

**REGULAR MEETING – WEST BATON ROUGE PARISH COUNCIL
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
MAY 9, 2013 - 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, May 9, 2013 and called to order. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Phil Porto, Jr., who led everyone in the pledge of allegiance.

Roll-Call Pro System recorded the following members being present:
Messrs. Randal “Randy” Mouch, Chris “Fish” Kershaw, Ricky Loupe, Ms. Charlene Gordon, Messrs. Phil Porto, Jr., Gary M. Spillman, Barry Huggins, Edward G. “Bob” Robertson

Absent: Ms. Naomi Fair

Parish President Riley Berthelot, Jr. was also present.

A motion was made was made by Mr. Edward Robertson, seconded by Mr. Chris Kershaw to approve the minutes of the Regular Meetings of April 11, 2013 and April 25, 2013 as published in the Parish Official Journal.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Pam Keowen of the Utilities Department was recognized, requested authorization to advertise for bids for yearly supply contract commencing July 1, 2013 for pipe and fittings for said department, and confirmed will return in June for bid approval.

A motion was made by Mr. Chris Kershaw, seconded by Ms. Charlene Gordon to authorize the Utilities Department to advertise for bids for annual supply contract commencing July 1, 2013 for pipe and fittings.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

At this time Barry Huggins recognized the Brusly High School Lady Panther Softball Team and coaches for winning state championship this season for Class 3A, offered resolution

honoring achievement, and made brief statement about amount of effort and commitment required to be championship athlete. Chairman Spillman requested coaches introduce themselves and provide background. Head coach Beau Bouvier was recognized introduced assistants, thanked the Council for resolution, and stated group had won 31 straight games (audience applause followed). Said resolution appears elsewhere in these minutes.

Mr. Mouch confirmed the Brusly boys are playing tomorrow in the semi-finals for state championship class 3A, and wished luck.

The following resolution was offered by Mr. Barry Huggins, seconded by Mr. Chris Kershaw

RESOLUTION

A Resolution commending the Brusly High School Lady Panther Softball Team for winning District 7-3A Championship (District record 10-0) as well as State Class 3A Championship

WHEREAS, the West Baton Rouge Parish Council has been informed that the Brusly High School Lady Panther Softball Team has recently won District 7-3A Championship and State Class 3A Championship, and

WHEREAS, acknowledging the contribution of the following as members of the Brusly High School Lady Panther Softball Team and their coaches on these accomplishments this season:

- | | | |
|---------------------------|---|----------------|
| Madison Laprarie | Kaitlin David | Shelby Willis |
| Jonette Fitzgerald | Keeley Martin | Shelby Fleming |
| Kelsey Parker | Kayla Hayslett | Akiya Thymes |
| Claire Daigle | Alex Dexter | Carleigh Brown |
| Camryn Comeaux | Christen Gaudet | Kayla Haydel |
| Carlie Comeaux | Lanesha Taylor | Hannah Gaudet |
| Kali Brown | Carli Jo LeBlanc | |
| Head Coach Beau Bouvier | Assistant Coaches Jory Comeaux & Julie Mayeux | |
| Manager Rachel Adams, and | | |

WHEREAS, the citizens of the Parish of West Baton Rouge, Louisiana through its governing authority, desires to express their congratulations.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council assembled on this 9th day of May, 2013, on behalf of the citizens of West Baton Rouge Parish due recognition is hereby made of the Brusly High School Lady Panther Softball Team's winning the aforementioned titles in competition on the division, regional and state level.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result 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 true and correct copy of a resolution adopted by said body at its Regular Meeting of May 9, 2013 at which meeting a majority of the members were present and voting.

/s/Sharon Zito

Chairman Spillman announced that agenda item 6 (Coroner Dr. Philip Padgett, Chief Investigator Yancy Guerin & office staff recognition by Louisiana Organ Procurement Agency (LOPA) & Baton Rouge Regional Eye Bank for dedication and support of organ, tissue and eye donation) would be deferred to later meeting due to death in family of LOPA representative.

President Berthelot was recognized under item 7 (consider any amendments to the agenda) and requested amending the agenda for the following:

1) Declare the following roads department equipment as surplus material:

2003 F-250 Diesel Pick-up Truck for auction;

1998 Pipe Hunter Culvert Cleaner through cooperate endeavor for purchase by Town of Addis for \$3,500.00;

2) Retire to executive session to discuss Crazy Horse.

Consensus was to consider resolution supporting the Museum Application to develop levee-trails prior to amendments to the agenda. Public Works Director Kevin Durbin and Museum Director Julie Rose were recognized and briefly explained support resolution for recreational trails for 20 per cent matching grant to connect levee-top on Courthouse Street with existing portion. President Berthelot was recognized and confirmed funding \$5,000.00 portion of project in 2014 budget. Said solution appears elsewhere in these minutes.

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

RESOLUTION

WHEREAS, the Moving Ahead for Progress in the 21st Century (MAP-21) Transportation Act provides funds to the State of Louisiana for grants to federal, state, local government agencies, non-profit organizations and commercial entities to acquire, develop and/or maintain motorized and non-motorized trails, and

WHEREAS, the FHWA Recreational Trails Program for Louisiana (FRTPL) has been delegated the responsibility for the administration of the program within the state and setting up necessary procedures governing project application under the program, and

WHEREAS, these regulations require an application to have a resolution of support from the local governmental body of the jurisdiction in which the proposed project is located, and

WHEREAS, the West Baton Rouge Parish Council supports the development of trails in West Baton Rouge Parish as well as the efforts of the West Baton Rouge Museum to enhance the quality of life for our residents and visitors, and

WHEREAS, the West Baton Rouge Administration has already established an Alternative Transportation Advisory Group to guide the long-term development of trails in West Baton Rouge Parish, is currently managing two (2) trail funding approvals for levee-tops in the Brusly and Addis areas, and has committed – through the budget process – to work with the City of Port Allen on levee-trails located within the City limits, and

WHEREAS, the West Baton Rouge Parish Council is committed to assisting the West Baton Rouge Museum with their portion of the local match requirement – should their FRTPL application be approved – in an amount not to exceed five thousand dollars (\$5,000.00).

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby endorse and support the application being submitted to the FRTPL by the West Baton Rouge Museum.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result 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 true and correct copy of a resolution adopted by said body at its Regular Meeting of May 9, 2013 at which meeting a majority of the members were present and voting.

/s/Sharon Zito

A motion was made by Phil Porto, Jr., seconded Mr. Barry Huggins to approve amending the agenda for the following items as aforementioned:

1) Declare the following roads department equipment as surplus material:

2003 F-25 Diesel Pick-up Tuck for auction;

1998 Pipe Hunter Culvert Cleaner through cooperative endeavor for purchase by Town of Addis for \$3,500.00

2) Retire executive session near end of meeting to discuss litigation in the matter of CHC Port Allen, LLC vs. West Baton Rouge Parish Council, Civil Action No. 12-CV-0093, U. S. District Court for the Middle District of Louisiana.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Public comments were requested at this time and there were none. Mr. Kershaw was recognized under item 9 (communications with council members and/or elected or appointed officials) and expressed thanks to Administration for working with State to expedite swapping of yield and stop signs around near old plants for better traffic flow as requested by constituents.

Mr. Spillman stated that the amended agenda item would be considered at this time. Executive Assistant Jason Manola was recognized, requested roads equipment items be declared as surplus material, recommended sending the 2003 F-250 Diesel Pick-up Truck to auction since it had been replaced as part of Capital Expenditures for current year, and authorize Parish President to sign governmental transfer cooperative endeavor with the Town of Addis for purchase of the 1998 Pipe Hunter Culvert Cleaner for \$3,500.00. Mr. Mouch clarified operation of culvert cleaner with Messrs. Manola & Berthelot.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Ricky Loupe declaring the aforementioned roads equipment items as surplus material, to send the 2003 F-250 Diesel Pick-up Truck to auction, and authorize the Parish President to sign governmental transfer cooperative endeavor with the Town of Addis for purchase of the 1998 Pipe Hunter Culvert Cleaner for \$3,500.00.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Chairman Spillman announced that the Public Hearing was now in order and all interested persons were invited to appear and be heard regarding amending Chapter 104 Zoning for request of Keith Morris and Sugar West Farms, 3521 Belmont Road, Port Allen, La. designated as portion of Tract 2 of Belmont Plantation for Special Use permit to allow residence within Light Industrial District. Mr. Durbin was recognized and explained application as special use permit to allow residential within industrial district, projected aerial location photographs on overhead projector, confirmed applicant was present to answer any questions and Zoning Commission had recommended approval 5/7/13. Mr. Hughhins was recognized stating understood and had no problem with Mr. Morris allowing residence in industrial area, but concerned with setting precedent, and proposed approval with stipulations that will avoid setting precedent and allow Mr. Morris to do what he wants to do. Mr. Hughhins listed the following stipulations to be included: permit is good for only such time as the property is used exclusively for farming; the permitted dwelling can only be a mobile home, and third residents in this mobile home will be restricted only to farm-workers that are in his employ.

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 2013 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Barry Hughhins, seconded by Mr. Phil Porto, Jr.

ORDINANCE NO. 7 OF 2013

AN ORDINANCE TO AMEND CHAPER 104 ZOING 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 request of Keith Morris and Sugar West Farms, 3521 Belmont Road, Port Allen, La., designated as portion of Tract 2 located in Sections 33, 34, 35, 36, 37, 38 & 39, T6S-R12E being portion of Belmont Plantation for Special Use Permit to allow residence within I-1 (Light Industrial District), contingent upon the following stipulations:

- 1) Permit is good for only such time as the property is used exclusively for farming;
- 2) The permitted dwelling can only be a mobile home;
- 3) Residents in this mobile home will be restricted only to farm-workers in his employ.

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 9th day of May, 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 9th day of May, 2013.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 9:10 o'clock AM on the 10th day of May, 2013.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 10th day of May, 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 13th day of May, 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 9:20 o’clock AM on the 13th day of May, 2013.

/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 amending Chapter 104 Zoning for rezoning request of Robert W. Essick, Jr., 4936 Bueche Road, Port Allen, La. designated as portion of Lot B-1-K from Agricultural District to Community-Scaled Commercial District. Mr. Essick was recognized and explained in order to sell vehicles (cars/dirt bikes) on-line out of shop and acreage behind home location must be designated as commercial to obtain used car dealer association license and sell more than 5 vehicles yearly. Mr. Durbin clarified that auto sales were only allowed within C-1.2 and C-1.3 designations.

The following residents and council members were recognized and expressed position on the rezoning request:

Natasha Carter Benoit	Stephanie Brown	Charisse Davison
Charlene Gordon	Phil Porto, Jr.	Robert Essick, Jr.
Jackie Garrison	Kevin Durbin	Marilyn Guidroz
Randal Mouch	Barry Hughins	Gary Spillman
Ricky Loupe		

Some of the topics covered were:

- Property values & taxes;
- Recession recovery;
- Preserve character of neighborhood atmosphere rather than commercial;
- Increase in volume of traffic;
- Designation C-1.2 limited to 30 vehicles;
- Zoning commission voted 5 to 1 to recommend 22,500 square feet toward the rear of property including shop;
- Commercial property frontage requirement;
- Neighborhood watch concerns;
- Discrepancy between original application and zoning commission recommendation;
- Other businesses near intersection of Section & Bueche Roads are mixed use;
- Cars stored away from public view;
- Commercial zoning designation would set precedent;
- Restrictions on special use permit;

Surrounding area zoned as agricultural, which allows animals next door to residence with barbed-wire fence;

Louisiana Motor Vehicle Commission form requires signature whether applicant is allowed in district;

Zoning table would require usual process to amend through new ordinance to create special use permit to allow auto sales within residential.

Mr. Durbin made brief statement regarding number of locations throughout parish that have trucks on-site, which have been asked to investigate (legally very fine line between what is business and what is home occupation), and so far have not found violations by any dump truck owners. Mr. Durbin suggested consulting with the parish attorney and doing further research on the matter. Mr. Loupe clarified location and number of dump trucks stored in area. Discussed deferring action for 2 weeks to allow Council and applicant time to obtain additional information.

A motion was made by Mr. Phil Porto, Jr., seconded by Ms. Charlene Gordon to defer action for 2 weeks until 5/23/13 to allow Council and applicant time to obtain additional information on the rezoning request of Robert Essick, Jr., 4936 Bueche Road, Port Allen, La. for portion of Lot B-1-K from Agricultural District to Community-Scaled Commercial District as aforementioned.

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

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

NSYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Mr. Spillman requested applicant and neighbors discuss issue in meantime to try to work out compromise, thanked attendees for input, but cannot support commercial property.

Mr. Manola was recognized under item 11 (consider status report, change order and/or other matters as required on current projects) and reviewed change order no. 1 for West Baton Rouge Emergency Generators (29) – Installation - through LRA Grant for Lift Stations in the amount of \$37,068.08 (replacing wooden racks with metal racks - \$9,866.00, deletion of 30KW and replace with 50KW at Esperanza Estates & Woodlands and 80KW at Fairview Estates) for a total increase in contract price of \$46,934.08, and well within budget.

A motion was made by Mr. Phil Porto, seconded by Mr. Barry Hughhins to approve Change Order No. 1 for West Baton Rouge Emergency 29 Generators – Installation (Gustav/Ike Project No. 61PARA2303) through Louisiana Recovery Act Grant for Lift Stations for aforementioned items for increase in the contract price of \$46,934.08 (Tullier Services, LLC) as recommended by Project Engineer and Administration, and authorizing the Parish President to execute same, contingent upon concurrent from LRA.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Mr. Manola informed the Council that the Splash Pads plumbing is complete, still have pouring of slab and setting of the fixtures to take place, and awaiting final approval from DHH for new 4-inch line for water supply & and review of plans and specifications. Cletus Langlois was recognized, confirmed forming on Monday, pressure-test on Tuesday, and pour either Tuesday evening or Wednesday morning depending on rain. Estimate opening June 1st.

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Reminded members of financial disclosure due to Ethics Board by next Wednesday;
Showed map of pipeline route through Parish proposed for next year by Eastern Gulf Crude Access, LLC on overhead projector for information;
Attended Police Jury Association of Louisiana Legislative Day and discussed proposed fire district compromise of one fire district requiring concurring resolutions, pending additional information;
Channel 9 Road Show last week at Museum was huge success and Parish received good publicity, and offered to answer any questions.

Gary Spillman was recognized under Council Chairman's Report stating lengthy process involved in preparing for the parish-wide fire department for the benefit of the entire parish, including scheduling meetings with civil service board, fire rating and financial people in order to obtain as much information as possible to be able to answer individual fire department questions. Mr. Spillman stated that everyone will be assigned to small committee to try to get things worked out.

Mr. Durbin was recognized and confirmed that surveyor Woody Triche was present to represent family partition of Lot 18-A, Elm Grove Subdivision into Lots 18-A-1, 18-A-2, 18-A-3, 18-A-4 & 18-A-5 with variance for required 125 feet of road footage as recommended by the Planning Commission 5/7/13, confirmed Lots 18-A-3 & 18-A-4 have only 83 feet road frontage, and all other property located behind Lot 18-A-1 have private servitude of passage for access. Mr. Triche was recognized and confirmed location of utilities and fire hydrants.

A motion was made by Mr. Barry Huggins, seconded by Mr. Edward Robertson to approve the final plat showing the subdivision and family partition of Lot 18-A, Elm Grove Subdivision into Lots 18-A-1, 18-A-2, 18-A-3, 18-A-4 & 18-A-5 located in Section 17, T6S-R11E for Anna Marie Silvio as aforementioned with variance for front footage of these lots due to geometrics of this tract as recommended by the Planning Commission.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Mr. Durbin stated Patterson Decuir plat had been submitted by Patin Engineer and Surveyors for division of property into PD-A, PD-B, PD-C, PD-D, PD-E, PD-F, PD-G & PD-H. The Council Clerk read the 5/7/13 Planning Commission recommendation into the record as "with

the requested variances of installation of only one (1) fire hydrant and the road frontage of Lot PD-H. The Commission feels that the one fire hydrant and utilities should be installed before the issuance of the first building permit. The motion carried unanimously.” Cletus Langlois of Patin Engineers and Surveyors was recognized representing the Patterson Decuir family, confirmed lot sizes and location, Lot PD-H only has 113 feet of road frontage on private access in the rear, and 1,100 feet from fire hydrant (100 feet short of requirement) will be shown on plat.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto, Jr. to approve the final plat showing the subdivision of the remainder of the Patterson Decuir Property (formerly Gussie Decuir Property) into Lots PD-A, PD-B, PD-C, PD-D, PD-E, PD-F, PD-G & PD-H (a family partition) located in Section 17, T6S-R11E for Patterson Decuir as aforementioned with the requested variances of installation of only one (1) fire hydrant and the road frontage of Lot PD-H as fire hydrant and utilities should be installed before the issuance of the first building permit as recommended by the Planning Commission.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Mr. Durbin reviewed the variance application & evaluation form at time of building permit for Alisa Badeaux, 817 Wilma Lane, Port Allen, La. that proposed residence be 1,322 feet from the existing fire hydrant on Rebelle Lane for Lot E-1, and showed map on overhead projector. Ms. Badeaux calculated distance from hydrant as 1,092 feet and confirmed adjacent property owner signatures of “no objection”. Mr. Spillman confirmed amount of acreage remaining on the family partition. Lengthy discussion held on number of fire hydrant variances recently granted on family property and need to address the matter.

A motion was made by Mr. Gary Spillman, seconded by Mr. Barry Huggins to approve the variance request of Alisa Badeaux, 817 Wilma Lane, Port Allen, La. as aforementioned that proposed residence be 1,322 feet from the existing fire hydrant on Rebelle Lane for Lot E-1 as adjacent property owners signature of “no objection” had been obtained.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

Mr. Durbin announced Focus Group Meeting held today regarding interested site list on trail plan as required by DOTD and provided copies of draft for review and consideration at next meeting.

The Council Clerk confirmed that the Jason Safford, Antonia Professional Plaza variance was incomplete at this time.

A motion was made by Mr. Edward Robertson, seconded by Ms. Charlene Gordon to retire to executive session at 7:57PM to discuss litigation in the matter of CHC Port Allen, LLC vs. West Baton Rouge Parish Council, Civil Action No. 12-CV-0093, U. S. District Court for the Middle District of Louisiana.

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

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

NAYS: 1 (Mr. Porto)

ABSENT: 1 (Ms. Fair)

As a result the motion was adopted by a majority of those members present.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Edward Robertson to return to regular session at 8:17PM.

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

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

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result the motion was unanimously adopted by those members present.

At this time under Correspondence Report the Council Clerk read excerpt from the West Baton Rouge Parish Planning & Zoning Commission meeting agenda scheduled for Tuesday, May 21, 2013 at 6:30PM

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe and adopted by acclamation at 8:20PM.

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

/s/Sharon Zito
Sharon Zito, Council Clerk