

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
JANUARY 10, 2019
5:30PM**

The Following Minutes Are Summarized For Brevity, For Precise Meeting Information Please Refer To Meeting Audio Or Video.

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, January 10, 2019 and called to order at 5:39pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Parish President Riley Berthelot, who led everyone in the pledge of allegiance.

ATTENDANCE

The following members were recorded as being present:

Messrs. Barry Huggins, Ricky Loupe, Kirk Allain, Gary Spillman, Phil Porto Jr., Chris "Fish" Kershaw, and Ms. Charlene Gordon.

Absent: Mr. Edward "Bob" Robertson, and Ms. Naomi Fair.

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

ELECTION OF OFFICERS

Chairman Spillman turned the floor over to Vice Chairman Huggins who announced the annual election of officers was in order at this time beginning with nominations for Council Chairman. Mr. Barry Huggins nominated Mr. Gary Spillman for another term as Council Chairman, seconded by Mr. Phil Porto, there were no other nominations and the nominations for Chairman were closed. Mr. Spillman was elected Council Chairman by acclamation and thanked members for their vote of confidence.

Chairman Spillman announced that nominations for Vice Chairman were open, Ms. Charlene Gordon nominated Mr. Barry Huggins for another term as Vice Chairman, seconded by Mr. Phil Porto, there were no other nominations therefore the nominations for Vice Chairman were closed. Mr. Huggins was elected Vice Chairman by acclamation and expressed his thanks to everyone.

MINUTE APPROVAL

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw to approve the minutes of the December 13, 2018 regular meeting.

The vote was recorded as follows:

YEAS: 7 (Porto, Spillman, Huggins, Loupe, Allain, Gordon, Kershaw)

NAYS: 0 (None)

ABSENT: 2 (Robertson, Fair)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

CONSIDER ANY AMENDMENTS TO THE AGENDA

There were no items to consider.

PARISH PRESIDENT'S REPORT

Councilwoman Naomi Fair entered the meeting at 5:43pm.

Parish President Berthelot was recognized and covered the following items:

Update on Water Well status;

Animal Control Building update;

William and Lee Building update;

President Berthelot explained that many other projects were getting started as well.

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

PUBLIC COMMENTS

There were no comments at this time.

COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS

Councilman Porto invited everyone to a Meet & Greet for Mr. Gary Spillman who is running for the District 18 State Representative seat. The Meet & Greet will be on Thursday, January 17th from 5:30pm – 8:00pm at the WBR Sheriff's Posse.

PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

The Chairman 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 #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 John Douglas Coots, File #2018-12, 6328 Smithfield Road, Port Allen, La 70767, Lot AF-1-A containing 4.65 acres located on Smithfield and Ashland Road, Port Allen, in Section 18, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from I-1 (Light Industrial) to AG (Agricultural). Master Plan Change**

Mr. Kevin Durbin was recognized and explained the aforementioned rezoning was recommended for approval by the Zoning Commission with a vote of 6 yeas and 0 nays with 3 members absent, and if approved would be a Master Plan Change.

No interested citizens appeared either for or against said the aforementioned item. No written protests opposing the rezoning request were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Mr. Mr. Barry Huggins, seconded by Mr. Chris Kershaw to approve the **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 John Douglas Coots, File #2018-12, 6328 Smithfield Road, Port Allen, La 70767, Lot AF-1-A containing 4.65 acres located on Smithfield and Ashland Road, Port Allen, in Section 18, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from I-1 (Light Industrial) to AG (Agricultural). Master Plan Change**

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Robertson)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Ordinance 1 of 2019 appears at the end of these minutes.

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

Mr. Jason Manola updated the Council on the following ongoing projects:

Drainage project near hotels on Hwy 415;

Kahns Rd. culvert work;
Planation yard drains;
Sid Richardson Rd. Extension Project, construction update and vandalism issues.

RESOLUTIONS

A Resolution of the West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20180413-ITE for Graham Packaging Company, L.P. at 1844 Commercial Dr., Port Allen, LA 70767

Ms. Jamie Hanks with the WBR Chamber of Commerce was recognized and explained the details of this request, and offered to answer any questions regarding the same.

There were no comments from the public on this item.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Chris Kershaw to approve A Resolution of the West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20180413-ITE for Graham Packaging Company, L.P. at 1844 Commercial Dr., Port Allen, LA 70767.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Resolution 1 of 2019 appears at the end of these minutes.

A Resolution of the West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20161915-ITE for Exxon Mobil Corporation-Port Allen Lubes Plant located at 2239 Hwy 1 North, Port Allen, LA 70767.

Ms. Jamie Hanks with the WBR Chamber of Commerce was recognized and explained the details of this request, and offered to answer any questions regarding the same.

There were no public comments at this time regarding this request.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Barry Huggins to approve A Resolution of the West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20161915-ITE for Exxon Mobil Corporation-Port Allen Lubes Plant located at 2239 Hwy 1 North, Port Allen, LA 70767

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Resolution 2 of 2019 appears at the end of these minutes.

INTRODUCTION OF ORDINANCES

Mrs. Tullier read by title the below proposed ordinance being introduced and publicized by title, and considered for adoption following public hearing on the meeting date noted below, at 5:30pm in the Council Chambers, located at 880 North Alexander Avenue, Port Allen, La.:

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 Choctaw Bayou Properties, File # 2018-16, 8715 Singleton Road & 3667 Treuil Rd Port Allen, La. 70767, fronting on Grand Bayou Rd., Tract JT-1 containing .789 acres and Tract JT-6 containing 3.201 acres, both in Section 27, T6S, R11E, part of the original Lot 42, Spencer Burks Subdivision, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family)

Public Hearing Date: February 28, 2019

CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

There were no items to consider at this time.

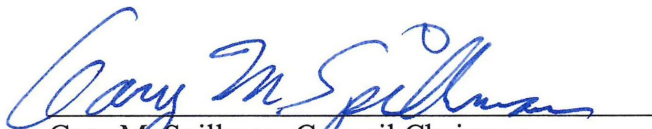
CORRESPONDENCE REPORT

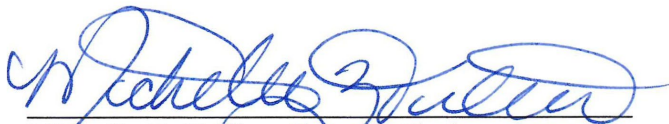
Correspondence Report from Secretary, Mrs. Michelle Tullier included the following items:

Next Planning & Zoning Meeting Tuesday, January 15th at 5:30pm;
Next Council Meeting Thursday, January 24th at 5:30pm.

ADJOURN

There being no further business, a motion to adjourn was made by Mr. Chris Kershaw and was adopted by acclamation at 6:03pm.


Gary M. Spillman, Council Chairman


Michelle Z. Tullier, Council Clerk

ORDINANCE 1 OF 2019

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
January 10, 2019

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 John Douglas Coots, File #2018-12, 6328 Smithfield Road, Port Allen, La 70767, Lot AF-1-A containing 4.65 acres located on Smithfield and Ashland Road, Port Allen, in Section 18, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from I-1 (Light Industrial) to AG (Agricultural)

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

THEREFORE BE IT FURTHER 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.

THEREFORE BE IT FURTHER RESOLVED 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 HAS BEEN READ AND CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER BARRY HUGGHINS, WHICH WAS SECONDED BY COUNCIL MEMBER CHRIS KERSHAW, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

NAYS: 0 (None)

ABSENT: 1 (Robertson)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 10th day of January, 2019.

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 10th day of January, 2019.

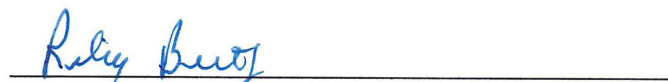
I further certify that the above and foregoing ordinance was submitted to the Parish President at 11:00 o'clock AM on the 14th day of January, 2019.

IN FAITH WHEREOF witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 14th day of January, 2019.


Michelle Tullier, Council Clerk

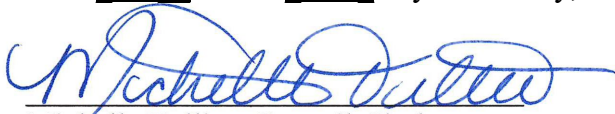
PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 14th day of January, 2019.


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 12:00 o'clock PM on the 14th day of January, 2019.


Michelle Tullier, Council Clerk

RESOLUTION 1 OF 2019

A Resolution Of The West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20180413-ITE For Graham Packaging Company, L.P. At 1844 Commercial Dr., Port Allen, La 70767

WHEREAS, Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry (“BCI”), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS, After filing an Advanced Notification, the applicant will submit its application and the agreement (Exhibit A) to BCI. The board, using LED staff resources, will review the application and Exhibit A for compliance with program rules and applicable laws. The board will then take action on the application. For applications approved by the board, LED will provide notice to all applicable local governmental entities; and

WHEREAS, On December 18, 2018, the West Baton Rouge Parish Council received Notice that the above-referenced Tax Exemption for Graham Packaging Company, L.P., attached hereto along with the corresponding Exhibit A, was approved by the BCI on December 14, 2018 for a term of 10 years (in the form of two five-year terms) at 80 percent property tax abatement level; and 20 percent of the assessed value of company assets will be placed on tax rolls from the beginning of operations, providing tax revenues to the parish immediately; and

WHEREAS, Upon receipt of the aforementioned notice, local governmental entities have 30 days to initiate further action on the application by placing the issue on a public meeting agenda, and once on an official meeting agenda, the local governmental entity has an additional 30 days (or no more than 60 days from receipt of the notification) to approve or deny the application;

THEREFORE, BE IT RESOLVED, Upon consideration of the foregoing and the public discussion held this day, that the West Baton Rouge Parish Council approves the terms of the Industrial Tax Exemption contract (Advance Notification #20180413) based on the inclusion of the terms and conditions outlined in the Exhibit “A” (the Cooperative Endeavor Agreement between the Louisiana Department of Economic Development and Graham Packaging Company, L.P.

THE FOREGOING RESOLUTION WAS CONSIDERED, AND AFTER PUBLIC DISCUSSION, A MOTION TO APPROVE WAS MADE BY COUNCIL MEMBER RICKY LOUPE, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN.

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

NAYS: 0 (None)

ABSENT: 1 (Robertson)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **10TH Day of January, 2019**.

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 January 10, 2019, at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

RESOLUTION 2 OF 2019

A Resolution Of The West Baton Rouge Parish Council Approving Industrial Tax Exemption Application 20161915-Ite For Exxon Mobil Corporation-Port Allen Lubes Plant At 2239 Hwy 1 North, Port Allen, La, 70767

WHEREAS, Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry (“BCI”), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS, After filing an Advanced Notification, the applicant will submit its application and the agreement (Exhibit A) to BCI. The board, using LED staff resources, will review the application and Exhibit A for compliance with program rules and applicable laws. The board will then take action on the application. For applications approved by the board, LED will provide notice to all applicable local governmental entities; and

WHEREAS, On December 18, 2018, the West Baton Rouge Parish Council received Notice that the above-referenced Tax Exemption for Exxon Mobil Corporation-Port Allen Lubes Plant, attached hereto along with the corresponding Exhibit A, was approved by the BCI on December 14, 2018 for a term of 10 years (in the form of two five-year terms) at 80 percent property tax abatement level; and 20 percent of the assessed value of company assets will be placed on tax rolls from the beginning of operations, providing tax revenues to the parish immediately; and

WHEREAS, Upon receipt of the aforementioned notice, local governmental entities have 30 days to initiate further action on the application by placing the issue on a public meeting agenda, and once on an official meeting agenda, the local governmental entity has an additional 30 days (or no more than 60 days from receipt of the notification) to approve or deny the application;

THEREFORE, BE IT RESOLVED, Upon consideration of the foregoing and the public discussion held this day, that the West Baton Rouge Parish Council approves the terms of the Industrial Tax Exemption contract (Advance Notification #20161915) based on the inclusion of the terms and conditions outlined in the Exhibit “A” (the Cooperative Endeavor Agreement between the Louisiana Department of Economic Development and Exxon Mobil Corporation-Port Allen Lubes Plant.

THE FOREGOING RESOLUTION WAS CONSIDERED, AND AFTER PUBLIC DISCUSSION, A MOTION TO APPROVE WAS MADE BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER BARRY HUGGHINS.

YEAS: 8 (Kershaw, Hugghins, Allain, Fair, Spillman, Loupe, Gordon, Porto)

NAYS: 0 (None)

ABSENT: 1 (Robertson)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **10th Day of January, 2019**.

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 January 10, 2019, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk