

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

880 North Alexander Avenue, Port
Allen Thursday, July 28, 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, July 28, 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 Mr. Anatole Vincent, Parks and Recreation Director, 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, Craig Bergeron, and Gary Joseph.

Absent: Mr. Alan Crowe

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

5. MINUTES APPROVAL

A. Approval of Minutes from July 14, 2022 Regular Meeting

A motion was made by Councilman Caleb Kleinpeter, seconded by Councilman Atley Walker to approve minutes from the July 14, 2022 Regular Meeting.

The vote was recorded as follows:

YEAS: 8 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, and Gary Joseph)

NAYS: 0 (None)

ABSENT: 1 (Mr. Alan Crowe)

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:

Recent attending of the NACO Conference in Denver, Colorado;

Region III Meeting Attendance needed by August 5th;

Councilman Kleinpeter asked for a status update on the LA1/415 Connector project,

President Berthelot explained the environmental stage was running a little behind.

8. PUBLIC COMMENTS

Mrs. Vesta Gobert was recognized and asked for an update on the Raxx Bar building which is currently being occupied by Buckets Bar & Grill. Chairman Denstel explained that the Fire Marshall had recently done an inspection and upon completion

of that inspection a Cease & Desist order was issued for the entire building. Chairman Denstel further explained there were many items that would need to be brought up to current codes in order for the building to open back up for any occupancy.

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

Mr. Manola was recognized and explained that the recent bid for the Turf Fields project had come in and is approximately 1 million dollars over the budgeted amount. Mr. Hebert, with Civil and Environmental Consulting Engineers, was recognized and explained the reasons for the very high bids coming in on this item, such as supply chain issues, lack of competitive bidders, and increased cost of materials. Mr. Manola explained the administration would be coming back in front of the Council to reject all bids received and suggest going out for bids at a later time.

10. PUBLIC HEARING ON WEST BATON ROUGE PARISH STORMWATER QUALITY AND STORMWATER MASTER PLAN

A. Public Hearing on WBR Stormwater Quality and Stormwater Master Plan

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

Mr. Kevin Durbin was recognized and briefly reviewed what the Parish does in regards to the Stormwater Quality Program and also submitted the Parish Stormwater Master Plan. Councilman Kershaw did point out that some of the contact information needed to be updated.

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

11. PUBLIC HEARING ON PREVIOUSLY INTRODUCED ORDINANCES

A. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Donald Hebert requesting I-2 with a Special Use for Wrecker Service.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item. Mr. Kevin Durbin was again recognized and explained this item was recommended for approval by the Planning & Zoning Commission 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 Kirk Allain to approve 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. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Donald Hebert requesting I-2 with a Special Use for Wrecker Service.

The vote was recorded as follows:

YEAS: 8 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, and Gary Joseph)

NAYS: 0 (None)

ABSENT: 1 (Mr. Alan Crowe)

ABSTAIN: 0 (None)

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

Ordinance 33 of 2022 can be found at the end of these minutes.

B. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended

Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Jacob Granier, Requesting to Rezone from AG-1 to R-M.

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item. Mr. Kevin Durbin was again recognized and explained this item was recommended for approval by the Planning & Zoning Commission and pointed out that this would be the final lot in this particular minor subdivision as it is being presented.

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 Caleb Kleinpeter to approve 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 Jacob Granier, Requesting to Rezone from AG-1 to R-M.

The vote was recorded as follows:

YEAS: 8 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, and Gary Joseph)

NAYS: 0 (None)

ABSENT: 1 (Mr. Alan Crowe)

ABSTAIN: 0 (None)

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

Ordinance 34 of 2022 can be found at the end of these minutes.

C. An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 104-3 Establishment of Districts, Official Zoning Map For Rezoning Request of Hari Om Hospitality, Inc. Rezoning from C-1.3 (Regional-Scaled Commercial) to R-MF-3 (Multi Family Residence 3) with waivers for density, minimum unit square foot, and building height requirements. Master Plan Change

The Chairman opened a public hearing for the purpose of receiving comment regarding the aforementioned item. Mr. Kevin Durbin was again recognized and explained this item was recommended for denial by the Planning & Zoning Commission and offered to answer any questions.

There were two representatives for this project for Saul Urban Development. A presentation was made in regards to the size of the apartments, the density of the development as well as an explanation for the three waivers which would be needed in order for this property to be zoned multi-family. Councilman Kershaw explained he did not have an issue with the waivers being requested and the location of the project, but questioned if the apartments were to be financially subsidized in any way, to which the representatives responded that there were no plans at this time for the initial investment in the project to be subsidized. Councilman Gary Joseph spoke and explained that there were too many waivers for him to support this rezoning request.

No public comments 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 Gary Joseph, seconded by Councilman Kenneth Gordon to deny 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 Hari Om Hospitality, Inc. Rezoning from C-1.3 (Regional-Scaled Commercial) to R-MF-3 (Multi Family Residence 3) with waivers for density, minimum unit square foot, and building height requirements. **Master Plan Change**

The vote was recorded as follows:

YEAS: 7 (Messrs. Kirk Allain, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, Gary Joseph)

NAYS: 1 (Mr. Chris Kershaw)

ABSENT: 1 (Mr. Alan Crowe)

ABSTAIN: 0 (None)

As a result of the votes, the motion passed and the request was denied.

D. An Ordinance Adopting the 2022 Council Amendments to the General Fund, Fire, and Detention Facility Revenues for the Fiscal Year beginning January 1, 2022 and ending December 31, 2022.

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

Mr. Chance Stephens was recognized and explained the reasons for this budget amendment request.

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 Kirk Allain to approve An Ordinance Adopting the 2022 Council Amendments to the General Fund, Fire, and Detention Facility Revenues for the Fiscal Year beginning January 1, 2022 and ending December 31, 2022.

The vote was recorded as follows:

YEAS: 8 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, and Gary Joseph)

NAYS: 0 (None)

ABSENT: 1 (Mr. Alan Crowe)

ABSTAIN: 0 (None)

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

Ordinance 35 of 2022 can be found at the end of these minutes.

12. 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”), To Update Certain Items In The Zoning Appendix. Public Hearing Date: September 8, 2022
- B.** An Ordinance To Amend And Reenact The West Baton Rouge Parish Code Of Ordinances, Part III (“Unified Development Code”), Chapter 111 (Administration and Enforcement) Article IV (Zoning Enforcement), Sections 111-83 (Power of the Parish President to Issue and Extend Temporary Special Use Permits). Public Hearing Date: September 8, 2022
- C.** An Ordinance Correcting Ordinance 32 of 2022 of The West Baton Rouge Parish Code Of Ordinances, Relative To Correcting For A Typographical Error And To Provide For The Correction of The Original Merger of Precinct 9 To Now Consist of The Merger of Precinct 12 Into Precinct 9 And The Merger of Precincts 11A And 11B As Precinct 11. Public Hearing Date: August 11, 2022

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

There were no items to consider at this time.

14. RESOLUTIONS

There were no items to consider at this time.

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

A. **Final Map Showing The Exchange Of Property Between Lots D & D-1 Into D-1-A & D-2 Located In Sections 1 And 40 Township 7 South, Range 11 East, Southeastern Land District, West Of The Mississippi River, West Baton Rouge Parish, Louisiana For Ray Bryant.**

Mr. Kevin Durbin was recognized and explained the Planning & Zoning Commission recommended approval of this plat with waivers requested.

There were a few questions from the Council for clarity regarding the waivers.

A motion was made by Kenneth Gordon, seconded by Gary Joseph to approve with waiver/s Final Map Showing The Exchange Of Property Between Lots D & D-1 Into D-1-A & D-2 Located In Sections 1 And 40 Township 7 South, Range 11 East, Southeastern Land District, West Of The Mississippi River, West Baton Rouge Parish, Louisiana For Ray Bryant.

The vote was recorded as follows:

YEAS: 8 (Messrs. Kirk Allain, Chris Kershaw, Atley Walker, Caleb Kleinpeter, Kenneth Gordon, Carey Denstel, Craig Bergeron, and Gary Joseph)

NAYS: 0 (None)

ABSENT: 1 (Mr. Alan Crowe)

ABSTAIN: 0 (None)

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

16. **CORRESPONDENCE REPORT**

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

- Next Planning & Zoning Meeting of August 2nd is Canceled due to a clear agenda
- Next Council Meeting is August 11, 2022 at 5:30pm

17. **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 33 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of June 23, 2022
And Adopted July 28, 2022

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. And Chapter 111 Administration and Enforcement, Article IV Zoning Enforcement, Section 111-78 Special, Conditional Use Requirements and Procedures For Donald Hebert requesting I-2 with a Special Use for Wrecker Service.

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 and Chapter 111 Administration and Enforcement, Sec. 111-78 Special Conditional Use Requirements and Procedures is followed to grant the following:

Sec.104-3. Establishment Of Districts, Official Zoning Map and **Sec.111-78.** For Rezoning Request and Special Conditional Use Requirements and Procedures for Donald Hebert. Located at 1422 Safe Energy Dr. Port Allen, LA 70767. File #2022-13 Described By The WBR Assessors Office As: Tracts JA, 1A, 2A, and 3A. Containing 5 AC in Sec 50 T7S, R12E, P/O Poplar Grove Plnt. 51-44C. Requesting a Special Use Permit on 3.0 acres in I-2 for a Wrecker Service/Storage Facility.

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

YEAS: 8 (MESSRS. KERSHAW, ALLAIN, WALKER, KLEINPETER, DENSTEL, GORDON, BERGERON & JOSEPH)

NAYS: 0 (NONE)

ABSENT: 1 (MR. CROWE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the 28th day of July, 2022.

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 34 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Meeting of June 23, 2022
And Adopted on July 28, 2022

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 Jacob Granier, Requesting to Rezone from AG-1 to R-M.

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 Jacob Granier, property located on Quatrevingt Blvd. Port Allen, La 70767. File #2022-14: Described by the WBR Assessor as: Lot Q-2 Cont. 0.96 AC in Sec 2, T8S, R12E & Sec 77, T7S, R12E 54-41. Rezoning From AG-1 (Agricultural Light) to R-M (Residential Minor).

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 ATLEY WALKER, WHICH WAS SECONDED BY COUNCIL MEMBER CALEB KLEINPETER. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: 8 (MESSRS. WALKER, KLEINPETER, KERSHAW, DENSTEL, GORDON, ALLAIN, BERGERON & JOSEPH)

NAYS: 0 (NONE)

ABSENT: 1 (MR. CROWE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared adopted on the **28th Day of July, 2022.**

ATTEST:


Michelle Tullier, Council Clerk

ORDINANCE 35 OF 2022

As Introduced by the West Baton Rouge Parish Council
At the Regular Meeting of July 14, 2022
And Adopted on July 28, 2022

An Ordinance Adopting the 2022 Council Amendments to the General Fund, Fire, and Detention Facility Revenues for the Fiscal Year beginning January 1, 2022 and ending December 31, 2022

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

SECTION 1: The attached detailed 2022 Council budget amendments to estimate of revenues and expenditures for the fiscal year beginning January 1, 2022 and ending December 31, 2022.

SECTION 2: The attached detailed 2022 Council budget amendments to estimate of revenue and expenditures for the fiscal year beginning January 1, 2022 and ending December 31, 2022 be and the same is hereby adopted as budget of revenues and expenditures for the Parish during the said period.

SECTION 3: The adoption of these 2022 Council budget amendments to 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 2022 budget.

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 IT 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 application 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 CHRIS KERSHAW, WHICH WAS SECONDED BY COUNCIL MEMBER KIRK ALLAIN. THE ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

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

YEAS: 8 (MESSRS. KERSHAW, ALLAIN, WALKER, KLEINPETER, DENSTEL, GORDON, BERGERON, & JOSEPH)

NAYS: 0 (NONE)

ABSENT: 1 (MR. CROWE)

ABSTAIN: 0 (NONE)

WHEREUPON the ordinance was declared to be adopted on the **28th day of July, 2022.**

ATTEST:


Michelle Tullier, Council Clerk

WEST BATON ROUGE PARISH COUNCIL 2022 BUDGET AMENDMENTS AS REQUESTED
AMENDMENT# 1 7/14/2022

AMENDMENT NEEDED TO INCREASE THE REVENUE BUDGETED IN THE FOLLOWING CATAGORIES.

REVENUE				
GENERAL FUND		FROM	TO	INC(DECREASE)
001.30.031-4120.00	SALES TAX	\$3,828,815.00	\$4,528,815.00	\$700,000.00
001.30.031-4120.01	SALES TAX DISTICT	\$3,828,815.00	\$4,528,815.00	\$700,000.00
FIRE				
300.30.031-4120.00	SALES TAX	\$3,534,370.00	\$4,024,965.00	\$490,595.00
DETENTION FACILITY				
023.30.031-4120.00	SALES TAX	\$4,020,417.00	\$4,720,417.00	\$700,000.00