

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING  
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
APRIL 12, 2018  
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, April 12, 2018 and called to order at 6:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Councilman Barry Hughhins, who led everyone in the pledge of allegiance.

**ATTENDANCE**

The following members were recorded as being present:

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

Absent: Ms. Naomi Fair.

Also present were, Mr. Riley Berthelot Jr., Parish President, Mr. Jason Manola, Executive Assistant, Mr. Phillip Bourgoyne, Director of Finance, Mr. Kevin Durbin, Public Works Director, and Ms. Michelle Tullier, Council Clerk.

**MINUTE APPROVAL**

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Hughhins, to approve the minutes of the March 22, 2018 regular meeting.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

**CONSIDER ANY AMENDMENTS TO THE AGENDA**

**Accept/Reject Change Order No. 1 for 2018 Asphalt Road Rehab Project  
Accept/Reject Bid Recommendation on Erosion Control Mats**

There were no questions or comments for or against adding the aforementioned items on to the agenda.

A motion was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon, to approve adding the aforementioned items to the agenda.

The vote was as follows:

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

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**

Meeting in Pointe Coupee regarding a pumping system to relieve water from False River;  
Next Wednesday, April 18<sup>th</sup> at 9:30am Coastal Protection and Restoration Authority meeting;  
Recent Public Officials meeting to get updates on the I-10 widening project;  
Open Houses to come regarding this project in June at the Addis Community Center;  
Meeting with Owen & White regarding ways to move more water south of the Intracoastal;  
National Day of Prayer, May 3<sup>rd</sup> at Port Allen Community Center, 6pm;

Introduced Ms. Ruth Bond, Library Director who wanted to introduce her new assistant Ms. Sarah Colombo.

### **PUBLIC COMMENTS**

Mr. Raynard Douglas was recognized and explained to the Council about the LA ballers Basketball teams that he is the Coach/Coordinator for. Mr. Douglas mentioned the recent accomplishments of the teams and asked the Council for any help in their upcoming Junior NBA tournament that they have qualified for. There were a few questions from the Council.

### **PRESENTATION OF AUTISM AWARENESS PROCLAMATION**

Chairman Spillman introduced Ms. Theresa Wilson, with Families Helping Families, who spoke briefly about what the program does for kids with autism in the community and what it means to all of the families affected by autism, in closing they thanked the parish for the continuing support and invited everyone to join them at the Active for Autism 5K run/walk on Saturday, May 5, 2018 at Pennington Biomedical Research Center. Ms. Michelle Tullier, Council Clerk, read said proclamation into the minutes of the meeting, and said proclamation can be found at the end of these minutes.

### **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

Councilwoman Gordon reminded everyone of Family Day in the Park coming up on May 26, 2018. Councilman Kershaw invited everyone to Relay for Life at Brusly High School Friday night, from 5pm to 10pm.

### **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

**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 Reed Farms LLC/J.R. Tract, LLC, Prescott Bailey, And Southern Lifestyle Development Company, LLC., File # 2018-2, La. 1 South, Port Allen, La 70767, Approximately 149.56 Acres of the 688 acres m/l, In Sections 79 & 80, T7S, R12E and Sections 4, 5, 6, & 7, T8S, R12E, Southeastern Land District, West of the Mississippi River, West Baton Rouge Parish, Louisiana. Rezoning From C-1.2 (Community Scale Commercial) & AG (Agricultural) to TND (Traditional Neighborhood Development)**

Item #10A) 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 Reed Farms LLC/J.R. Tract, LLC, Prescott Bailey, And Southern Lifestyle Development Company, LLC., File # 2018-2, La. 1 South, Port Allen, La 70767, Approximately 149.56 Acres of the 688 acres m/l, In Sections 79 & 80, T7S, R12E and Sections 4, 5, 6, & 7, T8S, R12E, Southeastern Land District, West of the Mississippi River, West Baton Rouge Parish, Louisiana. Rezoning From C-1.2 (Community Scale Commercial) & AG (Agricultural) to TND (Traditional Neighborhood Development).

Mr. Kevin Durbin, was recognized and explained the Commission voted 9-0 in favor of denying the aforementioned rezoning request.

Chairman Spillman advised everyone in the audience that the recording of the Commission meeting was sent out to all Councilmembers in order for them to hear the concerns of the citizens which were expressed to the Commission. Chairman Spillman asked that anyone may speak, however any new information is requested. Councilman Loupe was recognized and read an email from Southern Lifestyle Development asking to withdraw the rezoning application, he went on to explain due to certain State Laws, the Council must vote on this item, Councilman Loupe explained with that in mind he will be making a motion to deny this rezoning due to the fact of the developer asking for the withdrawal.

The Chairman opened a public hearing for the purpose of receiving public comments regarding the aforementioned ordinance.

Mr. Will Adams with Property One Commercial Real Estate, was recognized and asked the Council to defer a vote on this item instead of denying it, in order for the developer to have more time to get community input on the development. Mr. Adams asked for a deferral to the second meeting in May for the developer to have more time to work with the community on infrastructure concerns. Chairman

Spillman asked if there were any other public comments at this time and explained to the audience that the Council has seen the video of the Planning & Zoning Meeting and have heard all of the concerns. Councilman Loupe explained he has a hard time approving a development of this size on the South side of the Intracoastal due to various infrastructure issues, with that Mr. Loupe made a motion to deny the rezoning.

Chairman Spillman asked if there were any other comments before closing the public hearing. Mr. James Winters was recognized and covered a few of his concerns regarding tax dollars for a development this size, and the infrastructure needed along with the traffic concerns on the south side.

Councilman Porto was recognized and explained that deferring this item for 45 days would, in his opinion, not change his mind unless there is a project in the works with actual construction going on to fix the traffic issues, such as the I-10 widening project, 415 Connector, and a new bridge he could not support this rezoning request. If these projects would be done he strongly believes he would vote for this rezoning.

Councilman Huggins concurred with the views and opinion of Councilman Porto, and with that he seconded the motion to deny this rezoning request.

Chairman Spillman pointed out the current TND developments which were rezoned previously on the south side, one being Mr. Bubba Phillips property, approximately 254 acres in the City limits of Port Allen near the Walmart and one in Brusly, done by Harry Laws, which is approximately 242 acres.

Councilman Kershaw clarified with Mr. Durbin the time that the Parish Council has to take a final vote once the Commission gives their recommendation, which is up to 45 days to take a final vote once the recommendation is given to the Council. Mr. Lou Delahaye, Parish Attorney confirmed what Mr. Durbin reported. Mr. Kershaw stressed his disappointment that the developers who were at the Commission meeting did not show up tonight, he also asked Mr. Adams what his plans were to get more community input. Mr. Adams explained there would be community meetings for there to be more input from the residents.

President Berthelot was recognized and explained the process of meetings that the administration and Council have taken part in to try and make this development work.

Councilman Kershaw was recognized again and expressed his disappointment with a motion being made before the completion of the public hearing, with that Mr. Kershaw made a substitute motion to give the developer the requested deferral, and take action within the 45 days. There was no second to the motion, the motion failed for lack of a second.

The Chairman asked if there were any other comments for or against the aforementioned ordinance, there were none. No written protests opposing the ordinance were received. The Council Chairman at this point closed the public hearing.

The Chairman explained the original motion by Mr. Loupe to deny the rezoning, seconded by Mr. Huggins is back on the floor. Mr. Loupe clarified his motion to deny was due to traffic congestion.

The vote was as follows:

YEAS: 7 (Porto, Allain, Loupe, Spillman, Huggins, Robertson, Gordon)  
NAYS: 1 (Kershaw)  
ABSENT: 1 (Fair)

As a result of the votes the motion to deny passed.

### **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

**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 Evan E. Cooper, File # 2018-3, 2825 Sharlot Blvd. Port Allen, La 70767, Lot PW-3 Containing 5.995 Acres In Sections 91 & 92, T7S, R12E, West Baton Rouge Parish. La., Requesting Special Use Permit to Allow Storage of Trucks and Heavy Equipment in a C-1.3 Zone**

The Chairman opened a public hearing for the purpose of receiving comment regarding, item #10B) 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 Evan E. Cooper, File # 2018-3, 2825 Sharlot Blvd. Port Allen, La 70767, Lot PW-3 Containing 5.995 Acres In Sections 91 & 92, T7S, R12E, West Baton Rouge Parish. La., Requesting Special Use Permit to Allow Storage of Trucks and Heavy Equipment in a C-1.3 Zone.

Mr. Durbin was again recognized and explained the Commission voted to recommend this rezoning request with a 9-0 vote.

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.

Councilman Porto explained that Mr. Evan Cooper has asked for this item to be deferred to the next meeting, as he was not able to attend this meeting.

A motion was made by Mr. Phil Porto to defer this item to the next Council Meeting of April 26<sup>th</sup>, seconded by Mr. Kirk Allain.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

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

#### **Accept/Reject Bid Recommendation for 2018 Concrete Road Rehab Project**

Mr. Kevin Gravois was recognized and informed the Council the low bidder on this project was Hard Rock Construction, LLC, with a total base bid of \$267,035.00, and recommended the Council accept this low qualifying bid. Mr. Gravois noted this bid is outside of the project budget due to some additional scope of work being added.

A motion was made by Mr. Phil Porto, seconded by Mr. Ricky Loupe to approve accepting the low bid for the 2018 Concrete Road Rehab Project No. 11354.01, from Hard Rock Construction, LLC. in the amount of \$267,035.00

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

#### **Accept/Reject Change Order No. 3 and Certificate of Substantial Completion for the Lobdell Sewer Project**

Mr. Gravois was again recognized and explained that Change Order No. 3 is a deduction of \$206,988.45 and thirty seven additional calendar days, also with this Mr. Gravois requested approval of the Certificate of Substantial Completion on this project.

A motion was made by Mr. Phil Porto, seconded by Mr. Kirk Allain to approve accepting Change Order No. 3 and the Certificate of Substantial Completion for the Lobdell Sewer Project.

The vote was as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

As a result of the votes the motion passed.

#### **Accept/Reject Change Order No. 3 for Diversion Canal Project**

Mr. Manola was recognized and explained Change Order No. 3 is a reduction of \$2,606.00 due to a quantity reduction in the amount of silt fence wire needed in the project.  
A motion was made by Mr. Barry Hughhins, seconded by Mr. Chris Kershaw to approve Change Order N. 3 for the Diversional Canal project.

The vote was as follows:

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

As a result of the votes the motion passed.

### **Accept/Reject Change Order No. 1 for 2018 Asphalt Road Rehab Project**

Mr. Gravois was again recognized and explained Change Order No. 1 on the aforementioned project was to add a few additional roads to this rehab project. Mr. Gravois explained this is a \$99,870.51 increase and an additional fifteen calendar days to the project.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Chris Kershaw to approve Change Order No. 1 on the 2018 Asphalt Road Rehab Project.

The vote was as follows:

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

As a result of the votes the motion passed.

### **Accept/Reject Bid Recommendation on Erosion Control Mats**

Mr. Manola was again recognized and explained due to the specialty type of item there was only one bid received, it was from Gro-Green Solutions for \$140,110.08 which per Mr. Manola this is under the budgeted amount for this project. Mr. Manola recommended accepting the aforementioned bid.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Phil Porto to approve accepting the bid for the Erosion Control Mats, from Gro-Green Solutions in the amount of \$140,110.08.

The vote was as follows:

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

As a result of the votes the motion passed.

### **RESOLUTIONS**

There were no items to consider at this time.

### **INTRODUCTION OF ORDINANCES**

Ms. Tullier read by title the below proposed ordinance(s) being introduced and publicized by title, and considered for adoption following public hearings at the meeting of April 26, 2018 at 6:30pm in the Council Chambers, 880 North Alexander Avenue, Port Allen, La.:

An Ordinance Amending Compiled Ordinances Parish Of West Baton Rouge Louisiana Chapter 54 Motor Vehicles And Traffic Section 54-1 Speed Limits. To Set The Speed Limit For Plantation Avenue And Plantation Avenue Loop And Update The Speed Limit For Kahns Road.

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

There were no items to consider.

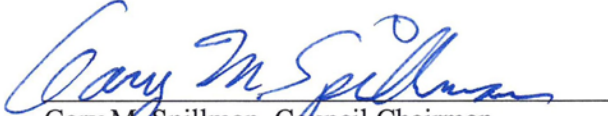
### **CORRESPONDENCE REPORT**

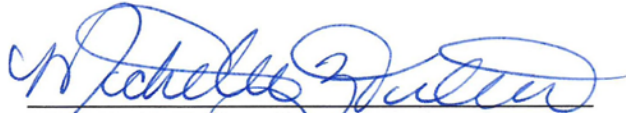
Correspondence Report from Michelle Tullier, Council Clerk included the following items:

- Next Planning & Zoning Commission set for Tuesday, April 17, 2018;
- Next Council Meeting is Thursday, April 26, 2018.

**ADJOURN**

There being no further business, a motion to adjourn was made by Mr. Chris Kershaw, seconded by Ms. Charlene Gordon and adopted by acclamation at 7:52pm.

  
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Gary M. Spillman, Council Chairman

  
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Michelle Z. Tullier, Council Clerk

State of  Louisiana

Parish of West Baton Rouge  
In the Name and By the Authority of the  
West Baton Rouge Parish Council

PROCLAMATION

WHEREAS, autism is a lifelong developmental difference, associated with significant alteration of an individual's ability to learn in the same way as others, which may include differences in social behaviors and communication; and

WHEREAS, autism, also known as autism spectrum disorders, affects people regardless of race, religion, socio-economic status or geography; and

WHEREAS, the incidence of autism in the United States is approximately 1 in 68 according to the Centers of Disease Control and Prevention; and

WHEREAS, evidence suggests autism is the result of neurological anomalies affecting the functioning of the brain and few members of the general public understand this complex syndrome; and

WHEREAS, persons with autism can be helped to reach their greatest potential, and accurate, early diagnosis and the resulting appropriate education and interventions, as well as community acceptance and accommodations, are vital to the future growth and development of the individual; and

WHEREAS, autism is a complex set of differences that requires increased research to one day better understand it; and

WHEREAS, the greater recognition and understanding of autism can ensure that individuals with autism are accurately diagnosed and appropriately treated throughout their lives.

NOW, THEREFORE, We, The Parish Council of West Baton Rouge Parish, do hereby proclaim the month of April, 2018 as

**AUTISM AWARENESS MONTH**

in West Baton Rouge Parish, and encourage all citizens to participate in the Families Helping Families of Greater Baton Rouge 9<sup>th</sup> Annual Active for Autism 5K Run/Walk Fun Fest on May 5, 2018 to bring awareness of Autism.



In Witness Whereof, I have hereunto set my hand officially and caused to be affixed the Great Seal of the Parish of West Baton Rouge, in the City of Port Allen, Louisiana, on this 12<sup>th</sup> Day of April 2018.

  
West Baton Rouge Parish Council Chairman

  
West Baton Rouge Parish Council Clerk