

**REGULAR MEETING – WEST BATON ROUGE PARISH COUNCIL  
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENT BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
JUNE 12, 2014 – 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, June 12, 2014 and called to order. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Charlene Gordon, who led everyone in the pledge of allegiance.

Roll-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. Gary M. Spillman, Barry Huggins, Edward G. “Bob” Robertson

Absent: Mr. Phil Porto, Jr.

Parish President Riley Berthelot, Jr. was also present.

Mr. Porto entered the meeting at 6:33PM.

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A motion was made by Mr. Edward Robertson, seconded by Ms. Charlene Gordon to approve the minutes of the Regular Meetings of May 8, 2014 and May 22, 2014 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 of the votes the motion was unanimously adopted.

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Amendments to the agenda were requested at this time and there were none.

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Public comments were requested, resident Erin Bennett was recognized, and reminded everyone of Port Allen Juneteenth Celebration scheduled June 14, 2014 at Williams & Lee Park.

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Ms. Fair was recognized on behalf of herself and Charlene Gordon under item 7 (communications with council members and/or elected or appointed officials), and requested donations for the Muscular Dystrophy Association’s 2014 Summer Lock-up scheduled Thursday, July 17<sup>th</sup> at 12:00PM at Bayou Bistro to benefit MDA, and confirmed bail for each set at \$1,600.00.

Mr. Huggins was recognized, confirmed the Erwinville Food Bank had moved into new facility, and invited everyone to attend the grand-opening scheduled at Noon on Saturday, June 28, 2014.

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Chairman Spillman clarified designation of Parish Official Journal was done annually, and confirmed The West Side Journal was parish newspaper. The Council Clerk reviewed bid

letter submitted by The West Side Journal requesting designation as the “official journal” at rates allowed by Louisiana State Law.

A motion was made by Mr. Edward Robertson, seconded by Ms. Charlene Gordon to designate The West Side Journal as the Parish Official Journal for the period July 1, 2014 – June 30, 2015.

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 of the votes the motion was unanimously adopted.

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At this time Chairman Spillman requested that item 9 (consider cost of living increase for parish employees) be moved to the 6/26/14 Parish Council meeting as requested by Finance Director Phillip Bourgoyne, and there was no objection.

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Chairman Spillman announced that the Public Hearing was in order at this time and all interested persons were invited to appear and be heard on adoption of an ordinance regarding Fire District No. 1 half-year budget for the period July 1, 2014 – December 31, 2014. Finance Director Phillip Bourgoyne was recognized and explained budget preparation, lack of funding history, and requested approval. Mr. Kershaw confirmed handling of debt and audit of six (6) sub-districts, and fund transfers in connection with July 1, 2014 consolidation.

Chairman Spillman requested further comments from the public and 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. 20 of 2014 appears elsewhere in these minutes.

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

#### ORDINANCE NO. 20 OF 2014

AN ORDINANCE ADOPTING THE 2014 HALF-YEAR FIRE DISTRICT BUDGET TO AN OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING DECEMBER 31, 2014

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

SECTION 1: The attached detailed 2014 half-year fire district budget of estimate revenues by department for the fiscal year beginning July 1, 2014 and ending December 31, 2014 be and the same is hereby adopted as an operating budget of revenues for the Parish during the said period.

SECTION 2: The attached detailed 2014 half-year fire district budget of estimate of expenditures by departments for the fiscal year beginning July 1, 2014 and ending December 31, 2014 be and the same is hereby adopted to serve as budget of expenditures for the Parish during the said period.

SECTION 3: The adoption of these 2014 half-year fire district budget of operating budget of revenues and expenditures be 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 within the 2014 budget.

NOW THEREFORE 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 IF 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:

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 12<sup>th</sup> day of June, 2014.

ATTEST:

/s/Sharon Zito  
Sharon Zito, Council Clerk

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 12<sup>th</sup> day of June, 2014.

I further certify that the above and foregoing ordinance was submitted the Parish President at 9:15 o'clock AM on the 13<sup>th</sup> day of June, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 13<sup>th</sup> day of June, 2014.

/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 16<sup>th</sup> day of June, 2014.

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

**COUNCIL CLERK'S RETURN RECEIPT**

I certify that the above and foregoing ordinance was received from the Parish President at 8:30 o'clock AM on the 16<sup>th</sup> day of June, 2014.

/s/Sharon Zito  
Sharon Zito, Council Clerk  
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Chairman Spillman announced that the Public Hearing was in order at this time and all interested persons were invited to appear and be heard on adoption of an ordinance to amend Chapter 22 Elections regarding relocating Precinct 01-A from Addis Fire Station, 4353 Harris Street, Addis, La. to Veterans of Foreign Wars (VFW) Hall, 4453 Myhand Street, Addis, La. Chairman Spillman confirmed Registrar of Voters Stacy Ryan had no problem with the relocation.

Chairman Spillman requested further comments from the public and 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. 19 of 2014 appears elsewhere in these minutes.  
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The following ordinance was offered by Mr. Barry Huggins, seconded by Ms. Charlene Gordon

ORDINANCE NO. 19 OF 2014

AN ORDINANCE TO AMEND CHAPTER 22 ELECTIONS, SEC. 22-59 POLLING PLACES TO RELOCATE 01-A FROM ADDIS FIRE STATION, 4353 HARRIS STREET, ADDIS, LA. TO THE VETERANS OF FOREIGN WARS (VFW) HALL, 4453 MYHAND STREET, ADDIS, LA.

BE IT ORDAINED by the West Baton Rouge Parish Council in legal and regular session that Sec. 22-59 is hereby enacted as follows, to-wit:

Sec. 22-59 Polling places. The respective polling place hereinabove is hereby fixed as follows:  
01-A: Veterans of Foreign Wars (VFW) Hall, 4453 Myhand Street, Addis, La.

BE IT ORDAINED BY THE West Baton Rouge Parish Council, that this ordinance shall become effective upon the Parish President's signature.

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 is 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 12<sup>th</sup> day of June, 2014.

ATTEST:

/s/Sharon Zito  
Sharon Zito, Council Clerk

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 12<sup>th</sup> day of June, 2014.

I further certify that the above and foregoing ordinance was submitted the Parish President at 9:15 o'clock AM on the 13<sup>th</sup> day of June, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 13<sup>th</sup> day of June, 2014.

/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 16<sup>th</sup> day of June, 2014.

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

**COUNCIL CLERK'S RETURN RECEIPT**

I certify that the above and foregoing ordinance was received from the Parish President at 8:30 o'clock AM on the 16<sup>th</sup> day of June, 2014.

/s/Sharon Zito  
Sharon Zito, Council Clerk  
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Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized under item 11 (consider status report, change orders and/or other matters as required on current projects), reviewed contract change order one (1) for Lukeville Lane Sewer Extension – Contract No. 3, explaining increase was to by-pass landowner in estate dispute requiring three (3) additional man-holes, confirmed amount as \$10,810.00 and an additional 30 days.

A motion was made by Ms. Naomi Fair, seconded by Mr. Barry Huggins to approve contract change order one (1) for the Lukeville Lane Sewer Extension – Contract No. 3 for an increase of \$10,810.00 and an additional 30 days as aforementioned and as recommended by Project Engineer and Administration, and authorizing 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 of the votes the motion was unanimously adopted.

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Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following: Informed Bernadette Settoon had been designated as Capital Region Leader for seven parish area for Louisiana Night in the New Orleans Mercedes-Benz Superdome for National Association of Counties Conference in July, and tickets available for aforementioned function;

Confirmed WBR Capital Outlay funding as follows: \$570,000.00 – for connector project – priority 1, \$6 million priority 5 and \$150,000.00 priority 2 – Sid Richardson Road connector; Announced Capital Region Planning Commission meeting scheduled for Monday night in Brusly - hosted by Towns of Addis & Brusly; Reported on recent West Bank Expressway engineering meeting; upcoming meetings with BR Mayor Kip Holden, and DOTD regarding 3 or 4 projects discussed that would jeopardize & compete with private investor funding, tolls and payback; Reported on recent rain events and totals.

Mr. Mouch confirmed that Fire District No. 1 insurance being combined for savings through carrier Brian Prejean.

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Gary Spillman was recognized under Council Chairman's Report and briefly discussed recent meetings held on BUMP Projects, La. 1 traffic, and fire department issues being worked through.

Ms. Gordon briefly discussed questionnaire paperwork in connection with fire department consolidation audit.

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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 June 26, 2014 in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Part III Unified Development Code, Chapter 101 General Provisions, Sec. 101-1 Definitions, chapter 103 Floodplain Management, and Chapter 111 Administration and enforcement, Article III Parish-wide floodplain management enforcement, Sec. 111-49 Designation of local administrator, duties to readopt the Parish-wide Flood Insurance Rate Maps (FIRMs) in accordance with Federal guidelines, standards and procedures.

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Office of Community Planning & Development Director Kevin Durbin was recognized, reviewed the variance application request & evaluation form for building permit for Craig J. Gaspard, 7122 U S Highway 190 W, Port Allen, La., explaining that applicant is requesting use of wooded area to east and west property as buffer rather than required 8 foot wooden fence. Mr. Spillman was recognized stating had saw no problem with request, and clarified with owner that roadway was to be overlaid.

A motion was made by Mr. Randal Mouch, seconded by Mr. Barry Hughhins to approve the variance request as aforementioned for Craig J Gaspard, 7122 U S Highway 190 W, Port Allen, La. for use of wooded area to east and west of property as buffer rather than required 8 foot wooden fence.

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, Hughhins, Robertson)

NAYS: 0 (None)

As a result of the votes the motion was unanimously adopted.

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A motion was made by Mr. Edward Robertson, seconded by Mr. Phil Porto, Jr. to approve the below listed 2014 Beer and/or Liquor Permits for Emerald Palace Truck & Casino Plaza, LLC, 347 Lobdell Highway, Port Allen, La. as same has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages:

Emerald Palace Truck & Casino Plaza, LLC – 347 Lobdell Highway – Class B (Store);  
Emerald Palace Truck & Casino Plaza, LLC – 347-A Lobdell Highway – Class A (Restaurant).

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 of the votes the motion was unanimously adopted.

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At this time under Correspondence Report the Council Clerk read excerpt into the record from the Greater Baton Rouge Food Bank letter on use of \$2,500.00 yearly funding for distributing food through area member agencies listed.

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A motion was made by Mr. Ricky Loupe and adopted by acclamation to reappoint Sidney Blanchard, Jr. to the West Baton Rouge Planning & Zoning Commission for another 8 year term commencing July 12, 2014.

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There being no further business, a motion to adjourn was made by Ms. Charlene Gordon at 7:00PM and adopted by acclamation.

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

/s/Sharon Zito  
Sharon Zito, Council Clerk