

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING—NOVEMBER 12, 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, November 12, 2015 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 led by Fire Chief Kenny Hunts.

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

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

Absent: Mr. Randal Mouch

Also present were, Riley Berthelot, Parish President, Jason Manola, Executive Assistant, Phillip Bourgoyne, Director of Finance, and Michelle Tullier, Council Clerk.

A motion was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon, to approve the minutes of the October 22, 2015 regular meeting & 2016 Budget meetings of November 3rd and 4th, 2015.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda and explained to the council a late application for a liquor permit was received and needs to be taken up at this meeting for Lucky Louie’s Truck Stop LLC.

A motion was made by Mr. Barry Huggins, to amend tonight’s agenda to include an item titled Beer and/or Liquor permit for Lucky Louie’s Truck Stop LLC, seconded by Mr. Phil Porto.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Chairman Spillman moved on to item #6, Presentation by Drew Maciasz , Mr. Maciasz with Harry Laws and Company was recognized and started by explaining as the owners of Cinclare Plantation he has come before the council to ask for support to establish the Cinclare Cultural

District, which is a State program sponsored by a local governing authority. Mr. Maciasz went over a few of the advantages for the owners and the parish of being classified as a Cultural District, noting the parish would need give up sales tax for one of a kind visual art, created onsite of the cultural district. Mr. Maciasz finished by saying the primary goal of this program is to establish a location to encourage the arts, not to generate lots of tax revenue, which in his opinion it would not. Mr. Maciasz offered to meet with anyone to answer any questions, and explained that a resolution of support would need to be taken up by the parish in order to get this request going.

Mr. Kershaw asked what the district boundaries would be, Mr. Maciasz responded the northern boundary would be across LA1 from Emily drive, the southern boundary would be the property line with Brusly High School, the western boundary would be La 1 and the River Road would be the eastern boundary.

Mr. Kershaw also re confirmed the sales tax that would be lost would only come from one of a kind visual art, and Mr. Maciasz concurred. Mr. Loupe, spoke in support of this program, Mr. Porto also questioned Mr. Maciasz, Mr. Spillman asked about the possibility of getting five million dollars of renovation grant monies that are available in this program, Mr. Maciasz clarified he was not really familiar with these monies. Mr. Spillman asked if maybe this could be postponed until after the next election due to us not knowing what the cuts to programs the newly elected Governor may impose. President Berthelot also shared his concerns with the Parish having to take on the extra work on the tax reporting, auditing etc., and asked for more time to look into this type of district. Mr. Maciasz responded and explained the process and noted the parish could designate a third party to take on the responsibility of reporting if needed. Mr. Kershaw asked President Berthelot if we could have Mr. Kevin Durbin contact East Baton Rouge and see what type of extra work this program would create for administration, President Berthelot concurred. There were no further questions for Mr. Maciasz at this time.

Chairman Spillman moved on to the next item on the agenda Parish President's Report, and recognized President Berthelot who opened with thanking everyone for the turnout for the Veteran's Day parade this past Sunday; invited the council to the employee luncheon on Wednesday November 25th at 11:30am for Thanksgiving. Ms. Gordon inquired on the mosquito spraying recently. There were no further questions at this time.

Chairman Spillman moved on to item #8 Consider Authorizing the Parish President to accept the lowest qualified proposal for the Lighting of a 300ft Ballfield, proposals open November 23, 2015, President Berthelot was recognized and explained the reason for this request was to get the lights at Rivault Park finished before the end of the year, he noted waiting until the next council meeting to award this project would not leave enough time for the delivery and installation of said lights.

A motion was made by Mr. Barry Huggins, to approve authorizing the Parish President to accept the lowest qualified proposal for the aforementioned project, seconded by Ms. Charlene Gordon.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Chairman Spillman moved on to item#9 Public Comment, Mr. Evan Cooper was recognized and thanked Councilmen Porto and Huggins for their recent assistance with his truck wash project,

he also thanked President Berthelot, the Water and Gas office and the Permit office for their help with his current truck wash project.

Chairman Spillman recognized Mr. Kirk Allain in the audience, and advised everyone that Mr. Kirk Allain was the newly elected Council Member for District No. 1, Mr. Allain stepped to the podium and conveyed his excitement to get started and he was met with an ovation from the council and audience. There were no other comments at this time.

Chairman Spillman moved on to item #10 Communication with Council Members and/or Elected or Appointed Officials, Ms. Gordon started by reminding everyone of the yearly toy drive coming up and asked for a toy donation, said toy drive will be held on December 5th at the Port Allen Middle School gym.

Mr. Porto thanked District 6 residents and recognized his colleagues, Parish President and administration for their support during the recent election and finished by stating he looks forward to serving his last four years on this council.

Mr. Huggins updated everyone on the Industrial Buffer Zone meetings which should be wrapping up soon, he explained a new zone is suggested which would be a Public Facilities Zone (PF) this zone would include a school, Jail or Airforce Base just to name a few examples; Some lot sizes and buffers have been increased and some decreased, just depending on where that Industrial Zone is. Mr. Huggins also went on to explain an incident which happened to his wife recently and expressed his shock and dismay with the way that his multiple calls for assistance were handled by the Louisiana State Troopers office, whom could not locate him in order to dispatch an officer to the site of the incident. Mr. Huggins questioned if there is something at this level can be done to make this type of situation not happen in the future.

Mr. Robertson also thanked his fellow councilmembers for their support in the recent election and stated he looks forward to working with them the next four years.

Mr. Spillman stated that maybe we could get in touch with Colonel Edmonson and compare what coverage we had years ago with what coverage we currently have today.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on 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 Kyledren Antoine, 5985 Rougon Rd. Port Allen, La 70767, File #2015-7, Tract M Containing 14.06 acres in Section 17, T6S, R11E, being part of Unit 4 of NE/4 & W/2 of SE/4 P/O H. Morris Property, rezoning from AG (Agricultural) to RM (Residential Minor Subdivision).

Mr. Kevin Durbin, Public Works Director was recognized and explained to the council this rezoning request has been amended at the request of the applicant, to be 8.0 acres in the rear most portion of the aforementioned property instead of the original 14.06 acres requested, he also advised the council on the recommendation from the Zoning Commission which was a unanimous vote in favor of said rezoning. Ms. Tullier pulled up said property on the screen as Mr. Durbin answered a few questions from the council pertaining to width of property, location of the 8.0 acres and access road to the same.

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.

A motion was made by Mr. Barry Huggins to approve the rezoning request for Mr. Kyledren Antoine to rezone the rear most 8.0 acres from Agricultural to Residential Minor, seconded by Ms. Charlene Gordon.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Ordinance 31 of 2015 appears at the end of these minutes.

Chairman Spillman moved on to item #12 Consider status report, Change order and/or other matters as required on current projects, Mr. Jason Manola was recognized and reviewed the following projects:

Antonio ditch – concrete pouring status

Erwinville Community Center Flooring Inspection, waiting on results from inspectors report.

Mosquito Abatement will be spraying in full force next week, hopefully cool snap will help.

There were no questions for Mr. Manola at this time.

Item #13 Resolutions, specifically item #13a Authorize signing Louisiana Governmental Compliance Questionnaire for 2015 Annual Audit of Natural Gas and Water Systems, there were no questions on said resolution.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve the aforementioned resolution.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Resolution 26 of 2015 appears at the end of these minutes

Chairman Spillman moved on to item #13b Authorize Parish President to Submit Application through the Office of Community Development, Local Government Assistance Program (LGAP), Chairman Spillman stated the funds requested from the Local Government Assistance Program this year would be for the Lukeville Sewer Oxidation Pond, per the quote sheet previously emailed to you and included in your packet. There were no questions at this time.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Resolution 27 of 2015 appears at the end of these minutes.

Item #14 Introduction of Ordinances, Chairman Spillman read the following ordinance by title into the record:

An Ordinance adopting an Operating Budgets of Revenues and Expenditures for WBR Parish Council for the Fiscal Year Beginning January 1, 2016 and Ending December 31, 2016 For the 2016 Budgets, Capital Road Program, Fire Protection District No. 1 and Five year Capital Expenditure Budget (including the Department of Utilities) as reviewed at the 2016 Budget Meetings of November 3, 2015 & November 4, 2015. Public Hearing Date: December 10, 2015

An Ordinance to amend and re-enact Chapter 62 Personnel, Rules and Regulations, Sec. 62-62 of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana for revisions to Employee Holiday Schedule. Public Hearing Date: December 10, 2015

Item #15, Consider Planning & Zoning Minutes, Subdivisions, Plats, Condemnations and/or Variances and matters related thereto, File #2015-020 Final Plat showing the subdivision of a called 2.5 +/- acre tract of the Albert Meche Estate Property into Lots M-1, M-2 & M-3 located in Section 119, T-7-S, R12-E, Southeastern Land District, west of the Mississippi River, West

Baton Rouge Parish, LA for Mary E. Meche, ETALS. Mr. Durbin was recognized and explained this item was tabled by the Planning Commission to the next meeting due to family confusion on how the property was being divided.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Chris Kershaw to table said plat until the next meeting.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Chairman Spillman moved on to item #16 Consider Beer and/or Liquor Permits, specifically item 16a) Grand Paradise Casino – 520A Highway 190 West, Port Allen, La 70767. Per Ms. Tullier the Grand Paradise Café will no longer hold an Alcohol Restaurant Permit, they will simply sell alcohol in the Casino area, said establishment has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

A motion to approve the Beer and/or Liquor Permits requested by aforementioned establishment was made by Mr. Ricky Loupe, seconded by Mr. Phil Porto.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

Chairman Spillman moved on to item #16b)Lucky Louie’s Truck Stop LLC – Casino located at 514 Highway 190 West, Port Allen, La 70767, Lucky Louie’s Truck Stop LLC – Quick Stop located at 4169 North River Rd. Port Allen, La 70767 and Lucky Louie’s Truck Stop LLC – Café located at 4169A North River Rd. Port Allen, La 70767, Per Ms. Tullier the aforementioned establishments are going through a name change from Lucky Louie’s Truck Stop Inc. to Lucky Louie’s Truck Stop LLC and said establishments have met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

A motion to approve Beer and/or Liquor Permits requested by aforementioned establishment was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon.

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

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

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Barry Huggins based on the recommendation of the West Baton Rouge Convention and Visitors Bureau the following board members be reappointed to serve on said board for 3 year terms commencing January 1, 2016 Mr. Ellis Gauthier and Mr. Ash Patel.

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

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

NAYS: 0 (None)

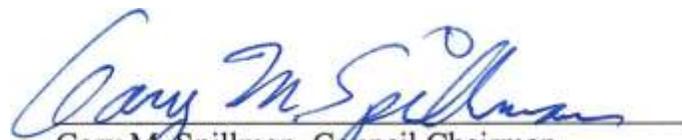
ABSENT: 1 (Mr. Mouch)

As a result of the votes the motion was unanimously adopted by members present.

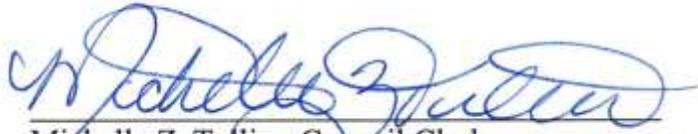
Correspondence Report from Council Clerk, Michelle Tullier included the following item:

- Next meeting of the Planning & Zoning Commission will be December 1, 2015 at 5:30pm

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:22pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

The following ordinance was offered by Mr. Barry Huggins, seconded by Ms. Charlene Gordon

ORDINANCE 31 OF 2015

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
November 12, 2015

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 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 Kyledren Antoine, 5985 Rougon Rd. Port Allen, La 70767, File #2015-7, Tract M Containing 14.06 acres in Section 17, T6S, R11E, being part of Unit 4 of NE/4 & W/2 of SE/4 P/O H. Morris Property, rezoning the rear most 8.0 acres from AG (Agricultural) to RM (Residential Minor Subdivision).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective 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: 8 (Mes. Fair, Gordon, Messrs. Spillman, Robertson, Huggins, Porto, Loupe, Kershaw)

NAYS: 0 (None)

ABSENT: 1 (Mr. Mouch)

WHEREUPON the ordinance was declared adopted on the 12th day of November, 2015.

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 12th day of November, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:00 o'clock AM on the 13th day of November, 2015.

IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 13th day of November, 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 16th day of November, 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 9:52 o'clock AM on the 16th day of November, 2015.


Michelle Tullier, Council Clerk

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

RESOLUTION 26 of 2015

A Resolution authorizing the Parish President, Director of Utilities, and Director of Finance to sign the Louisiana Compliance Questionnaire for Audit Engagement for Provost, Salter, Harper and Alford, LLC. on behalf of the West Baton Rouge Parish Natural Gas & Water Systems for the period December 1, 2014 – November 30, 2015

WHEREAS, as mandated by State Law the West Baton Rouge Parish Council completed the compliance questionnaire for audit engagements as a required part of a financial audit of Louisiana governmental units and quasi-public entities.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President, Director of Utilities, and Director of Finance to sign the Louisiana Compliance Questionnaire for Audit Engagement for the period December 1, 2014 – November 30, 2015.

The foregoing resolution having been submitted to a vote was adopted by the following yeas or nays on roll call vote.

- YEAS: 8 (Mses. Fair, Gordon, Messrs. Spillman, Robertson, Huggins, Porto, Loupe, Kershaw)
- NAYS: 0 (None)
- ABSENT: 1 (Mr. Mouch)

As a result of the votes said resolution was adopted by those members present.

CERTIFICATE

I, Michelle Tullier, 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 at its Regular Meeting of November 12, 2015, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 27 OF 2015

WHEREAS the WEST BATON ROUGE PARISH GOVERNMENT is in need of FUNDS FOR LUKEVILLE OXIDATION POND; and

WHEREAS grants for this project may be available through Office of Community Development, Local Government Assistance Program; and

WHEREAS the West Baton Rouge Parish Council is in support of this project.

NOW, THEREFORE, BE IT RESOLVED, by the WEST BATON ROUGE PARISH COUNCIL of WEST BATON ROUGE PARISH GOVERNMENT that:

Section 1. The PARISH PRESIDENT is hereby authorized to submit an-application to the Office of Community Development on behalf of WEST BATON ROUGE PARISH GOVERNMENT for the purpose of securing funds toward aforementioned project; and

Section 2. The PARISH PRESIDENT is further authorized to furnish such additional information as may reasonably be requested in connection with the application; and

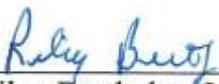
Section 3. The PARISH PRESIDENT is hereby designated as the Official Project Representative for the WEST BATON ROUGE PARISH GOVERNMENT for any project that may result from the submission of the application.

A MOTION TO ADOPT the above resolution was made by Mr. Barry Huggins, seconded by Mr. Phil Porto, and resulted in the following vote:

YEAS:	8	(Mses. Fair, Gordon, Messrs. Spillman, Robertson, Huggins, Porto, Loupe, Kershaw)
NAYS:	0	(None)
ABSTAIN:	0	(None)
ABSENT:	1	(Mr. Mouch)

CERTIFICATE

We the undersigned do certify that the foregoing resolution is a true and correct copy of a resolution adopted at a meeting held on the 12th day of November, 2015 at which meeting a quorum was present and voting.



Riley Berthelot, Jr., Parish President

ATTEST:



Michelle Tullier, Council Clerk