

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen
Thursday, August 24, 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 24, 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 Mrs. Tammy Fabre, who led everyone in the Pledge of Allegiance.

4. LOG ATTENDANCE

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

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, Mr. Chance Stephens, Assistant Director of Finance, Ms. Kristen Canezaro, Special Legal Counsel, and Mrs. Michelle Tullier, Council Clerk.

5. MINUTES APPROVAL

A. Approval of Minutes from the Regular Meeting of August 10, 2023.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Kirk Allain to approve Minutes from the Regular Meeting of August 10, 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

Parish President Riley Berthelot was recognized and covered the following items: Update on Bayou Stumpy Project; Upcoming OLOL facility visit.

Mr. George Bragg, Animal Control Superintendent, was recognized and briefly explained a recent situation that some of our Animal Control employees were involved in recently in which they ultimately saved the life of a young child. Ms. Suzanne Jerezano, and Mr. Scott Ziesing, were recognized for their exemplary service over and above their call of duty in this particular situation. Mr. Bragg also mentioned Animal Control Officer Brandon Gardner and Animal Control Field Supervisor Jackie Fellows, who were also involved with the emergency situation. The crowd followed with a standing ovation.

Mr. Kevin Durbin was recognized and covered the upcoming Master Plan meeting, the monies being dedicated to the La1/415 connector project, Bayou Stumpy project update, and gave the most recent water shed report.

8. PUBLIC COMMENTS

Mrs. Tammy Fabre, candidate for State Representative of the 18th District, was

recognized and gave a brief introduction of her qualifications and humbly asked for the Council's support in the upcoming election.
Dr. Kimberly Paul was recognized and asked that someone look into the housing situation for The Williams family at 1575 Rev. Manuel.
Mr. Grover Harrison, candidate for WBR Parish President, introduced himself and gave a brief introduction of his qualifications and humbly asked for the Council/s support in the upcoming election.
There were no further comments from the public.

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

A. **Consider Adoption of the WBR Parish Council 2024 Budget Schedule As Presented.**

Mr. Chance Stephens was recognized and presented the Council with the 2024 proposed budget schedule, and offered to answer any questions.

A motion was made by Councilman Kirk Allain, seconded by Councilman Kenneth Gordon to approve Adoption of the WBR Parish Council 2024 Budget Schedule As Presented.

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**.

B. **Consider the following items as Surplus for Auction:**

Roads Department
Tag#2432 2012 John Deere 7230 Cab Tractor SN#HCCH726912
Tag#2433 (Attached to #2432) Tiger Rear & Boom Mowers SN#TB60-1583

Mr. Stephens was again recognized and asked that the following items be declared surplus.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Gary Joseph to Approve the following items as Surplus for Auction:
Tag#2432 2012 John Deere 7230 Cab Tractor SN#HCCH726912
Tag#2433 (Attached to #2432) Tiger Rear & Boom Mowers SN#TB60-1583.

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**.

Councilman Alan Crowe opened a discussion on the increasing litter problems in the area, and what could be done to try and bring more attention to the problem.

10. **2022 FINAL AUDIT REPORTS**

A. **Accept Final Report of 2022 Audits for the WBR Parish Council and WBR Fire District No. 1**

Mr. Chance Stephens was again recognized and explained that both the Council and Fire Department audits were clean audits with unmodified clean opinions and no material findings.

A motion was made by Councilman Kirk Allain, seconded by Councilman Brady Hotard to Accept the Final Reports of 2022 Audits for the WBR Parish Council and WBR Fire District No. 1.

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**.

B. Accept Final Report of 2022 Audits for the WBR Utilities Department.

Mr. Ken Alford, with Provost, Salter, Harper and Alford, was recognized and reviewed a few procedural findings on page 48 & 49 that were addressed, and explained that these items are being worked on.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Kenneth Gordon to Accept the Final Report of 2022 Audits for the WBR Utilities Department.

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**.

11. PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

There were no items to consider at this time.

12. INTRODUCTION OF ORDINANCES

There were no items to consider at this time.

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

Mr. Jason Manola was recognized and addressed the recent water pressure press release and explained the issue should be resolved, but we are still asking for consideration from the public when using water. Mr. Manola also mentioned the recent emergency situation with our Animal Control Crew and expressed they need to be commended for what they did. Star Communications will be installing fiber in certain areas of the Parish specifically around Section Rd.

14. RESOLUTIONS

A. Resolution Of Annual Certification Of Compliance With The State Of Louisiana Off-System Bridge Replacement Program

A motion was made by Councilman Kirk Allain, seconded by Councilman Alan Crowe to approve the Resolution Of Annual Certification Of Compliance With The State Of Louisiana Off-System Bridge Replacement Program.

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 17 of 2023 can be found at the end of these minutes.

B. A Resolution Of The West Baton Rouge Parish Council Establishing A Meeting Agenda Procedure Policy For Zoning Requests And Plat Approvals

There was a discussion amongst Councilmembers, Administration, Special Legal Counsel, and the Council Clerk in regards to how exactly this policy would work and the reasons for the resolution. There were questions in regards to the schedule of advertising, policies, procedures, and some of the language in the resolution.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Craig Bergeron to approve A Resolution Of The West Baton Rouge Parish Council Establishing A Meeting Agenda Procedure Policy For Zoning Requests And Plat Approvals.

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 18 of 2023 can be found at the end of these minutes.

15. CONSIDER SUBDIVISION PLATS, CONDEMNATIONS, WAIVERS AND MATTERS RELATED THERETO

A. PUBLIC HEARING - FILE # 2023-827: Request- Waiver To Allow Reduction Of The Front And Rear Building Setbacks/ Building Lines On Site Plan For Building Addition. For Bayou Pro Shop/Troy Leblanc Located At 3001 Lafiton Lane, Port Allen, La 70767.

The Chairman opened the floor to the public for any comments on the aforementioned item, Mr. Troy LeBlanc was recognized and explained the reason for his request and answered various questions in regards to the current building, permits, the new building, stop work order and the drainage servitude he is building in. Various Council members spoke on this item in regards to the waivers being asked for and their concerns. Councilman Crowe explained his concerns not with the building setbacks, but the drainage servitude and how we would not be able to access behind this building with such a large ditch running behind it, he went on to explain he could not support this because per our law there should be a hardship of the property and Mr. LeBlanc adding onto his building is not a hardship. Councilman Hotard explained that he recently spoke with Mr. Dane Aucoin and he clarified that he could not cut the ditch from the side where the building is being built, due to it being so close to the ditch. There were opinions for and against the aforementioned waivers.

A motion was made by Councilman Chris Kershaw, seconded by Councilman Craig Bergeron to approve with waiver/s FILE # 2023-827: To Allow Reduction Of The Front And Rear Building Setbacks/ Building Lines On Site Plan For Building Addition. For Bayou Pro Shop/Troy Leblanc Located At 3001 Lafiton Lane, Port Allen, La 70767. The Waivers Being For The Front Setback To be 9.4 Feet And 22.4 Feet, And The Rear Setback Being 8.5 And 9.4 Feet As Per The Site Plan Drawing Submitted.

The vote was recorded as follows:

YEAS: 6 (Messrs. Kenneth Gordon, Craig Bergeron, Chris Kershaw, Gary Joseph, Carey Denstel, Atley Walker)

NAYS: 3 (Messrs. Brady Hotard, Alan Crowe, Kirk Allain)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

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

16. ALCOHOL PERMITS

A. Sasa Enterprise LLC., dba Brusly Express Mart Located At 3847 La Hwy 1 South, Port Allen, La 70767 – Requesting Class B License, Change Of Ownership

Mrs. Tullier explained that Sasa Enterprises LLC., has met all of the requirements of Chapter 6 Alcoholic Beverages of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana.

A motion was made by Councilman Kirk Allain, seconded by Councilman Gary Joseph to approve Sasa Enterprise LLC., dba Brusly Express Mart Located At 3847 La Hwy 1 South, Port Allen, La 70767 – Requesting Class B License, Change Of Ownership.

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**.

B. Lucky Brusly Bar LLC. Db a Lucky Brusly Bar Located at 3847 La Hwy 1 South, Suite B, Port Allen, La 70767 – Requesting Class A License, Change of Ownership

Mrs. Tullier explained that Lucky Brusly Bar LLC., has met all of the requirements of Chapter 6 Alcoholic Beverages of the Compiled Ordinances of the Parish of West

Baton Rouge, Louisiana

A motion was made by Councilman Chris Kershaw, seconded by Councilman Craig Bergeron to approve Lucky Brusly Bar LLC. Dba Lucky Brusly Bar Located at 3847 La Hwy 1 South, Suite B, Port Allen, La 70767 for a Class A Alcohol License. Change Of Ownership.

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**.

17. **CORRESPONDENCE REPORT**

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

- Household Hazardous Materials Collection Day, Saturday, October 28, 2023
- Next Planning & Zoning Meeting Tuesday, September 5, 2023 at 5:30pm
- Next Parish Council Meeting Thursday, September 14, 2023 at 5:30pm

18. **ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Kirk Allain and was adopted by acclamation at 7:08 PM.



Carey Denstel, Chairman

Michelle Z. Tullier, Council Clerk

RESOLUTION 17 OF 2023

**RESOLUTION OF ANNUAL CERTIFICATION OF COMPLIANCE
WITH THE STATE OF LOUISIANA
OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM**

WHEREAS, the code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads will be inspected, rated for safety load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges is maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of West Baton Rouge Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation & Development to West Baton Rouge Parish.

THEREFORE, BE IT RESOLVED by the governing authority of West Baton Rouge Parish (herein referred to as the Parish) that the Parish in Regular Meeting assembled does hereby certify to the Louisiana Department of Transportation & Development (herein referred to as the DOTD) that for the period September 30, 2023 through October 1, 2024:

1. The Parish shall perform all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards;
2. All bridges owned or maintained by the Parish will be structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the Louisiana DOTD for bridges where the maximum legal load under Louisiana State Law determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings;

3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1. 1.8. All DOTD supplied load posting information concerning a bridge will be critically reviewed by the Parish Engineer prior to load posting;

4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA. DOTD are noted.

These stipulations are prerequisite to participation by the Parish in the Off-System Bridge Replacement Program.

The Above Resolution Has Been Considered, Upon Motion By Council Member Kirk Allain, Which Was Seconded By Council Member Alan Crowe, And A Vote Being Taken, The Following Result Was Had:

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

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

NAYS: 0 (None)

ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes the resolution was adopted on this **24th day of August, 2023.**

CERTIFICATE

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by said body at its Regular Meeting of August 24, 2023 at which meeting a majority of the members were present and voting.



Michelle Tullier, Council Clerk

RESOLUTION 18 OF 2023

A Resolution Of The West Baton Rouge Parish Council Establishing A Meeting Agenda Procedure Policy For Zoning Requests And Plat Approvals

WHEREAS, the West Baton Rouge Parish Council finds that it is in the best interest of the Parish, its employees, citizens and taxpayers to establish Meeting Agenda Policy and Procedures from time to time as allowed by law; and

WHEREAS, The West Baton Rouge Parish Council feels that transparency and communication with the public is very important, and

WHEREAS, the Council also feels that all items shall be heard in a timely process; and

WHEREAS, the Council wishes to set an agenda policy that any item which is set for a rezoning public hearing on a certain meeting agenda will not be scheduled for a plat public hearing for any of the property which is being considered for rezoning on the same meeting agenda; and

WHEREAS, the specified preliminary or final plat for the property which is set for a rezoning public hearing will be scheduled for the next Regular Meeting of the Parish Council; and

WHEREAS, no plat with significant changes as specified by law will be considered after a recommendation has been voted on by the Planning Commission; and

WHEREAS, the Council Chair shall have sole discretion in all matters regarding the enforcement of this agenda policy.

BE IT RESOLVED, the West Baton Rouge Parish Council does hereby implement this Meeting Agenda Procedure policy pursuant to the West Baton Rouge Code of Ordinances, Part I -Home Rule Charter,

Article II- Parish Council, Section 2-07 Council Meetings and Rules, and shall become effective immediately upon adoption by the West Baton Rouge Parish Council.

NOW THEREFORE BE IT FURTHER RESOLVED, to the extent that prior resolutions or acts of this council which conflict with this resolution, those prior resolutions and actions are superseded by this resolution.

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 resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items, or applications of this resolution are hereby declared severable.

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

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

NAYS: 0 (None)

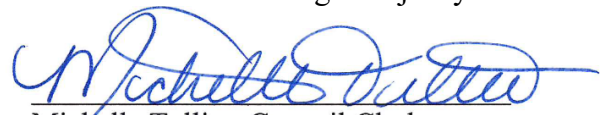
ABSENT: 0 (None)

ABSTAIN: 0 (None)

Passed by a majority vote of the West Baton Rouge Parish Council on the 24th Day of August, 2023.

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 August 24 2023 at which meeting a majority of the members were present and voting.


Michelle Tullier, Council Clerk