

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING—JUNE 25, 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, June 25, 2015 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent as the meeting opened with the pledge led by, Mr. Edward “Bob” Robertson.

Roll-Call Pro System recorded the following members as being present:
Messrs. Chris “Fish” Kershaw, Ricky Loupe, Barry Huggins, Edward G. “Bob” Robertson, Ms. Charlene Gordon, Messrs. Gary Spillman, Randal Mouch, & Phil Porto Jr.

Absent: Ms. Naomi Fair

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

A motion was made by Mr. Randal Mouch, seconded by Ms. Charlene Gordon to approve the minutes of the June 11, 2015 regular meeting.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Porto, Spillman, Ms. Gordon, Mr. Mouch)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item #5 Consider any Amendments to the Agenda; there were none at this time.

Chairman Spillman moved on to item #6 Accept or Reject Bids for Annual Supply Contract of Pipe & Fittings for Utilities Director, Mr. Phillip Bourgoyne was recognized and explained the spreadsheet and coversheet included in the council packets was a detailed list of line by line items included in this contract, aforementioned spreadsheet has highlighted low bid contractors per line item which designates which contractors are recommended to be awarded that particular

line item, said coversheet includes the breakdown by contractor and line number, there were no questions from the council at this time.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Randal Mouch to accept the recommendations of administration for all low bidders specified on the Roads Material Bid Summaries spreadsheet.

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

YEAS: 8 (Messrs. Kershaw, Loupe, Huggins, Robertson, Porto, Spillman, Ms. Gordon, Mr. Mouch)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the votes the motion was adopted.

Ms. Naomi Fair entered the meeting at 6:38pm.

Chairman Spillman moved on to item #7 Parish President Report, President Berthelot was recognized and started by touching on some current projects of the parish being held up by the level of the river, gave a brief overview of the amounts of rain we have been receiving and the status of our drainage in the parish and finished up by inviting everyone to come by an join us for the 4th of July celebration and fireworks on the levee top in Port Allen, there were no questions for the Parish President at this time.

Chairman Spillman moved on to item #8 Southern Transportation Initiative Discussion, this item was to be deferred for one month.

Chairman Spillman asked if anyone from the public would like to speak under item #9, Mr. Evan Cooper was recognized and suggested the Parish website pictures be updated and include pictures of the parish parks, he finished by asking about a contractor filling up a water truck on his property, there was a brief discussion on this. Mr. Roberto Marcedo Administrator for the Parish's Section 8 Rental Assistance program was recognized and notified the council that his department would be taking new applications for the Rental Assistance program. This intake will be done with a 1-800 number and the process will be advertised in The Westside Journal, the first 50 calls will be taken to qualify for rental assistance. Once the ad appears in the paper Mr. Marcedo will send the program information out but he can't do so until the advertisement has been done. Chairman Spillman thanked Mr. Marcedo for the information.

Chairman Spillman asked if any Elected or Appointed Officials would like to speak under item#10, Mr. Joey Normand, Town of Brusly Mayor, asked about sand and sandbags due to the amount of rain and weather we have been getting recently. President Berthelot stated there would be sand available at Alexander Park by tomorrow, however please bring your own shovel to load up bags. Mr. Hugh "Hootie" Riviere with the Port Allen City Council was recognized and

thanked the parish for all of the assistance working with the City of Port Allen on joint projects throughout the year.

Ms. Charlene Gordon asked Mr. Kevin Durbin for an update on the Rosedale Road sidewalk project, Mr. Durbin explained the status and timeline and stated the letting date is in October of this year. Mr. Chris Kershaw was recognized and touched on the sand and sandbag situation, he noted there is some sand available behind the Fire Station on the highway in Addis, however there is no shovel, you must bring your own shovel.

Chairman Spillman moved on to item #11 Consider Cost of Living increase for Parish Employees, President Berthelot was recognized and recommended a (2) percent cost of living increase for this year, due to the current CPI (Consumer Price Index) index showing no growth or negative growth, there were no questions from the council at this time.

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to approve a two (2) percent cost of living increase based on the current CPI (Consumer Price Index) and recommendation of the Council/Administration for all classified full time, semi full time, permanent part-time employees, including all appointed directors, which includes the following named departments: Council Clerk, Coroner, Registrar of Voters, Administration, Information Technologies, Planning/Zoning, Building Maintenance, Emergency Management, Engineering, Animal Control, Recreation, Roads, Health Unit, Drainage, Community Center, Community Action, E-911, Judges, District Attorney/Legal Counsel, Public Utilities, Sales Tax, Detention Center, Justice of the Peace and Constable with an effective pay period beginning July 1, 2015.

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

YEAS: 9 (Messrs. Kershaw, Loupe, Huggins, Porto, Robertson, Spillman, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

President Berthelot moved to item #11a, Utilities Director and started off by explaining the current situation with our Utilities Director Darryl "Turf" Babin scheduled retirement, Mr. Babin has agreed to stay for approximately 2 more years and President Berthelot recommended a 10 percent increase in pay due to Mr. Babin's retirement situation. Chairman Spillman verified this would be 2 percent cost of living plus the 10 percent payroll increase, Mr. Kershaw clarified that the 10 percent increase was a one-time increase and not a yearly set increase, President Berthelot confirmed.

A motion was made by Mr. Randal Mouch, seconded by Mr. Barry Huggins to approve the recommended 10 percent increase for the Director of Utilities Darryl "Turf" Babin as aforementioned.

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

YEAS: 9 (Messrs. Kershaw, Loupe, Huggins, Porto, Robertson, Spillman, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Chairman Spillman moved on to item#12, Public Hearing on previously introduced Ordinances, and announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #12a) An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article II (“Minimum Design Standards”), Section 105-36(d) (“Streets, Dead-end streets”) to provide for proper dead-end turnaround design and usage.

Mr. Larry Johnson asked exactly what the ordinance was about, Mr. Spillman explained this was to set a t-turnaround design for minor subdivision and explained the measurement changes as noted in the 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. Mr. Kershaw & Mr. Loupe asked a few questions on the dimensions for the t-turnaround design, Mr. Durbin explained these measurements are used in our standard road designs, however noted this was for minor subdivisions. Mr. Larry Johnson stated this was an additional cost to the developer.

The following resolution was offered by Mr. Randal Mouch, seconded by Ms. Naomi Fair

ORDINANCE 17 OF 2015

As Adopted by the West Baton Rouge Parish Council
At The Regular Meeting of
June 25th, 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article II (“Minimum Design Standards”), Section 105-36(d) (“Streets, Dead-end streets”) to provide for proper dead-end turnaround design and usage.

WHEREAS Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article II (“Minimum Design Standards”), Section 105-36(d) (“Streets, Dead-end streets”) provides for the design standards required for dead-end streets in new West Baton Rouge Parish subdivisions
AND

WHEREAS it is the responsibility of the West Baton Rouge Parish Council to enact by ordinance any items needed to regulate the subdivisions of land and any items needed to amend existing codes pursuant to West Baton Rouge Code of Ordinances, Part I (“Home Rule Charter”), Section 2-11 (“Actions Requiring an Ordinance”), Subsection 2-11(15) and 2-11(17)
AND

WHEREAS this Council has determined that the currently existing dead-end “T-turnaround” specifications are not adequate for larger service vehicles **AND**

WHEREAS this Council has also determined that the usage of dead-end “T-turnaround” design is not meeting safety and effectiveness requirements for subdivisions in West Baton Rouge Parish other than minor subdivisions **AND**

WHEREAS such amendments to the subdivision code will better protect the safety and welfare of the citizens of West Baton Rouge Parish **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article II (“Minimum Design Standards”), Section 105-36 (“Streets, Dead-end streets”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted 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

* * *

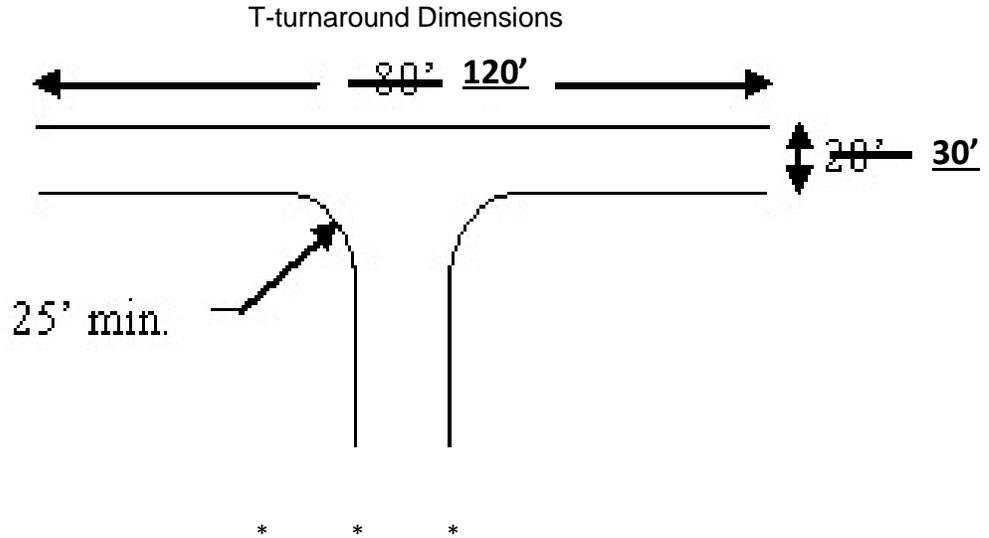
ARTICLE II – MINIMUM DESIGN STANDARDS

* * *

Sec. 105-36. Streets.

* * *

(d) *Dead-end streets.* Streets designed to have one end permanently closed shall be provided at the closed end with a circular turnaround with a minimum right-of-way radius of 62 feet, and a minimum driving surface radius of 47 feet or a minimum travel lane of 30 feet with the same radii requirements. A circular turnaround shall not be more than 500 feet in length unless approved by the commission for specific reasons of topography or design. As an alternative to the circular turnaround, - for minor subdivisions only - a "T-turnaround" may be acceptable with a length of ~~80~~ 120 (one hundred and twenty) feet and a width of ~~20~~ 30 (thirty) feet as shown in the figure below. This “T-turnaround” option shall only be used for minor subdivisions and is not an acceptable option for other types of subdivisions.



NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after adoption 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:

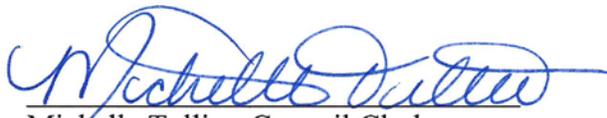
YEAS: 9 (Mes. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was adopted on the 25th day of June, 2015.

ATTEST:



Michelle Tullier, Council Clerk

Chairman Spillman moved on and announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #12b) Reconsideration of the Denied Rezoning for Allen Herring & Joseph Gaudin, File # 2014-15, designated as Tracts CJ-5C and CJ-6 containing 7.21 acres and 20. acres, located in Section 7, T7S, R11E, Rezoning from R-SF-3 to AG.

There was a lengthy discussion on this particular ordinance including the following individuals from the audience who spoke either in favor or against said ordinance:

Mr. Allen Herring	Mr. Larry Johnson	Ms. Tammy Medine
Mr. Quentin Gaudin	Mr. Clifton Jordan	Ms. Rachel Gaudin
Mr. CJ Gaudin	Mr. Skipper Grady	Mr. Pat Bollich
Mr. Ricky McDavid	Ms. Hillary Garner	

There were no further comments from the public at this time, the Council Chairman at this time closed the public hearing and opened up discussion to the council.

The following Councilmembers had various questions and/or concerns for or against aforementioned ordinance.

Mr. Randy Mouch questioned the term spot zoning, Mr. Durbin gave his opinion on what spot zoning was and if it was legal or not.

Ms. Naomi Fair explained the way the property was assessed and the values on taxes that would be effected.

Mr. Phil Porto commented how difficult this process has been and the reasons why he has made the decisions previously, the allegations that have been made against him due to this ordinance request and the comments made to some councilmembers regarding re-election due to the votes made on this ordinance.

Ms. Charlene Gordon questioned the Gaudin family concerning what their future plans are for the land if Mr. Herring does not keep his greenhouses on said property, per Rachel Gaudin the family is not sure as to the future, however the lease to Mr. Herring has been voided but the future plans have not been discussed in detail.

Chairman Spillman questioned the number of people who lived at this location in favor or against this rezoning. Mr. Spillman explained the State Law which was changed in the past in order for Mr. Johnson to be able to divide this property while on the council, and finished by stating the current record shows the property as residential.

Mr. Larry Johnson stood up and spoke again and asked about certain papers which he claims are missing from the files in the Planning & Zoning office, he went on to heatedly explain what he remembers being done years ago when he was applying to the Ethics board. After a heated discussion with numerous audience members speaking over one another, Chairman Spillman asked everyone to come to order and move on.

Mr. Kershaw was recognized and clarified a comment made earlier by Mr. Johnson on his earlier statements on rezoning his property, he went on to give history on the zoning laws and the

history of zoning, with a basic premise that as long as the zoning ordinances are not arbitrary or unreasonable they are constitutional. Mr. Kershaw finished up with a few more points and by explaining he went out to visit the property and still does not see a problem with this being agricultural.

A motion was made by Mr. Chris Kershaw to approve the rezoning request on the aforementioned property from R-SF-3 to Agricultural, seconded by Mr. Randal Mouch.

Mr. Ricky Loupe was recognized and explained his views on this area looking like a typical country area that would fit into an agricultural zone, and finished by explaining his reasoning as to why he will vote in favor of rezoning to Ag. There were no further comments from the council on this issue.

The following ordinance was offered by Mr. Chris Kershaw, seconded by Mr. Randal Mouch

ORDINANCE 18 OF 2015

As Adopted by the West Baton Rouge Parish Council
At The Regular Meeting of
June 25th, 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 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).

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after adoption 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: 5 (Messrs. Mouch, Kershaw, Ms. Fair, Messrs. Loupe, Robertson)

NAYS: 4 (Ms. Gordon, Messrs. Porto, Spillman, Huggins)

ABSENT: 0 (None)

WHEREUPON the ordinance was adopted on the 25th day of June, 2015.

ATTEST:



Michelle Tullier, Council Clerk

Chairman Spillman moved on and announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #12c) An ordinance to repeal in its entirety a portion of the West Baton Rouge Parish Code of Ordinances, specifically Part II (“Code of Ordinances”), Chapter 2 (“Administration”), Article III (“Officers and Employees”) Section 2-59 (“Same-Separated members”). Mayor Joey Normand, was recognized and expressed his astonishment when he read this particular policy and explained what it potentially could cost the parish, he finished by urging the council to go along with the Parish President and vote to repeal this. Chairman Spillman asked if anyone else from the public would like to speak, there were no further comments and the public hearing was closed.

Mr. Kershaw questioned President Berthelot and asked if this is part of the Home Rule Charter, President Berthelot answered no and explained it in further detail.

A motion was made by Mr. Phil Porto, seconded by Mr. Barry Huggins to repeal the aforementioned portion of the West Baton Rouge Parish Code of Ordinances specifically Part II, Chapter 2, Article III, Section 2-59.

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

ORDINANCE 19 OF 2015

As Adopted by the West Baton Rouge Parish Council

At The Regular Meeting of
June 25, 2015

An ordinance to repeal in its entirety a portion of the West Baton Rouge Parish Code of Ordinances, specifically Part II (“Code of Ordinances”), Chapter 2 (“Administration”), Article III (“Officers and Employees”) Section 2-59 (“Same-Separated members”).

WHEREAS Part II (“Code of Ordinances”) of the West Baton Rouge Parish Code of Ordinances provides for various codes related to the proper governance of many facets of the Parish of West Baton Rouge Parish AND

WHEREAS Chapter 2 of the same Part provides for the proper governance in the public interest of Parish administrative matters AND

WHEREAS Article III of the same Chapter provides for miscellaneous regulations related to Parish officer and employee matters AND

WHEREAS the Parish Council wishes to exercise its legislative power in the public interest to regulate which Parish employees are eligible for certain Parish-offered benefits, namely with respect to separated Parish employees

THEREFORE BE IT ORDAINED BY THIS COUNCIL that Part II (“Code of Ordinances”), Chapter 2 (“Administration”), Article III (“Officers and Employees”), Section 2-59 (“Same-Separated members”) be repealed in its entirety as follows (NOTE: underlined words are additions and ~~strike through 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 II – CODE OF ORDINANCES

CHAPTER 2

ADMINISTRATION

* * *

ARTICLE III. OFFICERS AND EMPLOYEES

* * *

~~Sec. 2-59. Same—Separated members.~~

~~(a) — Separated regular permanent employees of the parish council and separated parish councilmembers meeting the eligibility requirements herein contained shall be entitled to participate in the health (hospitalization) and life insurance plans provided to regular permanent employees and members of this parish council.~~

~~(b) — All such eligible separated persons shall be entitled to participate in such group insurance programs on the same basis as regular permanent employees and members of the parish council provided that said persons are participating in the group insurance program at the time of their separation from service.~~

~~(c) — In order to be eligible to participate, the separated employee or separated parish councilmember must meet one of the following requirements:~~

~~(1) — Has ten years of service with the parish council and is 60 years of age at the time of separation; or~~

~~(2) — Has ten years of service with the parish council, and the years of service plus the person's age at the time of separation when added together total the sum of 60.~~

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this ordinance shall become effective thirty (30) days after adoption 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: 9 (Mses. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was adopted on the 25th day of June, 2015.

ATTEST:


Michelle Tullier, Council Clerk

Chairman Spillman moved on and announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item #12d) An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) to amend and readopt the standards for “flag lots”.

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 and opened up discussion to the council. Mr. Ricky Loupe was recognized and questioned a portion of the proposed ordinance be changed dealing with the distance to the nearest fire hydrants, a discussion took place with President Berthelot and Mr. Kevin Durbin in relation to this wording. Mr. Kevin Durbin agreed this could be changed to read “There must be no more than 800 (eight hundred) feet from the furthest point of a primary structure on a “flag lot” to the nearest fire hydrant”. Language requiring installation of fire hydrants prior to building permits.....shall clearly be placed on final plats for “flag lots” in bold. Further discussion with flag lots continued with the council and Parish President.

A motion was made by Mr. Ricky Loupe with aforementioned changes, seconded by Mr. Barry Huggins.

The following ordinance was offered by Mr. Ricky Loupe, seconded by Mr. Barry Huggins

ORDINANCE 20 OF 2015

As Amended and Adopted by the West Baton Rouge Parish Council
At The Regular Meeting of
June 25, 2015

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) to amend and readopt the standards for “flag lots”.

WHEREAS Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances provides for the health, safety and welfare of property owners in West Baton Rouge Parish including, but not limited to, setting minimum requirements for lot dimensions AND

WHEREAS Chapter 101 (“General Provisions”) of the same Part provides definitions (Section 101-1) relevant to the governance of land development AND

WHEREAS the inclusion of a provision for “flag lots” has heretofore permitted said types of lots that otherwise don’t normally meet Site Development Regulations (“Chapter 106” of “Part III” of the West Baton Rouge Code of Ordinances) AND

WHEREAS the Parish Council wishes to exercise its police power to protect the health, safety and welfare of landowners in West Baton Rouge Parish by amending and readopting the standards for “flag lots”

THEREFORE BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”) 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 101

GENERAL PROVISIONS

Sec. 101-1. Definitions.

* * *

Lot, flag, means a lot (“the flag”) having access to a street by means of a private driveway, access easement, or parcel of land (each instance being “the pole”) not meeting the requirements of these land use regulations ordinance for lot width, but having a dimension of at least ~~15~~ 50 (fifty) feet at its narrowest point (which includes a twenty foot West Baton Rouge Parish utility servitude within the fifty feet). The purpose of a flag lot is to allow land development in deep tracts that otherwise could not occur and fall short of a “minor subdivision” as defined elsewhere. When the construction of standard public streets is feasible, flag lot development should be avoided. A flag lot may only be created in single-family residential and agricultural districts and they must have the proper lot width – as mandated by other portions of the West Baton Rouge Parish Unified Development Code - at the location of the building setback (“front yard”) line. Owners of tracts that request a “flag lot” at the time of a subdivision are limited to one and only one “flag lot” for that particular tract and any other tracts within one thousand feet (1000 ft) of any of the original tract’s property lines. If there are tracts, parcels or lots of land

owned by immediate family members within one thousand feet of the original tract's property lines, then those immediate family members must wait two (2) years from the approval of their family member's flag lot prior to applying for a flag lot subdivision. Any additional flag lots created by an owner's request to subdivide must be accomplished under the laws for minor subdivision approvals. There must also be no more than 800 (eight hundred) feet from the furthest point of a primary structure on a "flag lot" to the nearest fire hydrant. Language requiring the installation of fire hydrants prior to building permits - in accordance with the provisions of "flag lots" as defined herein - shall clearly be placed on final plats for "flag lots" in bold, 14-point font. Additionally, the drive used to access the lot must be constructed of (and maintained as) four inches (4") of aggregate material. The method of accessing the "flag" portion of the lot – and providing utility connectivity - must be the "pole". The "pole" must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the "pole" by another lot may be required. Structures may only be located on the "flag" portion of the lot. The "flag" portion of a flag lot must meet all of the other site development requirements of their respective zoning district including, but not limited to minimum lot size, lot coverage, setbacks/yards, etc. Only the "flag" portion of a lot may be utilized when performing site development requirement calculations.

* * *

NOW THEREFORE BE IT FURTHER ORDAINED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that this ordinance shall become effective 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: 9 (Meses. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was declared adopted on the 25th day of June, 2015.

ATTEST:


Michelle Tullier, Council Clerk

Chairman Spillman moved on to item#13, Consider status report, change order and/or other matters on current projects, there were none at this time.

Chairman Spillman moved on to item #14 Resolutions, 14a)Resolution Adopting Millages for 2015 Tax Roll, Mr. Phillip Bourgoyne was recognized and explained this was part of the process to set the millage rates for the 2015 tax year, Mr. Bourgoyne read aloud said resolution with all millage rates. There were no questions at this time form the public or from the council.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve the aforementioned resolution for the year 2015 tax roll.

WEST BATON ROUGE PARISH GOVERNMENT
Parish Governmental Authority

MICHELLE TULLIER, COUNCIL CLERK



RANDAL MOUCH, DISTRICT I
CHRIS KERSHAW, DISTRICT II
NAOMI FAIR, DISTRICT III
RICKY LOUPE, DISTRICT IV
CHARLENE GORDON, DISTRICT V

POST OFFICE BOX 757
PORT ALLEN, LOUISIANA 70767
225-214-4242 (VOICE)
225-214-4243 (FAX)

PHIL PORTO, JR., DISTRICT VI
GARY SPILLMAN, DISTRICT VII
BARRY HUGHGINS, DISTRICT VIII
EDWARD G. ROBERTSON, DISTRICT IX

The following resolution was offered by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe

RESOLUTION 13 OF 2015

BE IT RESOLVED that the following millage(s) are hereby levied on the 2015 tax roll on all property subject to taxation by the West Baton Rouge Parish Council:

	<u>MILLAGE</u>
General Fund	3.52 mills
Health Unit	1.56 mills
Library	4.10 mills
Museum	2.00mills
Drainage District	7.20 mills
Council on Aging	2.50 mills
Community Center	3.00 mills
Recreation	5.00 mills
Communications District	3.00 mills

BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of West Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2015 and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes

YEAS: 9 (Mses. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAINED: 0 (None)

CERTIFICATE

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at the board meeting held on June 25, 2015, at which meeting a quorum was present and voting.

Port Allen, Louisiana, this 25th day of June, 2015.

Riley L. Berthelot, Jr.; Parish President
The West Baton Rouge Parish Council

An Equal Opportunity Employer

Chairman Spillman moved on to item #14b) Resolution to the Capital Area Ground Water Conservation Commission, Mr. Barry Huggins started by explaining the situation of an across the board fee increase which is being proposed by said Commission, Mr. Huggins expressed his

concerns with this proposal and offered the following resolution and asked for the council's support.

The following resolution was offered by Mr. Barry Huggins, seconded by Mr. Chris Kershaw

RESOLUTION 14 OF 2015

A Resolution conveying the will and sentiment of the West Baton Rouge Parish Council with respect to an "across the board" increase in pumpage fees by the Capital Area Ground Water Conservation Commission

WHEREAS, the protection of the groundwater resources of the Southern Hills Aquifer, a vitally importance resource for all the citizens of the Capital area, has been entrusted to the Capital Area Ground Water Conservation Commission (the "Commission"), and

WHEREAS, the Commission has determined that salt water intrusion presents a real and present danger to the sustainability of potable ground water resource in the Capital area, and

WHEREAS, the Commission has determined that Scavenger Wells are likely needed to protect the "2000 foot sand" portion of the Southern Hills Aquifer, and

WHEREAS, the Commission is considering proposals to fund the installation of these Scavenger Wells that include a choice between increasing fees to all persons who use water from the Southern Hills Aquifer, regardless of the strata from which the water is drawn, or increasing fees only on those users who draw water from the 2000 foot sand, which is the strata to be protected by the Scavenger Wells being currently considered, and

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does go on record as opposing an "across the board" increase in pumpage fees. It is the sense of the West Baton Rouge Parish Council that the cost of the Scavenger Wells should be borne by those who will benefit from their installation and not by those for whom they will provide little or no direct benefit.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Capital Area Legislative delegation, Governor Jindal, and the Police Jury Association of Louisiana for their help and support in enacting the legislation to make these selective fee increase possible.

Roll call vote on the resolution was recorded as follows:

YEAS: 9 (Meses. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the roll call vote the resolution was adopted by those members present.

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 June 25, 2015, at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

Chairman Spillman moved on to item #14c) Resolution for Congressional Reform, Mr. Barry Huggins was once again recognized and explained his reasons for requesting the aforementioned resolution, he finished up by asking the council for their support.

A Motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve the aforementioned resolution.

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

RESOLUTION 15 OF 2015

A Resolution requesting Congressional Reform of the process of planning and constructing vital infrastructure projects where Federal funding is potentially involved.

WHEREAS, I-10 east-bound and Louisiana Hwy 1 north-bound are drastically undersized and woefully inadequate for the level of traffic which they are now asked to carry, and

WHEREAS, planned industrial expansion in West Baton Rouge and Iberville parishes, which is vital to the growth of our economy, will add thousands more motorists to these roads, adding to an already critical problem and

WHEREAS, I-10 is arguably the most vital interstate highway in North America, and

WHEREAS, due to the design flaws and inadequacies of both I-10 and Louisiana Hwy 1, all those who travel these roads suffer unnecessary delays and unreasonable dangers to themselves and their loved ones, and

WHEREAS, in the past, this Council has asked for help from the Congressional Delegation, only to be directed to the Louisiana Department of Transportation and Development, and

WHEREAS, the Louisiana Department of Transportation and Development has performed multiple studies of this problem, but has failed, time and again, to make the necessary improvements to provide safe efficient traffic flow on I-10 and Louisiana Hwy 1, and

WHEREAS, instead of expending scarce resources on fixing the problem, the Louisiana Department of Transportation and Development has instead initiated yet another study of the traffic problems on I-10 and Louisiana Hwy 1, citing that they are required to do so by Federal statute, and

WHEREAS, we are told that, because of the current planning process, we should not expect to see any sort of relief to the current traffic problems for at least fourteen (14) years, and

WHEREAS, it is within the power of the Congress to amend, repeal, or change any Federal statute or regulation that no longer functions to serve the best interests of the American People,

NOW THEREFORE BE IT RESOLVED that the West Baton Rouge Parish Council does hereby plead for help from the Louisiana Congressional delegation, to modify Federal statutes and regulations regarding highway project planning such that emergency infrastructure improvement needs can be accomplished in an efficient and timely manner.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the State of Louisiana's Congressional delegation, Louisiana State Legislature, Secretary of LADOTD, Governor Jindal, all current candidates for Governor, and the Police Jury Association of Louisiana for their help and support.

Roll call vote on the resolution was recorded as follows:

YEAS: 9 (Mes. Gordon, Fair, Messrs. Spillman, Loupe, Mouch, Porto, Robertson, Kershaw, Huggins)

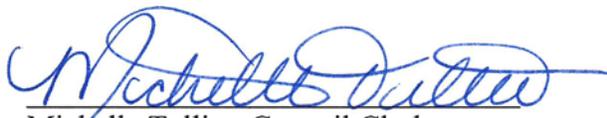
NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the roll call vote the resolution was adopted by those members present.

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 June 25, 2015, at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

Chairman Spillman moved on to item #15 Introduction of Ordinances, there were none at this time.

Chairman Spillman moved on to item #16, Consider Planning & Zoning Minutes, Subdivisions, Plats, Condemnations and/or Variances and matters related thereto, there were none at this time.

Chairman Spillman moved on to item #17 Consider Beer and/or Liquor Permits, he went on to explain item #17a) Harlan's LLC dba Cajun Circus , which is a change in ownership due to Mr. Harlan Cashiola buying the Cajun Circus, this approval is needed for Mr. Cashiola to obtain a Beer and/or Liquor License in his company name. There were no questions at this time.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Phil Porto to approve the beer and/or liquor permit for Harlan's LLC dba Cajun Circus.

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

YEAS: 9 (Messrs. Kershaw, Loupe, Hugghins, Porto, Robertson, Spillman, Ms. Gordon, Mr. Mouch, Ms. Fair)

NAYS: 0 (None)

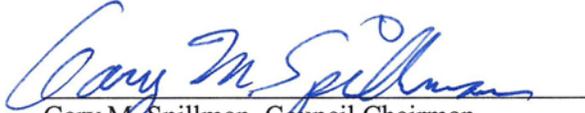
ABSENT: 0 (None)

As a result of the votes the motion was adopted.

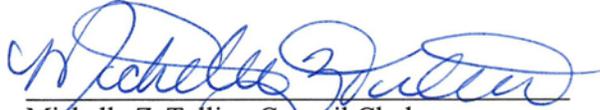
Council Clerk Michelle Tullier was recognized under item #18 Correspondence Report and stated the next meeting of the WBR Planning & Zoning Commission which was set for July 7, 2015 has been cancelled due to a clear agenda. Chairman Spillman reminded everyone there will not be a council meeting on July 9 it has been cancelled, our next meeting will be July 23, 2015.

Chairman Spillman recognized Mr. Evan Cooper who gave praise to the council and employees of the parish in attendance, for the way they handled the accusations and heated debate earlier in the meeting.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 8:20pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk