

**REGULAR MEETING – WEST BATON ROUGE PARISH COUNCIL
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
SEPTEMBER 25, 2014 – 6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, September 25, 2014. Council Chairman Gary Spillman called the meeting to order and requested all electronic devices be placed on silent and that everyone remain standing following the pledge of allegiance (led by Chris Kershaw) for a moment of silence for Mr. Lucius Treuil (long-time Parish employee) and think of his family in prayers.

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

Messrs. Randal “Randy” Mouch, Chris “Fish” Kershaw, Ms. Naomi Fair, Mr. Ricky Loupe, Ms. Charlene Gordon, Messrs. Phil Porto, Jr., Gary M. Spillman, Barry Huggins, Edward G. “Bob” Robertson

Absent: None

Parish President Riley Berthelot, Jr. was also present.

Mr. Berthelot was recognized under agenda item 4 (consider any amendments to the agenda) and requested agenda be amended to consider Providence contract as previously discussed to do study on road for wetlands analysis.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Randal Mouch to amend tonight’s agenda as aforementioned.

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.

Mr. Berthelot stated that the members were familiar with proposal from Providence to do wetlands analysis, delineate presence of endangered species for due diligence 404 permit to get project started (survey will include soil samples to determine recommended type of payment). Mr. Berthelot clarified that half of estimated cost was included in this year’s budget, project would provide accessibility/escape route from trains for back of Addis, and acknowledged Town of Addis support resolution. Mr. Spillman confirmed bids were not required for professional contracts. Mr. Mouch made brief statement expressing concurrence.

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw accepting the proposal of Providence Engineering and Environmental Group, LLC for Ed LeJeune Street Extension/Connector per said proposal as aforementioned at a cost of \$302,300.00, and authorizing the Parish President to execute any required 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.

Gary C. Landrieu U S House of Representatives 2nd District Candidate from New Orleans, La. was recognized under agenda item 5 (public comments) introduced himself, made brief presentation citing qualifications and requested support in the upcoming November 4th election. Chairman Spillman thanked Mr. Landrieu for coming and requested contact information for those interested.

Ms. Gordon was recognized under agenda item 6 (communications with council members and/or elected or appointed officials) expressed thanks to Miss Bernadette, Lacy Walls, Frederick Johnson, and City of Port Allen for assisting with Mr. Eddie Payne Ribbon Ceremony, and acknowledged right choice naming road as indicated by community support. Public Works Director Kevin Durbin showed picture of ribbon-cutting ceremony on overhead projector as Ms. Gordon identified individuals.

Mr. Kershaw thanked Mr. Berthelot for meeting with and answering questions of constituents residing off of Thomas Lane in Lukeville area.

Ms. Gordon reminded everyone of Veterans on Parade 11/9/14 and requested participation.

Mr. Spillman acknowledged concurring emails received from municipalities in setting time and date for Halloween Trick-or-Treat from 5:30 until 7:30pm on Friday, October 31, 2014.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto, Jr. setting time and date for Halloween Trick-or-Treat within the unincorporated areas of West Baton Rouge Parish from 5:30 until 7:30pm on Friday, October 31, 2014 based on aforementioned.

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 vote the motion was unanimously adopted.

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 rezoning request of Cody Firmin, 1037 Layla Lane, Port Allen, La. designated as Lot 14-C-2 from Agricultural District to Residential Minor Subdivision District. Mr. Durbin confirmed the Zoning Commission recommended approval 9/16/14, put parcel map on overhead projector for review, and clarified location of Layla Lane (private drive) servitude of passage. Paul Armand with Patin Engineers and Surveyors, Inc. was recognized and confirmed owner was seeking minor subdivision designation in order to sell lot containing 1.247 acres. Messrs. Normand, Acosta, Berthelot, Porto, and Kershaw discussed road/utility servitudes, and if this was considered in the Zoning Commission's recommendation. Mr. Loupe confirmed owner had agreed to conform to Parish standards regarding road/utility servitudes.

No interested citizens appeared either for 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. 26 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Phil Porto, Jr., seconded by Mr. Ricky Loupe

ORDINANCE NO. 26 OF 2014

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 104-3 ESTABLISHMENT OF DISTRICTS, OFFICIAL ZONING MAP

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment of districts, official zoning map for rezoning request of Cody Firmin, 1037 Layla Lane, Port Allen, La. designated as Lot 14-C-2 containing 1.247 acres located in Sections 65 & 91, T7S-R12E from A (Agricultural District) to R-M (Residential Minor Subdivision District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal 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 RESOLVED 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 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 25th day of September, 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 25th day of September, 2014.

I further certify that the above and foregoing ordinance was submitted the Parish President at 8:55 o'clock AM on the 26th day of September, 2014.

IN FAITH WHEREOF witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 26th day of September, 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 26th day of September, 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 8:05 o'clock AM on the 30th day of September, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

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 rezoning request of Harlan Truxillo Estate, 4363 Raymond LaBauve Drive, Brusly, La. designated as Lot HT-8-C from Residential Mobile Home District to Agricultural District. Attorney Tom Acosta was recognized representing the succession/executor of Harlan Truxillo requesting rezoning of approximately 3.8 acres to honor Mr. Truxillo's promise to put property in Jeremy Prejean's name, and confirmed Zoning Commission recommended approval 9/16/14. Mr. Kershaw concurred as to Mr. Truxillo's intent.

No interested citizens appeared either for 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. 27 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Chris Kershaw, seconded by Mr. Phil Porto, Jr.

ORDINANCE NO. 27 OF 2014

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 104-3 ESTABLISHMENT OF DISTRICTS, OFFICIAL ZONING MAP

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment of districts, official zoning map for rezoning request for the Harlan Truxillo Estate, 4363 Raymond LaBauve Drive, Brusly, La. designated as Lot HT-8-C containing 14.0 acres located in Sections 62 & 63, T8S-R12E from R-MH (Residential Mobile Home District) to A (Agricultural District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal 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 RESOLVED 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 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 25th day of September, 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 25th day of September, 2014.

I further certify that the above and foregoing ordinance was submitted the Parish President at 8:55 o'clock AM on the 26th day of September, 2014.

IN FAITH WHEREOF witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 26th day of September, 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 26th day of September, 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 8:05 o'clock AM on the 30th day of September, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

At this time the West Baton Rouge Parish Council met as the Board of Review for the purpose of considering and hearing complaints from taxpayers desiring to be heard on the 2014 tax assessment values of property as determined by the West Baton Rouge Parish Assessor. Assessor Barney was recognized to certify totals for year 2014 reviewed and read into the record excerpts from schedules A & B for real estates, personal property & public service for the tax years 2013 and 2014 as well as expiration dates of exemptions. Mr. Altazan confirmed Assessor's Office determined 2014 certified total assessed value of \$399,425,850.00 as board of review with additional total assessment for 2014 for Public Service from Louisiana Tax Commission as \$32,180,520.00. Mr. Altazan confirmed 1 mill brings in \$388,000.00 or 1 per cent and offered to answer any questions. There were no question and the Council thanked the Assessor for presentation. Certifying resolution appears elsewhere in these minutes.

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

RESOLUTION

A Resolution to ratify the total assessed value of the 2014 assessment lists as determined and presented by the West Baton Rouge Parish Assessor and certified to the West Baton Rouge Parish Council acting as the "Board of Review"

WHEREAS, pursuant to Louisiana Revised Statute 47:1992, the West Baton Rouge Parish Assessor has determined the assessment lists of real and personal property in and for the Parish and has exposed same for inspection by the taxpayers and other interested persons for a period of 15 calendar days as advertise, and

WHEREAS, now that said period has expired and the lists have been changed where necessary for clerical errors or erroneous assessments.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby ratify the total assessed value of the 2014 assessment lists as determined and presented by the West Baton Rouge Parish Assessor and certified to the West Baton Rouge Parish Council acting as the "Board of Review" in the amount of \$399,425,850.00.

BE IF FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Louisiana Tax Commission and the West Baton Rouge Parish Assessor.

Roll-Call Pro System recorded the votes on the resolution 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 resolution was unanimously adopted.

CERTIFICATE

I, Sharon Zito, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is true and correct copy of a resolution adopted by said body acting as "Board of Review" at its Regular Meeting of September 25, 2014 at which meeting all of the members were present and voting.

/s/Sharon Zito

Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized under agenda item 10 (consider status report, change order and/or other matters as required on current projects), reviewed, (read into record as no paper copy had been provided prior to meeting) and explained Charles Drive Concrete Panel Replacement substantial completion and change order #2 for final adjustment of quantities totaling \$1,328.56 to repair a couple of catch-basins, and recommended approval.

A motion was made by Mr. Randal Mouch, seconded by Mr. Chris Kershaw to approve Change Order #2 for final adjustment increasing the contract amount by the sum of \$1,328.56 as aforementioned and Certificate of Substantial Completion as of September 23, 2014 for 2014 Charles Drive Improvements Project (Industrial Enterprises, Inc.) as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same, contingent upon contractor completing punch list.

Verbal roll call recorded the votes on the motion as follows:

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

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized, reviewed, (read into record as no paper copy had been provided prior to the meeting) and explained Lukeville Lane Sewer Extension final adjustment change order #2 decreasing the project by \$896.50 (Department of Environmental Quality money left over from Westport project) for the addition of gravity sewer at Lukeville Lane Extension & Thomas Lane and recommended approval.

A motion was made by Mr. Randal Mouch, seconded by Mrs. Naomi Fair to approve Change Order #2 for final adjustment decreasing the contract amount by the sum of \$896.50 as aforementioned for Lukeville Lane Sewer Extension – Contract No. 3 (Tullier Services, LLC) as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same.

Verbal roll call recorded the votes on the motion as follows:

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

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

Kevin Gravois with Professional Engineering Consultants Corporation (PEC) was recognized, reviewed, (read into record as no paper copy had been provided prior to the meeting) explained South Westport Roadway Striping Proposal, and recommended approval of low proposal submitted by Southern Synergy, LLC with a total base bid of \$25,730.00 for double yellow strip with markings & stop bars and requested award. Mr. Loupe confirmed quotes were obtained as project couldn't be added to road contract due to size difference in line striping.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Edward Robertson to award the South Westport Roadway Striping Project to Southern Synergy, LLC with a total base bid of

\$25,730.00 as aforementioned, as recommended by the Project Engineer and Administration, and authorizing the Parish President to execute same.

Verbal roll call recorded the votes on the motion as follows:

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

NAYS: 0 (None)

As a result of the roll call vote the motion was unanimously adopted.

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Informed Lukeville Extension Sewer Tie-in Project will be considered at upcoming meeting including options to service approximately 4 residents across the big canal on Thomas Road;
Informed of Department of Transportation & Development meeting last week on La. 1 Corridor study to move traffic;
Informed of Department of Transportation & Development meeting with Sheriff's Office on extending white lines on La. 1 near bridge, placement of limestone for law enforcement units and cable barriers;
Clarified 9/29/14 11:30 meeting to be held at Museum had been called by Capital Area Informed Legislative Delegation to unite agencies seeking funds for requested projects and was not open to the public;
Reminded of October Fest scheduled 10/5/14 @ Museum;
Reminded Veterans Day Parade handled through the Convention & Visitors Bureau with Blue Star Mothers holding competition for collection of items;
Announced Finance Director has 2015 budgets prepared.

Gary Spillman was recognized under Council Chairman's Report and reminded members to make residents aware of 3 tax millages on November ballot, request support, and acknowledge if voted down there will have to be cuts. Parish Attorney clarified that public can be educated on election through publications.

Council Chairman 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 October 23, 2014 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning for rezoning request of AISLE 3, LLC, 2808 Court Street, Port Allen, La. designated as Lot 1-A-2-1 from Regional-Scaled Commercial District to Light Industrial District.

Mr. Durbin put final plat for Steve A & Laura McKinney on the overhead projector, confirmed Planning Commission had recommended approval 9/16/14, and the land surveyor was present to represent said clients. Court Bradford with John Dunlap Land Surveying, Inc. was recognized, explained request for removal of 1.4 acres from 10 acre tract, and creation of flag lot for existing house off of River Road. Mr. Spillman clarified servitudes and road frontage. Mr. Kershaw requested plat general notes be corrected to read West Baton Rouge Parish Fire Protection District No. 1.

A motion was made by Mr. Randal Mouch, seconded by Mr. Ricky Loupe to approve the final plat showing the subdivision of Tract M into Tract M-1 and M-2 located in Section 1, T8S-R12E and Section 76, T7S-R12E for Steve A. & Laura McKinney as aforementioned, and recommended by the Planning Commission 9/16/14.

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.

At this time under Correspondence Report the Council Clerk read an excerpt into the record from the West Baton Rouge Parish Planning & Zoning Commission agenda scheduled for Tuesday, October 7, 2014 cancelled due to clear agenda.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:45PM.

/s/Gary M. Spillman

Gary M. Spillman, Council Chairman

/s/Sharon Zito

Sharon Zito, Council Clerk