Cochran Property from A (Agricultural District) to R-M (Residential Minor Subdivision District). Land Surveyor Woody Triche was recognized, clarified property location as well as buildings thereon, and requested approval for creation of 6 lots within 36 acre tract. Discussion held on utility servitude, right-of-way for servitude of passage, and fire hydrants installation.

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. Ordinance No. 7 of 2012 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Barry Hughhins, seconded by Mr. Edward Robertson

ORDINANCE 7 OF 2012

AN ORDINANCE TO AMEND 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 Wayne Triche, 2031 Poydras Bayou Drive, Port Allen, La. designated as portion of the original Mrs. Henry Cochran Property located in Section 86, T7S-R10E and Section 6, T7S-R11E from A (Agricultural District) to R-M (Residential Minor Subdivision District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become 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 ORDAINED 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 (Mr. Robertson, Ms. Fair, Messrs. Hugghins, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch)

NAYS: 0 (None)

WHEREUPON the ordinance was declared adopted on the 8th day of Mach, 2012.

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 8th day of March, 2012.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 9:40 o'clock AM on the 9th day of March, 2012.

IN FAITH WHEREOF witness my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 9th day of March, 2012.

/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 9th day of March, 2012.

/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 11:35 o'clock AM on the 9th day of March, 2012.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that the Public Hearing was now in order and all interested persons were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning on the rezoning request of Michael and Jan Becnel, 4626 S. River Road, Port Allen, La. designated as Lot 3 from R-SF-3 (Residential Single Family District containing 22,500 square feet) to C-1.3 (Regional-Scaled Commercial District). Mike Becnel was recognized and explained rezoning designation change requested from residential to commercial to allow hosting wedding parties, teas, bridal showers, and cultural functions promoting plantation and tourism. Mr. Becnel clarified that the Zoning Commission felt that C-1.3 too dense for proposed use and recommended C-1.1. Mr. Durbin concurred with Zoning Commission's recommendation of C-1.1 (Neighborhood-Scaled Commercial District), which is more closely suited to indoor entertainment classification. Mr. Kershaw concurred with recommendation, and Mr. Huggins confirmed property on national registry.

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. Ordinance No. 9 of 2012 appears elsewhere in these minutes.

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

ORDINANCE NO. 9 OF 2012

AN ORDINANCE TO AMEND 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 Michael and Jan Becnel, 4626 S. River Road, Port Allen, La. designated as Lot 3, 3.027 acres located in Section 5, T8S-R12E from R-SF-3 (Residential Single Family District containing 22,500 square feet) to C-1.1 (Neighborhood-Scaled Commercial District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council, that this ordinance shall become 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 ORDAINED 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. Huggins, Porto, Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair)

NAYS: 0 (None)

WHEREUPON the ordinance was declared adopted on the 8th day of Mach, 2012.

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 8th day of March, 2012.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 9:40 o'clock AM on the 9th day of March, 2012.

IN FAITH WHEREOF witness my official signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on the 9th day of March, 2012.

/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 9th day of March, 2012.

/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 11:35 o'clock AM on the 9th day of March, 2012.

/s/Sharon Zito

Sharon Zito, Council Clerk

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Commended the Council on due diligence on Zoning issues;
Announced Division of Administration meeting with Paul Rainwater scheduled for 10:00AM tomorrow on La. 1/I-10 Connector;
Updated on St. James Detention Center Youth Facility meeting for 7 parish area regarding proposed legislative bills for 2 year waiver from new state requirements;
Confirmed 4% sales tax increase;
Working on sidewalk grants as part of implementing Master Plan.

Gary Spillman was recognized under Council Chairman's Report regarding the following:
Fire sales tax proposition recommendation should be ready for presentation to big committee by the end of the month;
Announced Household Hazardous Materials Collection Day scheduled for Saturday, March 31, 2012 as well as citizens' all-call reminder;
Minor subdivisions tour conducted with Mr. Huggins to determine if ordinance needed tweaking.

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

RESOLUTION

A Resolution establishing April as "National 9-1-1 Education Month"

WHEREAS, 9-1-1 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, EMS or other appropriate emergency response entities, and

WHEREAS, in 1968 the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States, and

WHEREAS, 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (P.L. 106-81), and

WHEREAS, the Enhanced 9-1-1 Act of 2004 (P.L. 108-494) established enhanced 9-1-1 as "a high national priority" as part of our nation's homeland security and public safety, and

WHEREAS, it is important that policy makers at all levels of government understand how the 9-1-1 system works today and take necessary steps for modernization, and

WHEREAS, with the number of calls answered, population growth and variety of communication means imposing challenges for accessing 9-1-1 it is critical to educate the public of all ages about capabilities and proper use, and

WHEREAS, establishing National 9-1-1 Education Month would encourage public awareness conferences and media outreach events, including training activities for students, parents,

teachers, school administrators, care givers and businesses as well as production and distribution of educational materials designed to educate people of all ages on the importance and proper use of 9-1-1.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby recognize April as “National 9-1-1 Education Month” within West Baton Rouge Parish.

Roll call vote on the resolution was recorded as follows:

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

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 March 8, 2012 at which meeting all of the members were present and voting.

/s/Sharon Zito

The following resolution was offered by Mr. Phil Porto, Jr., seconded by Mr. Edward Robertson

RESOLUTION

A Resolution declaring the week of April 8th – 14th, 2012 as “National Telecommunications Week” in West Baton Rouge Parish

WHEREAS, emergencies occur at anytime requiring police, fire or emergency medical services, and

WHEREAS, safety of police officers and firefighters depend on the quality and accuracy of information telephoned to the West Baton Rouge Parish Communications Center, and

WHEREAS, public safety dispatchers are the first and most critical citizens contact as well as vital link with emergency service personnel, and

WHEREAS, West Baton Rouge Parish dispatchers have exhibited compassion, understanding and professionalism during the performance of their job and contributing substantially to the apprehension of criminals, suppression of fires and patient treatment.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby declare the week of April 8th – 14th, 2012 as “National Telecommunications Week” in West Baton Rouge Parish in honor of the men and women whose diligence and professionalism keep our citizens safe.

Roll call vote on the resolution was recorded as follows:

YEAS: 9 (Mr. Kershaw, Ms. Gordon, Messrs. Loupe, Spillman, Mouch, Robertson, Ms. Fair, Messrs. Hugghins, 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 true and correct copy of a resolution adopted by said body at its Regular Meeting of March 8, 2012 at which meeting all of the members were present and voting.

/s/Sharon Zito

The Council Clerk read by title the below proposed 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 104 Zoning for rezoning request of Bernard E. Jackson, 2959 Lukeville Lane, Brusly, La. designated as lot measuring 50' x 175', located in Section 19, T8S-R12E from R-SF-3 (Residential Single Family District containing 22,500 square feet) to C-1.2 (Community-Scaled Commercial District).

Charlie St. Romain was recognized as surveyor for Lloyd Collins and explained subdivision of property for family member was required by bank for mortgage purposes to cut out 2 acres as collateral, and requested approval. Mr. Spillman provided history on property, and clarified notation on plat regarding building site for family partition and mortgage purposes.

A motion was made by Mr. Barry Hughhins, seconded by Ms. Naomi Fair to approve the final map showing the subdivision of Tract C of the former Catherine S. Kissner Tract into Tract C-1 & Tract C-1 located in Section 21, T6S-R11E for Lloyd Collins with a variance for road frontage of the rear lot as recommended for approval by the Planning Commission 3/6/12.

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

Mr. St. Romain explained purpose of Hall plat was for reconfiguration of landlocked lot on Lukeville Lane, and variances requested due to lack of square footage and width to meet sideline requirements and improve bad situation. Mr. Spillman provided further clarification on issue. Mr. Kershaw confirmed this clean-up would improve property.

A motion was made by Ms. Naomi Fair, seconded by Mr. Barry Hughhins to approve the final map showing the subdivision of the Cherlyn C. Hall, etals lot and the Cherlyn Hall lot into Lot A & Lot B located in Section 19, T8S-R12E for Cherlyn Hall with variances as shown on plat for minimum lot area, minimum lot width, and minimum building setbacks as recommended for approval by the Planning Commission 3/6/12.

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

At this time Mr. Durbin thanked Council members for signing-up for committees.

At this time under Correspondence Report the Council Clerk read excerpt from the West Baton Rouge Parish Planning & Zoning Commission agenda scheduled for March 20, 2012 at 6:30PM.

The following individuals were nominated, nominations closed, and approved by acclamation for submission to the Governor for 3 year term appointment commencing 4/14/12 to fill one position on the Capital Area Human Services District:

Kristin Saucier and Isadore "Bill" Slaughter.

A motion was made by Mr. Phil Porto, Jr., seconded by Ms. Charlene Gordon to reappoint Julia Rose, nominations closed, and approved by acclamation for 3 year term commencing 3/18/12 to the Atchafalaya Tract Commission based on said commission's recommendation and Ms. Rose's confirming her willingness to continue to serve in this capacity.

A motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to appoint Chris Kershaw, nominations closed, and approved by acclamation to replace Jeff Kershaw until 8/10/14 on the West Baton Rouge Parish Communications Board of Commissioners.

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to retire to executive session at 8:15PM to discuss pending litigation case being entitled "CHC Port Allen, LLC vs. West Baton Rouge Parish Council, United States District Court for the Middle District of Louisiana, Civil Action No. 03:12-CV-0093."

Roll call vote on the motion was recorded as follows:

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

NAYS: 0 (None)

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

A motion was made by Mr. Chris Kershaw, seconded by Mr. Edward Robertson to return to regular session at 8:32PM and approved by acclamation.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon, seconded by Mr. Randal Mouch and approved by acclamation at 8:35PM.

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

/s/Sharon Zito
Sharon Zito, Council Clerk

