

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING  
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
July 25, 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, July 25, 2019 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Mr. Caleb Kleinpeter 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, Phil Porto, and Meses. Naomi Fair and Charlene Gordon.

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

**MINUTE APPROVAL**

A motion was made by Mr. Barry Huggins, seconded by Mr. Kirk Allain to approve the minutes of the June 27, 2019 regular meeting.

The vote was recorded as follows:

|          |   |   |
|----------|---|---|
| YEAS:    | 9 | (Spillman, Huggins, Robertson, Kershaw, Porto, Allain, Loupe, Fair, 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**

There were no items to consider at this time.

**PARISH PRESIDENT’S REPORT**

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

GOHSEP grant received \$26,741.00 will be used towards active shooter training;

Solid Waste contract email, will be on August 22<sup>nd</sup> agenda;

Introduced Mr. John Andre, Roads Superintendent who gave a brief presentation on the loads of trash and debris that has been picked up by the Parish since Hurricane Barry, also updated the Council on the amounts of sand and sandbags distributed. Mr. Andre before closing thanked the Morris family for donating the sand used for hurricane preparation.

Chairman Spillman thanked everyone who participated before during and after the storm on behalf of the Parish Council.

Councilman Porto thanked all employees along with Mr. Jason Manola and Mr. Deano Moran for their hard work during this storm, and noted that a sandbag policy is needed in his opinion due to a few issues from the storm regarding sandbag distribution.

Chairman Spillman questioned the \$550 Thousand dollars which is being moved from the LA 415 project to pave Rosedale Rd. from LA1 to Three Canal, he asked if we could look into making the two lanes coming off of the Interstate at 415. President Berthelot answered that the 415 interchange is part of an upcoming DOTD Project.

There were no further 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**

Mr. Phillip Bourgoyne, was recognized and provided monthly budget to actual numbers year to date, and offered to answer any questions. Mrs. Pam Keowen, Director of Utilities was recognized and updated the Council on the status of the South End Water Line Project.

**WBR PARISH COUNCIL AUDIT REPORT**

Mr. Blaine Crochet of Hawthorn, Waymouth & Carroll, LLP. was recognized and gave a summary presentation on the 2018 West Baton Rouge Parish Council Audit, including a review of financial statements, required communications with the Council, graphs on revenues, expenditures and transfers as presented in connection with the December 31, 2017 Audited Financial Statements performed by said firm. Mr. Crochet reported there were no major findings in the report and offered to answer any questions that the Council may have in review of the Auditor's Report in front of them, and in closing Mr. Crochet also offered if any questions came up at a later time there was contact information for his office in the report.

A motion was made by Mr. Barry Huggins, seconded by Mr. Chris Kershaw, to accept the West Baton Rouge Parish Council Audit Report as presented by Hawthorn, Waymouth & Carroll, LLP.

The vote was recorded as follows:

|          |   |   |
|----------|---|---|
| YEAS:    | 9 | (Kershaw, Huggins, Spillman, Robertson, Porto, Allain, Loupe, Fair, Gordon) |
| NAYS:    | 0 | (None)  |
| ABSTAIN: | 0 | (None)  |
| ABSENT:  | 0 | (None)  |

As a result of the votes the motion was adopted.

**WBR UTILITIES DEPARTMENT AUDIT REPORT**

Mr. Ken Alford with Provost, Salter, Harper & Alford LLC., was recognized and gave a brief overview of the 2018 Utility Audit Report, including a review of financial statements, graphs on revenues, expenditures and transfers as presented in connection with the December 31, 2017 Audited Financial Statements performed by said firm. Mr. Alford reported there was one finding which is an ongoing yearly item. Mr. Alford offered to answer any questions that the Council may have in review of the Auditor's Report in front of them, and in closing Mr. Alford also offered if any questions came up at a later time there was contact info for his office in the report.

A motion was made by Mr. Phil Porto, seconded by Mr. Ricky Loupe, to accept the West Baton Rouge Parish Public Utility Audit Report as presented by Provost, Salter, Harper & Alford LLC.

The vote was recorded as follows:

|          |   |   |
|----------|---|---|
| YEAS:    | 9 | (Kershaw, Huggins, Spillman, Robertson, Porto, Allain, Loupe, Fair, Gordon) |
| NAYS:    | 0 | (None)  |
| ABSTAIN: | 0 | (None)  |
| ABSENT:  | 0 | (None)  |

As a result of the votes the motion was adopted.

**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 Mark Grant, Jr and Linda Dupuy, File #2019-08, located at 1927 Court Street, Port Allen, La 70767, described as Lots 1 & 2 of Courtland Estates Subdivision in Section 92, T7S, R12E, rezoning from C-1.3 (Regional Scale Commercial) to C-1.4 (Industrial-Transitional Commercial District) with a special use for sandblasting. Master Plan Change**

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 Mark Grant, Jr and Linda Dupuy, File #2019-08, located at 1927 Court Street, Port Allen, La 70767, described as Lots 1 & 2 of Courtland Estates Subdivision in Section 92, T7S, R12E, rezoning from C-1.3 (Regional Scale Commercial) to C-1.4 (Industrial-Transitional Commercial District) with a special use for sandblasting. Master Plan Change

Mrs. Mallorie Davis of the Planning & Development Office was recognized and explained the Zoning Commission voted to approve the aforementioned Master Plan Change by a unanimous vote of those members present.

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.

Councilman Porto questioned exactly what type of sandblasting would be done at this location, Mr. Mark Grant Jr. was recognized and explained that this would be a totally enclosed sandblasting booth for monument sandblasting and engraving with zero emissions. There were a few more questions for clarification from the Council.

A motion was made by Mr. Phil Porto, seconded by Mr. Barry Huggins to approve the Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Mark Grant, Jr and Linda Dupuy, File #2019-08, located at 1927 Court Street, Port Allen, La 70767, described as Lots 1 & 2 of Courtland Estates Subdivision in Section 92, T7S, R12E, rezoning from C-1.3 (Regional Scale Commercial) to C-1.4 (Industrial-Transitional Commercial District) with a special use for sandblasting with zero emissions.

The vote was recorded as follows:

YEAS: 9 (Spillman, Huggins, Robertson, Kershaw, Porto, Allain, Loupe, Fair, Gordon)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Ordinance 19 of 2019 appears at the end of these minutes.

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

**Accept/Reject Recommendation on Emergency Stand-by Debris Removal Proposal**

Mr. Jason Manola was recognized and reviewed with the council the recommendation from administration to award the stand by contract for debris removal to DRC Emergency Services based on the proposal evaluation presented. Mr. Manola reminded the Council, this is only a standby contract and would only be used for an as needed basis, when the Parish cannot handle cleanup.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Kirk Allain to accept the recommendation from administration to award the stand by contract for debris removal to DRC Emergency Services based on the assessment criteria in the RFP.

The vote was recorded as follows:

YEAS: 9 (Spillman, Huggins, Robertson, Kershaw, Porto, Allain, Loupe, Fair, Gordon)

NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

Mr. Manola went on to inform the Council on the Emily Drive overlay situation, advised on the Mosquito Control recent grant receipt for new larvacide machines and GRP tracking equipment, and also informed the Council that employee Mr. Michael Joseph was recently recognized on the LMCA spotlight page. Mr. Manola explained about the calls from the elderly received during Hurricane Barry, and wanted to recognize the Brusly High and Port Allen High Football teams for going out filling and distributing about 1,000 sandbags to the elderly in preparation for the storm. In closing Mr. Manola notified the Council that the Utilities Department Accounting system conversion is currently going on and should be ready to be implemented on January 1<sup>st</sup>.

## **RESOLUTIONS**

There were no items to consider.

## **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.:

- A. 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 Larry Russo, File #2019-12, located at 3661 & 3671 Hwy 1 South Port Allen, La 70767, described as Lots A, B 100' x 96' portion of C, L, M, N, O & P, being a portion of the J. H. Freeman property in Section 75, T7S, R12E, fronting on Reverend Manual St. and Hwy 1 South, requesting rezoning from C-1.2 (Community Scale Commercial) to C-1.3 (Regional Scale Commercial). Master Plan Change  
Public Hearing Date: August 22, 2019
- B. 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 Jerome Michael Dupuy, File #2019-14, located at 8236 Rosehill Drive South Port Allen, La 70767, described as Lot 18 Alford Acres Subdivision, Section 66, T6S, R11E, West Baton Rouge Parish, fronting on Bueche Rd and Rosehill Dr. requesting rezoning from AG (Agricultural) to C-1.3 (Regional Scale Commercial).  
Public Hearing Date: August 22, 2019
- C. 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 Mark Patin, File #2019-16, located at 11826 Section Road, Port Allen, La 7767, described as Lot 9-A and the remainder of Lot 10 into lot 9-A-1 and Lot 10-B located in Section 18, T8S, R11E, West Baton Rouge Parish, La., requesting rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family).  
Public Hearing Date: August 22, 2019

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

**File #2019-7 Final plat showing subdivision of Tract B-1 into Tracts B-1-A & Tract B-1-B (former Willie Jack Estate), Lot 11 of Tonawanda Plantation for Tenita M. Shavers located in Section 16, T6S R11E, West Baton Rouge Parish, LA**

Mrs. Mallorie Davis was recognized and explained this plat was approved by the Planning Commission with the two requested waivers for lot frontage and lot size.

Ms. Tenita Mason Shavers was recognized and explained the need for this plat was for a mortgage and due to the layout of the property this is why the plat is drawn up this way.  
There were a few questions from the Council regarding exactly why the waivers were needed.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Chris Kershaw to approve File #2019-7 Final plat showing subdivision of Tract B-1 into Tracts B-1-A & Tract B-1-B (former Willie Jack Estate), Lot 11 of Tonawanda Plantation for Tenita M. Shavers located in Section 16, T6S R11E, West Baton Rouge Parish, LA with waivers for lot frontage and lot size due to the layout of the property.

The vote was recorded as follows:

YEAS: 9 (Spillman, Hughhins, Robertson, Kershaw, Porto, Allain, Loupe, Fair, 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 located at 3928 S. River 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. Ricky Loupe, seconded by Mr. Chris Kershaw to ratify condemnation order for 3928 S. River 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 (Spillman, Hughhins, Robertson, Kershaw, Porto, Allain, Loupe, Gordon, Fair)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

**Ratify Condemnation Order of derelict structure located at 1653 Rosedale 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. Phil Porto to ratify condemnation order for 1653 Rosedale 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 (Spillman, Hughhins, Robertson, Kershaw, Porto, Allain, Loupe, Gordon, Fair)  
NAYS: 0 (None)  
ABSENT: 0 (None)  
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

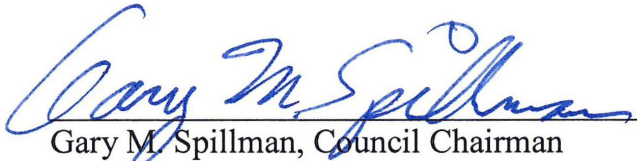
**CORRESPONDENCE REPORT**

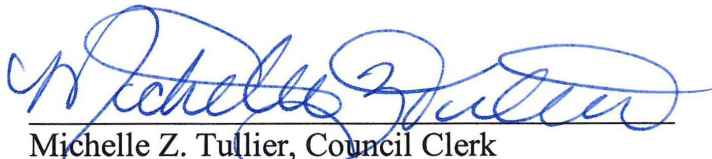
Correspondence Report from Council Clerk, Mrs. Michelle Tullier included the following items:

- Floodplain Management Annual Report
- Region III Meeting Thursday, August 15<sup>th</sup> at 6:00pm..... RSVP
- Next Planning & Zoning Meeting is Tuesday, August 6<sup>th</sup> at 5:30pm
- Next Council Meeting is Thursday, August 8<sup>th</sup> at 5:30pm



There being no further business, a motion to adjourn was made by Mr. Chris Kershaw and was adopted by acclamation at 6:45pm.

  
Gary M. Spillman, Council Chairman

  
Michelle Z. Tullier, Council Clerk

## **ORDINANCE 19 OF 2019**

As Introduced by the West Baton Rouge Parish Council  
At the Regular Meeting of June 13, 2019  
And Adopted on July 25, 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 Mark Grant, Jr and Linda Dupuy, File #2019-08, located at 1927 Court Street, Port Allen, La 70767, described as Lots 1 & 2 of Courtland Estates Subdivision in Section 92, T7S, R12E, rezoning from C-1.3 (Regional Scale Commercial) to C-1.4 (Industrial-Transitional Commercial District) with a special use for indoor sandblasting with zero emissions.

**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 BARRY HUGHGINS, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:**

YEAS: 9 (Porto, Huggins, Allain, Kershaw, Spillman, Fair, Loupe, Gordon, Robertson)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

**WHEREUPON** the ordinance was declared adopted on the 25<sup>th</sup> Day of July, 2019.

**ATTEST:**

  
Michelle Tullier, Council Clerk