

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING  
GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
AUGUST 11, 2016 - 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, August 11, 2016 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent as the meeting opened with The Pledge of Allegiance led by Councilwoman Naomi Fair.

Roll-Call Pro System recorded the following members as being present:  
Messrs. Chris “Fish” Kershaw, Barry Huggins, Edward G. “Bob” Robertson, Gary Spillman, Ricky Loupe, Kirk Allain, Phil Porto Jr., Meses. Charlene Gordon, and Naomi Fair.

Also present were, Mr. Riley Berthelot, Parish President, Mr. Phillip Bourgoyne, Director of Finance, Jason Manola, Executive Assistant and Ms. Michelle Tullier, Council Clerk.

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A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to approve the minutes of the July 28, 2016 regular meeting.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda, there were the following items to consider: a) Ratify Parish President Signature on Road Overlay Program Change Order b) CC’s Lounge – Change of Address Only. There were no questions from the council at this time.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Phil Porto to amend tonight’s agenda to include the aforementioned items.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was unanimously adopted by present members and the agenda therefore amended.

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Chairman Spillman moved on to item #6 Parish President’s Report, and recognized President Berthelot who covered the following items: Transportation Infrastructure Meeting Update, Sandbag Update at all Parks, recent meeting with municipalities regarding streets, Shintech RR track crossing.

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Item #7 Public Comments, there were no public comments at this time.

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Chairman Spillman moved on to item #8 Discussion on hiring of legal counsel if necessary for expropriation of property, President Berthelot was recognized and explained to the council that he would only take these measures as a last resort regarding the Ed Lejeune Road Extension project. President Berthelot requested amending the agenda once again to take up a vote in order to get the council approval to hire legal counsel if needed in the future for expropriation of property.

At this time a motion was made to amend the agenda by Motion of Mr. Barry Huggins, seconded by Mr. Phil Porto to amend tonight's agenda to include an item of support for the Parish President to hire legal counsel for expropriation of property.

A verbal roll call was taken with the following result.

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was unanimously adopted by present members and the agenda therefore amended.

A motion was made at this time by Mr. Ricky Loupe, seconded by Mr. Barry Huggins to authorize the Parish President to hire legal counsel for expropriation of property.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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Chairman Spillman moved on to item #9 Discussion on (Sec. 105-36d) Dead-end streets and (Sec.105-37) Blocks, including cross-streets, there was a lengthy discussion involving councilmembers and administration on moving forward with the above referenced sections of the code and if any changes should be made to the language, there was a discussion on canals, pipelines and other special circumstances.

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Chairman Spillman moved on to item #10 Communications with Council Members and/or Elected or Appointed Officials, there were no comments at this time.

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Chairman Spillman moved on to item #11 Public Hearing on previously introduced Ordinances, and announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #11a) An Ordinance Adopting the 2016 Council Amendments to the General Fund Revenue and Expenditure Budgets and the Capital Outlay Budgets for Roads, Buildings, Land and Recreation for the Fiscal Year beginning January 1, 2016 and ending December 31, 2016

Mr. Phillip Bourgoyne, Director of Finance was recognized and explained the needed adjustments to the council pointing out that the correctional facility adjustments had been added to the amendments, there were no questions from the council at this time.

There were no further public comments 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 and opened the matter up to the council.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve the aforementioned ordinance as presented.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Ordinance 24 of 2016 appears at the end of these minutes.

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Chairman Spillman moved on to item #12 Consider status report, Change order and/or other matters as required on current projects, specifically 12a) Accept/Reject Bid Recommendation on Debris Contract, Mr. Jason Manola was recognized and reviewed with the council the recommendation from administration to award the stand by contract for debris removal to Crowder Gulf based on the assessment criteria in the RFP.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto to accept the recommendation from administration to award the stand by contract for debris removal to Crowder Gulf based on the assessment criteria in the RFP.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Item #12b) Ratify Parish President Signature on Road Overlay Program Change Order, Mr. Kevin Gravois with PEC was recognized and explained to the council this item came up rather quickly in the middle of a road overlay job and was sent out by email for everyone to review, it was a change that was needed to be made rather quickly on the Webster Lane project which is going to cost approximately \$23,272.86 dollars and about 14 days extra time. There were no questions from the council.

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw to Ratify the Parish President Signature and approve the aforementioned change order.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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Item #13 Resolutions, there were none at this time.

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Item #14 Introduction of Ordinances:

- a) An ordinance to amend and reenact Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Article VI (“Subdivision Approval Procedure”), Section 111-116 (“Subdivision Waivers”) of the West Baton Rouge Parish Code of Ordinances to provide clarification language relative to the respective roles of the Planning & Zoning Commission and the Parish

Council in the waiver deliberation process. Public Hearing Date: September 8, 2016

- b) An ordinance to amend and reenact Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) of the West Baton Rouge Parish Code of Ordinances to provide for classification standards of “outdoor storage” and “bulk outdoor storage” in moderate and heavy industrial districts. Public Hearing Date: September 8, 2016
- c) *An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Sec. 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Tenita Mason Shavers ETALS, File #2016-10, Tract B, a portion of 12.94 acres in Section 18, T6S, R11E, known as a portion of the Willie Jack Estate, 5818 Flynn Rd, Port Allen, La, 70767, Rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family), Master Plan Change. Public Hearing Date: September 8, 2016*
- d) *An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Sec. 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Kenneth and Candice Blanchard, File #2016-011, 4263 Tres Lane Brusly, La 70719 , Lot L-2-C, containing 0.833 acres in Section 61, T8S, R12E, Rezoning from AG (Agricultural) to RM (Residential Minor), Master Plan Change. Public Hearing Date: September 8, 2016*
- e) *An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Sec. 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Kenneth Carr, Sr, File #2016-012, 2315 Rosedale Rd Port Allen, La 70767, Lot 11-A containing 4.347 acres in Sections 65 & 91, T7S, R12E, SQ 11 Burbridge Tract, Rezoning from C-1.1 & R-SF-2 to RM (Residential Minor) Public Hearing Date: September 8, 2016*
- f) *An Ordinance Amending and Supplementing the West Baton Rouge Code of Ordinances, Particularly, Chapter 28, by Adding Article III: Fire Prevention Codes and Section 28-31. Codes Adopted, Providing that the Parish of West Baton Rouge Adopts the NFPA 1 Fire Prevention Code and the NFPA 101 Life Safety Code as Recommended by the National Fire Protection Administration Public Hearing Date: October 13, 2016*

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Chairman Spillman moved on to Item #15 Consider Planning & Zoning Commission Meeting Minutes, Subdivision Plats, Condemnations and/or waivers and matters related thereto, specifically item #15a) Ratify Condemnation – 3762 Choctaw Rd., Mr. Kevin Durbin, Director of Public Works was recognized and explained to the council that the address in question was inspected by Mr. Jimmy Talbot our Parish building inspector and the pictures were attached, there were actually two trailers in question at that location which both were in bad shape and in his opinion needed to be condemned. Ms. Naomi Fair spoke out and stated she thought someone actually lived in one of the trailers, after the councilmembers asked a few more questions regarding the notification process, there was a motion made.

A motion was made by Mr. Phil Porto, seconded by Mr. Chris Kershaw to ratify the condemnation process of the aforementioned property 3762 Choctaw Rd. Brusly, La 70719.

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

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

NAYS: 1 (Ms. Fair)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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Item #16 Consider Beer and/or Liquor Permits, Item #16a) CC’s Lounge – Change of Address Only relocating from 215 Lobdell Hwy to 2753-A Court St. Port Allen, La 70767.

Mr. Edward Robertson made a motion seconded by Mr. Chris Kershaw to approve the change of location of CC's Lounge as aforementioned.

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

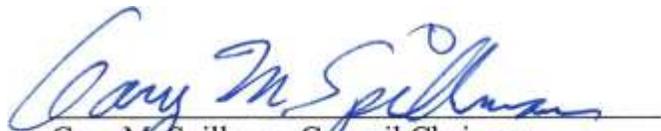
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Correspondence Report from Ms. Michelle Tullier included the following item:

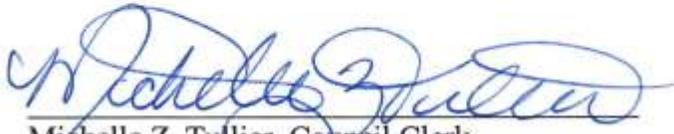
- Next meeting of the Planning & Zoning Commission set for August 16 2016 at 5:30pm.

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There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:20PM.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

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

**ORDINANCE 24 OF 2016**

As Adopted by the West Baton Rouge Parish Council  
At the Regular Meeting of  
August 11, 2016

An Ordinance Adopting the 2016 Council Amendments to the General Fund Revenue and Expenditure Budgets, Correctional Facility Revenue and the Capital Outlay Budgets for Roads, Buildings, Land and Recreation for the Fiscal Year beginning January 1, 2016 and ending December 31, 2016

**BE IT ORDAINED** by the Council of the Parish of West Baton Rouge, Louisiana in regular session convened that:

**SECTION 1:** The attached detailed 2016 Council budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2016 and ending December 31, 2016.

**SECTION 2:** The attached detailed 2016 Council budget amendments to estimate of revenue and expenditures for the fiscal year beginning January 1, 2016 and ending December 31, 2016 be and the same is hereby adopted as budget of expenditures for the Parish during the said period.

**SECTION 3:** The adoption of these 2016 Council budget amendments to revenue and expenditures budget and the same is hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classification.

**SECTION 4:** Amounts are available for expenditures only to the extent included with the 2016 budget.

**BE IT FURTHER ORDAINED** by the Parish Council of the Parish of West Baton Rouge, Louisiana, that this ordinance shall become effective 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 application 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 vote:

YEAS:	9	(Mses. Fair, Gordon, Messrs. Allain, Kershaw, Loupe, Porto, Spillman, Huggins, Robertson)
NAYS:	0	(None)
ABSENT:	0	(None)
ABSTAIN:	0	(None)

**WHEREUPON** the ordinance was declared to be adopted on the 11<sup>th</sup> day of August, 2016.

**ATTEST:**

  
Michelle Tullier, Council Clerk