

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
MAY 26, 2016 - 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, May 26, 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 Mr. Ricky Loupe.

Roll-Call Pro System recorded the following members as being present:

Messrs. Chris "Fish" Kershaw, Ricky Loupe, Barry Huggins, Edward G. "Bob" Robertson, Gary Spillman, Kirk Allain, Mses. Charlene Gordon and Naomi Fair.

Absent: Mr. Phi Porto Jr.

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

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain, to approve the minutes of the March 12, 2016 regular meeting.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda, there was the following item to consider: a) Accept/Reject bids on 2016 Road Materials Project, there were no questions or comments at this time.

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw to amend tonight's agenda to include the aforementioned item.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

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

Chairman Spillman moved on to item #6 Parish President's Report, and recognized President Berthelot whom reminded everyone the Memorial Day Celebration will be Monday at 10AM, please join us if you can.

There were no questions for the Parish President at this time.

Chairman Spillman moved on to item#7 Authorize Utilities Department to Advertise for Annual Pipe & Fittings Contract, and explained to the council this item will allow the utilities department to go out for bids on the yearly pipe & fittings contract.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to authorize the Utilities Department to advertise for the yearly pipe & fittings contract.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Hugghins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Item #8 Public Comments, there were no public comments at this time.

Chairman Spillman moved on to item #9 Communication with Council Members and/or Elected or Appointed Officials, Mr. Barry Hugghins reminded everyone about this years Family Day at the Park on Saturday, May 28th.

Chairman Spillman moved on to item #10 Discussion on rezoning of Allendale Plantation consisting of approximately 1,350 acres more or less, Mr. Spillman explained this property was rezoned years ago to I-1 with the understanding that a Movie Studio would be built in this area. In the actual rezoning of the property an agreement was made with the property owner that if the movie studio did not come to fruition after two years the property would be zoned back to agricultural, Mr. Spillman also noted that this property is considered agricultural in our Parish Master Plan, and the original property owner is not against rezoning this property back to agricultural. Mr. Spillman asked the council for a motion or comment in support of this process.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Barry Hugghins to ask the Planning & Zoning office to proceed with the process of contacting all property owners for the aforementioned potential rezoning, which would be at no charge to said landowners.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Hugghins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

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 authorizing the issuance of not to exceed Two Million Six Hundred Fifty Thousand Dollars (\$2,650,000) of Revenue Refunding Bonds, Series 2016, of West Baton Rouge Parish Fire Protection District No. 1; prescribing the form, terms and conditions thereof and providing for the payment thereof; awarding such Bonds to the purchaser thereof; and providing for other matters in connection therewith.

There were no 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 discussion up to the council. There were no questions or comments from the council at this time.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to approve the aforementioned ordinance.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Ordinance 12 of 2016 can be found at the end of these minutes.

Chairman Spillman moved on to item #12 Consider status report, Change orders and/or other matters as required on current projects, item 12a) Accept/Reject bid recommendation for 2016 Asphalt Roads Rehab Project #11236.01 Mr. Kevin Gravois with PEC was recognized and explained this project is the yearly road rehab project, Mr. Gravois explained the low bidder on this project was Barber Brothers Contracting Company with a base bid of \$636,121.45 and an Additive Alternate No. 1 for Webster Ln. in the amount of \$143,227.50 for a total of \$779,348.95. Mr. Gravois recommended awarding this project to Barber Brothers Contracting Company.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Chris Kershaw, to award the 2016 Asphalt Road Rehab Project No. 11236.01 to the low bidder Barber Brothers Contracting Company of Baton Rouge, with a Total Base Bid of \$636,121.45 and an Additive Alternate No. 1 amount of \$143,227.50 for a total of \$779,348.95.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #12b) Accept/Reject bid recommendation for Court Street Rehab Project #11238.01. Mr. Kevin Gravois with PEC was recognized and explained this project is on Court St. West of 415, Mr. Gravois explained the low bidder on this project was Industrial Enterprises, Inc. of Baton Rouge with a base bid of \$389,181.40. Mr. Gravois explained that he did check with the contractor to make sure that his numbers were good, the contractor double checked their numbers and wished to proceed with the project as quoted. Mr. Gravois recommended awarding this project to Industrial Enterprises, Inc. of Baton Rouge, and added this project does include the culvert work as well.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe, to award the Court St. Rehab Project No. 11238.01 to the low bidder Industrial Enterprises, Inc. of Baton Rouge, with a Total Base Bid of \$389,181.40.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #12c) Accept/Reject bid recommendation for 2016 Road Materials. Mr. Phillip Bourgoyne explained the spreadsheet in the council packets gives line item by line item detail of the low bidder for each line item.

Mr. Bourgoyne asked that the council accept the recommendations for low bidders by line item as presented on the spreadsheet titled: West Baton Rouge Parish Government Road Material Bid Summaries, Limestone/Silt/Sand, Corrugated Metal Pipe, and Corrugated Polyethylene Pipe. There were no questions from the council at this time.

A motion was made by Mr. Barry Huggins, seconded by Mr. Ricky Loupe, to accept the low bidder recommendations as presented on the aforementioned spreadsheet.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #13 Resolutions, there were no resolutions to present at this time.

Ms. Tullier, read by title into the record the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearings on the meeting dates specified below at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

An Ordinance Adopting an Operating Budget of Revenues and Expenditures for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017 for the West Baton Rouge Council on Aging Public Hearing Date: June 9, 2016

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 Campo/Bullock, File #2016-05, 111.54 acres in SW/4, Section 83, T8S, R12E, on Choctaw Rd. Highway 1148, rezoning from C-1.3 (Regional Scale Commercial) to POS-C-RV (Parks and Open Space, Campgrounds and RV Park District). Master Plan Change. Public Hearing Date: June 23, 2016

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 Landsaf Properties, LLC, File #2016-03, 14 acres in Section 8, T8S, R12E, being a portion of the DeBenedetto Heirs property, east of Hwy 1, rezoning from AG to C-1.3 (Regional Scale Commercial) and R-SF-2 (Residential Single Family). Master Plan Change. Public Hearing Date: June 23, 2016

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 Brent Beauvais, File #2016-06, Remaining portion of Tract D-1-Q-1 and Lot D-1-L containing 1.969 acres for a total of 11.356 acres, in Section 57 & 82, T6S, R12E, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family). Public Hearing Date: June 23, 2016

Item #15 Consider Planning & Zoning Commission Meeting Minutes, Subdivision Plats, Condemnations and/or waivers and matters related thereto, specifically item#15a) Beauvais Final Plat Approval – Section Road. Mr. Kevin Durbin, Director of the Planning & Zoning Office was recognized and explained to the council this plat went before the Planning Commission and was approved with one waiver for through streets, he did note that after the meeting it was realized that this subdivision would need to be rezoned to residential, so we ask that you include that contingency in the motion. Mr. Spillman explained this was in his district and the reason for no through streets were, number one all of the lots front on Section Rd., and number two even if the through streets were added they would only run to a private road behind this subdivision. Mr. Durbin noted that due to the waiver this would require a two thirds vote in order to pass, Mr. Huggins requested a corridor for a future street in case one ever became necessary. “I just hate to see us let all this development go on with no connectivity”, what if there is a wreck or emergency that happens, I am not trying to make it a requirement, but we do not

know what the future would bring. There was a brief discussion with the council on the waiver of the through streets for this subdivision, the development behind this one, and the connectivity issues.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Kirk Allain to approve the aforementioned plat for Mr. Brent Beauvais with the waiver for through streets specifically Sections 105-36 and 105-37 of the Unified Development Code, also final approval of this subdivision is contingent upon the rezoning of this subdivision to R-SF-3.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Allain, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 1 (Mr. Porto)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #16 Consider Beer and/or Liquor Permits, there were no items to consider at this time.

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

- Next meeting of the Planning & Zoning Commission set for June 7th 2016 at 5:30pm.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:02pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

The following is a summary of Ordinance 12 of 2016, the complete Ordinance can be viewed at the Office of the Parish Council Clerk.

The following ordinance, which was previously introduced in written form at a regular meeting of the Parish Council, acting as the Governing Authority of West Baton Rouge Parish Fire Protection District No. 1, a summary thereof having been published in the official journal, together with a notice of public hearing which was held on May 26, 2016, in accordance with said public notice, was brought up for final passage on motion of Mr. Chris Kershaw and seconded by Mr. Barry Huggins:

ORDINANCE 12 of 2016

An ordinance authorizing the issuance of not to exceed Two Million Six Hundred Fifty Thousand Dollars (\$2,650,000) of Revenue Refunding Bonds, Series 2016, of West Baton Rouge Parish Fire Protection District No. 1; prescribing the form, terms and conditions thereof and providing for the payment thereof; awarding such Bonds to the purchaser thereof; and providing for other matters in connection therewith.

WHEREAS, the West Baton Rouge Parish Fire Protection District No. 1 (the “Issuer”), is now levying and collecting a one-half of one percent (½%) sales and use tax within the Parish of West Baton Rouge, State of Louisiana, authorized at a special election held by the Issuer in the Parish on May 4, 1991, at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

PROPOSITION
(May 4, 1991)

Shall West Baton Rouge Parish Fire Protection District No. 1, West Baton Rouge Parish, Louisiana (the “District”), under the provisions of Article VI, Section 29(B) of the Constitution of the State of Louisiana of 1974 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, a tax of one-half (½) per cent (½%) upon the sale at retail, the use, the lease or rental, the consumption, the distribution and storage for use or consumption of tangible personal property, and upon the sales of services within the District, all as presently or hereafter defined in R.S. 47:301 through R.S. 47:317, the proceeds to be used by the District to be used for fire protection purposes within the District?

WHEREAS, pursuant to the authority of the aforesaid election, the Issuer adopted an ordinance providing for the levy and collection of the Tax (the "Tax Ordinance"); and

WHEREAS, in accordance with the provisions of the Tax Ordinance, the net avails or proceeds of the Tax, subject to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax (the "Net Revenues of the Tax"), shall be available for appropriation and expenditure by the Issuer for the purposes designated in the propositions authorizing the levy of the Tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, pursuant to the provisions of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Louisiana Local Government Environmental Facilities and Community Development Authority (the “LCDA”) previously issued its Revenue Bonds (Port Allen Fire Station Project), Series 2008 (the “Series 2008 Bonds”), of which \$2,390,000 is outstanding; and

WHEREAS, the LCDA loaned the proceeds of the Series 2008 Bonds to the Issuer pursuant to a Loan Agreement dated as of July 1, 2008 by and between the LCDA and the Issuer (the “2008 Loan Agreement”); and

WHEREAS, in order to provide debt service savings, the Issuer desires to refund all or a portion of its obligations owed pursuant to the 2008 Loan Agreement (the “Refunded Obligations”), pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the “Act”), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Act, the Issuer desires to accomplish the refunding through the issuance of not exceeding \$2,650,000 of its Revenue Refunding Bonds (the “Bonds”), to be payable from the Net Revenues of the Tax; and

WHEREAS, the Parish Council of the Parish of West Baton Rouge, State of Louisiana, acting as the governing authority of the Issuer, gave preliminary approval on April 28, 2016, to the issuance of the Bonds, which was approved by the Louisiana State Bond Commission on May 19, 2016; and

WHEREAS, it is now desired to fix the details necessary with respect to the issuance of the Bonds and to provide for the sale, authorization and issuance thereof;

WHEREAS, other than the Bonds herein authorized, the Issuer will have no outstanding obligations as of the date of delivery of the Bonds of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax herein pledged except any Series 2008 Bonds not refunded by the Bonds; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Bonds to Crews & Associates, Inc., of Little Rock, Arkansas, at the price and in the manner hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of West Baton Rouge, State of Louisiana, acting as the governing authority of West Baton Rouge Parish Fire Protection District No. 1:

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 8 (Mses. Fair, Gordon, Messrs. Loupe, Spillman, Kershaw, Huggins, Allain, Robertson)

NAYS: 0

ABSTAINING: 0

ABSENT: 1 (Mr. Porto)

And this ordinance was declared adopted on this, the 26 day of May, 2016.
