

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
MARCH 14, 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, March 14, 2019 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Councilman Phil Porto, who led everyone in the Pledge of Allegiance.

ATTENDANCE

The following members were recorded as being present:

Messrs. Barry Huggins, Ricky Loupe, Gary Spillman, Edward “Bob” Robertson, Kirk Allain, Chris “Fish” Kershaw, and Phil Porto.

Absent: Mses. Naomi Fair and Charlene Gordon.

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.

MINUTE APPROVAL

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain to approve the minutes of the February 28, 2019 regular meeting.

The vote was recorded as follows:

YEAS: 6 (Allain, Spillman, Huggins, Loupe, Robertson, Kershaw)
NAYS: 0 (None)
ABSENT: 2 (Gordon, Fair)
ABSTAIN: 1 (Porto)

As a result of the votes the motion passed.

CONSIDER ANY AMENDMENTS TO THE AGENDA

Chairman Spillman explained there was a request from Administration that the following item be amended onto the agenda: 10A) Accept/Reject Change Order No. 1 on North Westport Drive Extension project. There were no questions or objections to this request.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve amending the agenda to include the aforementioned item.

The vote was recorded as follows:

YEAS: 7 (Allain, Spillman, Huggins, Loupe, Robertson, Porto, Kershaw)
NAYS: 0 (None)
ABSENT: 2 (Gordon, Fair)
ABSTAIN: 0 (None)

As a result of the votes the motion passed and the agenda was therefore amended.

PARISH PRESIDENT’S REPORT

Parish President Riley Berthelot was recognized and covered the following items:

Traffic status on LA 1 and the Intracoastal Canal;

DOTD to replace bridge on Court Street near Acadian Ambulance in the next few months, they are currently working on a detour plan;

Offered Congratulations to Port Allen High Boys Basketball team for placing second in State.
There were a few questions for the Parish President.

PUBLIC COMMENTS

Mr. Tommy Martinez, previous long time Ascension Parish President, introduced himself to the Council as the Regional Representative for Senator John Kennedy and offered his assistance with anything that the Parish may need.

COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS

Chairman Spillman questioned Mr. Lou Delahaye, Parish attorney on how changes can be made to the Home Rule Charter, Mr. Delahaye stated he would have an answer later in the meeting.

PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #9A) **An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation.**

Mr. Manola briefly explained this was for the American Legion Hall Donation, which was approved with a Resolution at the last Council Meeting, this is merely to update our code to include new property descriptions.

No interested citizens appeared either for or against 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. Barry Hughhins, seconded by Mr. Kirk Allain to approve The Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation.

The vote was recorded as follows:

YEAS: 7 (Allain, Robertson, Spillman, Hughhins, Loupe, Porto, Kershaw)
NAYS: 0 (None)
ABSENT: 2 (Gordon, Fair)
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Ordinance 7 of 2019 appears at the end of these minutes.

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

Accept/Reject Change Order No. 1 on North Westport Drive Extension project

Mr. Jason Manola explained this Change Order for North Westport Drive Extension (Phase 2) had to do with the increase in days needed due to the weather and a dollar increase of \$721.08 due to a lime percentage increase and with no objection from the Council Mr. Manola asked that the Council Accept the change order for an additional 17 days and \$721.08.

A motion was made by Mr. Ricky Loupe seconded by Mr. Chris Kershaw to approve Change Order No. 1 on North Westport Drive Extension project (Phase 2) for the additional 17 days and \$721.08.

The vote was recorded as follows:

YEAS: 7 (Allain, Robertson, Spillman, Hughhins, Loupe, Kershaw, Porto)
NAYS: 0 (None)

ABSENT: 2 (Gordon, Fair)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Councilwoman Charlene Gordon entered the meeting at 5:48pm.

Mr. Manola was again recognized and explained to the Council that sand boils are beginning to show up in the area due to the high water, if anyone happens to see one, please notify the Parish.

RESOLUTIONS

A Resolution Authorizing Parish President to sign Cooperative Endeavor Agreement with Atchafalaya Basin levee District and City of Port Allen for the Museum/ Courthouse Street Sidewalk and Levee Ramp Project. (Deferred from February 28, 2019 meeting)

Mr. Kevin Durbin was recognized and explained the extent of this project and also noted there were minor changes made to this agreement by the Levee Board, which had been included in the Council packets, however some minor changes may still be coming. Mr. Durbin asked that the Council give the Parish President the authority to sign this agreement once these minor changes are made. There were a few questions for clarification from the Council.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve the Resolution Authorizing Parish President to sign Cooperative Endeavor Agreement with Atchafalaya Basin levee District and City of Port Allen for the Museum/ Courthouse Street Sidewalk and Levee Ramp Project.

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 1 (Fair)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 4 of 2019 appears at the end of these minutes.

INTRODUCTION OF ORDINANCES

Mrs. Tullier read by title the below proposed ordinance(s) 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 to Amend and Reenact Section 105-40 ("Improvements").Article II ("Minimum Design Standards"), Chapter 105 ("Subdivisions") and Article II ("Stormwater Management"), Chapter 106 ("Site Planning") of Part III ("Unified Development Code") of the West Baton Rouge Parish Code of Ordinances to Require Compliance With Federal and State Erosion Control Regulations for Locally Permitted Construction Activity

Public Hearing Date: 4/11/2019

CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

Ratify Condemnation Order of derelict structure located at 3353 Lukeville Lane Port Allen, La 70767

Mr. Danny Rabalais was recognized and reviewed his report and assessment of the aforementioned structure as presented to the Council, and suggested the structure be demolished and removed from the property.

Chairman Spillman asked the time frame this would take in order to happen, per Mr. Rabalais there is a 30 Day notification and appeal timeframe, after that there is a 60 day timeframe to remove the structure from the property.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Kirk Allain to Ratify Condemnation Order of derelict structure located at 3353 Lukeville Lane Port Allen, La 70767.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ratify Condemnation of derelict structure located at 1452 Parkway Drive Port Allen, La 70767

Mr. Danny Rabalais was recognized and reviewed his report and assessment of the aforementioned structure as presented to the Council, and suggested the structure be demolished and removed from the property.

Chairman Spillman asked the time frame this would take in order to happen, per Mr. Rabalais there is a 30 Day notification and appeal timeframe, after that there is a 60 day timeframe to remove the structure from the property.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Barry Huggins to Ratify Condemnation Order of derelict structure located at 1452 Parkway Drive Port Allen, La 70767.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

ALCOHOL PERMITS

Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742A Hwy 190 West, Port Allen, La 70767, applying for Class B alcohol permit, change of ownership

Ms. Tullier noted this was a change of ownership for the above establishment and said applicant has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages, and noted each of the permit types would have to be voted on separately as the addresses are different.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto to approve Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742A Hwy 190 West, Port Allen, La 70767, applying for Class B alcohol permit.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742B Hwy 190 West, Port Allen, La 70767, applying for Class AR alcohol permit, change of ownership

A motion was made by Mr. Kirk Allain, seconded by Mr. Chris Kershaw to approve Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742B Hwy 190 West, Port Allen, La 70767, applying for Class AR alcohol permit.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742C Hwy 190 West, Port Allen, La 70767, applying for Class A alcohol permit, change of ownership

A motion was made by Mr. Chris Kershaw, seconded by Ms. Charlene Gordon to approve Port Allen Ventures, LLC. dba Cajun Circus Travel Plaza & Casino located at 6742C Hwy 190 West, Port Allen, La 70767, applying for Class A alcohol permit.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

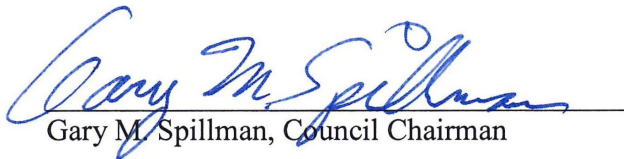
CORRESPONDENCE REPORT

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

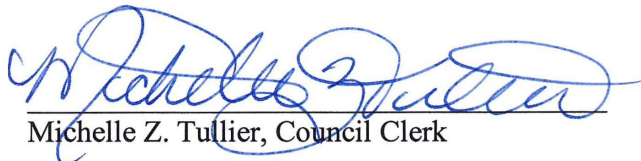
- Notification of Video Poker License Renewal for Krawdaddy's La. LLC, TMI Enterprise, LLC. and Super Lucky Louie's Casino
- Next Planning & Zoning Meeting of March 19th has been cancelled due to a clear agenda.
- Next Board of Adjustments Meeting is March 19th at 5:00pm.
- Next Council Meeting is March 28th 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 6:08pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

ORDINANCE 7 OF 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of February 28, 2019
And Adopted at the Regular Meeting of March 14, 2019

An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of Real Property and Further Authorizing the Parish President to Sign the Necessary Documentation

WHEREAS, West Baton Rouge Parish desires to enter into an Act of Donation Agreement with the owner of the below described building; and

WHEREAS, McKinley Borg Post No. 160, The American Legion, Department of Louisiana, owner of the building described below, agree to donate said building to West Baton Rouge Parish.

WHEREAS, the West Baton Rouge Parish Council hereby accepts the donation of the above described building per the terms and conditions contained in the Act of Donation.

BE IT ORDAINED by the West Baton Rouge Parish Council, in legal session, that Appendix A. Purchase/Donation of Real Property of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana, is amended and re-enacted to read as follows:

Appendix A. Purchase of real property described as follows:

One (1) cinder block building with an asphalt shingle roof, located at 849 Sixth Street, Port Allen, Louisiana 70767, containing 2,817 Square Feet under roof and having a front door entry covered porch measuring 12' x 18' on the east side of the building (fronting on Sixth Street) and another covered porch on the south side of the building containing 56' square feet. Attached hereto as Exhibit "A" is a sketch provided by the West Baton Rouge Parish Assessor's office showing the dimensions and square feet of the building and two (2) porches. Included in the description of the building are any and all other improvements placed in, on, around or about the building and the property on which the building is located.

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that the Parish President is hereby authorized to sign any and all necessary documentation to effectuate the Act of Donation of the above described property between the Parish of West Baton Rouge and McKinley Borg Post No. 160, The American Legion, Department of Louisiana.

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.

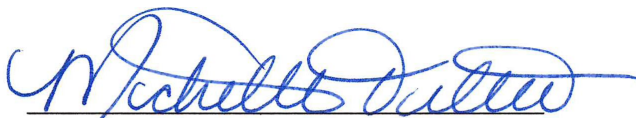
NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

THE FOREGOING ORDINANCE HAS BEEN READ AND CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER BARRY HUGGHINS, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

YEAS:	7	(Hughhins, Allain, Kershaw, Spillman, Loupe, Porto, Robertson)
NAYS:	0	(None)
ABSENT:	2	(Gordon, Fair)
ABSTAIN:	0	(None)

WHEREUPON the ordinance was declared adopted on the **14th Day of March, 2019.**

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 4 OF 2019

A Resolution Authorizing Parish President to sign Cooperative Endeavor Agreement with Atchafalaya Basin levee District and City of Port Allen for the Museum / Courthouse Street Sidewalk and Levee Ramp Project

WHEREAS, said development(s) will improve the quality of life and economic well-being of citizens by encouraging and stimulating increased access, and enhance recreation and open space amenities along the Parish's Mississippi River frontage.

NOW THEREFORE BE IT RESOLVED by the West Baton Rouge Parish Council that Parish President Riley Berthelot, Jr. be authorized to execute the Cooperative Endeavor Agreement with the Atchafalaya Basin Levee District and City of Port Allen for the Museum/Courthouse Street Sidewalk and Levee Ramp Project.

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 Ricky Loupe.

The Resolution Having Been Submitted To A Vote, The Vote Thereon Was As Follows:

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

NAYS: 0 (None)

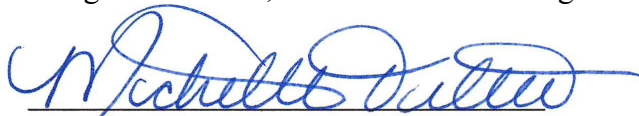
ABSENT: 1 (Fair)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **14th Day of March, 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 March 14, 2019 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk