

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING  
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
JANUARY 23, 2020  
5:30PM**

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

A Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, January 23, 2020 and called to order at 6:25pm. Council Chairman Kirk Allain asked that all electronic devices be placed on silent and recognized Parish President Riley Berthelot who led everyone in the Pledge of Allegiance.

**ATTENDANCE**

The following members were recorded as being present:

Messrs. Kirk Allain, Chris "Fish" Kershaw, Atley Walker, Jr., Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig "Moonie" Bergeron, Gary "Shaq" Joseph.

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

**MINUTE APPROVAL**

**Approve Minutes from December 12, 2019 Regular Meeting and January 15, 2020 Special Meeting**

A Motion was made by Mr. Chris Kershaw, seconded by Mr. Gary Joseph to approve the minutes from December 12, 2019 and January 15, 2020.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed

**CONSIDER ANY AMENDMENTS TO THE AGENDA**

- A. Resolution Authorizing the Parish President to sign Contract with Louisiana Department of Health and Hospitals for WIC Program**
- B. Ratify Condemnation Order of Derelict structure(s) located at 959 Solomon St. Port Allen, La 70767.**

Chairman Allain explained that a unanimous vote is needed in order to amend the above items on to tonight's agenda.

A motion was made by Mr. Kenneth Gordon, seconded by Mr. Moonie Bergeron to amend the aforementioned items on to tonight's agenda.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

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

## **PARISH PRESIDENT'S REPORT**

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

Work on Intracoastal Bridge project to let in July and start around November of 2020;

Overlay project on La 1 South from Sun Plus to Plaquemine should be under construction around June or July, which will include removing some red lights and adding J turns;

Rosedale Road overlay project;

Two opening on Transportation Authority;

Two names for La1/415 connector board.

There were a few questions for the aforementioned projects.

## **PUBLIC COMMENTS**

Mrs. Dianna LeBlanc was recognized and updated the Council on the recent Thermalayne court case, also passed out a clipping regarding drinking water, and finished up by speaking about live streaming Council Meetings.

## **RATIFICATION OF DIRECTORS**

- A. Ratify Director of Department of Finance – Mr. Phillip Bourgoyne**
- B. Ratify Director of Department of Revenue and Taxation – Mrs. Melanie David**
- C. Ratify Director of Department of Public Works – Mr. Kevin Durbin**
- D. Ratify Director of Department of Utilities – Mrs. Pam Keowen**
- E. Ratify Director of Department of Parks and Recreation – Mr. Anatole Vincent**

Parish President Berthelot was recognized and explained the need for doing this, and read aloud the names of the directors from each of the departments aforementioned.

A motion was made by Mr. Alan Crowe, seconded by Mr. Carey Denstel to ratify the aforementioned Directors.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed

## **ANNUAL DEPARTMENT OF REVENUE & TAXATION DELINQUENT SALES TAX REPORT**

Mrs. Melanie David, Director of Revenue, was recognized and briefly reviewed the Annual Department Delinquent Sales Tax Report as presented to the Council and required by the Home Rule Charter, Mrs. David offered to answer any questions.

## **ANNUAL SALES TAX DISTRICT PERCENTAGE ADJUSTMENTS**

Mr. Phillip Bourgoyne, Finance Director, presented the Council with a report showing the Parish building permit numbers adjusted through December 31, 2019 versus the 2010 Census Data Report, this report will be used to adjust the one cent sales tax distribution, per resolution adopted by this Council and agreed upon by the municipalities The reported estimated percentages as of December 31, 2019 are, Parish 49.27%, City of Port Allen 18.55%, Town of Brusly 10.29%, and the Town of Addis 21.89%. This adjustment will start in the month of February per Mr. Bourgoyne.

A motion was made to approve the sales tax adjustments as presented was made by Mr. Chris Kershaw, seconded by Mr. Caleb Kleinpeter.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed

### **COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

There were no comments at this time.

### **CANCELLATION OF MEETINGS DUE TO SCHEDULE CONFLICTS**

**February 14, 2020, April 9, 2020, November 26, 2020 & December 24, 2020**

Mrs. Tullier reviewed the various reasons for the aforementioned meetings to be cancelled. A motion was made by Mr. Carey Denstel, seconded by Mr. Caleb Kleinpeter to cancel the aforementioned Regular Meeting Dates for 2020.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed

### **PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES**

**An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Frederick McKenzie, File #2019-25, located at 5951 Rambin Rd., Brusly, La 70719, Lot SB-1-C-1-B of the original Lot SB-1-C-1 of the original Lot 8 Songy Subdivision and the original remaining lot SB-1 Schley Babin Property located in Section 61, T8S, R12E, West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).**

The Chairman at this time announced that a public hearing was in order at this time and all interested persons were invited to appear and be heard on item #13A) An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Frederick McKenzie, File #2019-25, located at 5951 Rambin Rd., Brusly, La 70719, Lot SB-1-C-1-B of the original Lot SB-1-C-1 of the original Lot 8 Songy Subdivision and the original remaining lot SB-1 Schley Babin Property located in Section 61, T8S, R12E, West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

Mr. Kevin Durbin was recognized and explained this request was approved by the Planning & Zoning Commission at their last meeting and offered to answer any questions.

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

A motion was made by Mr. Chris Kershaw, seconded by Mr. Alan Crowe to approve the Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Frederick McKenzie, File #2019-25, located at 5951 Rambin Rd., Brusly, La 70719, Lot SB-1-C-1-B of the original Lot SB-1-C-1 of the original Lot 8 Songy Subdivision and the original remaining lot SB-1 Schley Babin Property located in Section 61, T8S, R12E, West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Ordinance 1 of 2020 appears at the end of these minutes.

**An ordinance to amend ("Zoning Enforcement"), Section 111-79 ("Nonconforming uses") of the West Baton Rouge Parish Code of Ordinances to provide for limited Administrative approval of certain nonconforming expansions and reenact Chapter 111 ("Administration and Enforcement"), Article IV**

The Chairman at this time announced that a public hearing was in order at this time and all interested persons were invited to appear and be heard on item #13B) An ordinance to amend ("Zoning Enforcement"), Section 111-79 ("Nonconforming uses") of the West Baton Rouge Parish Code of Ordinances to provide for limited Administrative approval of certain nonconforming expansions and reenact Chapter 111 ("Administration and Enforcement"), Article IV

President Berthelot was recognized and asked that this request be denied by the Council at this time.

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

A motion was made by Mr. Carey Denstel, seconded by Mr. Alan Crowe to deny the ordinance to amend ("Zoning Enforcement"), Section 111-79 ("Nonconforming uses") of the West Baton Rouge Parish Code of Ordinances to provide for limited Administrative approval of certain nonconforming expansions and reenact Chapter 111 ("Administration and Enforcement"), Article IV

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

**An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Aaron Adair, File #2019-28, located at 11835 Landry Lane, Port Allen, LA 7076728, Lot 32 in the Subdivision of SW/4 of Section 18, T6S, R11E, fronting on East Subdivision road West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).**

The Chairman at this time announced that a public hearing was in order at this time and all interested persons were invited to appear and be heard on item #13C) An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Aaron Adair, File #2019-28, located at 11835 Landry Lane, Port Allen, LA 7076728, Lot 32 in the Subdivision of SW/4 of Section 18, T6S, R11E, fronting on East Subdivision road West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

Mr. Kevin Durbin was recognized and explained this request was approved by the Planning & Zoning Commission at their last meeting and offered to answer any questions.

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

A motion was made by Mr. Moonie Bergeron, seconded by Mr. Caleb Kleinpeter to approve the Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Aaron Adair, File #2019-28, located at 11835 Landry Lane, Port Allen, LA 7076728, Lot 32 in the Subdivision of SW/4 of Section 18, T6S, R11E, fronting on East Subdivision road West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Ordinance 2 of 2020 appears at the end of these minutes.

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

There were no items to consider at this time.

**RESOLUTIONS**

**A Resolution ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the “Parish”), to renew the levy and collection of a 3.00 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the West Baton Rouge Parish Council and located within the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.**

Mr. Lou Delahaye was recognized and explained this resolution was to call for an election on May 9, 2020 in order to consider renewal of a 10year tax that will be expiring soon, he stressed that this is a renewal not a new tax.

A motion was made by Mr. Caleb Kleinpeter, seconded by Mr. Kenneth Gordon to approve A Resolution ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the “Parish”), to renew the levy and collection of a 3.00 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the West Baton Rouge Parish Council and located within the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 1 of 2020 appears at the end of these minutes.

**Resolution Authorizing the Parish President to sign Intergovernmental Service Agreement with Town of Brusly and Town of Addis relating to Garbage Contract Extension**

A motion was made by Mr. Chris Kershaw, seconded by Mr. Kenneth Gordon to approve the Resolution Authorizing the Parish President to sign Intergovernmental Service Agreement with Town of Brusly and Town of Addis relating to Garbage Contract Extension.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 2 of 2020 appears at the end of these minutes.

**Resolution Authorizing the Parish President to sign Contract with Louisiana Department of Health and Hospitals for WIC Program**

Mr. Manola was recognized and explained the need for this resolution.

A motion was made by Mr. Caleb Kleinpeter, seconded by Mr. Carey Denstel to approve the Resolution Authorizing the Parish President to sign Contract with Louisiana Department of Health and Hospitals for WIC Program.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Resolution 3 of 2020 appears at the end of these minutes.

**CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO**

**Ratify Condemnation Order of Derelict structure(s) located at 3734 S. Riverview Rd. Port Allen, La 70767**

Mr. Danny Rabalais, Code Compliance Officer was recognized and explained the status of the aforementioned location and the reasons for this request, and answered a few questions from the Council.

A motion was made by Mr. Carey Denstel, seconded by Mr. Caleb Kleinpeter to ratify condemnation order for of Derelict structure(s) located at 3734 S. Riverview Rd. Port Allen, La 70767 which gives a 30 day timeframe for appeal and 60 day timeframe for removal.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

**Ratify Condemnation Order of Derelict Structure(s) located at 3820 Kahns Rd. Port Allen, La 70767**

Mr. Danny Rabalais, Code Compliance Officer was recognized and explained the status of the aforementioned location and the reasons for this request, and answered a few questions from the Council.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Kenneth Gordon to ratify condemnation order for of Derelict structure(s) located at 3820 Kahns Rd. Port Allen, La 70767 which gives a 30 day timeframe for appeal and 60 day timeframe for removal.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

**Ratify Condemnation Order of Derelict structure(s) located at 959 Solomon St. Port Allen, La 70767.**

Mr. Danny Rabalais, Code Compliance Officer was recognized and explained the status of the aforementioned location and the reasons for this request, and answered a few questions from the Council.

A motion was made by Mr. Kenneth Gordon, seconded by Mr. Chris Kershaw to ratify condemnation order for of Derelict structure(s) located at 959 Solomon St. Port Allen, La 70767 which gives a 30 day timeframe for appeal and 60 day timeframe for removal.

The vote was recorded as follows:

YEAS: 9 (Allain, Kleinpeter, Denstel, Joseph, Walker, Kershaw, Crowe, Bergeron, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

### **APPOINTMENTS**

The following appointments were made by acclamation.

**WBR Capital Region Planning Commission** – Riley Berthelot, reappointed, Mr. Alan Crowe and Mr. Atley Walker appointed as serving members, Mr. Kirk Allain, and Mr. Caleb Kleinpeter appointed as alternates.

**WBR Parish Community Advancement Advisory Board** – Mr. Gary “Shaq” Joseph, and Mr. Kenneth Gordon appointed as Council Representatives.

**WBR Parish Council on Aging Board** – Mr. Craig “Moonie” Bergeron appointed as Council Representative.

**WBR Keep West Baton Rouge Beautiful Board** – Mr. Caleb Kleinpeter appointed as Council Representative.

**WBR Parish Library Board** – Mr. Carey Denstel appointed as Council Representative.

**WBR Parish Museum Board** – Mr. Chris “Fish” Kershaw appointed as Council Representative.

**WBR Convention and Visitors Bureau** – Mr. Gary “Shaq” Joseph appointed as Council Representative.

**Transportation Authority Board** – Mr. Kirk Allain and Mr. Atley Walker volunteered to sit on this board.

### **CORRESPONDENCE REPORT**

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

- Next Planning & Zoning Meeting Canceled due to clear agenda.
- Keep West Baton Rouge Beautiful Yearly Update
- Reminder for those going to Police Jury Conference

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

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Kirk A. Allain, Council Chairman

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Michelle Z. Tullier, Council Clerk

## **ORDINANCE 1 OF 2020**

As Introduced by the West Baton Rouge Parish Council  
At the Regular Meeting of November 14, 2019  
and Adopted January 23, 2020

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map.

**NOW THEREFORE BE IT ORDAINED** by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

**Sec.104-3.** Establishment of districts, official zoning map for rezoning request of Frederick McKenzie, File #2019-25, located at 5951 Rambin Rd., Brusly, La 70719, Lot SB-1-C-1-B of the original Lot SB-1-C-1 of the original Lot 8 Songy Subdivision and the original remaining lot SB-1 Schley Babin Property located in Section 61, T8S, R12E, West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

**BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that this ordinance shall become effective pursuant to Section 2-12 (C) of the Home Rule Charter.

**THEREFORE BE IT FURTHER RESOLVED** by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

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

**THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER ALAN CROWE. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:**

**YEAS:** 9 (Kershaw, Walker, Kleinpeter, Allain, Denstel, Gordon, Crowe, Bergeron, Joseph)

**NAYS:** 0 (None)

**ABSENT:** 0 (None)

**ABSTAIN:** 0 (None)

**WHEREUPON** the ordinance was declared adopted on the **23<sup>rd</sup> Day of January, 2020**

**ATTEST:**

  
Michelle Tullier, Council Clerk

## **ORDINANCE 2 OF 2020**

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map.

**NOW THEREFORE BE IT ORDAINED** by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

**Sec.104-3.** Establishment of districts, official zoning map for rezoning request of Aaron Adair, File #2019-28, located 11835 Landry Lane, Port Allen, LA 7076728, Lot 32 in the Subdivision of SW/4 of Section 18, T6S, R11E, fronting on East Subdivision road West Baton Rouge Parish, LA , rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

**BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that this ordinance shall become effective pursuant to Section 2-12 (C) of the Home Rule Charter.

**THEREFORE BE IT FURTHER RESOLVED** by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

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

**THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER CRAIG BERGERON, WHICH WAS SECONDED BY COUNCIL MEMBER CALEB KLEINPETER. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:**

**YEAS:** 9 (Bergeron, Kleinpeter, Kershaw, Walker, Allain, Denstel, Gordon, Crowe, Joseph)

**NAYS:** 0 (None)

**ABSENT:** 0 (None)

**ABSTAIN:** 0 (None)

**WHEREUPON** the ordinance was declared adopted on the **23<sup>rd</sup> Day of January, 2020**

**ATTEST:**

  
Michelle Tullier, Council Clerk

**RESOLUTION 1 OF 2020**

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 23, 2020 at 5:30 p.m., with the following members present:

	<u>Present</u>	<u>Absent</u>
Kirk Allain, District I, Chairman	X	
Carey Denstel, District VI, Vice Chairman	X	
Chris Kershaw, District II	X	
Atley Walker Jr., District III	X	
Caleb Kleinpeter, District IV	X	
Kenneth Gordon, District V	X	
Alan Crowe, District VII	X	
Craig Bergeron., District VIII	X	
Gary Joseph, District IX	x	

Also present were Riley Berthelot Jr., Jason Manola, Phillip Bourgoyne & 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.]

The following resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_, and adopted with the following vote:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the resolution provides as follows:

A Resolution ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the "*Parish*"), to renew the levy and collection of a 3.00 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the West Baton Rouge Parish Council and located within the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.

WHEREAS, the Parish Council of the Parish of West Baton Rouge, State of Louisiana (the "*Governing Authority*"), acting as the governing authority of the Parish of West Baton Rouge, State of Louisiana (the "*Parish*"), desires to order and call a special election to be held in the Parish on SATURDAY, MAY 9, 2020, to renew the levy and collection of a 3.00 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the West Baton Rouge Parish Council and located within the Parish (the "*Tax*"); and

BE IT RESOLVED by the Governing Authority, that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of

1974, Section 801 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:801) and by Title 18 of the Louisiana Revised Statutes of 1950, as amended (the "Election Code"), particularly Chapters 5 and 6 A thereof, and by other constitutional and statutory authority supplemental thereto, a special proposition election (the "Election") is hereby called and ordered to be held in the Parish on SATURDAY, MAY 9, 2020, between the hours of 7:00 a.m. and 8:00 p.m. in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541), and that at the Election there will be submitted to all registered voters residing in the Parish, qualified and entitled to vote at the Election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following proposition, to wit:

PROPOSITION  
(TAX RENEWAL)

Shall the Parish of West Baton Rouge, State of Louisiana (the "Parish") be authorized to renew the levy and collection of a 3.00 mills tax on all property subject to taxation in the Parish (an estimated \$1,407,000.00 is reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021, and annually thereafter through and including the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the Parish and located within the Parish?

SECTION 2. Publication of Notice of Special Election. Pursuant to La. R.S. 18:1285, a Notice of Special Election concerning the Election will be published in the *West Side Journal*, a newspaper of general circulation within the Parish, and is the official journal of the Parish, once a week for four (4) consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the Election, which notice will be substantially in accordance with the Notice of Special Election annexed hereto as **Exhibit A** and incorporated herein by reference, to the same extent as if it were set forth in full.

SECTION 3. Canvass of Election Returns. This Governing Authority will meet on Thursday, June 11, 2020 at 5:30 p.m. at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, and will then and there in open and public session proceed to examine and canvass the official election returns and declare the results of the said election, pursuant to Section 1292 of Title 18 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. Polling Places; Commissioners. The polling places set forth in the attached Notice of Special Election, and situated within the corporate limits of the Parish, be and the same are hereby designated as the polling places at which the Election will be held. Pursuant to the provisions of La. R.S. 18:1286(B), the Commissioners in Charge and the Commissioners authorized to be selected by the Board of Election Supervisors to serve at the Election on SATURDAY, MAY 9, 2016, are hereby designated as the Commissioners in Charge and Commissioners to serve at the polling places designated for this Election.

SECTION 5. Designation of Commissioners and Commissioners-in-Charge. As required in La. R.S. 18:1286(B), the officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, will hold the Election as herein provided solely in compliance with the provisions of Parts II and V of the Election Code, as amended, and will make due returns of said Election in accordance with the aforesaid provisions of the Election Code. The compensation of said officers be and the same is hereby fixed at the sum prescribed by law. All registered voters in each precinct and residing in the Parish are entitled to vote at the Election.

SECTION 6. Authorization of the Clerk. The Clerk of the Governing Authority be and she is hereby empowered, authorized and directed to arrange for and to furnish the election officers, in ample time for the holding of said election, all equipment, forms and other items which may be required in order

to hold said election. The Clerk of the Governing Authority is further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the Election.

SECTION 7. Furnishing Election Call. In accordance with La. R.S. 18:1285(B)(1), certified copies of this Resolution will be forwarded promptly to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for the Parish of West Baton Rouge, State of Louisiana and the Registrar of Voters in and for the Parish of West Baton Rouge, State of Louisiana, as notification of the call for the Election in order that each may prepare for said Election and perform their respective functions as required by law.

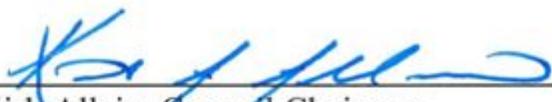
SECTION 8. Estimated Collections. Pursuant to La. R.S. 18:1284(c), an estimated \$1,407,000.00 is reasonably anticipated at this time to be collected from the levy of the Tax for an entire year.

SECTION 9. Application to State Bond Commission. Application be and the same is hereby formally made to the State Bond Commission for consent and authorization to hold a special proposition election in the Parish, as previously specified herein, said election to be held within the Parish on SATURDAY, MAY 9, 2020, and in the event the aforesaid proposition is carried for consent and authorization to levy and collect the Tax provided for by said proposition in the amount, for the purpose and for the number of years herein specified; and that a certified copy of this Resolution will be forwarded to the State Bond Commission on behalf of the Governing Authority, together with a letter requesting the prompt consideration and approval of such application.

SECTION 10. Additional Notice Requirement. This Governing Authority made the announcement with respect to this Resolution required by La. R.S. 42:19.1, at its public meeting on Thursday, December 12, 2019 and published said announcement in the official journal on Thursday, December 19, 2019. Such announcement was also transmitted via email to State Senators and Representatives on Friday, December 13, 2019.

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The foregoing resolution was adopted on the 23rd day of January, 2020.

  
Kirk Allain, Council Chairman

  
Michelle Tullier, Council Clerk

**EXHIBIT A**  
**NOTICE OF SPECIAL ELECTION**

Pursuant to the provisions of a Resolution adopted on January 23, 2020, by the Parish Council, as the governing authority of the Parish of West Baton Rouge, State of Louisiana (the "Parish"), NOTICE IS HEREBY GIVEN that a special election will be held in the Parish on SATURDAY, MAY 9, 2020, and that at said election there will be submitted to all registered voters of the Parish, qualified in and entitled to

vote at said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following proposition, to wit:

PROPOSITION  
(TAX RENEWAL)

Shall the Parish of West Baton Rouge, State of Louisiana (the "Parish") be authorized to renew the levy and collection of a 3.00 mills tax on all property subject to taxation in the Parish (an estimated \$1,407,000.00 is reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021, and annually thereafter through and including the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the Parish and located within the Parish?

The special election will be held in at the following polling places situated in the Parish, and which polls will open at 7:00 a.m. and close at 8:00 p.m. on SATURDAY, MAY 9, 2020, in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541). The Commissioners-in-Charge and the Commissioners authorized to be selected by the Parish Board of Election Supervisors at the special election on SATURDAY, MAY 9, 2020, are hereby designated as the Commissioners-in-Charge and the Commissioners to serve at the following described polling places designated for this election, to-wit:

<u>WARD/PRECINCT</u>	<u>POLLING PLACE LOCATION</u>
00/01A	VFW Hall, 4453 Myhand St, Addis
00/01B	YMCA, 3688 Sugar Plantation Pkwy, Addis
00/01C	VFW Hall, 4453 Myhand St, Addis
00/02A	Brusly Elementary School Activity Center, 400 South Labauve Ave, Brusly
00/02B	Brusly Elementary School Activity Center, 400 South Labauve Ave, Brusly
00/03	Brusly Elementary School Activity Center, 400 South Labauve Ave, Brusly
00/04	Brusly Elementary School Activity Center, 400 South Labauve Ave, Brusly
00/05	Brusly Elementary School Activity Center, 400 South Labauve Ave, Brusly
00/06	Brusly Fire Station #3, 2141 Antonio Rd, Port Allen
00/07A	Brusly Fire Station #3, 2141 Antonio Rd, Port Allen
00/07B	Brusly Fire Station #3, 2141 Antonio Rd, Port Allen
00/08	Lukeville Upper Elementary, 6123 State Hwy 1 South, Brusly
00/09	K C Hall, 679 N Jefferson Ave, Port Allen
00/10A	Port Allen City Court, 330 S Alexander Ave, Port Allen
00/10B	Port Allen City Court, 330 S Alexander Ave, Port Allen
00/11A	K C Hall, 679 N Jefferson Ave, Port Allen
00/11B	K C Hall, 679 N Jefferson Ave, Port Allen
00/12	K C Hall, 679 N Jefferson Ave, Port Allen
00/13A	Cohn Elementary School Activity Center, 805 N 14th St, Port Allen
00/13B	Cohn Elementary School Activity Center, 805 N 14th St, Port Allen
00/14	LSU AG Center, WBTR EXT, 210 Turner Rd, Port Allen
00/15	Cohn Elementary School Activity Center, 805 N 14th St, Port Allen
00/16	Lobdell Fire Station, 2937 Lafiton Ln, Port Allen
00/17	WBR Parish Building, 4142 River View Rd, Port Allen
00/18	Port Allen High School, 3553 Rosedale Rd, Port Allen
00/19	Chamberlin School, 6024 Section Rd, Port Allen
00/20	Rosehill Fire Station, 8225 Rosehill Dr, Port Allen
00/21	Erwinville Comm Center/Shelter, 5110 Rougon Rd, Erwinville
00/22	Erwinville Comm Center/Shelter, 5110 Rougon Rd, Erwinville

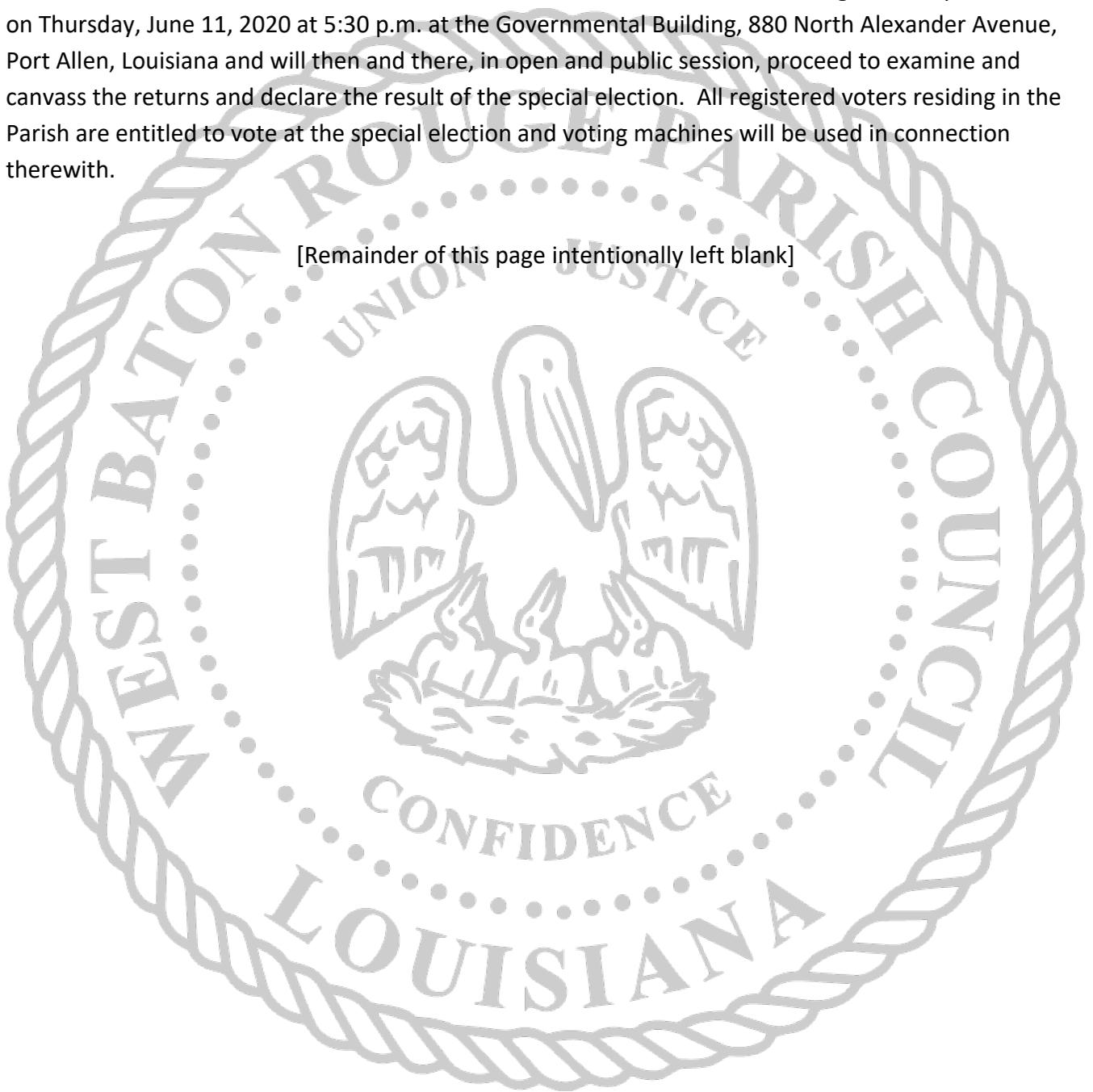
The polling places set forth above and situated in the Parish, be and the same are hereby designated as the polling places at which to hold the special election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

A portion of the monies collected from the Tax shall be remitted to certain state and statewide retirement systems in accordance with the provisions of Subtitle 1 of Title 11 of Louisiana Revised Statutes of 1950, as amended (La. R.S. 11:82).

In accordance with Act No. 205 of the 2018 Legislative Session, the estimated cost of holding the election will be \$34,000.00.

The special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority as applicable thereto, and the officers appointed to hold the election, or such substitutes therefor as may be selected and designated in compliance with law, will make due returns thereof to the Parish, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet on Thursday, June 11, 2020 at 5:30 p.m. at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana and will then and there, in open and public session, proceed to examine and canvass the returns and declare the result of the special election. All registered voters residing in the Parish are entitled to vote at the special election and voting machines will be used in connection therewith.

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THUS DONE AND SIGNED at Port Allen, Louisiana, on this, the 23rd day of January, 2020.

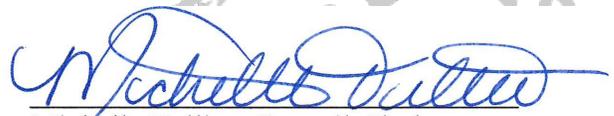
  
Kirk Allain, Council Chairman

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 (the “*Governing Authority*”), acting as the governing authority 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 the Governing Authority on January 23, 2020, ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the “*Parish*”), to renew the levy and collection of a 3.00 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of providing funds to continue the maintenance, operation and capital expenditures necessary for all the Community Centers owned and/or leased in the name of the West Baton Rouge Parish Council and located within the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and impress of the official seal of said Parish at Port Allen, Louisiana, on this, the 23rd day of January, 2020.

  
Michelle Tullier, Council Clerk

### **RESOLUTION 2 OF 2020**

Resolution Authorizing the Parish President to sign Intergovernmental Service Agreement with Town of Brusly and Town of Addis relating to Garbage Contract Extension

**WHEREAS**, The West Baton Rouge Parish Council would like to extend an Intergovernmental Agreement with the Town of Addis and Brusly for the five year contract with BFI Waste Services, LLC dba Allied Waste Services of Baton Rouge, dba Republic Services of Baton Rouge which will expire on August 31, 2024.

**NOW THEREFORE BE IT RESOLVED** that the West Baton Rouge Parish Council does hereby authorize the Parish President to sign an Intergovernmental Service Agreement on behalf of West Baton Rouge Parish with Town of Brusly and the Town of Addis in order for the towns to be provided garbage pick-up service through BFI Waste Services, LLC dba Allied Waste Services of Baton Rouge, dba Republic Services of Baton Rouge.

**The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Chris Kershaw, Which Was Seconded By Council Member Kenneth Gordon.**

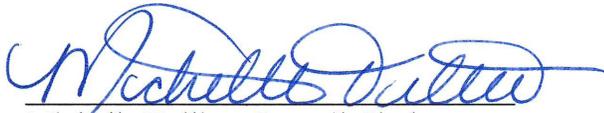
The resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: 9 (Kershaw, Walker, Kleinpeter, Allain, Denstel, Gordon, Crowe, Bergeron, Joseph)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

AND the resolution was declared adopted on this 23<sup>rd</sup> Day of January, 2020.

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 23, 2020 at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk

RESOLUTION 3 OF 2020

Resolution Authorizing the Parish President to sign Contract with Louisiana Department of Health and Hospitals for WIC Program

**BE IT RESOLVED** that the West Baton Rouge Parish Council does hereby authorize Riley L. Berthelot Jr., West Baton Rouge Parish President to negotiate at any time within 36 months from this date and on terms and conditions that he may deem advisable, a contract with the Louisiana Department of Health and Hospitals, and execute said documents on behalf of West Baton Rouge Parish, and further we do hereby give him the power and authority to do all things necessary to implement, maintain, amend or renew said documents.

**The Foregoing Resolution Was Considered, And, After Public Discussion, A Motion To Approve Was Made By Council Member Caleb Kleinpeter Which Was Seconded By Council Member Carey Denstel.**

The resolution having been submitted to a vote, the vote thereon was as follows:

**YEAS:** 9 (Kleinpeter, Kershaw, Walker, Allain, Denstel, Gordon, Crowe, Bergeron, Joseph)  
**NAYS:** 0 (None)  
**ABSENT:** 0 (None)  
**ABSTAIN:** 0 (None)

AND the resolution was declared adopted on this 23<sup>rd</sup> Day of January, 2020.

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 23, 2020 at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk