

**WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
WEST BATON ROUGE PARISH GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
AUGUST 22, 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, August 22, 2019 and called to order at 5:30pm. Council Chairman Gary Spillman asked that all electronic devices be placed on silent and recognized Ms. Jeannetta Franklin who led everyone in the Pledge of Allegiance.

ATTENDANCE

The following members were recorded as being present:

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

Absent: Mr. Chris “Fish” Kershaw, and Ms. Naomi Fair

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

MINUTE APPROVAL

A motion was made by Mr. Barry Hughhins, seconded by Ms. Charlene Gordon to approve the minutes of the August 22, 2019 regular meeting.

The vote was recorded as follows:

YEAS: 7 (Spillman, Hughhins, Robertson, Loupe, Porto, Allain, Gordon)

NAYS: 0 (None)

ABSENT: 2 (Fair, Kershaw)

ABSTAIN: 0 (None)

As a result of the votes the motion passed.

CONSIDER ANY AMENDMENTS TO THE AGENDA

Chairman Spillman notified the Council of the request to amend the following items onto tonight’s agenda:

A. Jakarta LLC dba Jakarta Quick Stop located at 1521 Hwy 190 W, Port Allen, La 70767 requesting Class B Alcohol Permit, change of ownership

B. WBR Planning & Zoning Commission – Current member Mr. Carey Denstel resigned August 20, 2019

C. File #2019-9 Final Map showing subdivision of Lot 9-A and the remainder of Lot 10 into lot 9-A-1 and Lot 10-B for Joseph M. Patin located in Section 18, T8S, R11E, West Baton Rouge Parish, LA. For Mark Patin, 11826 Section Road, Port Allen, LA

A motion was made by Mr. Kirk Allain, seconded by Ms. Charlene Gordon to approve adding the aforementioned items on to the agenda.

The vote was recorded as follows:

YEAS: 7 (Spillman, Hughhins, Robertson, Loupe, Porto, Allain, Gordon)

NAYS: 0 (None)

ABSENT: 2 (Fair, Kershaw)

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:
Recently re-elected to Region III Executive Board for the Police Jury;
Waterline being installed down Northline road for south end water project;
Animal Control Ordinance changes coming up;
Dow expansion coming up, scheduled to complete around end of 2021;
There were no questions for the Parish President.

PUBLIC COMMENTS

Mrs. Diana LeBlanc was recognized and read aloud a message of opinion to the Parish Council regarding the Thermaldyne plant in West Baton Rouge, this message can be found at the end of these minutes.

Ms. Jeannette Franklin Candidate for Council, District 3 spoke to the Council and audience introducing herself and asking for any support that can be given.

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.

SOLID WASTE CONTRACT RENEWAL

Mr. Jason Manola was recognized and presented a slide show presentation on the Solid Waste Contract Renewal with Republic Service and asked for the Council to ratify the same, overall the price for all services currently provided by Republic Services will actually decrease. The slides and details of this renewal can be found at the end of these minutes. Chairman Spillman thanked everyone on the renewal process and asked that anyone with issues communicate this with Republic and give them the chance to fix the problem. Mrs. Karla Swacker with Republic Services spoke and thanked everyone for the working relationship over the past years, noting she will be retiring soon and introduced Mr. Stephen Carville who will be taking her place. Mr. Carville thanked the Council for the vote of confidence renewing this contract and thanked everyone for their support.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Edward Robertson to approve the Solid Waste Contract Renewal as presented by Mr. Jason Manola.

The vote was recorded as follows:

YEAS: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)

NAYS: 0 (None)

ABSENT: 2 (Fair, Kershaw)

ABSTAIN: 0 (None)

As a result of the votes the motion passed

CONSIDER 2020 BUDGET SCHEDULE AS PRESENTED BY FINANCE DIRECTOR PHILLIP BOURGOYNE

Mr. Phillip Bourgoyne, was recognized and went over the dates as presented to the Council and asked the Council to approve this schedule. There were no questions for Mr. Bourgoyne at this time. The proposed 2020 Budget schedule can be found at the end of these minutes.

A motion to approve the 2020 Budget Schedule as presented by Mr. Bourgoyne was made by Mr. Ricky Loupe, seconded by Mr. Kirk Allain.

The vote was recorded as follows:

YEAS: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)

NAYS: 0 (None)
ABSENT: 2 (Fair, Kershaw)
ABSTAIN: 0 (None)
As a result of the votes the motion passed

DECLARE ITEMS SURPLUS FOR AUCTION/SCRAP

Mr. Bourgoyne was again recognized and presented the following items for Surplus to send to auction in September

1-1998 Kawasaki Mule
2-2005 McCormick Tractors
3-Spraying Rigs
4-Discs
5-200 Gallon Tanks
1-2007 John Deer 750J
1-2008 John Deer 6415 Tractor
1-2008 Link Belt 135
1-2003 S-10 Pickup Truck

A motion was made by Mr. Phil Porto, seconded by Mr. Ricky Loupe to approve all of the aforementioned items for surplus to send to auction.

The vote was recorded as follows:

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

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 12A) 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.

Mr. Durbin was again recognized and explained the Commission recommended approval of this ordinance by a unanimous vote of those members present.

There were no comments for or against said ordinance and no written protests received. The Council Chairman at this point declared the Public Hearing concluded and opened the matter up to the Council.

There was a motion made by Mr. Ricky Loupe seconded by Mr. Barry Huggins to approve the requested 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.

The vote was recorded as follows:

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

As a result of the votes the motion passed

Ordinance 21 of 2019 appears at the end of these minutes.

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).

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 12B) 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).

Mr. Durbin was again recognized and explained the Commission recommended approval of this ordinance by a unanimous vote of those members present.

There were no comments for or against said ordinance and no written protests received. The Council Chairman at this point declared the Public Hearing concluded and opened the matter up to the Council.

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 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).

The vote was recorded as follows:

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

As a result of the votes the motion passed

Ordinance 22 of 2019 appears at the end of these minutes.

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).

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 12C) 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).

Mr. Durbin was again recognized and explained the Commission recommended approval of this ordinance by a unanimous vote of those members present.

There were no comments for or against said ordinance and no written protests received. The Council Chairman at this point declared the Public Hearing concluded and opened the matter up to the Council.

A motion was made by Mr. Barry Huggins 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 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).

The vote was recorded as follows:

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

As a result of the votes the motion passed

Ordinance 23 of 2019 appears at the end of these minutes.

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

There were no items to consider

RESOLUTIONS

There were no items to consider

INTRODUCTION OF ORDINANCES

There were no items to introduce.

CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

Ratify Condemnation of derelict structure located at 1523 Moody 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 Ms. Charlene Gordon, seconded by Mr. Ricky Loupe to ratify condemnation order for 1523 Moody 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: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)
NAYS: 0 (None)
ABSENT: 2 (Fair, Kershaw)
ABSTAIN: 0 (None)

As a result of the votes the motion passed

Ratify Condemnation of derelict structure located at 1134 Reverend Manual 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 Ms. Charlene Gordon, seconded by Mr. Kirk Allain to ratify condemnation order for 1134 Reverend Manual 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: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)
NAYS: 0 (None)
ABSENT: 2 (Fair, Kershaw)
ABSTAIN: 0 (None)

As a result of the votes the motion passed

Ratify Condemnation of derelict structure located at 2136 DiBenedetto Ln. 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.

Ms. Samantha Bell and Mr. Dwayne Blunt were recognized and attested to the poor condition of the aforementioned property.

A motion was made by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe to ratify condemnation order for 2136 DiBenedetto Ln. 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: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)
NAYS: 0 (None)
ABSENT: 2 (Fair, Kershaw)
ABSTAIN: 0 (None)

As a result of the votes the motion passed

File #2019-9 Final Map showing subdivision of Lot 9-A and the remainder of Lot 10 into lot 9-A-1 and Lot 10-B for Joseph M. Patin located in Section 18, T8S, R11E, West Baton Rouge Parish, LA. For Mark Patin, 11826 Section Road, Port Allen, LA.

Mr. Durbin was again recognized and explained the Commission recommended approval of this plat by a unanimous vote of those members present and further explained the need for this plat.

A motion was made by Mr. Barry Huggins, seconded by Mr. Phil Porto to approve File #2019-9 Final Map showing subdivision of Lot 9-A and the remainder of Lot 10 into lot 9-A-1 and Lot 10-B for Joseph M. Patin located in Section 18, T8S, R11E, West Baton Rouge Parish, LA. For Mark Patin, 11826 Section Road, Port Allen, LA.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

ALCOHOL PERMITS

Jakarta LLC dba Jakarta Quick Stop located at 1521 Hwy 190 W, Port Allen, La 70767 requesting Class B Alcohol Permit, change of ownership

Ms. Tullier noted this request is a change of ownership of this establishment which is already licensed to sell packaged alcohol. Said applicant has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Kirk Allain to approve Jakarta LLC dba Jakarta Quick Stop located at 1521 Hwy 190 W, Port Allen, La 70767 requesting Class B Alcohol Permit.

The vote was recorded as follows:

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

As a result of the votes the motion passed.

APPOINTMENTS

WBR Planning & Zoning Commission – Current member Mr. Carey Denstel resigned August 20, 2019

Chairman Spillman notified everyone that Mr. Carey Denstel had resigned from the Planning & Zoning Commission as of August 20, 2019 since being elected to the Council, and explained we would need to make an appointment for his replacement.

Councilman Phil Porto made the recommendation of Mr. Todd Plauche to replace Mr. Denstel on the Planning & Zoning Commission.

There were no other recommendations at this time.

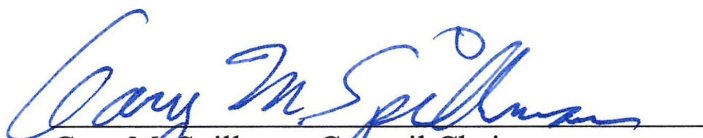
A motion was made by Mr. Phil Porto seconded by Mr. Ricky Loupe to appoint Mr. Todd Plauche to the WBR Planning & Zoning Commission to replace Mr. Carey Denstel.

The vote was recorded as follows:

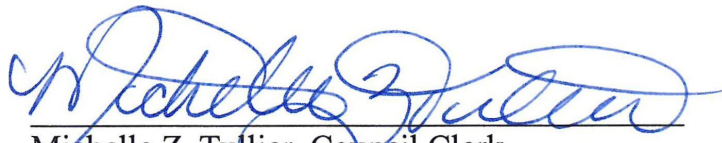
YEAS: 7 (Spillman, Huggins, Robertson, Loupe, Porto, Allain, Gordon)
NAYS: 0 (None)
ABSENT: 2 (Kershaw, Fair)
ABSTAIN: 0 (None)

As a result of the votes the motion passed.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and was adopted by acclamation at 6:22pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

ORDINANCE 21 OF 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of July 25, 2019
And Adopted August 22, 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 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).

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.

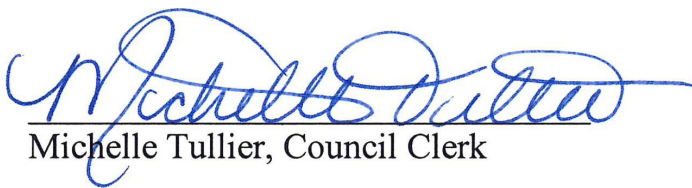
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be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

THE FOREGOING ORDINANCE AFTER HAVING BEEN SUBMITTED TO A PUBLIC HEARING WAS CONSIDERED, AND UPON MOTION BY COUNCIL MEMBER RICKY LOUPE, WHICH WAS SECONDED BY COUNCIL MEMBER BARRY HUGGHINS . THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

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

WHEREUPON the ordinance was declared adopted on the 22nd day of August, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 22 of 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of July 25, 2019
And Adopted August 22, 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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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.

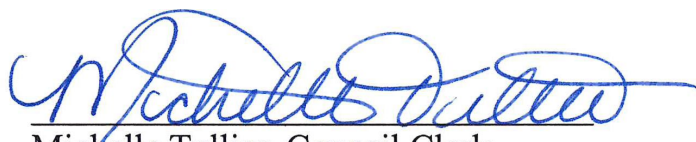
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be 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: 7 **(Porto, Allain, Spillman, Huggins, Loupe, Gordon, Robertson)**
NAYS: 0 **(None)**
ABSENT: 2 **(Fair, Kershaw)**
ABSTAIN: 0 **(None)**

WHEREUPON the ordinance was declared adopted on the 22nd Day of August, 2019.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 23 of 2019

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of July 25, 2019
And Adopted August 22, 2019

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Sec.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).

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 CHARLENE GORDON, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:

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

WHEREUPON the ordinance was declared adopted on the 22nd Day of August, 2019.

ATTEST:


Michelle Tullier, Council Clerk

August 22, 2019

Good evening gentlemen, my name is Diana LeBlanc, a long time resident of Port Allen. My husband's family has a five generation legacy in West Baton Rouge Parish, so as you can see we are vested. It saddens me to be here before the Parish Council, but after it came to my attention about Thermaldyne's proposed operations, I felt compelled to investigate and address the concerns that many citizens have. Please know that I share no animus towards any of our Council Members so let me state that all of us are judged by our own conscience. When much is given, much is expected. When you ran for Public Office, you took on this responsibility and agreed to become a good Steward of the People's Choice. You also agreed to become a voice for their concerns. Gentlemen, we are at a crossroads here, and you have lost the trust of your voters. By the time the deal was sealed and Thermaldyne was built, your voters feel that you "did not" do your due diligence in protecting their interests!

What the citizens want to know now is this: Did DEQ and Thermaldyne deliberately go around the permit process, misleading you to believe that later on you would have input if they were not following through on EPA regulations? Upon review, we wonder if you were duped into signing off on this project.

There will be a Court Hearing in Baton Rouge on September 30th. The Air Permit issued by DEQ to Thermaldyne is being brought into question and the plaintiff is seeking a stay. Will this council and its members continue to ignore the will of the people or stand in solidarity with them? Will you stand in Solidarity with your Voters to oppose this decision by DEQ to issue this permit without adequate input from the voters?

At our next Parish Council Meeting, many other concerns can be addressed. As I submit this statement, you can discuss, evaluate, and answer these questions at our next Parish Council Meeting. Many of your voters feel that you should not be re-elected. The outcome of this matter could affect your re-election, with that I close. I would like to submit this Statement along with the Letter written to The Advocate. Thank you for your time, I pray for a positive outcome.

August 22, 2019

Good evening gentlemen, my name is Diana LeBlanc, a long time resident of Port Allen. My husband's family has a five generation legacy in West Baton Rouge Parish, so as you can see we are vested. It saddens me to be here before the Parish Council, but after it came to my attention about Thermaldyne's proposed operations, I felt compelled to investigate and address the concerns that many citizens have. Please know that I share no animus towards any of our Council Members so let me state that all of us are judged by our own conscience. When much is given, much is expected. When you ran for Public Office, you took on this responsibility and agreed to become a good Steward of the People's Choice. You also agreed to become a voice for their concerns. Gentlemen, we are at a crossroads here, and you have lost the trust of your voters. **By the time the deal was sealed and Thermaldyne was built, your voters feel that you "did not" do your due diligence in protecting their interests!**

What the citizens want to know now is this: **Did DEQ and Thermaldyne deliberately go around the permit process, misleading you to believe that later on you would have input if they were not following through on EPA regulations?** Upon review, we wonder if you were duped into signing off on this project.

There will be a Court Hearing in Baton Rouge on September 30th. The Air Permit issued by DEQ to Thermaldyne is being brought into question and the plaintiff is seeking a stay. Will this council and its members continue to ignore the will of the people or stand in solidarity with them? Will you stand in Solidarity with your Voters to oppose this decision by DEQ to issue this permit without adequate input from the voters?

At our next Parish Council Meeting, many other concerns can be addressed. As I submit this statement, you can discuss, evaluate, and answer these questions at our next Parish Council Meeting. Many of your voters feel that you should not be re-elected. The outcome of this matter could affect your re-election, with that I close. I would like to submit this Statement along with the Letter written to The Advocate. Thank you for your time, I pray for a positive outcome.

WBR should be concerned about plant

In January, DEQ sidestepped hundreds of people's protest and issued a variance to the Georgia company called Thermaldyne. This new variance authorizes Thermaldyne to locate a hazardous waste incinerator in Port Allen and essentially exempts it from hazardous waste regulations. As a Port Allen Resident, this is unacceptable. We cannot allow the protection of our community and our voice to be taken from us.

Our citizens are already plagued with too much hazardous waste entering our air, water and land. Our pleas for protection have again been ignored. Citizens from Port Allen and surrounding neighborhoods have pointed out that too many of our family, neighbors, co-workers and the public-at-large have been drastically affected by cancer. This invokes fear in

the heart of anyone who has lost a loved one due to this fatal disease. Living in an area called "cancer alley," we are tired of our local public officials, state officials, companies like Thermaldyne and now the courts, continually disregarding our concerns. What good is it we ask in having a government agency, DEQ, supposedly regulating permits, yet always siding with the plants and not those most affected by the pollution from those plants?

Please join us Monday, June 24 at 6 p.m. at the West Baton Rouge Community Center to discuss this critical situation as we continue to protect our homes and our future. Our health and the health of our children depend on it.

DIANA LEBLANC
retired
Port Allen

(Published in the Metro/ Opinion section of *The Advocate* pg. 6B, Thursday, June 20, 2019)

West Baton Rouge Parish Solid Waste/Recycling Services Provided

- ▶ Twice a week garbage cart pickup
- ▶ Once a week recycling cart pickup
- ▶ Once a month Yard Waste Pickup

West Baton Rouge Parish Solid Waste/Recycling Analysis

Service Provided	Current Pricing per household unit	Negotiated Proposed Renewal per household unit
Garbage Collection	\$15.97	\$13.80
Recycle Collection	\$ 2.98	\$ 3.88(1)
Yard Waste Collection	\$ 3.17	\$ 3.19
Parish Admin Fee	\$.54	\$.54
Total Cost per household	\$22.66	\$21.41

The proposed renewal was negotiated with a 5.52% reduction from current pricing. We were also able to negotiate a reduction from 4% to a 2% annual adjustment for the remaining 4 years of the proposed 5 year renewal.

(1) China is no longer accepting plastics and paper products driving up recycle cost.

COUNCIL MEMBERS

KIRK ALLAIN
District I
CHRIS KERSHAW
District II
NAOMI FAIR
District III
RICKY LOUPE
District IV
CHARLENE GORDON
District V
PHIL PORTO, JR.
District VI
GARY SPILLMAN
District VII
BARRY HUGHGINS
District VIII
EDWARD ROBERTSON
District IX

WEST BATON ROUGE PARISH COUNCIL

Parish Governmental Authority

www.wbrcouncil.org



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Parish President

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Administration: 225-383-4755

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MICHELLE TULLIER

Council Clerk

Council: 225-214-4242

Fax: 225-214-4243

8/22/2019

2020 BUDGET SCHEDULE

AUGUST 22, 2019	THURSDAY	COUNCIL APPROVES SCHEDULE
AUGUST 30, 2019	FRIDAY	BUDGET PROCESS BEGINS
OCTOBER 4, 2019	FRIDAY	ALL BUDGETS DUE IN COUNCIL OFFICE
OCTOBER 3 & 10, 2019	THURSDAY	PUBLICATION OF ALL SPECIAL MEETINGS
OCTOBER 24, 2019	THURSDAY	COUNCIL PRESENTED COPIES OF THE BUDGET
OCTOBER 29, 2019	TUESDAY	5:30 PM SPECIAL MEETING BUDGET REVIEW
OCTOBER 30, 2019	WEDNESDAY	5:30 PM SPECIAL MEETING BUDGET REVIEW CALL FOR PUBLIC HEARING
NOVEMBER 1, 2019	FRIDAY	DEPARTMENTS MAKE CHANGES AND/OR ADJUSTMENTS TO PROPOSED BUDGETS PRIOR TO PUBLIC HEARINGS & ADOPTION.
NOVEMBER 14, 2019	THURSDAY	5:30 INTRODUCTION OF ORDINANCE
DECEMBER 12, 2019	THURSDAY	PUBLIC HEARING TO ADOPT 2020 BUDGET

NOTE: ALL MEETINGS WILL BE HELD AT 5:30 PM