

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING-MAY 28, 2015  
WEST BATON ROUGE PARISH COUNCIL  
GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, May 28, 2015 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Ms. Naomi Fair, who led everyone in the pledge of allegiance.

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

Messrs. Chris "Fish" Kershaw, Phil Porto Jr., Barry Hughhins, Edward G. "Bob" Robertson, Ms. Charlene Gordon, Messrs. Gary Spillman, Randal Mouch, Ricky Loupe & Ms. Naomi Fair

Also present were, Riley Berthelot, Parish President, Jason Manola, Executive Assistant and Michelle Tullier, Council Clerk.

\*\*\*\*\*

A motion was made by Mr. Hughhins, seconded by Mr. Ricky Loupe to approve the minutes of the May 14, 2015 regular meeting.

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

YEAS: 9 (Messrs. Kershaw, Porto, Hughhins, Robertson, Spillman, Loupe, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

\*\*\*\*\*

Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda; there were none at this time.

\*\*\*\*\*

Chairman Spillman moved on to item #6 Parish President Report, President Berthelot started off by thanking everyone in attendance at the Memorial Day Event last Monday at the Courthouse; he continued by giving details on the train derailment in Addis last Tuesday around 1:30pm, with a total of 32 homes evacuated and no reported injuries, all emergency preparedness departments were involved and the situation went as smoothly as possible, President Berthelot thanked everyone who helped out in this time of emergency. Mr. Phil Porto questioned President Berthelot on the cause of the derailment and asked also if Union Pacific has given us any details on the cause of this derailment, per President Berthelot Union Pacific is conducting an investigation on this and have not gotten back with us with any specific details as to the cause of the derailment.

\*\*\*\*\*

Chairman Spillman moved on to item #7 Public Comments and asked if anyone from the public would like to speak, there were no public comments at this time.

\*\*\*\*\*

---

Chairman Spillman asked if any Elected/Appointed Officials or any Council Members would like to speak under item #8, Mr. Ricky Loupe wanted to remind everyone about WBR Family Day at the Park on Saturday May 30, starting at 10am until 6pm, there will be bands, food, events, rides for kids and swimming he encouraged everyone to come out and have a good time. Mr. Kershaw wanted to introduce Mr. Quinn Welch of the West Side Journal and welcome him to the Parish, Mr. Kershaw finished by again reminding everyone of the train derailment and this being a major reason why the emergency evacuation roads we ask for are very important.

\*\*\*\*\*

Chairman Spillman moved on to item #9, Authorize Utilities Department to Advertise for Bids for Annual Supply Contract of Pipe & Fittings. Ms. Pam Keowen was recognized and explained this was just for the Utilities department to go out for bids on the Pipe & Fittings yearly contract, noting this was just to go out for bid and stated she would come back with a recommendation once the bids are complete.

A Motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to authorize the Utilities Department to advertise for yearly pipe & fittings contract.

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

YEAS: 9 (Messrs. Kershaw, Porto, Huggins, Robertson, Spillman, Loupe, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

\*\*\*\*\*

Chairman Spillman moved on to item # 10, Public Hearing on previously introduced Ordinances.

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 the Adoption of Council on Aging Budget for Period of July 1, 2015 – June 30, 2016. Mr. Jason Manola was recognized and reviewed the Council on Aging budget overview and noted the Council On Aging board approved this budget the night before for, but still needed approval from the council. A copy of the aforementioned budget appears elsewhere in these minutes.

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. 15 of 2015 appears elsewhere in these minutes.

Chairman Spillman moved on to the next ordinance on the agenda and announced that the Public Hearing was in order at this time and all interested persons were invited to appear and be heard on the Adoption of An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III ("Unified Development Code"), Chapter 101 ("General Provisions"), Section 101-1 ("Definitions") to clarify the definition of mobile home parks / manufactured home parks.

Ms. Lynn Cline was recognized and explained to the council that this Ordinance was to simply have the multiple definitions involving mobile home/manufactured home parks all read the same in our code of ordinances.

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. Mr. Huggins made a motion to approve this Ordinance and noted for it to be effective upon the signature of the Parish President, seconded by Ms. Charlene Gordon. Mr. Kershaw asked a quick question for clarification. Said Ordinance No. 16 of 2015 may appear elsewhere in these minutes.

\*\*\*\*\*

Chairman Spillman moved on to item #11 on the agenda, Consider status report, Change order and/or other matters as required on current projects, Mr. Kevin Gravois with Professional Engineering Consultants, PEC was recognized with regards to item I la) Choctaw Rd. Sewer Project Bid Recommendation, he explained this was the sewer project which will run from

---

---

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

**ORDINANCE 15 OF 2015**

An Ordinance adopting an Operating Budget of Revenues and Expenditures for the Fiscal year beginning July 1, 2015 and ending June 30, 2016 as published for the West Baton Rouge Parish Council on Aging.

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

SECTION 1: The attached detailed estimate of revenues for the fiscal year beginning July 1, 2015 and ending June 30, 2016 be and is hereby adopted as an operating budget of revenues for the West Baton Rouge Parish Council on Aging during said period.

SECTION 2: The attached detailed estimate of expenditures for the fiscal year beginning July 1, 2015 and ending June 30, 2016 be and is hereby adopted as an operating budget of expenditures for the West Baton Rouge Parish Council on Aging during said period.

SECTION 3: The adoption of this operating budget of revenues and expenditures are 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 the extent included within said 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 yeas and nays on roll call:

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

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was adopted on the 28<sup>th</sup> day of May, 2015.

---

ATTEST:

  
Michelle Tullier, Council Clerk

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 28<sup>th</sup> day of May, 2015.

I further certify that above and foregoing ordinance was submitted to the Parish President at 8:15 o'clock PM on the 28<sup>th</sup> day of May, 2015.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 28<sup>th</sup> day of May, 2015.

  
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 29<sup>th</sup> day of May, 2015.

  
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 8:38 o'clock AM on the 29<sup>th</sup> day of May, 2015.

  
Michelle Tullier, Council Clerk

The following Ordinance was offered by Mr. Barry Hughhins, seconded by Ms. Charlene Gordon

**ORDINANCE 16 OF 2015**

**FINAL DRAFT ORDINANCE**

As Adopted by the West Baton Rouge Parish Council  
At The Regular Meeting of  
May 28, 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III ("Unified Development Code"), Chapter 101 ("General Provisions"), Section 101-1 ("Definitions") to clarify the definition of mobile home parks / manufactured home parks.

**WHEREAS** Part III ("Unified Development Code") of the West Baton Rouge Parish Code of Ordinances provides for the health, safety and welfare of property owners in West Baton Rouge Parish including, but not limited to, providing for zoning provisions related to the governing and separation of different land uses **AND**

**WHEREAS** Chapter 101 ("General Provisions ") of the same Part provides definitions (Section 101-1) relevant to the governance of land development that are subsequently applied to the zoning laws **AND**

**WHEREAS** the Parish seeks to clarify its intent and definition for what constitutes a "mobile home park" / "manufactured home park" in order to more effectively govern land usage in order to protect the health, safety and welfare of the people of West Baton Rouge Parish **THEREFORE**

**BE IT ORDAINED BY THIS COUNCIL** that Part III ("Unified Development Code"), Chapter 101 ("General Provisions"), Section 101-1 ("Definitions ") be amended and readopted to read as follows (NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - \* \* \* - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

**PART III - UNIFIED DEVELOPMENT CODE**

**CHAPTER 101**

**GENERAL PROVISIONS**

Sec. 101-1. Definitions .

\* \* \*

*Manufactured home park or subdivision* means the use of a parcel or contiguous parcels of property for residential occupancy or not of four or more manufactured homes ~~lots for rent or sale for~~ for compensation or not.

~~*Manufactured home park or subdivision* (as used in the floodplain management regulation chapter of the West Baton Rouge Parish Code of Ordinances) means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

\* \* \*

*Residential/mobile home park* means the use of a parcel ~~(or contiguous parcels)~~ for the residential occupancy or not of four or more mobile home units for compensation or not.

*Residential/mobile home residential* means the use of a ~~site parcel~~ (or contiguous parcels) for the ~~residential~~ occupancy or not of mobile home units for compensation or not. Typical uses include mobile home subdivisions, or individual mobile homes on one site or lot but not mobile home parks .

\* \* \*

**NOW THEREFORE BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council, that this ordinance shall become effective immediately upon Parish President 's signature.

**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 and nay on roll call:

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

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was adopted on the 28th day of May, 2015.

ATTEST:

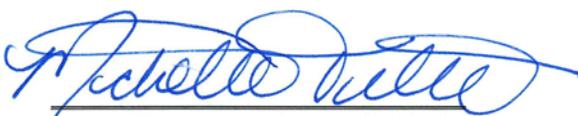
  
Michelle Tullier, Council Clerk

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 true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 28th day of May, 2015.

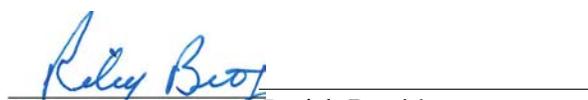
I further certify that the above and foregoing ordinance was submitted to the Parish President at 8:15 o'clock PM on the 28<sup>th</sup> day of May, 2015.

**IN FAITH WHEREOF**, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 28<sup>th</sup> day of May, 2015.

  
Michelle Tullier, Council Clerk

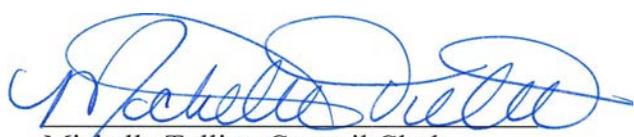
**PARISH PRESIDENT'S APPROVAL OR VETO**

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 29<sup>th</sup> day of May, 2015.

  
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 8:38 o'clock ~~8:38 AM~~ on the 29 day of May, 2015.

  
Michelle Tullier, Council Clerk

---

Lukeville Extension to Rambin Lane on Choctaw Rd, this project is funded with a \$666,000 LCD Block Grant and Parish funding, the low bidder was Spinks Construction of St. Francisville, with a base bid of \$825,000. The recommendation is to award this project to Spinks Construction based on the low bid of \$825,000. There were no comments from the public at this time. Mr. Huggins, Mr. Porto and Ms. Fair questioned some of the numbers on the bids and tabulation sheets.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to award aforementioned project to Spinks Construction of St. Francisville for the base bid of \$825,000.

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

YEAS: 9 (Messrs. Kershaw, Porto, Huggins, Robertson, Spillman, Loupe, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #11 b on the agenda, Contract No. 3 – Acceptance of Substantial Completion Lukeville Lane Sewer Extension, Mr. Kevin Gravois with Professional Engineering Consultants, PEC was again recognized, he explained this was the Certification of Substantial Completion for the Lukeville Lane Sewer Extension project from Tullier Services, LLC. There were no comments from the council or public at this time.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Randal Mouch accept the Certificate of Substantial Completion for the aforementioned project.

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

YEAS: 9 (Messrs. Kershaw, Porto, Huggins, Robertson, Spillman, Loupe, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Mr. Jason Manola was recognized to update the council on the status of the Lobdell Sewer project, per Mr. Manola there have been multiple engineers working on this project since the change of Shaw to CB&I, it is the opinion of the administration that the current engineers on said project do not have the expertise to handle this project going forward, therefore the administration is asking to stop this contract and go back out for bid of this project, he also noted CB&G agreed with this opinion. Mr. Manola finished by letting the council know once this process is ready he will be coming back in front of the council to get approval to go back out for bid on this project.

\*\*\*\*\*

Chairman Spillman moved on to item #12, Resolutions. President Berthelot was recognized and explained to the council the need for the Resolution of support authorizing the Parish President to act on Sid Richardson Extension Project. Said resolution is needed for the disbursement of state funds for any Cooperative Agreement Endeavor with the State of Louisiana. Said Resolution 12 of 2015 may appear elsewhere in these minutes.

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Chris Kershaw.

---

---

**RESOLUTION 12 OF 2015**

A Resolution designating the Parish President Riley Berthelot, Jr. to act on behalf of the Parish of West Baton Rouge in all matters pertaining to the Cooperative Endeavor Agreement between the State of Louisiana and the Parish of West Baton Rouge for the Sid Richardson Road Extension Project, FP&C Project Number to 50-161-14-01 including certifying requests for disbursements.

**NOW THEREFORE BE IT RESOLVED** that the West Baton Rouge Parish Council to satisfy prerequisite for the disbursement of state funds in connection with the aforementioned project hereby designate Parish President Riley Berthelot, Jr. to act on behalf of the Parish in all matters pertaining to the Cooperative Endeavor Agreement between the State of Louisiana and the Parish of West Baton Rouge for the Sid Richardson Road Extension Project, FP&C Project Number to 50-161-14-01 including certifying requests for disbursements.

Roll call vote on the resolution was recorded as follows:

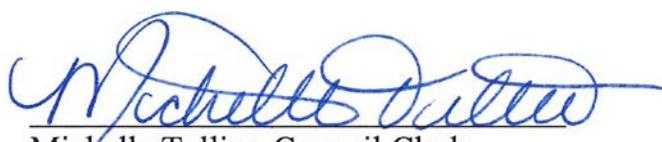
YEAS: 9 (Mses. Gordon, Fair, Messrs. Mouch, Spillman, Hugghins, Porto, Loupe, Robertson, Kershaw)

NAYS: 0 (None)

ABSENT: 0 (None)

**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 May 28, 2015 at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk

\*\*\*\*\*

Chairman Spillman moved on to item # 13 Introduction of Ordinances and read by title into the record the following:

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III ("Unified Development Code"), Chapter 105 ("Subdivisions"), Article II ("Minimum Design Standards"), Section 105-36(d) ("Streets, Dead-end streets") to provide for proper dead-

---

---

end turnaround design and usage. Said Ordinance will have a public hearing on Thursday, June 25, 2015.

Rezoning request of Port Allen Terminal LLC/Murphy Energy Corporation File #2015-04, designated as lot 7, Second filing of Poplar Grove Industrial Park containing 13.56 acres, T8s, R2E, Southeastern Land District, East of the Mississippi River, West Baton Rouge Parish, Rezoning from I-1 to I-3. Said Ordinance will have a public hearing on Thursday July 23, 2015.

Reconsideration of the Denied Rezoning for Allen Herring & Joseph Gaudin, File # 2014-15, designated as Tracts *CJ-SC* and *CJ-6* containing 7.21 acres and 20. acres, located in Section 7, T7S, R1 1 E, Rezoning from R-SF-3 to AG. Said Ordinance will have a public hearing on Thursday, June 25, 2015.

\*\*\*\*\*

Chairman Spillman moved on to item #14, Consider Planning & Zoning Minutes, Subdivisions, Plats, Condemnations and/or Variances and matters related thereto. Ms. Lynn Cline was recognized and presented the council with item 14a) Suggs Final Plat – 2441 Rosedale Road. Ms. Cline explained this was a Final plat for the Suggs Family which needs a variance for the road frontage of lot#D-3, she also noted the Planning & Zoning Commission voted to approve this plat 9 to 0 with a variance for road frontage due to existing geometrics of the property fronting on Suggs Road, there were a few questions from councilmembers as to the reason for the variance, there were no public comments at this time.

A motion was made by Mr. Phil Porto to approve this aforementioned final plat with a variance for the road frontage of lot D-3, seconded by Mr. Randal Mouch.

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

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

NAYS:           1           (Mr. Kershaw)

ABSENT:        0           (None)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item 14b) discussion for future flag lots, Chairman Spillman started out by going over the history of what has taken place in front of the council on flag lots, he further explained the council will see these type of lots in the future and needs to come to an agreement on the standards to be put in place for flag lots in the future. A lengthy discussion was held between various Councilmembers, President Berthelot, Ms. Lynn Cline and Fire Chief Kenny Hunts. Mr. Hughhins requested a formal letter of recommendation from Chief Hunts as to minimum design standards needed for emergency vehicle response, etc. Chief Hunts agreed to this request. A few items were pointed out to possibly add to the requirements of flag lots such as limiting flag lots to one lot, a fifty feet minimum at the road, street minimums (grade, dimensions, etc) along with utilities and fire hydrant requirements. Mr. Spillman requested a draft of the aforementioned requirements from the Planning and Development office.

\*\*\*\*\*

There were no Beer and/or Liquor permits at this time.

\*\*\*\*\*

Chairman Spillman moved on to item#16 Appointments, item 16a) WBR Council on Aging Representative-Appoint Mr. Edward "Bob" Robertson to fill vacancy of Council on Aging Board due to term limitation of Ms. Charlene Gordon....

A motion was made by Ms. Charlene Gordon, seconded by Mr. Barry Hughhins, to appoint Mr. Edward Robertson to the Council on Aging Board, with a term to expire on 05/28/2018.

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

YEAS:           9           (Messrs. Kershaw, Porto, Hughhins, Robertson, Spillman, Loupe, Ms. Gordon, Mr. Mouch, Ms. Fair)

---

---

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

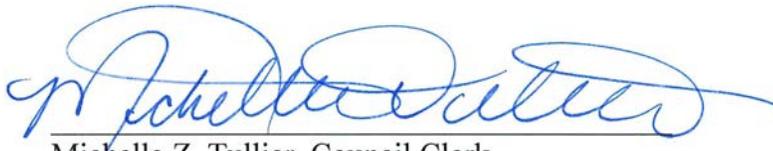
\*\*\*\*\*

Correspondence Report from Council Clerk Michelle Tullier was the next meeting of the WBR Planning & Zoning Commission of June 2, 2015 has been cancelled due to clear agenda, and to remind all those Councilmembers attending the NACO Conference to make the arrangements for their flights.

\*\*\*\*\*

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:28pm.

  
\_\_\_\_\_  
Gary M. Spillman, Council Chairman

  
\_\_\_\_\_  
Michelle Z. Tullier, Council Clerk

