

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
April 11, 2019
5:30PM**

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

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, April 11, 2019 and called to order at 5:35pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Councilman Kirk Allain, who led everyone in the Pledge of Allegiance.

ATTENDANCE

The following members were recorded as being present:

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

Absent: Ms. Naomi Fair

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

MINUTE APPROVAL

A motion was made by Mr. Barry Huggins, seconded by Ms. Charlene Gordon to approve the minutes of the March 28, 2019 regular meeting.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

CONSIDER ANY AMENDMENTS TO THE AGENDA

There were no amendments to consider.

PARISH PRESIDENT’S REPORT

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

LADOTD has given the approval to proceed with the Environmental Topographical study for 415 Connector;

Senator Cassidy will have staff members here April 22nd from Noon to 1pm to speak with any concerned citizens;

Capital Area Road and Bridge District next meeting is May 13th;

Legislative Session started Monday, watching House Bill 578 closely;

Chairman Spillman asked about the status of the requested meeting with the Governor regarding traffic and his support on HB 578;

There were a few more questions for the Parish President.

PUBLIC COMMENTS

There were no public comments at this time.

COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS

Councilwoman Charlene Gordon recognized Mr. Jaylen Ferguson a Port Allen High School sophomore who was attending the Council Meeting to observe how the meetings work.

RECLASSIFY JOB CLASSIFICATION OF BUILDING MAINTENANCE SUPERINTENDENT FROM 113 TO 122

Mr. Jason Manola was recognized and explained the Administration is recommending reclassifying this position from the class of 113 to 122 and clarified the need for this change to the Building Maintenance Superintendent position. Mr. Manola answered a few questions from the Council.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto to approve the reclassification of Building Maintenance Superintendent from 113 class to 122 class.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

DECLARE ACADIAN AMBULANCE TRAILER AS SURPLUS FOR SALE

- 1985 Model:RIOA, VIN#R0015214AL, S/N R0015214AL, #Title# A3421390

Mr. Phillip Bourgoyne was recognized and explained that Administration was looking for approval to declare the aforementioned mobile home trailer as surplus in order to take bids to sell to the public, there were a few questions for clarity from the Council.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Phil Porto to declare the above referenced mobile home trailer as surplus for sale.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item 11A) **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 Michael Zito, File #2019-02, 2275 Rosedale Rd. Port Allen, La 70767, Lot 11-C-2 containing 3.194 acres in Sections 65 & 91, T7S, R12E, Square 11, Burbridge Tract, rezoning from R-SF-3 (Residential Single Family) to R-M (Residential Minor).**

Ms. Lynn Cline of the Planning & Development Office was recognized and explained this rezoning was recommended for approval unanimously by the Zoning Commission.

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

A motion was made by Mr. Phil Porto, seconded by Ms. Charlene Gordon 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 Michael Zito, File #2019-02, 2275 Rosedale Rd. Port Allen, La 70767, Lot 11-C-2 containing 3.194 acres in Sections 65 & 91, T7S, R12E, Square 11, Burbridge Tract, rezoning from R-SF-3 (Residential Single Family) to R-M (Residential Minor).

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 8 of 2019 appears at the end of these minutes.

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item 11B) **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 Clyde Ewing, File #2019-03, 9258 La Hwy 190 West, Port Allen, La 70767, a portion of Tract E-4 containing 92.36 acres in Southeastern ¼ of Section 28, T6S, R11E, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).**

Mrs. Mallorie Davis of the Planning & Development Office was recognized and explained the aforementioned rezoning was recommended for approval by the Zoning Commission with unanimous vote.

The Council asked a few questions for clarification to Mr. Clyde Ewing regarding the proposed plan for his subdivision such as the development size, entrance location and lot sizes.

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

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain 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 Clyde Ewing, File #2019-03, 9258 La Hwy 190 West, Port Allen, La 70767, a portion of Tract E-4 containing 92.36 acres in Southeastern ¼ of Section 28, T6S, R11E, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 9 of 2019 appears at the end of these minutes.

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item 11C) **An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Rougon Road Property, LLC., File #2019-01, 4537 Rougon Rd. Port Allen, La 70767, Tract A containing 38.90 acres located on Rougon Road, Port Allen, in SE ¼ Section 20, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family). Master Plan Change.**

Ms. Lynn Cline of the Planning & Development Office was recognized and explained this rezoning was recommended for approval unanimously by the Zoning Commission, contingent on all drainage issues being addressed before construction begins, and should more drainage issues come up the work should stop before construction can continue.

The following citizens were recognized to speak against the aforementioned rezoning due to multiple drainage issues in the area.

Mr. Jerry King Mrs. Dana Swanson Mr. Jeff Saale Mr. Daniel Rumfola
Mr. David Rumfola Mr. C. A. Saale

Mr. Cletus Langlois of Patin Engineers was recognized and explained the plans for this subdivision, along with the drainage improvements which are already taking place in and around the property.

The following Councilmembers spoke out and asked multiple questions for clarity, regarding the drainage problems being brought to light.

Chairman Spillman Councilman Huggins Councilman Porto Councilman Kershaw
Councilman Loupe Councilman Allain

The Parish President was also recognized and gave a history of work that has been done in this area to try and help with drainage issues, along with pointing out one of the main problems is not being able to get permission for right of ways or servitudes to be able to take care of some ditches in the area, he also pointed out that state law does not allow the Parish to do work on private property unless certain circumstances exist.

The Council Chairman at this point declared the Public Hearing closed.

After a long discussion on the aforementioned rezoning, for and against the project Councilman Kershaw pointed out this was simply the rezoning process and not the planning process, he expressed his support of the rezoning, however said he would take a hard look once the preliminary plat comes in front of this Council.

Mr. Lou Delahaye, Parish Attorney was recognized and confirmed that conditions cannot be put on a zoning, further explaining this is taken care of in the planning phase.

Parish President Berthelot was again recognized and stated that with all of the complaints of Stumpy backing up, he would have someone check on the drainage from Stumpy all the way to the Intracoastal to see if there is any issues contributing to this issue.

Councilman Huggins was recognized and explained that he has been contacted many times in regards to drainage issues in this area, and explained that until he sees that the drainage is fixed he cannot support this rezoning.

A motion was made by Mr. Barry Huggins to deny the aforementioned rezoning, seconded by Mr. Phil Porto.

Councilman Kershaw made a substitute motion 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 Rougon Road Property, LLC., File #2019-01, 4537 Rougon Rd. Port Allen, La 70767, Tract A containing 38.90 acres located on Rougon Road, Port Allen, in SE 1/4 Section 20, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family). Master Plan Change, noting this is simply the rezoning and the drainage can be addressed as part of the planning process, the substitute motion was seconded by Mr. Kirk Allain.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 10 of 2019 appears at the end of these minutes.

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item 11D) **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 Bobbie Coleman, File #2019-04, 2053 Rosedale Rd. Port Allen, La 70767, Lot C-2 Containing 3.671 Acres in Section 91, T7S, R12E, in**

Lot 10 Burbridge Tract, rezoning from AG (Agricultural) to C-1.4 (Industrial-Transitional Commercial District). Master Plan Change.

Ms. Lynn Cline of the Planning & Development Office was again recognized and explained this rezoning was recommended for approval unanimously by the Zoning Commission.

There were a few questions regarding the plans for the aforementioned property. Mr. Mike Zito was recognized and expressed his views on the current project and was in support of Mr. Munson cleaning up the area. Mr. Sammy Munson was also recognized to answer a few questions for clarity from the Council. Ms. Cheryl Trosclair, was recognized to ask a few questions regarding Mr. Munson's plans.

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. Phil Porto, seconded by Mr. Kirk Allain 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 Bobbie Coleman, File #2019-04, 2053 Rosedale Rd. Port Allen, La 70767, Lot C-2 Containing 3.671 Acres in Section 91, T7S, R12E, in Lot 10 Burbridge Tract, rezoning from AG (Agricultural) to C-1.4 (Industrial-Transitional Commercial District). Master Plan Change.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 11 of 2019 appears at the end of these minutes.

The Chairman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on item 11E) **An Ordinance to Amend and Reenact Section 105-40 ("Improvements"). Article II ("Minimum Design Standards"), Chapter 105 ("Subdivisions") and Article II ("Stormwater Management"), Chapter 106 ("Site Planning") of Part III ("Unified Development Code") of the West Baton Rouge Parish Code of Ordinances to Require Compliance With Federal and State Erosion Control Regulations for Locally Permitted Construction Activity**

Ms. Lynn Cline was again recognized and explained this ordinance "was created because of DEQ requirements, it is part one of a six point program that is the actual permit held by the parish for our DEQ Stormwater permit, this effects all construction applicants of one or more acres. Currently we do not hold an earthwork permit, this ordinance will create one at a later date as it is not required right now." In closing Ms. Cline explained that In order to keep our stormwater permit this is required to be adopted by DEQ.

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

A motion to approve was made by Mr. Barry Hugghins, seconded by Mr. Chris Kershaw to approve the Ordinance to Amend and Reenact Section 105-40 ("Improvements"). Article II ("Minimum Design Standards"), Chapter 105 ("Subdivisions") and Article II ("Stormwater Management"), Chapter 106 ("Site Planning") of Part III ("Unified Development Code") of the West Baton Rouge Parish Code of Ordinances to Require Compliance With Federal and State Erosion Control Regulations for Locally Permitted Construction Activity.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Ordinance 12 of 2019 appears at the end of these minutes.

Ms. Charlene Gordon exited the meeting at 8:09pm.

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

Accept/Reject Bid Recommendation On Two Mini Three-Line Message Signs with Hydraulic Message Board Trailer

Chairman Spillman explained Mr. Deano Moran, Director of WBR Homeland Security had contacted him and explained the recommendation was to accept the low bid from Traffic Control Projects of La. for \$31,100.00

A motion was made to accept the low bid on the Two Mini Three-Line Message Signs with Hydraulic Message Board Trailers from Traffic Control Projects of La. for \$31,100.00 by Mr. Kirk Allain, seconded by Mr. Ricky Loupe.

The vote was recorded as follows:

YEAS: 7 (Spillman, Huggins, Robertson, Kershaw, Porto, Allain, Loupe)
NAYS: 0 (None)
ABSENT: 1 (Fair)
ABSTAIN: 1 (Gordon)

As a result of the votes the motion passed.

Ms. Charlene Gordon re-entered the meeting at 8:12pm.

Mr. Manola gave a brief presentation of a few ongoing projects, noting the drilling rig is now onsite to start the water well test site, and all signatures have been acquired for the south end water line project. A pre-construction meeting on the 190 culvert project took place this week, also part of this project will include digging from Benedetto Lane to DiBenedetto Lane as part of the contractor's portion of the project.

RESOLUTIONS

Councilman Barry Huggins exited the meeting at 8:14pm.

2018 MWPP Resolution Erwinville Wastewater Treatment Facility AI#136152

Ms. Pam Keowen, Director of Utilities was recognized and explained the need for the three wastewater resolutions.

A motion was made to approve the 2018 MWPP Resolution Erwinville Wastewater Treatment Facility AI#136152 by Mr. Phil Porto, seconded by Mr. Ricky Loupe.

The vote was as follows:

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

As a result of the votes the motion passed.

Resolution 6 of 2019 appears at the end of these minutes.

2018 MWPP Resolution Lukeville Lane Wastewater Treatment Facility AI#33923

A motion was made by Mr. Chris Kershaw, seconded by Ms. Charlene Gordon to approve the 2018 MWPP Resolution Lukeville Lane Wastewater Treatment Facility AI#33923.

The vote was as follows:

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

As a result of the votes the motion passed.

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

2018 MWPP Resolution Westport Wastewater Treatment Facility AI#43915

A motion was made by Mr. Kirk Allain, seconded by Mr. Chris Kershaw to approve the 2018 MWPP Resolution Westport Wastewater Treatment Facility AI#43915.

The vote was as follows:

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

As a result of the votes the motion passed.

Resolution 8 of 2019 appears at the end of these minutes.

Mr. Barry Huggins re-entered the meeting at 8:16pm

A Resolution Emphasizing The Importance Of The Community Development Block Grant (CDBG) Program To West Baton Rouge Parish

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve the Resolution Emphasizing the Importance of the Community Development Block Grant (CDBG) Program To West Baton Rouge Parish

The vote was recorded as follows:

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

As a result of the votes the motion passed.

Resolution 9 of 2019 appears at the end of these minutes.

INTRODUCTION OF ORDINANCES

Mrs. Tullier read by title the below proposed ordinance/s being introduced and publicized by title, and considered for adoption following public hearing on the meeting date noted below, at 5:30pm in the Council Chambers, located at 880 North Alexander Avenue, Port Allen, La.:

An Ordinance Adopting an Adjusted Operating Budget of Revenues and Expenditures for the Fiscal Year Beginning July 1, 2018 and Ending June 30, 2019 for West Baton Rouge Council on Aging

Public Hearing Date: April 25, 2019

An ordinance to amend and reenact Section 101-1 ("Definitions"), Chapter 101 ("General Provisions"); Appendix A ("Zoning Districts"), Chapter 104 ("Zoning Ordinance"); and Section 106-67 ("General Provisions"), Division 2 ("Off-Street Parking and Loading"), Article III ("Transportation Planning"), Chapter 106 ("Site Planning") of Part III ("Unified Development Code") of the West Baton Rouge Parish Code of Ordinances to allow assisted living facilities and nursing homes in certain commercial districts with special use permits.

Public Hearing Date: May 9, 2019

CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

File #2019-1 A preliminary plat of St. Claria Estates, Lots 1 thru 38 & Lot PD-1 & Lot PD-2 (being the resubdivision of the TJ Farms II, LLC Property located in Section 20, T6S, R11E, South East Land District, West of the Mississippi River, Parish of West Baton Rouge, Louisiana for MoGoss Development.

Ms. Lynn Cline explained the Planning Commission recommended approval with the waivers for the block lengths, the through streets as shown, no sewer and the T-turn cul-de-sac design and asked for a buyer beware notice being placed on the lots at the end of subdivision, these waivers are due to the drainage ditches, constructions and topography at this location.

Mr. Cletus Langlois was again recognized to represent this development by giving an overview of the request, pointed out the letter from Utilities waiving the sewer requirement, and offered to answer any questions the Council may have.

Multiple conversations were had regarding the drainage around this development, the topography and the filled in ditches surrounding the same.

The Council discussed options for this preliminary plat, specifically deferring this item versus denying this item due to the fact that the Council has not had sufficient time to review the plat, and give the administration time to try and fix the drainage issues in the area and not compound the problem by approving this development.

A motion was made by Mr. Barry Huggins to deny File #2019-1 A preliminary plat of St. Claria Estates, Lots 1 thru 38 & Lot PD-1 & Lot PD-2 (being the resubdivision of the TJ Farms II, LLC Property located in Section 20, T6S, R11E, South East Land District, West of the Mississippi River, Parish of West Baton Rouge, Louisiana for MoGoss Development, in order to have sufficient time to review this plat with multiple requested waivers, seconded by Mr. Ricky Loupe.

Chairman Spillman requested this not be denied, but defer the item for at least 30 days.

Mr. Cletus Langlois waived the 60day timeframe set by state law which states the Council has to make a vote on this plat in a certain timeframe or it is automatically approved. Mr. Derrick Moreau owner and developer of said property was recognized and waived the 60 day timeframe as well, at the request of Mr. Lou Delahaye.

A substitute motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto to defer File #2019-1 A preliminary plat of St. Claria Estates, Lots 1 thru 38 & Lot PD-1 & Lot PD-2 (being the resubdivision of the TJ Farms II, LLC Property located in Section 20, T6S, R11E, South East Land District, West of the Mississippi River, Parish of West Baton Rouge, Louisiana for MoGoss Development for 30 days which would make this item come up at the May 23rd meeting. Mr. Kershaw explained he wanted more time to look at this plat especially with all of the waivers being requested.

The vote was as follows:

YEAS: 6 (Kershaw, Porto, Spillman, Allain, Robertson, Gordon)
NAYS: 2 (Huggins, Loupe)
ABSENT: 1 (Fair)

As a result of the votes the motion passed.

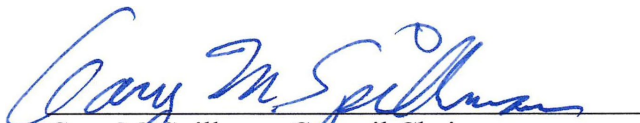
CORRESPONDENCE REPORT

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

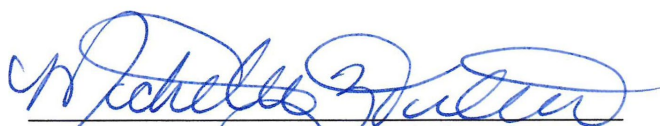
- Next Planning & Zoning Meeting of April 16th has been cancelled due to a clear agenda.
- Next Council Meeting is Thursday, April 25th at 5:30pm.

ADJOURN

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and was adopted by acclamation at 8:56pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

ORDINANCE 8 OF 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of February 28, 2019
And Adopted at the Regular Meeting of April 11, 2019

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

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

Sec.104-3. Establishment of Districts, Official Zoning Map, for rezoning request of Michael Zito, File #2019-02, 2275 Rosedale Rd. Port Allen, La 70767, Lot 11-C-2 containing 3.194 acres in Sections 65 & 91, T7S, R12E, Square 11, Burbridge Tract, rezoning from R-SF-3 (Residential Single Family) to R-M (Residential Minor).

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

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

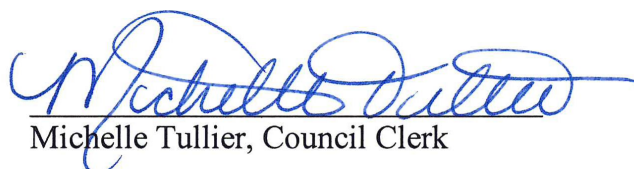
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be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

THE FOREGOING ORDINANCE HAS BEEN READ AND CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER PHIL PORTO, WHICH WAS SECONDED BY COUNCIL MEMBER CHARLENE GORDON, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

WHEREUPON the ordinance was declared adopted on the 11th Day of April, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 9 of 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of February 28, 2019
And Adopted at the Regular Meeting of April 11, 2019

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

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Sec.104-3. Establishment of Districts, Official Zoning Map, for rezoning request of Clyde Ewing, File #2019-03, 9258 La Hwy 190 West, Port Allen, La 70767, a portion of Tract E-4 containing 92.36 acres in Southeastern ¼ of Section 28, T6S, R11E, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

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

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

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

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

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

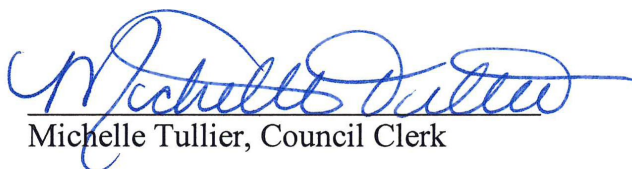
NAYS: 0 (None)

ABSENT: 1 (Fair)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 11th Day of April, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 10 OF 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of February 28, 2019
And Adopted at the Regular Meeting of April 11, 2019

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

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

Sec.104-3. Establishment of districts, official zoning map for rezoning request of Rougon Road Property, LLC., File #2019-01, 4537 Rougon Rd. Port Allen, La 70767, Tract A containing 38.90 acres located on Rougon Road, Port Allen, in SE /4 Section 20, T6S, R11E, West Baton Rouge Parish, Louisiana, rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

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

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

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

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

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

WHEREUPON the ordinance was declared adopted on the 11th Day of April, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 11 OF 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of February 28, 2019
And Adopted at the Regular Meeting of April 11, 2019

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

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

Sec.104-3. Establishment of districts, official zoning map for rezoning request of Bobbie Coleman, File #2019-04, 2053 Rosedale Rd. Port Allen, La 70767, Lot C-2 Containing 3.671 Acres in Section 91, T7S, R12E, in Lot 10 Burbridge Tract, rezoning from AG (Agricultural) to C-1.4 (Industrial-Transitional Commercial District). Master Plan Change

BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

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

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

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

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

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

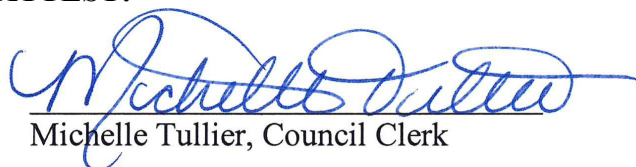
NAYS: 0 (None)

ABSENT: 1 (Fair)

ABSTAIN: 0 (None)

WHEREUPON the ordinance was declared adopted on the 11th Day of April, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 12 OF 2019

As Introduced by the West Baton Rouge Parish Council
At The Regular Meeting of March 14th, 2019
And Adopted at the Regular Meeting of April 11, 2019

An Ordinance To Amend And Reenact Section 105-40 (“Improvements”), Article II (“Minimum Design Standards”), Chapter 105 (“Subdivisions”) And Article II (“Stormwater Management”), Chapter 106 (“Site Planning”) Of Part III (“Unified Development Code”) Of The West Baton Rouge Parish Code Of Ordinances To Require Compliance With Federal And State Erosion Control Regulations For Locally Permitted Construction Activity.

WHEREAS the West Baton Rouge Parish Council seeks to exercise its police power to protect the health, safety and welfare of the citizens of West Baton Rouge Parish **AND**

WHEREAS as part of its role in exercising police power, the Council is aware that some of the Parish waterbodies are impaired according to EPA and DEQ definitions at the time of this ordinance **AND**

WHEREAS the Council wishes to cooperate with EPA and DEQ in enforcing stormwater quality Parishwide through its participation in the Louisiana Pollutant Discharge and Elimination System (“LPDES”) Municipal Separate Storm Sewer System (MS4) permit AND

WHEREAS one specific area of the MS4 permit that the Council has direct control over is erosion control for building sites that are permitted through the Parish THEREFORE

BE IT ORDAINED BY THIS COUNCIL that Section 105-40 (“Improvements”), Article II (“Minimum Design Standards”), Chapter 105 (“Subdivisions”) and Article II (“Stormwater Management”), Chapter 106 (“Site Planning”) of Part III (“Unified Development Code”) of the West Baton Rouge Parish Code of Ordinances 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

* * *

Sec. 105-40. – Improvements

* * *

(5) Storm drainage.

* * *

e. In order to conform to federal and state standards related to local stormwater quality as well as to ensure that the Parish complies with its participation in the State of Louisiana’s General Permit for Municipal Separate Storm Sewer Systems, all applicants for subdivisions of land other than minor and administrative subdivisions shall submit a copy of an approved stormwater pollution prevention plan (SWPPP) to the Office of Community Planning and Development as well as a plan to manage post-construction stormwater quality that includes one or more of the following best management practices (BMPs): retention and/or detention basins; infiltration technologies such as infiltration basins, infiltration trenches, dry wells, or porous pavement; vegetative solutions such as grassy swales, filter strips, artificial wetlands and rain gardens. These submittals shall be part of the requirement for receiving an approved set of subdivision construction plans.

CHAPTER 106

SITE PLANNING

* * *

ARTICLE II. – STORMWATER MANAGEMENT (~~RESERVED~~)

Sec. 106-19. – Pre-construction stormwater quality.

In order to conform to federal and state standards related to local stormwater quality as well as to ensure that the Parish complies with its participation in the State of Louisiana’s General Permit for Municipal Separate Storm Sewer Systems, all applicants for construction sites that are greater than or equal to one acre shall submit a copy of an approved stormwater pollution prevention plan (SWPPP) to the Office of Community Planning and Development as part of the requirement for receiving an approved site plan and/or building permit.

Sec. 106-20. – Post-construction stormwater quality.

In order to conform to federal and state standards related to local stormwater quality as well as to ensure that the Parish complies with its participation in the State of Louisiana’s General Permit for Municipal Separate Storm Sewer Systems, all applicants for construction sites that are greater than or equal to one

acre shall submit a plan to manage post-construction stormwater quality that includes one or more of the following best management practices (BMPs): retention and/or detention basins; infiltration technologies such as infiltration basins, infiltration trenches, dry wells, or porous pavement; vegetative solutions such as grassy swales, filter strips, artificial wetlands and rain gardens.

Sec. ~~106-19~~ 106-21 – 106-39. - Reserved

* * *

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

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

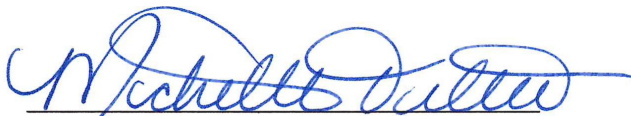
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be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

THE FOREGOING ORDINANCE AFTER PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER BARRY HUGGHINS, WHICH WAS SECONDED BY COUNCIL MEMBER CHRIS KERSHAW, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

WHEREUPON the ordinance was declared adopted on the 11th Day of April, 2019

ATTEST:


Michelle Tullier, Council Clerk

RESOLUTION 6 OF 2019

**2018 MWPP RESOLUTION
ERWINVILLE WASTEWATER TREATMENT FACILITY
AI# 136152**

Resolved that the Parish of **West Baton Rouge** informs the Louisiana Department of Environmental Quality that the following actions were taken by **West Baton Rouge Parish Government**

1. Resolved the Municipal Water Pollution Prevention Environmental Audit Report which is attached to this resolution.
2. Set forth the following actions necessary to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit number **LA0122131 (Erwinville Wastewater Treatment Facility)**.

(Please be specific in listing the actions that will be taken to address the problems identified in the audit report.)

- a. No action needed.

A MOTION TO ADOPT the above resolution was made by Council Member Phil Porto, seconded by Council Member Ricky Loupe, and resulted in the following vote:

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

Passed by a majority vote of the West Baton Rouge Parish Council on the 11th Day of April, 2019.

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 April 11, 2019 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 7 OF 2019

**2018 MWPP RESOLUTION
LUKEVILLE LANE WASTEWATER TREATMENT FACILITY
AI# 33923**

Resolved that the Parish of West Baton Rouge informs the Louisiana Department of Environmental Quality that the following actions were taken by West Baton Rouge Parish Government

3. Resolved the Municipal Water Pollution Prevention Environmental Audit Report which is attached to this resolution.
4. Set forth the following actions necessary to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit number LA0108588 (Lukeville Wastewater Treatment Facility).

(Please be specific in listing the actions that will be taken to address the problems identified in the audit report.)

- b. No action needed.

A MOTION TO ADOPT the above resolution was made by Council Member Chris Kershaw, seconded by Council Member Charlene Gordon, and resulted in the following vote:

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

Passed by a majority vote of the West Baton Rouge Parish Council on the 11th Day of April, 2019.

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 April 11, 2019 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 8 OF 2019

**2018 MWPP RESOLUTION
WESTPORT WASTEWATER TREATMENT FACILITY
AI# 43915**

Resolved that the Parish of **West Baton Rouge** informs the Louisiana Department of Environmental Quality that the following actions were taken by **West Baton Rouge Parish Government**

5. Resolved the Municipal Water Pollution Prevention Environmental Audit Report which is attached to this resolution.
6. Set forth the following actions necessary to maintain permit requirements contained in the Louisiana Pollution Discharge Elimination System (LPDES) permit number **LA0068501 (Westport Wastewater Treatment Facility)**.

(Please be specific in listing the actions that will be taken to address the problems identified in the audit report.)

- c. No action needed.

A MOTION TO ADOPT the above resolution was made by Council Member Kirk Allain, seconded by Council Member Chris Kershaw, and resulted in the following vote:

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

Passed by a majority vote of the West Baton Rouge Parish Council on the 11th Day of April, 2019.

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 April 11, 2019 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk

RESOLUTION 9 OF 2019

A Resolution Emphasizing The Importance Of The Community Development Block Grant (CDBG) Program To West Baton Rouge Parish

WHEREAS, the week of April 22-April 26, 2019 has been designated as National Community Development Week. West Baton Rouge Parish is/has been a participant in the Community Development Block Grant (CDGB) Program which funds public infrastructure, economic development, and housing programs in this community, and

WHEREAS, in West Baton Rouge Parish and communities throughout the nation, forty five years of Community Development Block Grant Program funding has developed a string of relationships between this local government and its residents, principally those of low-to-moderate income, and

WHEREAS, West Baton Rouge Parish recognizes that the Community Development Block Grant Program is a partnership of federal, state, and local government, community, and business efforts, and that the service funded by the CDBG Program relies heavily on the dedication and good will of our combined efforts.

THEREFORE BE IT RESOLVED, that during National Community Development Week 2019, West Baton Rouge Parish gives special thanks and recognition to all participants whose hard work and devotion helps ensure the quality and effectiveness of the Community Development Block Grant Program, and

BE IT FURTHER RESOLVED, that the West Baton Rouge Parish Council, hereby petitions U.S. Congress and the Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant Program, and of its vital importance to the community and to the people who live in its lower income neighborhoods, and

BE IT FURTHER RESOLVED, that copies of this resolution be conveyed to the appropriate elected and appointed officials of the federal government and that West Baton Rouge Parish be added to the roll of those committed to the preservation and full funding of the Community Development Block Grant Program and maintenance of its essential features over the course of the next session of Congress.

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

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

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

ABSENT: 1 (Fair)

ABSTAIN: 0 (None)

AND the resolution was declared adopted on this **11th Day of April, 2019.**

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 April 11, 2019, at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk