

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
JUNE 28, 2018
5:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, June 28, 2018 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Councilman Chris Kershaw, who led everyone in the pledge of allegiance.

ATTENDANCE

The following members were recorded as being present:

Messrs. Kirk Allain, Barry Huggins, Edward G. "Bob" Robertson, Gary Spillman, Phil Porto Jr., Chris "Fish" Kershaw, Ricky Loupe and Ms. Charlene Gordon.

Absent: Ms. Naomi Fair.

Also present were, Mr. Jason Manola, Executive Assistant, Mr. Phillip Bourgoyne, Director of Finance, Mr. Kevin Durbin, Public Works Director, and Mrs. Michelle Tullier, Council Clerk.

MINUTE APPROVAL

A motion was made by Mr. Kirk Allain, seconded by Ms. Charlene Gordon, to approve the minutes of the June 14, 2018 regular meeting.

The vote was as follows:

YEAS: 7 (Porto, Allain, Spillman, Huggins, Robertson, Loupe, Gordon)

NAYS: 0 (None)

ABSENT: 1 (Fair)

ABSTAIN: 1 (Kershaw)

As a result of the votes the motion passed.

CONSIDER ANY AMENDMENTS TO THE AGENDA

ABU Malak Inc. dba Quick Stop located at 1521 Hwy 190 West, Port Allen, La 70767, applying for Class B alcohol permit, change of ownership

Chairman Spillman explained the request for this to be amended onto the agenda for tonight, there were no questions at this time.

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to approve amending the agenda to include the aforementioned item.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed and the agenda was therefore amended.

PARISH PRESIDENT'S REPORT

Parish President Berthelot was not available for the meeting, Mr. Manola requested giving this report under item #10.

PUBLIC COMMENTS

Mr. Jim Tatum with Tatum Engineering was recognized and explained he and Mr. Dennis Carlin, with All Star Group, were available if any additional information was needed regarding the introduction of their rezoning request tonight.

RESOLUTION TO ADOPT THE MILLAGE RATES FOR TAX YEAR 2018

Mr. Phillip Bourgoyne was recognized and read aloud the proposed resolution including the proposed millage rates for the 2018 tax year. There were no questions at this time.

A motion was made by Mr. Phil Porto to adopt the millage rates for the 2018 tax year, seconded by Mr. Ricky Loupe.

The vote was as follows:

YEAS: 8 (Porto, Allain, Spillman, Huggins, Robertson, Gordon, Loupe, Kershaw)
NAYS: 0 (None)
ABSENT: 1 (Fair)

As a result of the votes the motion passed.

Resolution 10 of 2018 appears at the end of these minutes.

ACCEPT/REJECT UTILITIES BID RECOMMENDATION FOR ANNUAL PIPE & FITTINGS CONTRACT

Mrs. Pam Keowen, Director of Utilities, was recognized and explained that the spreadsheet and coversheet included in the Council packets was a detailed list of items line by line which are included in this contract, which will run from July 1, 2018 through June 30, 2019. Mrs. Keowen further explained that the aforementioned spreadsheet has highlighted the low bid contractor per line item which designates which contractors are recommended to be awarded that particular line item, said coversheet includes the breakdown by contractor and line number. There were no questions from the Council at this time.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to accept the recommendations of administration for all low bidders specified on the Utilities department bid sheet as presented.

The vote was as follows:

YEAS: 8 (Porto, Allain, Spillman, Huggins, Robertson, Gordon, Loupe, Kershaw)
NAYS: 0 (None)
ABSENT: 1 (Fair)

As a result of the votes the motion passed.

COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS

Mr. Jason Manola was recognized and reviewed the recent Riverbend emergency exercise and explained that West Baton Rouge Parish performed well in this exercise. Sid Richardson Road project road and bed work is beginning, Kahn's road culvert extensions to eliminate road erosion. Lastly, garbage and Trash pickup, Republic Services is behind, however have recently added two additional trucks to try and catch up, they are currently running one week behind.

Chairman Spillman had a few questions regarding the Levee Trails court case, verifying what the status was on this case and confirming when if the trial date is set for August 17, 2018. Mr. Durbin clarified the recent events which have taken place and confirmed the August 17, 2018 court date for the verdict of the Judge.

PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

An Ordinance Adopting the 2017 Council Amendments to the Community Alert Network (CAN) Budget of Revenues and Expenditures beginning January 1, 2017 and ending December 31, 2017

The Chairman opened a public hearing for the purpose of receiving comment regarding, item #11A) An Ordinance Adopting the 2017 Council Amendments to the Community Alert Network (CAN) Budget of Revenues and Expenditures beginning January 1, 2017 and ending December 31, 2017

Mr. Phillip Bourgoyne was recognized and explained the need for the requested adjustments.

There were no comments for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point closed the public hearing.

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain to approve the proposed budget adjustments as presented by Mr. Bourgoyne.

The vote was as follows:

YEAS: 8 (Porto, Allain, Spillman, Huggins, Robertson, Gordon, Loupe, Kershaw)
NAYS: 0 (None)
ABSENT: 1 (Fair)

As a result of the votes the motion passed.

Ordinance 18 of 2018 appears at the end of these minutes.

CONSIDER STATUS REPORT, CHANGE ORDERS AND/OR OTHER MATTERS AS REQUIRED ON CURRENT PROJECTS

RESOLUTIONS

A Resolution by the West Baton Rouge Parish Council Authorizing the Parish President to sign Entity-State Agreement with LaDOTD for Acadian Trail Project (H.011558)

Mr. Durbin was recognized and explained the need for this agreement regarding the funds for the Acadian Trail Project in Addis. Chairman Spillman questioned if this was the project which required the traffic study due to the pedestrian crossing on Hwy 1, Mr. Durbin answered that he would get back with him on that information.

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain to approve the Resolution by the West Baton Rouge Parish Council Authorizing the Parish President to sign Entity-State Agreement with LaDOTD for Acadian Trail Project (H.011558).

The vote was as follows:

YEAS: 8 (Kershaw, Porto, Allain, Huggins, Loupe, Spillman, Robertson, Gordon)
NAYS: 0 (None)
ABSENT: 1 (Fair)

As a result of the votes the motion passed.

Resolution 11 of 2018 appears at the end of these minutes.

INTRODUCTION OF ORDINANCES

Mrs. Tullier read by title the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearing at the meeting of August 9, 2018 at 5:30pm in the Council Chambers, 880 North Alexander Avenue, Port Allen, La.:

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Troy LeBlanc, File #2018-06, Located at 3001 & 2981 Lafiton Lane, Port Allen, LA 70767, Lot B-2-B-3 in Sections 90 & 119 T7S R12E and Lot B-2-B-2.A section 90 T7S R12E containing .99 Acres, rezoning from C-1.2 (Community Scale Commercial) to C-1.3 (Regional Scale Commercial).

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Nolan-McKay WBR, LLC, File #2018-05, Located on Court Street, Port Allen, LA 70767, Tract RCR-1A containing 194.102 acres & Tract RCR-1B containing 9.822 acres in Section 91, 92 & 93 T7S

R12E, Being a portion of the Bobette A. Cohn Sears, ET AL Property, rezoning from AG (Agricultural) to PUD (Planned Unit Development) & C-1.3 (Regional Scale Commercial).

CONSIDER PLANNING & ZONING COMMISSION MEETING MINUTES, SUBDIVISION PLATS, CONDEMNATIONS AND/OR VARIANCES AND MATTERS RELATED THERETO

Ratify Condemnation located at 12428 Landry Lane, Port Allen, La 70767

Mr. Kevin Durbin, was recognized and explained that upon inspection, the structure(s) located at the following address has been deemed derelict according to Parish Code 109-42 and the Parish President has hereby ordered that the structure be demolished:

12428 Landry Lane Port Allen, La 70767

Mr. Durbin asked the Council to ratify the above condemnation as per the order of the Parish President. Chairman Spillman clarified there would be a 60 day time frame for the owners to bring this structure up to code or the Parish would take action as needed, Mr. Durbin confirmed this procedure.

A Motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to ratify the condemnation of the structure(s) at the aforementioned location.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

ALCOHOL PERMITS

ABU Malak Inc. dba Quick Stop located at 1521 Hwy 190 West, Port Allen, La 70767, applying for Class B alcohol permit, change of ownership

Ms. Tullier explained this was a change of ownership, and noted the owners have met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

A motion was made by Mr. Phil Porto to approve the aforementioned alcohol permit, seconded by Mr. Chris Kershaw.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

APPOINTMENTS

Planning & Zoning Commission – current member is Mrs. Joy Hobbins – current term expires July 12, 2018

A motion was made by Chairman Spillman for Mrs. Hobbins to continue to serve on the Planning & Zoning Commission, there were no other recommendations at this time. Mrs. Hobbins was therefore appointed to continue serving on the Planning & Zoning Commission by acclamation

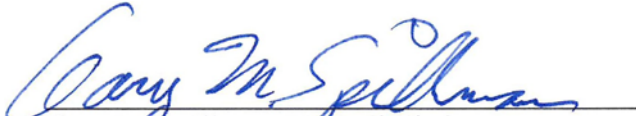
CORRESPONDENCE REPORT

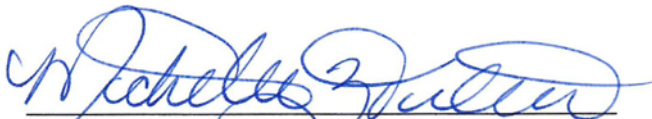
Correspondence Report from Michelle Tullier, Council Clerk included the following items:

- Next Planning & Zoning Commission meeting set for Tuesday, June 3, 2018 has been cancelled due to a clear agenda;
- Next Council Meeting of July 12, 2018 has been cancelled due to the National Conference, therefore our next Council Meeting is Thursday, July 26, 2018 at 5:30pm.
- Next Fire Board Meeting is July 26, 2018 at 5:15pm.

ADJOURN

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 5:57pm.


Gary M. Spillman, Council Chairman


Michelle Z. Tullier, Council Clerk

WEST BATON ROUGE PARISH GOVERNMENT
Parish Governmental Authority

MICHELLE TULLIER, COUNCIL CLERK



KIRK ALLAIN, DISTRICT I
CHRIS KERSHAW, DISTRICT II
NAOMI FAIR, DISTRICT III
RICKY LOUPE, DISTRICT IV
CHARLENE GORDON, DISTRICT V

POST OFFICE BOX 757
PORT ALLEN, LOUISIANA 70767
225-214-4242 (VOICE)
225-214-4243 (FAX)

PHIL PORTO, JR., DISTRICT VI
GARY SPILLMAN, DISTRICT VII
BARRY HUGHGINS, DISTRICT VIII
EDWARD ROBERTSON, DISTRICT IX

The following resolution was offered by Phil Porto, seconded by Ricky Loupe.

RESOLUTION 10 OF 2018

BE IT RESOLVED, that the following millages are hereby levied on the 2018 tax roll on all property subject to taxation by West Baton Rouge Parish Council:

MILLAGE

General Alimony (1078 004):	3.520 mills
Community Center (1078 005):	3.000 mills
Health Unit (1078 006):	1.750 mills
Library (1078 007):	4.100 mills
Drainage (1078 008):	7.200 mills
Museum (1078 009):	2.000 mills
Council on Aging (1078 022):	2.500 mills
Recreational Facilities (1078 023):	5.000 mills
911 Communications (1078 025):	3.000 mills

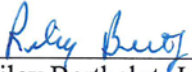
BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of West Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2018, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS:	8	(Porto, Loupe, Allain, Kershaw, Spillman, Huggins, Gordon, Robertson)
NAYS:	0	(None)
ABSTAINED:	0	(None)
ABSENT:	1	(Fair)

CERTIFICATE

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at the board meeting held on June 28, 2018, at which meeting a quorum was present and voting.
Port Allen, Louisiana, this 28th day of June 2018.



Riley Berthelot, Jr., Parish President
The West Baton Rouge Parish Council

ORDINANCE 18 OF 2018

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
June 28, 2018

An Ordinance Adopting the 2017 Council Amendments to the Community Alert Network
(CAN) Budget of Revenues and Expenditures beginning January 1, 2017 and ending
December 31, 2017

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

SECTION 1: The attached detailed 2017 Council budget amendments to estimate of expenditures for the fiscal year beginning January 1, 2017 and ending December 31, 2017.

SECTION 2: The attached detailed 2017 Council budget amendments to estimate of revenue and expenditures for the fiscal year beginning January 1, 2017 and ending December 31, 2017 be and the same is hereby adopted as budget of expenditures for the Parish during the said period.

SECTION 3: The adoption of these 2017 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 2017 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 AFTER PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER BARRY HUGGHINS, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

The foregoing ordinance having been submitted to a vote was adopted by the following vote:

YEAS: 8 (Hughhins, Allain, Kershaw, Spillman, Loupe, Gordon, Porto, Robertson)
NAYS: 0 (None)

ABSENT: 1 (Fair)
ABSTAIN: 0 (None)

WHEREUPON, the ordinance was declared to be adopted on the 28th day of June, 2018.

ATTEST:



Michelle Tullier, Council Clerk

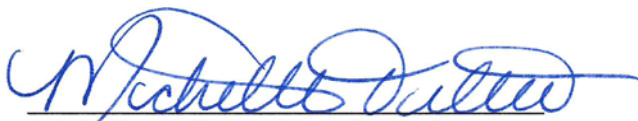
CERTIFICATE

I, Michelle Tullier, 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 14th day of June, 2018.

I further certify that above and foregoing ordinance was submitted to the Parish President at 9:20 o'clock AM on the 29th day of June, 2018.

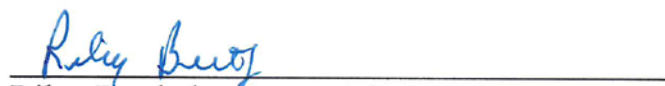
IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 29th day of June, 2018.



Michelle Tullier, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

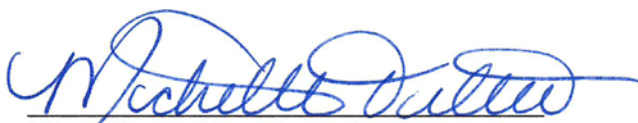
I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 29th day of June, 2018.



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 9:35 o'clock AM on the 29th day of June, 2018.



Michelle Tullier, Council Clerk

RESOLUTION 11 OF 2018

A Resolution by the West Baton Rouge Parish Council Authorizing the Parish President to sign Entity-State Agreement with LaDOTD for Acadian Trail Project (H.011558)

WHEREAS, West Baton Rouge Parish agrees to enter into the Entity/State Agreement, Multi-Use Trail project with LaDOTD; and

WHEREAS, in order to proceed with said agreement, LaDOTD requires that the legislative body of the local government authorizes its chief executive “the Parish President” to execute agreement titled:

Original Entity/State Agreement
State Project No. H.011558
Federal Aid Project No. H011558
Acadian Trail (West Baton Rouge)
La 990, La 1, Local Routes
West Baton Rouge Parish

NOW THEREFORE BE IT RESOLVED, the West Baton Rouge Parish Council does hereby authorize Parish President Riley L. Berthelot, Jr. to execute on behalf of the Parish of West Baton Rouge, an agreement with the LaDOTD and sign all documentation regarding the above referenced project.

BE IT FURTHER RESOLVED that if any portion or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof in conflict herewith are hereby repealed.

The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member BARRY HUGGHINS, Which Was Seconded By Council Member KIRK ALLAIN.

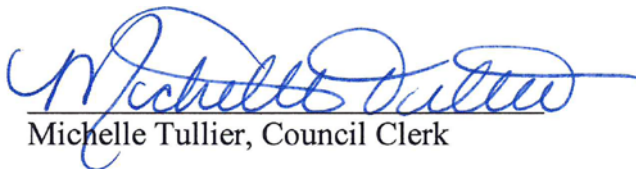
The Resolution Was Submitted To A Vote, The Vote Thereon Was As Follows:

YEAS:	8	(Hughhins, Allain, Kershaw, Spillman, Loupe, Gordon, Porto, Robertson)
NAYS:	0	(None)
ABSENT:	1	(Fair)
ABSTAIN:	0	(None)

As a result of the votes the resolution was adopted this 28th day of June, 2018.

CERTIFICATE

I, Michelle Tullier, 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 June 28, 2018 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk