

**MINUTES**  
**WEST BATON ROUGE PARISH COUNCIL**  
**REGULAR MEETING**  
**GOVERNMENT BUILDING**

880 North Alexander Avenue, Port Allen

Thursday, August 10, 2023

5:30 PM

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

**1. CALL MEETING TO ORDER & REQUEST ALL ELECTRONIC DEVICES BE SILENCED**

A Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, August 10, 2023 and called to order at 05:30 PM. Council Chairman Carey Denstel asked that all electronic devices be placed on silent.

**2. OPENING PRAYER**

Councilman Atley Walker Jr. led everyone in an opening prayer.

**3. PLEDGE OF ALLEGIANCE**

Chairman Denstel recognized Mr. Todd Plauche who led everyone in the Pledge of Allegiance.

**4. LOG ATTENDANCE**

The following members were recorded as being present: Messrs. Carey Denstel, Brady Hotard, Kirk Allain, Chris Kershaw, Atley Walker, Kenneth Gordon, Gary Joseph, Craig Bergeron, and Alan Crowe.

Also present were, Mr. Phillip Bourgoyne, Director of Finance, Mr. Jason Manola, Executive Assistant, Mr. Kevin Durbin, Director of Public Works, Ms. Kristen Canezaro, Special Legal Counsel, and Mrs. Michelle Tullier, Council Clerk.

**5. MINUTES APPROVAL**

**A. Approval of Minutes from the Regular Meeting of July 27, 2023.**

A motion was made by Councilman Brady Hotard, seconded by Councilman Atley Walker to approve the Minutes from the Regular Meeting of July 27, 2023.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

**6. CONSIDER ANY AMENDMENTS TO THE AGENDA**

There were no items to consider at this time.

**7. PARISH PRESIDENT'S REPORT**

Mr. Manola noted this item would be taken up under item #9.

**8. PUBLIC COMMENTS**

Mr. Hunter Lundy, candidate for Louisianan Governor, was recognized and gave a brief overview of himself, his campaign and his view for Louisiana if he were to be elected. In closing, Mr. Lundy asked for the support of the Council in the upcoming election.

**9. COMMUNICATIONS WITH COUNCIL MEMBERS AND/OR ELECTED OR APPOINTED OFFICIALS**

Mr. Jason Manola was recognized and notified the Council about the statewide burn ban recently issued.

Mr. Anatole Vincent was recognized and gave a brief Power Point presentation on the

recent and ongoing programs that Parks and Recreation have been hosting. Mr. Kevin Durbin was recognized and gave a brief update on the Bayou Stumpy project, the La1/415 connector, upcoming sidewalk projects and the Intracoastal project.

Councilman Kershaw congratulated everyone on the Council who, as of 4:30 today, went unopposed in the upcoming election.

Chairman Denstel spoke briefly about how good the Erwinville turf field project looks.

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

### **A. An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-136 (“General”), and Section 111-139 (“Final Site Plan”), Section 111-143 (“Appeals”); to Clarify the Final Site Plan Approval and Appeal Process.**

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

Mrs. Tullier gave a brief explanation of why the aforementioned ordinance was being proposed. There were no questions from the Council.

Chairman Denstel explained this ordinance was to become effective upon the signature of the Parish President.

A motion was made by Councilman Alan Crowe, seconded by Councilman Kirk Allain to approve with amendment/s to become effective upon signature of the Parish President, An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-136 (“General”), and Section 111-139 (“Final Site Plan”), Section 111-143 (“Appeals”); to Clarify the Final Site Plan Approval and Appeal Process.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Ordinance 30 of 2023 can be found at the end of these minutes.

### **B. An Ordinance Adopting the 2023 Council Amendments to the Revenue and Expenses, for the Recreation and Recreation Capital Outlay Funds, for the Fiscal Year beginning January 1, 2023 and ending December 31, 2023.**

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Anatole Vincent, Parks and Recreation Director, was recognized and explained the need for the requested budget amendments, and offered to answer any questions.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Kenneth Gordon to approve An Ordinance Adopting the 2023 Council Amendments to the Revenue and Expenses, for the Recreation and Recreation Capital Outlay Funds, for the Fiscal Year beginning January 1, 2023 and ending December 31, 2023.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)  
As a result of the votes, the motion **Passed**.  
Ordinance 31 of 2023 can be found at these minutes.

11. **INTRODUCTION OF ORDINANCES**

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

- A. An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Section 101-1 (“Definitions”); And Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”). Public Hearing Date: September 14, 2023

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

There were no items to consider at this time.

13. **RESOLUTIONS – Public Hearings**

Mr. Chance Stephens was again recognized and explained briefly the three upcoming resolutions and offered to answer any questions.

- A. **Resolution Adopting The Adjusted Millage Rate After Reassessment For Drainage For All Property Subjected To Taxation In West Baton Rouge Parish For 2023 Tax Year.**

Mrs. Tullier read aloud the aforementioned ordinance.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Councilman Kirk Allain, seconded by Councilman Brady Hotard to approve the Resolution Adopting The Adjusted Millage Rate After Reassessment For Drainage For All Property Subjected To Taxation In West Baton Rouge Parish For 2023 Tax Year.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 14 of 2023 can be found at the end of these minutes.

- B. **Resolution Adopting The ‘Adjusted’ Millage Rate After Reassessment And Roll Forward To A Rate Not Exceeding The ‘Maximum’ Authorized Rate For Drainage For All Property Subjected To Taxation In West Baton Rouge Parish For 2023 Tax Year.**

Mrs. Tullier read aloud the aforementioned resolution.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Craig Bergeron to approve a Resolution Adopting The ‘Adjusted’ Millage Rate After Reassessment And Roll Forward To A Rate Not Exceeding The ‘Maximum’ Authorized Rate For Drainage For All Property Subjected To Taxation In West

Baton Rouge Parish For 2023 Tax Year.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 15 of 2023 can be found at the end of these minutes.

**C. Resolution of the WBR Parish Council to Levy the 2023 Tax Year Millages**

Mrs. Tullier read aloud the aforementioned resolution.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed.

A motion was made by Councilman Atley Walker, seconded by Councilman Gary Joseph to approve the Resolution of the WBR Parish Council to Levy the 2023 Tax Year Millages.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

Resolution 16 of 2023 can be found at the end of these minutes.

Chairman Denstel made comments in regards to being proud of the Council and Administration for rolling back millages over the last 4 years for the public while still taking care of the day to day business for the public.

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

**A. File # 2023-11: Preliminary Plat Of Calumet Acres Lots 1 Thru 160, Tracts CA-1 Thru CA-6 And Tract TP Being A Re-Subdivision Of A Portion Of Tract D Being A Portion Of The Calumet Plantation Located In Section 8, T7S-R12E, Southeastern Land District West Of The Mississippi River, West Baton Rouge Parish, Louisiana For Calumet Acres, LLC. *With Waivers*.**

Chairman Denstel noted this item will take a super majority due to the needed waivers listed.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and briefly explained the waivers being requested and noted that the Planning & Zoning Commission recommended denial of this plat due to the waivers being requested.

Mr. Lance Gueho and Mr. Gerald Millard were recognized and spoke about certain concerns with the preliminary plat. Mr. Thomassie with Duplantis Design Group, was recognized and addressed the drainage study provided, the traffic study provided, explained the reasons for the waivers requested, and gave his opinion that all of the added through streets would make the subdivision more of a "cookie cutter" subdivision.

No public comments for or against said ordinance were presented. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing closed. Various Council members were recognized and asked questions in regards to the preliminary plat that was submitted. Councilman Allain expressed his concerns with future developments and the water and drainage problems that Addis is seeing right now due to development. Councilman Hotard made comments to the importance of stub out streets every 800 feet due to the next

phase that we all know is coming. Chairman Denstel noted his views on following the code unless there is a hardship for waivers, and in his opinion, this does not constitute that.

A Motion Was Made By Councilman Alan Crowe, Seconded By Councilman Kirk Allain To Deny **File # 2023-11:** Preliminary Plat Of Calumet Acres Lots 1 Thru 160, Tracts CA-1 Thru CA-6 And Tract TP Being A Re-Subdivision Of A Portion Of Tract D Being A Portion Of The Calumet Plantation Located In Section 8, T7S-R12E, Southeastern Land District West Of The Mississippi River, West Baton Rouge Parish, Louisiana For Calumet Acres, LLC. With Waivers, Due To The Fact That The Waivers Have No Hardship Reasons For Them.

The vote was recorded as follows:

YEAS: 8 (Messrs. Brady Hotard, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 1 (Mr. Gordon) (no reason stated)

As a result of the votes, the motion **Passed**, and the preliminary plat was denied.

**B. Ratify Condemnation of Derelict Structure Located at 11624 E. Subdivision Rd. Port Allen, La 70767**

Mr. Kevin Durbin, was recognized and explained the status of the aforementioned location, and showed pictures of the same. Mr. Durbin noted that upon inspection, the following structure has been deemed derelict according to Parish Code 109-42 and hereby request that this/these structure(s) be demolished.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Craig Bergeron to Ratify the Condemnation of Derelict Structure Located at 11624 E. Subdivision Rd. Port Allen, La 70767.

The vote was recorded as follows:

YEAS: 9 (Messrs. Brady Hotard, Kenneth Gordon, Alan Crowe, Craig Bergeron, Chris Kershaw, Gary Joseph, Kirk Allain, Carey Denstel, Atley Walker)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**.

**15. CORRESPONDENCE REPORT**

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

- 2023 Household Hazardous Materials Collection Day, Saturday, October 28, 2023 at Alexander Park from 8am to 12pm.
- Next Planning & Zoning Meeting of August 15, 2023 has been canceled due to a clear agenda;
- Next Council Meeting is August 24, 2023 at 5:30pm.

**16. ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Chris Kershaw and was adopted by acclamation at 06:38 PM.

  
\_\_\_\_\_  
Carey Denstel, Chairman

  
\_\_\_\_\_  
Michelle Z. Tullier, Council Clerk



**ORDINANCE 30 OF 2023**

As Introduced by the West Baton Rouge Parish Council  
At the Regular Meeting of July 27, 2023  
And Adopted on August 10, 2023

An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-136 (“General”), and Section 111-139 (“Final Site Plan”), Section 111-143 (“Appeals”); to Clarify the Final Site Plan Approval and Appeal Process

**WHEREAS**, one of the primary functions of local governments is to protect the health, safety and welfare of its people; **AND**

**WHEREAS**, in exercising its role to carry-out the above, the West Baton Rouge Parish Council utilizes its police powers under the Constitution and laws of the State of Louisiana; **AND**

**WHEREAS**, such exercise of police power involves from time-to-time creating or amending local development (and other) laws in order to protect the public; **AND**

**WHEREAS**, the West Baton Rouge Council finds that there is a need to clarify the site plan and final site plan approval procedures to concur with the site plan appeals process.

**NOW, THEREFORE, BE IT ORDAINED** that the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 111 (“Administration and Enforcement”), Section 111-136 (“General”), and Section 111-139 (“Final Site Plan”), Section 111-143 (“Appeals”) be amended and readopted to read as follows:

(NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - \* \* \* indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

**PART III – UNIFIED DEVELOPMENT CODE**

**CHAPTER 111**

**ADMINISTRATION AND ENFORCEMENT**

**Sec. 111-136. General.**

\* \* \*

(d) Submission of applications. Applications for approval of plans required by this article must be submitted to the office of community planning and development. A calendar of official submittal dates for items requiring appeals or variances shall be published by the parish 30 days prior to the beginning of each year. All applications received on a date other than an official submittal date shall be dated received on the next official submittal date. Complete applications for appeals or variances shall be placed on the meeting agenda of the ~~board of adjustments~~ parish council no later than ~~28~~ 60 days (due to advertising) following the official date of submittal. Items requiring staff approval only may be submitted at any time during normal office hours. Complete applications shall be acted upon by the staff of the office of community planning and development within 21 days. The zoning administrator or his/her designee, shall forthwith transmit to the Council all papers constituting the record upon which the action appealed from was taken.

\* \* \*

**Sec. 111-139. Final site plan.**

\* \* \*

(4) *Standards of approval.* Where application for final site plan approval is made for development, the staff of the office of community planning and development may approve, conditionally approve, or deny the application based upon the criteria listed below. The applicant may appeal the decision of the staff to the ~~board of adjustments~~ parish council by filing a notice of appeal within ten days following the date the staff notifies the applicant of their decision

(5) Hearings; appeals; notice.

- (a) Complete applications for appeals or variances shall be placed on the meeting agenda of the parish council no later than 60 days (due to advertising) following the official date of submittal. Complete applications shall be acted upon by the staff of the office of community planning and development within 21 days. The zoning administrator shall forthwith transmit to the Council all papers constituting the record upon which the action appealed from was taken.
- (b) The Parish Council shall fix a reasonable hour for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney. The fee to cover the cost of advertising for such hearings shall be borne by the applicant and shall be \$350.00 plus current cost per letter required to be sent.
- (c) Once a notice of appeal is filed with the zoning administrator, notice of the proposed change and the time and place of the hearing before the Parish Council shall be advertised three consecutive times in the official parish journal. The property for which the appeal is sought shall be posted with a printed notice in bold type posted for not less than ten consecutive days prior to the public hearing conducted by the Parish Council on a sign not less than one square foot in area, prepared, furnished and placed by the zoning administrator or designee upon the principal and accessible rights-of-way adjoining the property proposed for an appeal or variance. Additionally, the clerk of the Parish Council shall send out letters to all abutting property owners of the property requesting the appeal or variance announcing the upcoming hearing by the Parish Council. Said letters shall be mailed no later than ten days prior to the hearing by the Parish Council. The costs of these letters shall be calculated by the clerk of the Parish Council and shall be added to the cost of the appeal application and shall be paid by the applicant prior to the sending of the letters. When sending the letters, the clerk of the Parish Council shall use the best available address as provided by the West Baton Rouge Parish Property Tax Assessor's office. In the event that one and the same owner happens to own more than one of the abutting properties, only one letter shall be sent to that one and the same owner.

(5) (6)Effect. Approval of a final site plan is the parish's authorization to apply for approval of building permits and to receive approval of engineering plans. So long as the site plan remains valid, the parish shall not apply any additional requirements concerning building placement, streets, drives, parking, landscaping, or screening. Final site plan approval is separate and distinct from other permits and approvals as may be required by the parish and other regulatory agencies. Approvals of a final site plan shall not affect other applicable regulations concerning development and land use.

(6) (7) Lapse. The approval of a final site plan shall be effective for a period of two years from the date of approval by the ~~board of adjustments~~ parish council (in the case of variances) or staff of the office of community planning and development, at the end of which time the applicant must have submitted and received approval of engineering plans and building permits. If the engineering plans and building permits are not approved, the final site plan approval is null and void. If engineering plans and permits have been approved only for a portion of the property and for improvements, the final site plan for the remaining property and/or improvements shall be null and void. The applicant shall be required to submit a new final site plan for review and approval subject to the then existing regulations. Final site plan approval shall expire upon completion of the improvements shown on the plan. Subsequent additional development, site modifications, and redevelopment shall be permitted in accordance with the sections of the Code governing the same.

\*

\*

\*

**Sec. 111-143. - Appeal.**

The decision of the staff of the office of community planning and development to approve or deny a final site plan shall be final and binding unless an appeal of the decision is made to the parish council. The applicant, director of public works, or two members of the parish council may appeal the administrative decision with regard to a plan by filing a notice of appeal in the office of the parish council clerk no later than ten days after the date on which the staff notifies the applicant of its decision. Such notification may take place by means of a written communication by the staff to the applicant. Written notice of any appeal shall be sent to the property owner. The notice of

appeal shall set forth in clear and concise fashion the basis for the appeal. The parish council shall consider the appeal at a public meeting no later than ~~45~~ 60 days after the date on which the notice of appeal is filed, ~~(consistent with 111-136 (5)). This allows for the item to be placed on the agenda within 28 days of a complete appeal notice (consistent with section 111-136(e)) while still giving the parish council more time to deliberate and rule on such applications.~~ The parish council may affirm, modify, or reverse the decision of the staff and may, where appropriate, remand the plan to the staff for further proceedings consistent with the parish council's decision.

\*

\*

\*

**THEREFORE, BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that this ordinance shall become effective upon signature of the Parish President.

**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 ALAN CROWE, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:**

**YEAS:           9       (MESSRS. CROWE, ALLAIN, KERSHAW, WALKER, DENSTEL, HOTARD, GORDON, BERGERON, JOSEPH)**

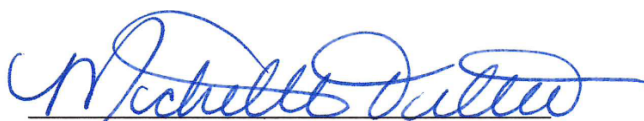
**NAYS:           0       (NONE)**

**ABSENT:       0       (NONE)**

**ABSTAIN:      0       (NONE)**

**WHEREUPON** the ordinance was declared adopted on the **10<sup>th</sup> Day of August, 2023.**

**ATTEST:**

  
Michelle Tullier, Council Clerk

**ORDINANCE 31 OF 2023**

As Introduced by the West Baton Rouge Parish Council  
At the Regular Meeting of July 27, 2023  
And Adopted on August 10, 2023

**An Ordinance Adopting the 2023 Council Amendments to the Revenue and Expenses, for the Recreation and Recreation Capital Outlay Funds, for the Fiscal Year beginning January 1, 2023 and ending December 31, 2023.**

**BE IT ORDAINED** by the Council of the Parish of West Baton Rouge, Louisiana in regular session convened that:

**SECTION 1:** The attached detailed 2023 Council budget amendments to estimate of revenues and expenditures for the fiscal year beginning January 1, 2023 and ending December 31, 2023.



**SECTION 2:** The attached detailed 2023 Council budget amendments to estimate of revenue and expenditures for the fiscal year beginning January 1, 2023 and ending December 31, 2023 be and the same is hereby adopted as budget of expenditures for the Parish during the said period.

**SECTION 3:** The adoption of these 2023 Council budget amendments to the Recreation and Recreation Capital Outlay Funds, revenue and expenditures budget and the same is hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classification.

**SECTION 4:** Amounts are available for expenditures only to the extent included with the 2023 amended budget as attached hereto.

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

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

**NOW THEREFORE BE IT FURTHER ORDAINED** by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or 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 CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER KENNETH GORDON, AND A VOTE BEING TAKEN, THE FOLLOWING RESULT WAS HAD:**

The foregoing ordinance having been submitted to a vote was adopted by the following vote:

**YEAS:        9        (MESSRS. KERSHAW, GORDON, ALLAIN, WALKER, DENSTEL, CROWE, HOTARD, BERGERON, JOSEPH)**

**NAYS:        0        (NONE)**

**ABSENT:     0        (NONE)**

**ABSTAIN:    0        (NONE)**

**WHEREUPON,** the ordinance was declared to be adopted on the **10<sup>th</sup> Day of August, 2023.**

**ATTEST:**

  
Michelle Tullier, Council Clerk

**RESOLUTION 14 OF 2023**

Resolution Adopting The Adjusted Millage Rate After Reassessment For Drainage For All Property Subjected To Taxation In West Baton Rouge Parish For 2023 Tax Year.

**BE IT ORDAINED**, by the West Baton Rouge Parish Council of the Parish of West Baton Rouge, Louisiana, in a public meeting held on August 10, 2023, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following **adjusted millage** rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2023, for the purpose of raising revenue:

MILLAGE

Drainage (1078008):

7.080 mills

**BE IT FURTHER ORDAINED** that the Assessor of the Parish of West Baton Rouge, shall extend upon the assessment roll for the year 2023 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

**The Foregoing Resolution Was Read In Full, And, After Public Discussion, A Motion To Approve Was Made By Council Member Kirk Allain, Which Was Seconded By Council Member Brady Hotard.**

**The Roll Was Called On The Adoption Thereof, And The Resolution Was Adopted By The Following Votes:**

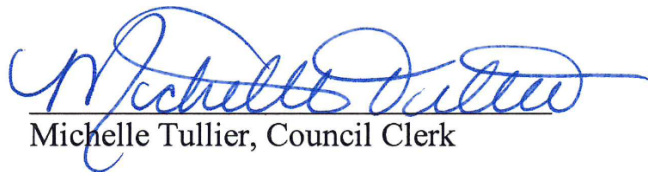
**YEAS: 9 (Messrs. Allain, Hotard, Kershaw, Walker, Denstel, Crowe, Gordon, Bergeron, Joseph)**

**NAYS: 0 (None)**

**ABSENT: 0 (None)**

**ABSTAIN: 0 (None)**

**ATTEST:**

  
Michelle Tullier, Council Clerk

## **RESOLUTION 15 OF 2023**

**Resolution Adopting The ‘Adjusted’ Millage Rate After Reassessment And Roll Forward To A Rate Not Exceeding The ‘Maximum’ Authorized Rate For Drainage For All Property Subjected To Taxation In West Baton Rouge Parish For 2023 Tax Year.**

**BE IT ORDAINED**, by the West Baton Rouge Parish Council of the Parish of West Baton Rouge, Louisiana, in a public meeting held on August 10, 2023 which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rate(s), but not in excess of the prior year’s maximum rate(s), on all taxable property shown on the official assessment roll for the year 2023, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rate(s) are.

|                     | <u>ADJUSTED RATE</u> | <u>2023 LEVY</u> |
|---------------------|----------------------|------------------|
| Drainage (1078008): | 7.080 mills          | 7.20 mills       |

**BE IT FURTHER ORDAINED** that the Assessor of the Parish of West Baton Rouge, shall extend upon the assessment roll for the year 2023 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

**The Foregoing Resolution Was Read In Full, And, After Public Discussion, A Motion To Approve Was Made By Council Member Chris Kershaw, Which Was Seconded By Council Member Craig Bergeron.**

**The Roll Was Called On The Adoption Thereof, And The Resolution Was Adopted By No Less Than Two-Thirds Of The Total Membership Of The Taxing Authority Voting In Favor As Required By Article VII, Section 23 (C) Of The Louisiana Constitution And R.S. 47:1705(B) The Votes Were:**

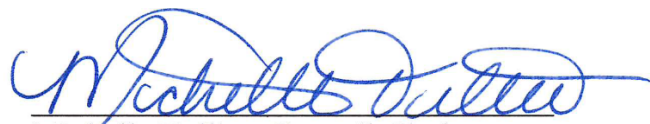
YEAS: 9 (Messrs. Kershaw, Bergeron, Allain, Walker, Denstel, Crowe, Hotard, Gordon, Joseph)

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

ATTEST:



Michelle Tullier, Council Clerk

**RESOLUTION 16 OF 2023**

Resolution of the WBR Parish Council to Levy the 2023 Tax Year Millages

**BE IT RESOLVED**, that the following millages are hereby levied on the 2023 tax roll on all property subject to taxation by West Baton Rouge Parish Council:

|                                       | <u>MILLAGE</u> |
|---------------------------------------|----------------|
| General Alimony (1078004):            | 3.520 mills    |
| Health Unit (1078006):                | .750 mills     |
| Library (1078007):                    | 4.100 mills    |
| Museum (1078009):                     | 2.000 mills    |
| Council on Aging (1078022):           | 2.500 mills    |
| Recreational Facilities (1078023):    | 5.000 mills    |
| 911 Communication District (1078025): | 2.000 mills    |
| Community Center (108005):            | 2.000 mills    |

**BE IT FURTHER RESOLVED** that the proper administrative officials of the Parish of West Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2023, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

**The Foregoing Resolution Was Read In Full, And, After Public Discussion, A Motion To Approve Was Made By Council Member Atley Walker, Which Was Seconded By Council Member Gary Joseph.**

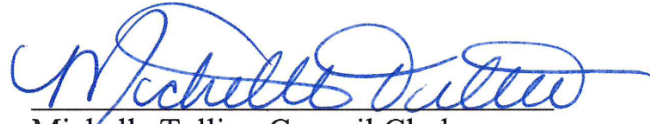
YEAS: 9 (Messrs. Walker, Joseph, Allain, Kershaw, Denstel, Crowe, Hotard, Gordon, Bergeron)

NAYS: 0 (None)

ABSTAIN: 0 (None)

ABSENT: 0 (None)

ATTEST:



Michelle Tullier, Council Clerk