

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING—JANUARY 8, 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, January 8, 2015 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Phil Porto, who led everyone in the pledge of allegiance.

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

Messrs. Chris “Fish” Kershaw, Phil Porto Jr., Barry Huggins, Edward G. “Bob” Robertson, Randal “Randy” Mouch, Ms. Naomi Fair, Mr. Gary M. Spillman

Absent: Mr. Ricky Loupe & Ms. Charlene Gordon

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

Chairman Spillman announced the annual election of officers was in order at this time beginning with nominations for Council Chairman. Mr. Mouch nominated Gary Spillman, seconded by Mr. Huggins for another term as Council Chairman, there were no other nominations and the nominations for Chairman were closed. Mr. Spillman was elected Council Chairman by acclamation and thanked members for vote of confidence. Mr. Spillman announced that nominations for Vice Council Chairman were open. Mr. Mouch nominated Mr. Huggins for another term as Vice Chairman, seconded by Mr. Porto, there were no other nominations and the nominations for Vice Chairman were closed. Mr. Huggins was elected Vice Council Chairman by acclamation and expressed his thanks.

A motion was made by Mr. Huggins, seconded by Mr. Mouch to approve the minutes of the December 11, 2014 regular meeting as published in the Parish Official Journal.

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

YEAS: 7 (Messrs. Kershaw, Porto, Huggins, Robertson, Mouch, Ms. Fair, Mr. Spillman)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

As a result of the votes the motion was adopted

There were no amendments to the agenda or public comments.

Councilman Randal Mouch was recognized under item 7 (communications with council members and/or appointed officials) and questioned President Berthelot about the status of the donation of property near Myhand Park in Addis. President Berthelot explained the status of this project and noted they will be working to clear the tree line and make additional parking as well as the location for another fire station. The time frame for this project tentatively is set to be complete before September. Mr. Mouch thanked the President for the information. There were no other requests at this time.

Councilman Spillman announced that the Public Hearing was in order at this time and all interested parties were invited to appear and be heard on Ordinance 1 of 2015, Amend Part III

Unified Development Code, Chapter 104 Zoning Ordinance District Regulations, Sec. 104-26 Adoption, amendment, and interpretation of zoning districts, Sec. 104-28 Base district regulations by zoning districts, Appendix A Zoning Districts; and Chapter 106 Site Planning, Article V Yard/setback, open space and common area requirements, Sec. 106-124 Commercial site development regulations to provide for a new “Industrial Transitional Commercial zoning district C-1.4”, and to provide for the permitted, specially permitted and prohibited uses therein as well as the site development requirements for the same;

Public Works Director Kevin Durbin was recognized and wished everyone a Happy New Year, he briefly explained in detail the purpose and need for the aforementioned Ordinance and noted the Planning & Zoning Commission had voted in favor of, he asked if there were any questions pertaining to this Ordinance. Mr. Huggins made a brief statement and a discussion was held on this item for clarification.

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;

The following Ordinance was offered by Mr. Barry Huggins, seconded by Mr. Randal Mouch

ORDINANCE 1 OF 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Article II (“District Regulations”), Sections 104-26 (“Adoption, amendment, and interpretation of zoning districts”), 104-28 (“Base district regulations by zoning districts”), Appendix A (“Zoning Districts”); and Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space and Common Area Requirements”), Sec. 106-124 (“Commercial site development regulations.”) to provide for a new “Industrial Transitional Commercial” zoning district, “C-1.4”, and to provide for the permitted, specially permitted and prohibited uses therein as well as the site development requirements for the same.

WHEREAS the Unified Development Code of the West Baton Rouge Parish Government contains regulations for the types of uses permitted as well as the site development requirements for variously zoned properties **AND**

WHEREAS said requirements have been successful in balancing the development rights of neighbors **AND**

WHEREAS said requirements have been authorized by the Louisiana Revised Statutes and by the West Baton Rouge Parish Home Rule Charter **AND**

WHEREAS said requirements are exercised with the intention of protecting the health, safety and welfare of the Parish’s citizens and businesses **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Article II (“District Regulations”), Sections 104-26 (“Adoption, amendment, and interpretation of zoning districts”), 104-28 (“Base district regulations by zoning districts”), and Appendix A (“Zoning Districts”); and Chapter 106 (“Site Planning”), Article V (“Yard/Setback, Open Space and Common Area Requirements”), Sec. 106-124 (“Commercial site development regulations.”) be amended and readopted to read as follows (NOTE: underlined words are additions and strikethrough words are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 104

ZONING ORDINANCE

* * *

ARTICLE II – DISTRICT REGULATIONS

* * *

Sec. 104-26. Adoption, amendment, and interpretation of zoning districts.

All land within the unincorporated areas of the parish is hereby divided into the following base zoning districts:

(1) Base zoning districts:

Map Code	District Name
R-SF-1	Single-Family Residence (7,000 square feet minimum area)
R-SF-2	Single-Family Residence (9,600 square feet minimum area)
R-SF-3	Single-Family Residence (22,500 square feet minimum area)
R-ED	Estate Development
R-2F	Two-Family Residence (Duplex)
R-MF-1	Multi-family Residence 1
R-MF-2	Multi-family Residence 2
R-MF-3	Multifamily Residence 3
R-MH	Mobile Home Parks
R-M	Minor Subdivision Residential District
C-1.1	Neighborhood-Scaled Commercial District
C-1.2	Community-Scaled Commercial District
C-1.3	Regional-Scaled Commercial District
<u>C-1.4</u>	<u>Industrial-Transitional Commercial District</u>
C-2	Commercial District (Truck Stop Casinos)
I-1	Light Industrial District
I-2	Moderate Industrial District
I-3	Heavy Industrial District

A	Agricultural District
B-1	Batture District — 1
B-2	Batture District — 2
POS-C-RV	Park and Open Space, Campgrounds and RV Park District
(2) SFHA	Special Flood Hazard Area

* * *

Sec. 104-28. Base district regulations by zoning districts.

* * *

(2) *Nonresidential districts.*

* * *

d. C-1.4, Industrial-Transitional Commercial District: **(NOTE TO CODE EDITORS:** Please reassign sequential letters to the zoning district subsections that follow this new district subsection, accordingly. Do not publish this note in the code supplement.)

1. Purpose. The purpose of the C-1.4 Industrial-Transitional Commercial District shall be to provide development or redevelopment areas for transitional commercial-industrial uses that form a transition between heavy commercial usage and light industrial usage.

2. Permitted, prohibited and special uses. See Appendix A to this chapter.

* * *

APPENDIX A – ZONING DISTRICTS

The table below indicates which land and building uses are permissible and nonpermissible in each zoning district. The phrase “any other similar uses compatible with” each zone may be applied by the zoning administrator for C-1, I-1, I-2 and I-3 zoning districts. The following codes apply:

P = Permitted use;

Blank space = Prohibited use;

S = Special use permit required for the use.

Use Classifications	R-SF-1, R-SF-2, R-SF-3, R-ED, R-2F	R-MF-1, R-MF-2, R-MF-3	R-MH, R-M	C-1.1	C-1.2	C-1.3	<u>C-1.4</u>	C-2	I-1, I-2	I-3	A	B-1, B-2	POS- C- RV
Accessory residential	P	P		P	P	P	<u>P</u>		S	S	P		
Administrative and business offices, community-scaled					P	P	<u>P</u>		P	P			
Administrative and business offices, regional-scaled						P	<u>P</u>		P	P			
Adult uses/materials						S	<u>P</u>		P	P			
Agricultural sales and services					P	P	<u>P</u>		P	P	P		
Airport (See: Private landing strips also)										P			
Amusement arcade					P	P	<u>P</u>		P				
Animal kennels					P	P	<u>P</u>		P	P	P		
Animal production											P	P	
Animal sales and services, general							<u>S</u>		P	P	P		
Animal sales and services, limited					P	P	<u>P</u>		P	P	P		
Apartments (See: Residential/multiple-family)				P	P								
Aquaculture									P (I-2 only)	P	P		
Arts and crafts studio				P	P	P	<u>P</u>		P	P			

Concrete crusher										P			
Concrete statues, handiwork						P	<u>P</u>		P	P	P		
Condominium (See: Residential/condominium)													
Congregate housing				S	S	S	<u>S</u>		S	S			
Construction materials plants									P (1-2 only)	P			
Construction sales and services						P	<u>P</u>		P	P			
Consumer repair services					P	P	<u>P</u>		P	P			
Cultural services				P	P	P	<u>P</u>		P	P			
Day care centers, preschools, nursery schools	P	P	P	P	P	P	<u>P</u>		P	P	P		
Dormitory						P	<u>P</u>		P				
Duplex (See: Residential/duplex)													
Exterminating services						P	<u>P</u>		P	P			
Farms					P	P	<u>P</u>		P	P	P	P	
Financial services					P	P	<u>P</u>		P	P			
Food sales				P	P	P	<u>P</u>		P	P			
Fraternity/sorority residence						P	<u>P</u>		P				
Funeral home					P	P	<u>P</u>		P	P			
Garden center				P	P	P	<u>P</u>		P	P			
Group home for the handicapped	P	S	S	S	S	S	<u>S</u>	S	P	S	S	S	S
Guesthouse	P										P		
Home occupation	P						<u>S</u>		P	P	P		
Hospital, general						P	<u>P</u>		P	P			
Hotel/motel						P	<u>P</u>		P	P			

Recreation, commercial outdoor sports				P	P	P	<u>P</u>		P	P			
Recreation, outdoor entertainment						P	<u>P</u>		P	P			
Recreation, community	P			P	P	P	<u>P</u>		P	P			
Recreation, indoor entertainment	S	S	S	S	P	P	<u>P</u>						
Recreation, indoor sports				P	P	P	<u>P</u>		P	P			
Recycling facilities									P (1-2 only)	P			
Research services, hazardous							<u>S</u>		P	P			
Residential/condominium and townhouse residential		P		P	P	P	<u>P</u>		S				
Residential/duplex residential				P	P	P	<u>P</u>		S				
Residential/mobile home park			P (R-MH only)										
Residential/mobile home residential			P	P	P	P	<u>P</u>		S		P		
Residential/multiple-family residential		P		P	P	P	<u>P</u>		S				
Residential/single-family residential	P		P (R-M only)	P	P	P	<u>P</u>		S		P		
Residential/townhouse residential		P		P	P	P	<u>P</u>		S		S		
Residential/two-family residential	P (R-2F only)			P	P	P	<u>P</u>		S		S		
Resource extraction	S	S		P	P	P	<u>P</u>		P	P	P	P	
Restaurants, drive-in					P	P	<u>P</u>		P	P			
Restaurants, fast food					P	P	<u>P</u>		P	P			
Restaurants, outdoor fast food	S	S	S	S	P	P	<u>P</u>						

Restaurants, sit-down					P	P	<u>P</u>	P	P			
Retail sales, convenience				P	P	P	<u>P</u>	P	P			
Retail sales, general					P	P	<u>P</u>	P	P			
Riverboat casinos							<u>S</u>	S			S (B-1); P (B-2)	
Schools, public and private primary and middle educational facilities	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Schools, public and private secondary educational facilities	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Schools, vocational-technical, trade or industrial				P	P	P	<u>P</u>	P	P			
Shopping center, neighborhood				P	P	P	<u>P</u>	P	P			
Shopping center, major						P	<u>P</u>	P	P			
Tavern, bar or lounge					S	S	<u>P</u>	P	P			
Taxidermy	P						<u>S</u>	P	P	P		
Textile/garment manufacturing								P (1-2 only)	P			
Theater						P	<u>P</u>	P	P			
Timberland											P	P
Townhouse (See: Residential/townhouse)												
Truck and heavy equipment sales/rental/service						S	<u>P</u>	P	P			
Truck stop						P	<u>P</u>	P	P			
Truck stop casino								P				
Underground storage							<u>S</u>	P	P	P	P	
Utilities, major services								P (1-2)	P	S	S	

								only)					
Utilities, minor services	P		P (R-M only)	P	P	P	<u>P</u>	P	P	P	P		
Video poker truck stop (see "Truck stop casino")													
Video rental establishments							<u>S</u>	P	P				
Warehouse, storage and distribution; heavy								P (I-2 only)	P				
Warehouse, storage and distribution; light					S	S	<u>P</u>	P	P				
Wireless facility					P	P	<u>P</u>	P	P		S		
Woodland	P		P (R-M only)				<u>S</u>	P	P	P	P		
Wrecker service/storage facility/auto and equipment repair								S (I-2 only)	P				

* * *

CHAPTER 106

SITE PLANNING

* * *

ARTICLE V – YARD/SETBACK, OPEN SPACE AND COMMON AREA REQUIREMENTS

* * *

Sec. 106-124. Commercial site development regulations.

* * *

(d) C-1.4, Industrial-Transitional Commercial District.

(1) Site development regulations. Each development site in the C-1.4 industrial-transitional commercial district shall also be subject to the development regulations contained in the parish subdivision regulations.

<u>Minimum lot area (except for legal nonconforming lots as provided)</u>	<u>7,000 square feet (where parish operated sewer service is provided.) (Where parish operated sewerage is not provided, lot area requirements shall be that required by the parish subdivision regulations or the preferred professional use special permit requirements.)</u>
<u>Minimum lot width</u>	<u>65 feet</u>
<u>Minimum lot depth</u>	<u>100 feet</u>
<u>Minimum yard setback requirements:</u>	
<u>Front yard</u>	<u>30 feet</u>
<u>Street side or rear yard</u>	<u>10 feet</u>
<u>Interior side or rear yard:</u>	
<u>Adjacent to residential districts</u>	<u>20 feet</u>
<u>Adjacent to other districts</u>	<u>10 feet</u>

(2) Preferred professional use special permit. Some uses, because of their minimal impact on the neighborhood, community and infrastructure, may develop on sites that are smaller than the minimum lot area requirements in a C-1.4 industrial-transitional commercial district when parish operated sewer service is not available. These proposed uses must first apply for a preferred professional use special permit. The procedures and approval process for a preferred professional use special permit shall be the same as for a special use permit, as specified in section 111-78. These development sites must still comply with all applicable federal, state and local laws including sanitary sewer, setbacks, parking, landscaping and greenbelts.

The minimum lot area for a preferred professional use special permit site shall be 9,600 square feet and 80 feet minimum lot frontage for lots with parish operated sewer service available to the site, or 12,000 square feet and 80 feet minimum lot frontage without parish operated sewer service.

Those uses permitted in all C-1.4 districts but also permitted on smaller lots without parish operated sewer with a preferred professional use special permit are:

- Administrative and business offices.
- Financial services.
- Medical services.

(3) Special criteria.

a. Access: C-1.4 districts shall be located on lots with street frontage on major arterial or collector streets only and shall not require travel through existing or proposed residential districts to access the C-1.4 district.

b. Special requirements adjacent to residential districts:

i. Buffer requirements. A minimum eight-foot wooden fence with a maximum one-quarter-inch gap between slats, permanently maintained, shall be required in the 20-foot required setback adjacent to all residential districts. All outdoor lighting must be directed toward the commercial property, be shielded from and shall not adversely impact any adjacent use or traffic.

ii. Greenbelt requirements. A minimum ten-foot greenbelt shall be required along the front property line. No parking or structure of any kind will be permitted in this greenbelt, except for the permitted driveway access. A minimum five-foot side yard greenbelt is required from the front property line to the required building setback line. Utility servitudes located within the property line may be counted toward this greenbelt requirement. Servitudes located on public rights-of-way shall not be counted toward this greenbelt requirement.

iii. Hours of operation and noise. If night activities are conducted by the on-site use, such activities shall not interfere with the peace of any adjacent residential district or on-site residential use.

iv. Storage of waste materials. No waste materials that are the product of any research or testing activity may be stored on-site.

v. Outside storage of goods. Outside storage of goods shall be permitted in the rear of the property beginning at the rear half of the building depth. This storage area shall be screened with a minimum eight-foot chainlink fence using slats, permanently maintained. The height of the stored goods shall not exceed the height of the roof eaves or 15 feet, whichever is less.

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after advertisement in the Parish Official Journal 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 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 application 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 yeas or nays on roll call vote:

YEAS: 7 (Messrs. Porto, Kershaw, Spillman, Mouch, Robertson, Huggins, Ms. Fair)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

WHEREUPON the ordinance was declared adopted on the 8th day of January, 2015.

ATTEST:

/s/Michelle Tullier
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 8th day of January, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:10 o'clock AM on the 9th day of January, 2015.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 9th day of January, 2015.

/S/Michelle Tullier
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 9th day of January, 2015.

/S/Riley Berthelot Jr.
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 11:26 o'clock AM on the 9th day of January, 2015.

/s/Michelle Tullier
Michelle Tullier, Council Clerk

Councilman Spillman announced that the Public Hearing was in order at this time and all interested parties were invited to appear and be heard on Ordinance 2 of 2015, Amend Part III Unified Development Code, Chapter 111 Administration and enforcement, Sec. 111-115 Final plat approval to require final plat approval applicants to first submit digital as-built utility, property line and property corner information to the appropriate Parish departments prior to final plat being presented for approval;

Mr. Durbin explained the need for digital as-built information on utilities, property lines & corners as aforementioned.

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;

The following Ordinance was offered by Mr. Phil Porto Jr., seconded by Mr. Barry Huggins

ORDINANCE 2 OF 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-115 (“Final Plat Approval”) to require final plat approval applicants to first submit digital as-built utility, property line and property corner information to the appropriate Parish departments prior to final plat being presented for approval. WHEREAS Section 111-115 (“Final plat approval”) of Chapter 111 (“Administration and Enforcement”) of the West Baton Rouge Parish Code of Ordinances contains final plat requirements and a final plat checklist (Part III of same) AND

WHEREAS said requirements and checklists have traditionally governed the final approval of land on behalf of the health, safety and welfare of the citizens of West Baton Rouge Parish **AND**

WHEREAS the Utility Department and the Assessor’s Office has need for what is called “as-built” information as it relates to utility, property line and property corner information **AND**

WHEREAS the Parish Council wishes to exercise its police power in requiring final plat applicants to provide the needed information to the requesting offices **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-115 (“Final Plat Approval”) be amended and readopted to read as follows (NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 111

ADMINISTRATION AND ENFORCEMENT

Sec. 111-115. Final plat approval.

* * *

(c) The commission will consider approval of the final plat only after receipt of:

* * *

(4) Documentation from the West Baton Rouge Parish Utility Office that as-built, digital utility installation data has been received from the developer.

(5) Documentation from the West Baton Rouge Parish Assessor’s Office that digital property line and property corner data (in a widely-known, non-“local” projection) has been received from the developer.

* * *

(g) Final plat checklist.

(16) Payment of ~~\$30.00 plus \$5.00 per lot~~ fifty dollars (\$50.00 if no major changes from the preliminary plat) or one hundred dollars (\$100.00 if major changes from the preliminary plat requiring a new public hearing plus certified letter mailing costs) subdividing fee to the ~~council~~ West Baton Rouge Parish Office of Community Planning and Development.

(17) Proof of receipt of digital as-built utility data from West Baton Rouge Utility Department

(18) Proof of receipt of digital property corner and property line data in an acceptable, non-“local” projection from the West Baton Rouge Parish Assessor’s Office

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after advertisement in the Parish Official Journal 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 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 application 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: 7 (Messrs. Porto, Kershaw, Spillman, Mouch, Robertson, Huggins, Ms. Fair)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

WHEREUPON the ordinance was declared adopted on the 8th day of January, 2015.

ATTEST:

/s/Michelle Tullier
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 8th day of January, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:15 o'clock AM on the 9th day of January, 2015.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 9th day of January, 2015.

/s/ Michelle Tullier
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 9th day of January, 2015.

/s/ Riley Berthelot Jr.
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 11:26 o'clock AM on the 9th day of January, 2015.

/s/ Michelle Tullier
Michelle Tullier, Council Clerk

Councilman Spillman announced that the Public Hearing was in order at this time and all interested parties were invited to appear and be heard on Ordinance 3 of 2015, Amend Part III Unified Development Code, Chapter 105 Subdivisions, Sec. 105-38 Lots to allow for the Louisiana Department of Health and Hospitals to make final determinations on proper method of wastewater treatment and disposal;

Mr. Durbin was again recognized and explained the aforementioned Ordinance and clarified the intent of said Ordinance.

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;

The following Ordinance was offered by Mr. Barry Huggins, seconded by Mr. Randal Mouch

ORDINANCE 3 OF 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Section 105-38 (“Lots”) to allow for the Louisiana Department of Health and Hospitals to make final determinations on proper method of wastewater treatment and disposal.

WHEREAS Section 105-38 (“Lots”) of Chapter 105 (“Subdivisions”) of the West Baton Rouge Parish Code of Ordinances contains requirements for wastewater treatment and disposal based on the size and number of lots in subdivisions **AND**

WHEREAS West Baton Rouge Parish Government has traditionally regulated and enforced wastewater treatment and disposal in conjunction with the Louisiana Department of Health and Hospitals **AND**

WHEREAS such regulations are in the interest of the health, safety and welfare of the citizens of West Baton Rouge Parish **AND**

WHEREAS the Parish Council would like to acknowledge the final permitting authority of the Louisiana Department of Health and Hospitals **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Section 105-38 (“Lots”) be amended and readopted to read as follows (NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.) :

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 105

SUBDIVISIONS

* * *

Sec. 105-38. Lots.

* * *

(b) *Minimum size:*

* * *

- (3) Subdivisions with more than 20 lots or tracts shall be served by an approved community sewage collection and treatment system unless the minimum lot size is one acre, in which case no community sewage collection and treatment system will be required provided that ~~300 feet of absorption bedding a treatment method~~ is utilized to secondarily treat the wastewater from individual sewage disposal systems as approved by the parish sanitarian. In the case of one acre lots, there is a maximum of 40 lots that may be served by individual treatment packages. If the minimum lot size in a subdivision is two acres, a subdivider may propose an unlimited number of lots without a community sewage system provided that ~~300 feet of absorption bedding a treatment method~~ is utilized to secondarily treat the wastewater from individual sewage disposal systems as approved by the parish sanitarian).

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after advertisement in the Parish Official Journal 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 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 application 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: 7 (Messrs. Porto, Kershaw, Spillman, Mouch, Robertson, Huggins, Ms. Fair)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

WHEREUPON the ordinance was declared adopted on the 8th day of January, 2015.

ATTEST:

/s/ Michelle Tullier

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 8th day of January, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:15 o'clock am on the 9th day of January, 2015.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 9th day of January, 2015.

/s/ Michelle Tullier
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 9th day of January, 2015.

/s/ Riley Berthelot Jr.
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 11:26 o'clock am on the 9th day of January, 2015.

/s/ Michelle Tullier
Michelle Tullier, Council Clerk

Councilman Spillman announced that the Public Hearing was in order at this time and all interested parties were invited to appear and be heard on Ordinance 4 of 2015, Amend Chapter 104 Zoning for request of Michael Kauffman for all Special Use Permits for Seasonal Commercial Outdoor – Fireworks, 330 Lobdell Highway, Port Allen, La. located in Carolina Plantation Tract.

Mr. Durbin explained the need for the above zoning request and noted the Planning & Zoning commission voted to approve.

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;

The following ordinance was offered by Mr. Randal Mouch, seconded by Mr. Phil Porto Jr.

ORDINANCE NO. 4 OF 2015

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 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 request Michael Kauffman for all Special Use Permits for Seasonal Commercial Outdoor – Fireworks, 330 Lobdell Highway, Port Allen, La. located in Carolina Plantation Tract, Section 92, T7S-R12E.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after advertisement in the Parish Official Journal 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 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 application 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: 7 (Messrs. Porto, Kershaw, Spillman, Mouch, Robertson, Huggins, Ms. Fair)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

WHEREUPON the ordinance was declared adopted on the 8th day of January, 2015.

ATTEST:

/s/Michelle Tullier

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 8th day of January, 2015.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 10:10 o'clock am on the 9th day of January, 2015.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana, on this 9th day of January, 2015.

/s/Michelle Tullier

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 9th day of January, 2015.

/s/ Riley Berthelot Jr.
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 11:26 o'clock am on the 9th day of January, 2015.

/s/ Michelle Tullier
Michelle Tullier, Council Clerk

Executive Assistant Jason Manola was recognized under item #11 (consider status report, change order and/or other matters as required on current projects) regarding the following:
Recognize Parish employee George Bragg of the Mosquito Abatement department for being awarded the Stephen C. Mayor Operational Achievement Award at the last LMCA (Louisiana Mosquito Control Association) annual meeting.
Weather status and warnings
Winterizing all equipment
Status of the paver - Lukeville Extension to be the next job for paving, as weather permits

Parish President Berthelot was recognized under item #12 (Parish Presidents report), and started off by congratulating Mr. Spillman for his re-election as Council Chairman and thanked him for working well with administration, and looked forward to working together in the future.
President Berthelot also spoke on the following items:
Westside Golf course status and committee request
Latest on the 415 connector
Mack Roberts with American Roads, LLC La1/I-10 /Connector project
MPO status, Bridge Concerns
BUMP Project updates/proposal
Mr. Spillman asked President Berthelot on the status of the location for law enforcement near the base of the Intracoastal bridge; President Berthelot noted that this was currently working on taking care of this item
Messrs. Kershaw & Hughhins noted they would like to be on the committee for the WestSide Golf course request.

Mr. Spillman was recognized under item #13 (Council Chairman's report) he spoke briefly on an article ran in the paper that West Baton Rouge Parish was not included in; after questioning the Parish President about this; it was explained by the Parish President that this was due to the cost of the ads. Mr. Spillman wanted to clarify that this was not an oversight of our parish by the paper.

Mrs. Pam Keowen was recognized under item 14A, Resolution 1 of 2015, Roll-Back Millage for Waterworks District No. 1 to zero; resolution requested as millage is no longer needed due to consolidation with WBR Parish Water Systems; resolution is required annually until 2016.

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Barry Hughhins

RESOLUTION 1 of 2015

WHEREAS, The West Baton Rouge Parish Council dissolved West Baton Rouge Parish Water District No. 1 pursuant to Ordinance No.5 and dated January 26, 2012.

WHEREAS, The West Baton Rouge Parish Water District No. 1 submitted to the voters and the voters passed a 10 Year 3.32 Mills Property Tax for Construction, improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016.

WHEREAS, since the West Baton Rouge Parish Council dissolved West Baton Rouge Parish Water District No. 1 pursuant to Ordinance No.5 there is no longer a need for the imposition of the 10 Year 3.32 Mills Property Tax for Construction, Improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016, which no longer has a legal existence.

BE IT RESOLVED, The West Baton Rouge Parish Council, in legal session, hereby determined that there is no longer a need for the imposition of the 10 Year 3.32 Mills Property Tax for Construction, Improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016.

BE IT FURTHER RESOLVED, The West Baton Rouge Parish Council, in legal session, has determined that for the above and foregoing reasons, it hereby rolls back the 10 Year 3.32 Mills Property Tax imposed by West Baton Rouge Parish Water District No. 1 to 00.00 Mills effective January 1, 2015 and the tax year of 2015.

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

YEAS: 7 (Messrs. Huggins, Porto, Spillman, Kershaw, Ms. Fair, Messrs. Robertson, Mouch)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

As a result of the roll call vote the resolution was adopted.

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 January 8, 2015 at which meeting a majority of the members were present and voting.

/s/ Michelle Tullier
Michelle Tullier, Council Clerk

Parish President Berthelot was recognized under item 14B, Resolution 2 of 2015, Authorize Parish President to sign EBR Mortgage Finance Authority Agreement, Parish President gave a brief overview of the program to the council and after a few questions from the council on the wording of the agreement President Berthelot introduced Financial Advisor Jim Ryan with Government Consultants who spoke briefly on a few concerns of other parishes with said agreement; Mr. Spillman requested that this item be tabled until a representative with the EBR Mortgage Finance Authority would be available for questions of said agreement.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto Jr. to table this item.

Parish President Berthelot was recognized under item 14C, Resolution 3 of 2015, Authorize Parish President to sign right of way agreement with the USA Rail Terminals, LLC. He briefly explained the location of said right of way and reason for the request.

The following resolution was offered by Mr. Phil Porto Jr., seconded by Mr. Randal Mouch

RESOLUTION 3 of 2015

A Resolution authorizing the Parish President to sign a servitude agreement on behalf of the West Baton Rouge Parish Council with USA Rail Terminals, LLC to grant a servitude right of way across the property described on said agreement.

WHEREAS this Parish Council is authorizing the Parish President to sign said servitude agreement to grant and convey to grantee servitude of right of way across the property described in said agreement for ingress and egress and utilities.

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby authorize the Parish President to sign said agreement with USA Rail Terminals, LLC as aforementioned.

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

YEAS: 7 (Messrs. Spillman, Mouch, Robertson, Ms. Fair, Messrs. Huggins, Porto, Kershaw)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

As a result of the roll call vote the resolution was unanimously adopted.

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 8, 2015 at which meeting all of the members were present and voting.

/s/ Michelle Tullier
Michelle Tullier/Council Clerk

Jim Ryan with Government Consultants read aloud the Proces Verbal results of the Election on November 4, 2014.

Mr. Ryan introduced Resolution 4 of 2015; A Resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), on Tuesday, November 4, 2014, to authorize the renewal of the levy and collection of: (i) a 10-year, 4.1 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the West Baton Rouge Parish Library and its branches; (ii) a 10-year, 7.2 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the drainage works within and for the Parish; and (iii) a 10-year, 5 mill ad valorem tax for acquiring, constructing, improving, operating and/or maintaining recreational facilities and programs in and for the Parish; and further providing for other matters in connection therewith.

The West Baton Rouge Parish Council met in its regular session, duly called, advertised and convened at the West Baton Rouge Parish Council Governmental Building on Thursday, January 8, 2015, at 6:30 p.m., with the following members present:

	<u>Present</u>	<u>Absent</u>
Gary Spillman, District VII, Chairman	X	
Barry Huggins, District VIII, Vice Chairman	X	
Randal Mouch, District I	X	
Chris Kershaw, District II	X	
Naomi Fair, District III	X	
Ricky Loupe, District IV		X
Charlene Gordon, District V		X
Phil Porto, Jr., District VI	X	
Edward G. Robertson, District IX	X	

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

The meeting was called to order and the roll called with the above result.

[Other business not pertinent to the present excerpt may be found of record in the official minute book.]

RESOLUTION 4 OF 2015

The following resolution was offered by Mr. Randal Mouch, seconded by Mr. Barry Huggins, and adopted with the following vote:

YEAS: 7 (Messrs. Porto, Kershaw, Spillman, Mouch, Robertson, Ms. Fair, Mr. Huggins)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

And the resolution provides as follows:

A Resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of West Baton Rouge, State of Louisiana (the “Parish”), on Tuesday, November 4, 2014, to authorize the renewal of the levy and collection of: (i) a 10-year, 4.1 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the West Baton Rouge Parish Library and its branches; (ii) a 10-year, 7.2 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the drainage works within and for the Parish; and (iii) a 10-year, 5 mill ad valorem tax for acquiring, constructing, improving, operating and/or maintaining recreational facilities and programs in and for the Parish; and further providing for other matters in connection therewith.

BE IT RESOLVED by the West Baton Rouge Parish Council (the “Parish Council”), as governing authority for the Parish of West Baton Rouge, State of Louisiana (the “Parish”), as follows:

SECTION 1. That the Parish Council does now proceed in open and public session to examine the official certified tabulations of votes cast at the special election held in the Parish on November 4, 2014 (the “Election”), said tabulations having been prepared and certified by the election officials serving at the designated polling places, and the Parish Council does now further proceed to examine and canvass the returns and declare the result of the Election.

SECTION 2. That a Proces Verbal of the canvass of the returns of the Election shall be made and that a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; that another certified copy thereof shall be forwarded to the Clerk of Court and ex-officio Recorder of Mortgages in and for the Parish of West Baton Rouge, State of Louisiana, who shall record the same in the Mortgage Records of West Baton Rouge Parish; and that another copy thereof shall be retained in the archives of the Parish.

SECTION 3. That the result of the Election shall be promulgated by publication in the manner provided by law.

SECTION 4. This Resolution shall take effect immediately upon adoption.

The foregoing resolution was adopted on the 8th day of January, 2015.

/s/Michelle Tullier
Michelle Tullier, Council Clerk

/s/ Gary Spillman
Gary Spillman, Council Chairman

STATE OF LOUISIANA

PARISH OF WEST BATON ROUGE

I, the undersigned Clerk of the Parish Council of the Parish of West Baton Rouge, State of Louisiana, do hereby certify that the foregoing constitutes a true and correct copy of a resolution adopted by said Parish Council on January 8, 2015, providing for canvassing the returns and declaring the result of the special election held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), on Tuesday, November 4, 2014, to authorize the renewal of the levy and collection of: (i) a 10-year, 4.1 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the West Baton Rouge Parish Library and its branches; (ii) a 10-year, 7.2 mill ad valorem tax for maintenance, operation and capital expenditures necessary for the drainage works within and for the Parish; and (iii) a 10-year, 5 mill ad valorem tax for acquiring, constructing, improving, operating and/or maintaining recreational facilities and programs in and for the Parish; and further providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and impress of the official seal of said Parish at Port Allen, Louisiana, on this, the 8th day of January, 2015.

/s/ Michelle Tullier
Michelle Tullier, Council Clerk

Mr. Ryan at this time requested the council to amend the agenda in order for him to read a notice into the minutes.

Mr. Barry Hugghins made a motion, seconded by Mr. Phil Porto Jr. to amend the agenda. Verbal Roll call was taken at this time, motion carried unanimously by all those present.

Mr. Ryan read into the minutes the following Notice of Consideration of Action Regarding Ad Valorem Taxes; NOTICE IS HEREBY GIVEN that the Parish of West Baton Rouge, State of Louisiana will meet on Thursday, February 12, 2015 at 6:30PM, at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, at which time there will be consideration of action regarding the renewal of the levy and collection of ad valorem taxes dedicated to maintenance, operation and capital expenditures necessary for the West Baton Rouge Parish Library and its branches, maintenance, operation and capital expenditures necessary for the

drainage works within and for the Parish acquiring, constructing, improving, operating and/or maintaining recreational facilities and programs in and for the Parish.

Council Chairman Spillman read by title into the record the below proposed ordinances being introduced and publicized by title, and considered for adoption following public hearings at the meeting of February 12, 2015 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Amend Chapter 104 Zoning- File#2014-13, Rezoning request of Westport Investment, LLC, located at 2524 Commercial Dr. Port Allen, La. designated as Tract G-3-C-2-B-3 Containing 34.157 acres in Section 93, T7S R12E from C-1.3 (Regional-Scaled Commercial) to I-2 (Moderate Industrial).

Amend Chapter 104 Zoning- File#2014-14, Rezoning request of La Lobsters, 2427 Sun Plus Parkway, Port Allen, La., designated as 500+ acres in Sections 70,71,72,73,95,96,97 & 98 T7S, R12E, West side of La. Highway 1, Special Use Permit for Residential within I-2 (Moderate Industrial District).

Amend Chapter 104 Zoning- File#2014-15, rezoning request for Allen Herring and Joseph Gaudin, 1024 West Acadian Bayou Ln., Port Allen, La. Designated as Tracts CJ-5C and CJ-6 containing 7.21 acres and 20.0 acres, Located in Section 7, T7S, R11E, Rezoning from R-SF-3 to AG (Agricultural).

Introduce Ordinance Levying Drainage, Library & Recreation Tax & Declare Intent to Take Action

Mr. Durbin was recognized at this time and introduced Mr. Cletus Langlois with Patin Engineers to represent the Cody Firmin Plat. This is a Final Plat of Lot 14-C-2 (Showing the Lot being designated as Minor Subdivision from the previous Family Partition designation) Burbridge Tract Subdivision Located in Sections 65 & 91, Township 7 South, Range 12 East S.E. Land District, West of the Mississippi River, Parish of West Baton Rouge, State of Louisiana for Cody Firmin of 1037 Layla Lane, Port Allen, La 70767. Mr. Langlois explained that this Final Plat has variances for the T-turnaround, width of driveway and the required servitude for utilities as noted in Chapter 105-7 (d) (e). A brief discussion was held; Mr. Spillman asked for any comments from the public, there were no further comments.

A motion was made by Mr. Phil Porto, seconded by Mr. Chris Kershaw to approve the Plat for Cody Firmin with aforementioned variances;

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

YEAS: 7 (Messrs. Kershaw, Porto, Huggins, Robertson, Mr. Mouch, Ms. Fair, Mr. Spillman)

NAYS: 0 (None)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

As a result of the votes the motion was adopted.

Mr. Durbin was again recognized at this time to introduce Mr. Court Bradford with John Dunlap Surveying, Inc. to represent the Lindon Rivet Jr. Plat. This is a Final Plat Showing the subdivision of Lot 1 into Lots 1-A, 1-B and 1-C Located in Section 83, T 8 S-R12E, West Baton Rouge Parish and Section 61, T-9-S, R-12E, Iberville Parish Southeastern Land District. Mr. Bradford explained to the council the reason for subdivision of this particular piece of land being a family member building on the first lot and possible development at a later date of the remaining lots; he further explained that a variance would be needed for the fire hydrant distance as noted in Chapter 105-40(6)(A). Mr. Spillman asked for any comments from the public, there were no comments from the public at this time. Mr. Spillman commented that after doing away with family partitions, we are now seeing flag lots which have even fewer requirements than family partitions and do not meet the minimum design standards of minor subdivisions; he expressed his concerns with flag lots. Mr. Durbin noted that the Planning & Zoning Commission recommended this plat for approval with the variance stating the fire hydrant would need to be

installed at time of the building permit. Mr. Randal Mouch made a comment on the status of the road/driveway at this time and expressed his concerns for any emergency vehicles trying to access this property; Mr. Kenny Hunts with the West Baton Rouge Fire District was recognized and recommended the plat follow the minor subdivision design standards of the Parish. After further discussion from Mr. Kershaw, Porto, Mouch and Huggins the following motion was offered;

A motion was made by Mr. Kershaw to approve this plat with the variance, motion died with lack of a second.

A motion was made by Mr. Barry Huggins to deny this plat, seconded by Mr. Randal Mouch;

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

YEAS: 5 (Messrs. Porto, Huggins, Robertson, Mr. Mouch, Mr. Spillman)

NAYS: 2 (Mr. Kershaw, Ms. Fair)

ABSENT: 2 (Mr. Loupe, Ms. Gordon)

As a result of the votes the motion was adopted.

There were no beer and/or liquor permits at this time.

Council Clerk Michelle Tullier was recognized under Correspondence Report and noted that the WBR Planning & Zoning Commission has cancelled the next meeting of January 20, 2015 due to a clear agenda.

Mr. Spillman noted the Fire Board meeting would commence in about 5 minutes.

There being no further business, a motion to adjourn was made by Mr. Randal Mouch and adopted by acclamation at 7:50pm.

/s/ Gary Spillman
Gary M. Spillman, Council Chairman

/s/ Michelle Tullier
Michelle Z. Tullier, Council Clerk