

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
JANUARY 24, 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 24, 2019 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Councilman Edward "Bob" Robertson, 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, Phil Porto Jr., Chris "Fish" Kershaw, and Ms. Charlene Gordon.

Absent: Mr. Kirk Allain and Ms. Naomi Fair.

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

MINUTE APPROVAL

A motion was made by Ms. Charlene Gordon, seconded by Mr. Barry Huggins to approve the minutes of the January 10, 2019 regular meeting.

The vote was recorded as follows:

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

NAYS: 0 (None)

ABSENT: 2 (Allain, 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.

STATE OF THE PARISH

Parish President, Riley Berthelot Jr. was recognized and addressed the Council with the State of the Parish Address. This report can be found at the end of these minutes.

PARISH PRESIDENT'S REPORT

Councilwoman Naomi Fair entered the meeting at 5:42pm.

Parish President Berthelot was recognized and covered the following items:

Sales Tax Yearly Comparison Report;

Update on Funds to add lane at exit coming off of Interstate onto Hwy 415;

Capital Region Planning Commission update;

Section 8 Assistance affected by shutdown;

Update on Pipeline Servitude Agreement with Exxon;

Iberia Parish President Larry Richard running for Police Jury Member at Large;

Justice of the Peace Jimmy Womack recent retirement;
Councilman Porto asked a few questions regarding the LA415 Interchange;
There were no further 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

Mr. Phillip Bourgoyne, was recognized and provided Year End Budget to Actual numbers for 2018.

ANNUAL DEPARTMENT OF REVENUE & TAXATION DELINQUENT SALES TAX REPORT

Mrs. Melanie David, Director of Revenue, was recognized and briefly reviewed the Annual Department Delinquent Sales Tax Report as presented to the Council and required by the Home Rule Charter, Mrs. David offered to answer any questions, there were none.

ANNUAL SALES TAX DISTRICT PERCENTAGE ADJUSTMENTS

Mr. Phillip Bourgoyne, Finance Director, presented the Council with a report showing the Parish building permit numbers adjusted through December 31, 2018 versus the 2010 Census Data Report, this report will be used to adjust the one cent sales tax distribution, per resolution adopted by this Council and agreed upon by the municipalities The reported estimated percentages as of December 31, 2018 are, Parish 49.70%, City of Port Allen 18.87%, Town of Brusly 10.42%, and the Town of Addis 21.01%. This adjustment will start in the month of February per Mr. Bourgoyne.

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 #12A) **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 Jeremy Prejean and Jason Suire, File #2018-13, 4363 Raymond LaBauve, Brusly, La 70719, A portion of Tract HT-8-C and HT-3, both lots west of the Coulee Canal in Sections 62 & 63, T8S, R12E, at the end of Raymond Labauve Dr., West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) and R-MH (Mobile Home Park) to R-M (Residential Minor).**

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.

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. Chris Kershaw, seconded by Mr. Barry Huggins 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 Jeremy Prejean and Jason Suire, File #2018-13, 4363 Raymond LaBauve, Brusly, La 70719, A portion of Tract HT-8-C and HT-3, both lots west of the Coulee Canal in Sections 62 & 63, T8S, R12E, at the end of Raymond Labauve Dr., West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) and R-MH (Mobile Home Park) to R-M (Residential Minor).**

The vote was recorded as follows:

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

As a result of the votes the motion passed.

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

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 #12B) **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 Jeremy Prejean and Jason Suire, File #2018-14, 4363 Raymond LaBauve, Brusly, La 70719, A portion of Tract HT-8-C and HT-3, both lots east of the Coulee Canal in Sections 62 & 63, T8S, R12E, at the end of Lukeville Extension, West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) and R-MH (Mobile Home Park) to R-M (Residential Minor)**

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.

Ms. Tisha Mitchell Dorsey was recognized and asked what the plans were for this property, Mr. Jeremy Prejean one of the applicants answered her question.

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. Chris Kershaw, seconded by Mr. Phil Porto 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 Jeremy Prejean and Jason Suire, File #2018-14, 4363 Raymond LaBauve, Brusly, La 70719, A portion of Tract HT-8-C and HT-3, both lots east of the Coulee Canal in Sections 62 & 63, T8S, R12E, at the end of Lukeville Extension, West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) and R-MH (Mobile Home Park) to R-M (Residential Minor)**

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 3 of 2019 appears at the end of these minutes.

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 #12C) **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 Patricia Ellwood, File #2018-15, Lot E-2 fronting Ellwood, Brusly, La 70719, A portion of Tract E-2, fronting Ellwood Dr. containing 56.89 acres in Section 60, T8S, R12E, West Baton Rouge Parish Louisiana, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).**

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.

Mr. Court Bradford was recognized and explained the proposed plan for the lots on the aforementioned property.

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. Chris Kershaw, seconded by Mr. Ricky Loupe 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 Patricia Ellwood, File #2018-15, Lot E-2 fronting Ellwood, Brusly, La 70719, A portion of Tract E-2, fronting Ellwood Dr. containing 56.89 acres in Section 60, T8S, R12E, West Baton Rouge Parish Louisiana, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).**

The vote was recorded as follows:

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

As a result of the votes the motion passed.

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

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

There were no items reported.

RESOLUTIONS

There were no items to consider.

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.:

Ordinance Adopting the 2018 Year End Adjustments to an Operating Budget of Revenues and Expenditures for the Fiscal Year Beginning January 1, 2018 and ending December 31, 2018.

Public Hearing Date: February 28, 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 for rezoning request of Rougon Road Property, LLC., File #2019-01, 4537 Rougon Rd. Port Allen, La 70767, Tract A containing 38.90 acres located on Rougon Road, Port Allen, in SE /4 Section 20, T6S, R11E, West Baton Rouge Parish, Louisiana, 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

File #2018-29 Final plat showing survey & division of Lot 13, Rosario DiBenedetto Estate, located in Section 43, T7S R12E, Southeastern Land District, West of the Mississippi River, West Baton Rouge Parish, LA for April Brumfield.

Mr. Kevin Durbin was recognized and explained this plat was recommended for approval with the requested waiver for lot size, by the Planning Commission with a vote of 6 yeas and 0 nays with 3 members absent.

Councilman Porto explained this was in his district, he was familiar with this property and he explained the reasons for the plat and waiver.

A motion was made by Mr. Phil Porto, seconded by Mr. Ricky Loupe to approve **File #2018-29 Final plat showing survey & division of Lot 13, Rosario DiBenedetto Estate, located in Section 43, T7S R12E, Southeastern Land District, West of the Mississippi River, West Baton Rouge Parish, LA for April Brumfield with the requested waiver.**

The vote was recorded as follows:

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

As a result of the votes the motion passed.

CORRESPONDENCE REPORT

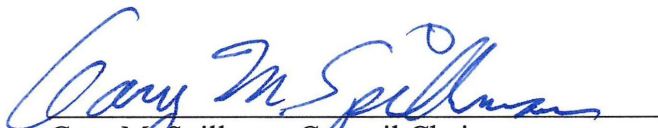
Correspondence Report from Council Clerk, Mrs. Michelle Tullier included the following items:

Next Planning & Zoning Meeting has been cancelled due to a clear agenda;
Next Council Meeting Thursday, February, 14, 2019 has been cancelled due to conference;
Next regularly scheduled Council Meeting is Thursday, February 28, 2019;
Update on New Website;
Memo from Registrar of Voter, Ms. Corey Caillouet.

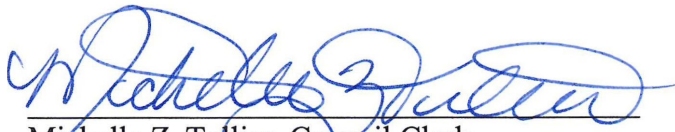
Chairman Gary Spillman reminded everyone about the upcoming election and early voting dates.

ADJOURN

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and was adopted by acclamation at 6:25pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

Parish of West Baton Rouge



Office of the Parish President

Riley L. Berthelot, Jr.
Parish President

STATE OF THE PARISH ADDRESS FOR FISCAL YEAR 2018

January 24, 2019

Mr. Chairman, Council Members and Citizens of West Baton Rouge Parish:

It is my privilege to report to you that 2018 was another good year financially for West Baton Rouge Parish. Sales tax revenue collections were approximately 15% above budgeted revenues while operating expenditures were 17% below budgeted expenditures. The Parish General Fund remains healthy despite the use of 3.5 million dollars in 2018 on one time projects. Much of this was surplus funds set aside in expectation of these expenditures which included

\$1,756,105 for concrete road construction and \$1,200,000 for the asphalt road rehabilitation program. Progress is being made on the construction of the Sid Richardson Road Extension Project. That road should be open to travel later this spring. The Governmental Building

received a much needed update with expenditures of \$137,000 and two long term projects-the Lobdell Sewer and the Diversion Canal Projects-were completed in 2018. Planning has begun for improvement of water supply to areas of the parish where it is most needed. Design of the water line is near completion. We are in the process of acquiring servitudes on property where the new water line will be installed and drilling for a new well is scheduled to begin by mid-February, 2019.

While WBRP dedicates and uses local funds to construct and maintain parish roads; travel in and through our parish, however, is heavily impacted by the lack of state and federal funds to maintain and improve state highways and the portion of the Interstate system located here. Unfortunately, previously planned upgrades to the existing bridge over the Intracoastal Waterway scheduled by DOTD have been delayed due to lack of available state funds to improve this critical part of our transportation system. Still, the pursuit of alternative solutions to traffic gridlock remains a top priority as we continue efforts to get the proposed La. Hwy. 1 / La. Hwy. 415 Connector Project to the final plan stage to achieve shovel ready status in hopes of securing funds for construction.

I deeply appreciate the support from you, the Parish Council, and the dedication of my staff and parish employees as we actively pursue sound parish management. We have accomplished a great deal in serving the citizens of our parish, yet there is much more to be done. I am confident that the state of West Baton Rouge Parish remains strong and I remain continually committed to improving and preserving the quality of life enjoyed here.

Riley L. Berthelot, Jr

Riley L. Berthelot, Jr., Parish President

ORDINANCE 2 OF 2019

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
January 24, 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 Jeremy Prejean and Jason Suire, File #2018-13, 4363 Raymond LaBauve, Brusly, La 70719, A portion of Tract HT-8-C and HT-3, both lots west of the Coulee Canal in Sections 62 & 63, T8S, R12E, at the end of Raymond Labauve Dr., West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) and R-MH (Mobile Home Park) to R-M (Residential Minor).

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 CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER BARRY HUGGHINS, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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


NAYS: 0 (None)

ABSENT: 1 (Allain)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 24th 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 24th day of January, 2019.


I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 25th 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 25th 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 28th 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 8:45 o'clock AM on the 28th day of January, 2019.


Michelle Tullier, Council Clerk

ORDINANCE 3 OF 2019

As Adopted by the West Baton Rouge Parish Council
At the Regular Meeting of
January 24, 2019

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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 CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER PHIL PORTO, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

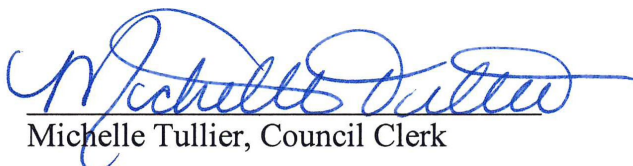
NAYS: 0 (None)

ABSENT: 1 (Allain)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 24th 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.

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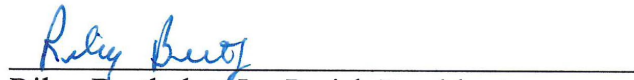
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Michelle Tullier, Council Clerk

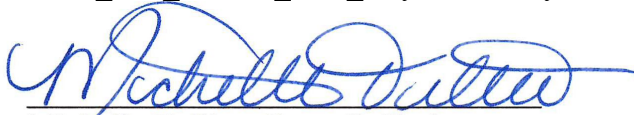
PARISH PRESIDENT'S APPROVAL OR VETO

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Riley Berthelot, Jr., Parish President

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Michelle Tullier, Council Clerk

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THE FOREGOING ORDINANCE HAS BEEN READ AND CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER RICKY LOUPE, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

WHEREUPON the ordinance was declared adopted on the 24th day of January, 2019.

ATTEST:


Michelle Tullier, Council Clerk

CERTIFICATE

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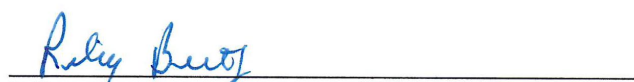
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Michelle Tullier, Council Clerk


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 28th day of January, 2019.


Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

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Michelle Tullier, Council Clerk