

MINUTES
WEST BATON ROUGE PARISH COUNCIL
REGULAR MEETING
GOVERNMENT BUILDING

880 North Alexander Avenue, Port Allen
Thursday, January 27, 2022
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, January 27, 2022 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 Vice Chairman Alan Crowe who led everyone in the Pledge of Allegiance.

4. **LOG ATTENDANCE**

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

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

5. **MINUTES APPROVAL**

A. **Approval of Minutes from January 13, 2022**

A motion was made by Caleb Kleinpeter, seconded by Kirk Allain to approve Minutes from the January 13, 2022 Regular Meeting.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)

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:

Working with DOTD on Emily Drive Cross Section on La. 1;

February 8th meeting of the Fire Interview Committee;

"Iron Mike" plaque is due any day now;

Update from the recent meeting with Republic Services;

Spoke about announcement by the Governor in regards to 500mil being budgeted for the New Bridge project.

President Berthelot was done speaking and recognized Mr. Shelby Hemenway, of Boardwalk Pipelines, who introduced himself and told the Council that the company was glad to donate \$4,500 to the local Food Bank, and offered any assistance from said company if the Parish needed it.

8. **PUBLIC COMMENTS**

There were no comments at this time.

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

- A. **Consider the Following Item for Surplus:**
Tag# 1857 2007 International Dump Truck VIN: 1HTWGAAR78J571972
Mr. Chance Stevens was recognized and asked that the aforementioned item be declared surplus.

A motion was made by Caleb Kleinpeter, seconded by Atley Walker to approve Tag# 1857 2007 International Dump Truck VIN: 1HTWGAAR78J571972 as surplus.

The vote was recorded as follows:
YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)
As a result of the votes, the motion **Passed**.

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

- A. **An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Chapter 2(Administration), Article I (In General), Section 2-5 (Council Meeting Rules) To Clarify Procedures for Removing Items from Advertised Agenda**
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 Kirk Allain, seconded by Gary Joseph to approve An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Chapter 2(Administration), Article I (In General), Section 2-5 (Council Meeting Rules) To Clarify Procedures for Removing Items from Advertised Agenda

The vote was recorded as follows:
YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)
As a result of the votes, the motion **Passed**.
Ordinance 6 of 2022 can be found at the end of these minutes.

- B. **An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”), to include Residential Duplexes in R-2F Zone.**
The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item.

Mr. Kevin Durbin was recognized and explained this was an ordinance to clean up the appendix, and informed the Council the Commission recommended approval of said 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 Caleb Kleinpeter, seconded by Kirk Allain to approve An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”),

Appendix A(“Zoning Districts”), to include Residential Duplexes in R-2F Zone.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon,Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)

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

Ordinance 7 of 2022 can be found at the end of these minutes.

C. **An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 109 (“Property Maintenance”), Article II (“Unlawful Vegetation”), Section 109-19 (“High Weeds And Grass In Certain Areas”), To Clarify And Expedite Vegetative Maintenance Nuisance Enforcement In The Unincorporated Areas Of West Baton Rouge Parish.**

The Chairman opened a public hearing for the purpose of receiving comment regardingthe 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.

Mr. Lou Delahaye, Parish Attorney, was recognized and advised the Council he wasnot completely sure if the last paragraph designated as (e) would be legal to include in the aforementioned ordinance, and also stated he was not sure about removing the 2nd paragraph designated as (2) from the code. Mr. Delahaye suggested possibly tabling this item in order for him to do more research into state law for clarification.

A motion was made by Atley Walker, seconded by Gary Joseph to table An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 109 (“Property Maintenance”), Article II (“Unlawful Vegetation”), Section 109-19 (“High Weeds And Grass In Certain Areas”), To Clarify And Expedite Vegetative Maintenance Nuisance Enforcement In The Unincorporated Areas Of West Baton Rouge Parish.

The vote was recorded as follows:

YEAS: 9 (Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon,Carey Denstel, Alan Crowe, Craig Bergeron, Gary Joseph)
NAYS: 0 (None)
ABSENT: 0 (None)
ABSTAIN: 0 (None)

As a result of the votes, the motion **Passed**, and the item is therefore tabled to the nextmeeting.

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 5:30pm 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 104 (“ZONING ORDINANCE”), APPENDIX A (“ZONING DISTRICTS”), TO INCLUDE HOME OCCUPATION USE IN CERTAIN ZONES. PUBLIC HEARING DATE: MARCH 10, 2022**

- B. **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) TO CLARIFY LOT WIDTH DEFINITION ESPECIALLY IN**

INSTANCES OF NON-PERPENDICULAR LOTS. PUBLIC HEARING DATE:
MARCH 10, 2022

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**

There were no items to consider at this time.

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

There were no items to consider at this time.

15. **CORRESPONDENCE REPORT**

- Next Planning & Zoning Commission Meeting is Tuesday, February 1, 2022 at 5:30pm.
- Next Council Meeting is Thursday, February 10, 2022 at 5:30pm

16. **ADJOURN**

There being no further business, a motion to adjourn was made by Councilman Kleinpeter and was adopted by acclamation at 06:26 PM.



Carey Denstel, Chairman



Michelle Z. Tullier, Council Clerk

ORDINANCE 6 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of December 9, 2021
And Adopted January 27, 2022

An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Chapter 2 (Administration), Article I (In General), Section 2-5 (Council Meeting Rules) To Clarify Procedures for Removing Items from Advertised Agenda

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 laws in order to protect the public; **AND**

WHEREAS, the West Baton Rouge Parish Council finds there is need to clarify meeting procedures from advertised Ordinances and/or Resolutions.

NOW, THEREFORE, BE IT ORDAINED that the West Baton Rouge Parish Code of Ordinances, Chapter 2 (Administration), Article I (In General), Section 2-5 (Council Meeting Rules) To Clarify Procedures for Removing Items from Advertised Agenda 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.):

CHAPTER 2 - ADMINISTRATION

* * *

ARTICLE I – IN GENERAL

* * *

Sec. 2-5 – Council Meeting Rules

* * *

(e) Procedures for Withdrawal and removal of items on an advertised Parish Council Agenda.

- 1. Proposed Ordinances or Resolutions- An advertised or introduced, but not yet adopted, resolution or ordinance may be ordered removed from the agenda of the Parish Council as follows:
 - a) Resolutions - If the advertised resolution has a sponsor(s), it may be withdrawn by the request of said sponsor(s), motion and second of any Councilmember, and shall be made by a majority vote of said Council.
 - b) Ordinances – If the advertised and/or introduced ordinance has not met the required public hearing advertisement laws, said ordinance may be withdrawn from the Council Agenda with a majority vote of said Council.
 - 1) In cases of a Public Hearing being Advertised - An introduced ordinance which has met all public hearing advertisement laws must be voted on with an approval, denial, or deferral vote to another advertised meeting of the Parish Council.

* * *

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

THEREFORE BE IT 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 KIRK ALLAIN, WHICH WAS SECONDED BY COUNCIL MEMBER GARY JOSEPH. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

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

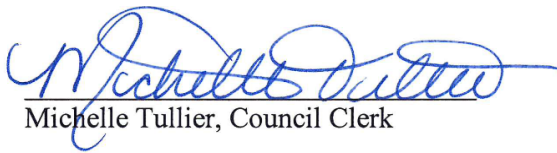
NAYS: 0 (NONE)

ABSENT: 0 (NONE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 27th Day of January, 2022.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 7 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of December 9, 2021
And Adopted January 27, 2022

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”), to include Residential Duplexes in R-2F Zone.

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 laws in order to protect the public; **AND**

WHEREAS, the West Baton Rouge Parish Council has recently taken action to further define and regulate residential duplexes proposed for development in the unincorporated areas of West Baton Rouge Parish; **AND**

NOW, THEREFORE, BE IT ORDAINED that the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 104 (“Zoning Ordinance”), Appendix A (“Zoning Districts”) 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 104

ZONING ORDINANCE

* * *

APPENDIX A – ZONING DISTRICTS

* * *

Use Classifications	R-SF-1, R-SF-2, R-SF-3, R-ED, R-2F	R-MF-1, R-MF-2, R-MF-3	R- MH, R-M	C- 1.1	C- 1.2	C- 1.3	C- 1.4	C- 2	I-1, I-2	I-3	AG- 1	AG- 2	AG- 3	B- 1, B-2	POS- C- RV; PF
* * *															
Residential/Duplex Residential	<u>P (R-2F only)</u>			P	P	P	P		S						
* * *															

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.

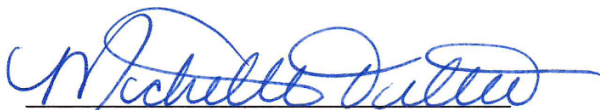
NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be 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 CALEB KLEINPETER, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

- YEAS:** 9 (MESSRS. KLEINPETER, ALLAIN, KERSHAW, WALKER, DENSTEL, CROWE, GORDON, BERGERON, JOSEPH)
- NAYS:** 0 (NONE)
- ABSENT:** 0 (NONE)
- ABSTAIN:** 0 (NONE)

WHEREUPON the ordinance was declared adopted on the **27th Day of January, 2022.**

ATTEST:


Michelle Tullier, Council Clerk