

**Minutes of the Livingston Parish Council**  
**Livingston, Louisiana**  
**May 1, 2024**

The Livingston Parish Council met in a special session duly called, advertised, and convened at its regular meeting place, at the Governmental Building in the Parish Council Chambers, located on 20355 Government Boulevard, Livingston, Louisiana, on Wednesday, May 1, 2024, at the hour of six o'clock (6:00) p.m. with the following Livingston Parish Council members present:

Lonnie Watts	John Mangus
Ryan Chavers	Ricky Goff
Erin Sandefur	John Wascom

Also present: Parish President Randy Delatte

Absent: Billy Taylor  
Dean Coates  
Joseph "Joe" Erdey

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The chair called the meeting to order.  
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The chair called the May 1, 2024 Special Meeting of the Livingston Parish Council to discuss a presentation with no action to be taken and hear a discussion from Mr. Jerome Fournier. He stated that since then, they had an emergency come up and he wanted to give a quick re-cap of what was happening at that time.

The chair explained that the Town of Killian had lost their entire water supply. The Parish President's office has been working around the clock with local businesses to truck water to their municipality to help them fill their water tanks so their citizens could have water. They were working on a plan to fix the problem. He further advised that in the Parish President's conversations with attorneys, the Parish could be reimbursed for the expenses incurred helping the Town of Killian and in order to do that, the Parish of Livingston needed to enter in to an Intergovernmental Agreement that would be between Livingston Parish and the Town of Killian for the purpose of repairing their water and getting their water services back up. The chair instructed that the only way that the Livingston Parish Council could address that and address the Intergovernmental Agreement was to lift the agenda. He informed them that the only way to lift the agenda would be to have a unanimous vote from the members of the Livingston Parish Council. He asked if there was a motion to lift the agenda.

**LPR NO. 24-181**

MOTION was made by John Mangus and duly seconded by Lonnie Watts to lift the agenda for the purpose of addressing the water crisis in the Town of Killian.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MS. SANDEFUR, MR. GOFF, MR. WASCOM, MR. MANGUS,  
MR. CHAVERS, MR. WATTS

NAYS: NONE

ABSENT: MR. ERDEY, MR. COATES, MR. TAYLOR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 1, 2024.  
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The chair announced that the vote to lift the agenda was unanimously approved so the agenda will be lifted just for this issue.

He explained that the Parish President was in attendance at the meeting if anyone had any questions to be addressed.

The chair clarified that the members of the Livingston Parish Council needed to adopt a resolution to give authorization to Chris Moody and Parish President Randy Delatte to enter into an

Intergovernmental Agreement with Livingston Parish and the Town of Killian for the purpose of repairing or delivering water in this emergency time. Councilman Ricky Goff wished to make this motion for this resolution and Councilman John Mangus wished to make the second to that motion.

The chair asked if anyone wished to speak or give input. Having none, the chair called for the vote.

**LPR NO. 24-182**

MOTION was made by Ricky Goff and duly seconded by John Mangus to give authorization to Mr. Christopher Moody, Livingston Parish Legal Counsel, and Livingston Parish President Randy Delatte to enter into an Intergovernmental Agreement between the Parish of Livingston and the Town of Killian for the purpose of repairing or delivering water in this emergency time.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MS. SANDEFUR, MR. GOFF, MR. WASCOM, MR. MANGUS, MR. CHAVERS, MR. WATTS

NAYS: NONE

ABSENT: MR. ERDEY, MR. COATES, MR. TAYLOR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 1, 2024.

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The chair called upon Parish President Randy Delatte who wished to comment on this vote of the Council.

Parish President Randy Delatte stated that Mayor Sharp wanted to send a message to the Livingston Parish Council. He wanted to tell them that the Town of Killian would be eternally thankful for the actions taken to help them in this crisis.

The Parish President wished to commend the whole Parish because when people are in need they rose to the occasion and he extended his sincere appreciation.

The chair advised the he was glad to do it. He felt confident that if there was anything that they could do as people helping their fellow members in this Parish, that should be their number one priority. He was speaking for himself and he hoped that everyone felt the same way.

Councilman Ryan Chavers wished to recognize James Mesias with DEMCO for his donation to the Town of Killian and their water and Matt and Dynamic for their donation of water to the Town of Killian. He thought that they should recognize that in appreciation because they did not have to do that and they took time to make sure that they made that donation and he asserted that they needed to thank them for that.

The chair gave his thanks to Matt and anyone else. He stated that he knew that there may be other people that have also contributed. He encouraged everyone to give them a round of applause.

Councilman John Mangus wished to comment on the Parish President's statement that it was four hundred (400) homes that were affected by this emergency water crisis. He acknowledged that this was a no brainer to offer their help and wished God speed in their repair efforts for Killian.

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**LPR NO. 24-183**

MOTION was made by Ricky Goff and duly seconded by Lonnie Watts to go back to the regular order of business for the May 1, 2024 special meeting of the Livingston Parish Council.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MS. SANDEFUR, MR. GOFF, MR. WASCOM, MR. MANGUS, MR. CHAVERS, MR. WATTS

NAYS: NONE

ABSENT: MR. ERDEY, MR. COATES, MR. TAYLOR

ABSTAIN: NONE

Thereupon the chair declared that the Motion had carried and was adopted on May 1, 2024.

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The chair addressed agenda item number 5, “To discuss zoning in the Parish of Livingston, State of Louisiana – Mr. Jerome Fournier, Parish Planner”.

The chair announced that Mr. Fournier had a PowerPoint presentation by which he wanted to offer information regarding future zoning for the Parish of Livingston. He invited Mr. Fournier to take the floor and begin.

Mr. Jerome Fournier with JPF Planning Consultants, LLC introduced his name into the record and thanked the chairman and the members of the Council for the opportunity to work with the Parish. He stated that it has been a really pleasant time for him and he hoped that would continue. He advised that he had an initial contract to look at the Parish’s Master Plan and he wished to go over the documents that he reviewed during this study.

They are as follows:

- Envision Livingston (the Parish’s Master Plan)
- The Unified Land of Development Code (part of the Parish’s ordinances which included the zoning ordinance)
- The zoning maps

He advised that he had meetings with the Parish Administration, he had meetings with the Parish Council, both as a whole as well as one on one. He also had a meeting with the Planning Commission and the Parish Land Use Committee.

He wished to address the growth that has occurred in the Parish. He referred to a newspaper article from the Advocate that showed all of the growth areas in the state of Louisiana and advised that Livingston Parish had gained the most in the state of Louisiana as a result of population growth. He had several statistics for the growth in the Parish and advised that they needed to accommodate growth within the Parish itself, not just growth coming from outside of the Parish. He explained that how they do that is a topic of discussion that evening. He wished to inform the Council members that just to stop growth in the Parish is going to be impossible and it is based on the fact that they have a lot of internal growth within the Parish. He reviewed statistics of the 2022/2023 high school graduations and advised that a number of graduates are staying in the Parish. He wished to reiterate that he wanted to make it known that not all the growth is coming from outside.

Mr. Fournier discussed the Parish’s Master Plan and stated that it was quite a good document. In 2013, the Parish hired a company from Colorado called MIG to create the Parish’s Master Plan. He complimented their work, but advised that the plan needs updating. This required update should be based on the increased population since 2013.

He advised that the zoning ordinance that the Parish Council prepared last year should reflect the land uses that were identified in the Master Plan. Upon his review, and it was of his opinion, that it did not seem to. He instructed that it also includes the Master Transportation portion of this and it includes a Drainage Master Plan that gives you some ideas of where you as a Parish want to go in terms of those plans.

Mr. Fournier turned their attention to a map displayed on the monitor that illustrated the Master Plan for the Parish. It also indicated the various land uses that are applied to different portions of the Parish. Another map that he displayed was the Major Street Plan that identified the major roads in the Parish and the corridors that need to be focused on for economic development. He displayed an additional map that had the growth corridors outlined and it identified the “barbell” effect. It borders the I-12 and US 190, as well as that corridor along the Amite River on the very far western portion of the Parish going down to French Settlement. His observation distinguished that those growth corridors within the last twenty (20) years is where the development has occurred in the Parish.

Mr. Fournier reviewed state law, Revised Statute 33:106, where it discussed the Planning Commission’s general powers and duties. He advised that the Planning Commission has a lot of power. He explained that it is an appointed board and is appointed by the Parish Council. He read that the Parish Planning Commission shall make and adopt a Master Plan for the physical

development of the unincorporated territory of the Parish. Any such plan shall provide a general description or depiction of existing roads, streets, highways, and publicly controlled corridors, along with a general description of other public property within the jurisdiction that is subject to the authority of the commission. He stated that the Planning Commission has a lot of power and it does create the Master Plan. He directed that the Livingston Parish Council on the other hand, adopted the Unified Land Development Code, and that along with the zoning ordinance implements the plan. He advised that the Parish Council has a lot more power than the Planning Commission because the Parish Council adopts the ordinances that implement the plan.

Mr. Fournier suggested zoning ordinance modifications:

He stated that the zoning ordinance should reflect the land use described in the Master Plan. He questioned why every one of the zoning categories has the ability to place a convenience store with a gas pump on it. There needed to be a provision for a table with minimum lots sizes, setbacks, things of that sort as well as definitions in the zoning ordinance. In addition, there needed to be provisions for wetlands and open space within subdivisions as well outside subdivisions. It was of his opinion that there was a need to reduce the number of zoning categories. He advised that there was way too many residential categories and they needed to reduce that number. He encouraged them to rely on non-conforming uses and not zone every particular piece of property based on its current land use. He wished to stress that to the Council members when it was time to update the zoning ordinance and the maps. He also encouraged reviewing overlay zones to protect particular areas of the Parish such as the airport. He advised that the Council should create a special category called “Planned Development” that will apply to those areas where there is a community development district and it is still active. He warned that they do not want to jeopardize the ability to pay back bonds that are issued in relationship to that development.

Mr. Fournier observed during one of the early Council meetings that he attended that the Council members were taking action on very mundane things. It was his opinion that those types of things should be left to the staff. He reflected back to what was done when he was the Planning Director in Ascension Parish and stated that they had staff decisions on certain things. He explained about the term “use by right”. He depicted a piece of property that was zoned commercial that had for example a Dollar General who wished to be placed there. He designated those activities and the developments should not have to go to the Parish Council or the Planning Commission and should be a staff decision, provided that they met all of the requirements in the Unified Development Code. He advised of the requirements that would have to be met. They would be required to submit a traffic study, a drainage study, and make sure that they meet all of the height requirements and size requirements for the buildings. He highly recommended that those decisions be made at the staff level and the staff would give approval to those type of things.

He stated that other things that would apply, such as apartment buildings which can be very controversial depending on where they are located. But if they are located in an area that does allow them, he would recommend that the Parish require them to obtain a conditional use permit and that permit would be issued by the Planning Commission. He further explained that if they as a Council could decide whether you wanted to have ultimate approval of that or not and they wanted to have control over those types of developments, he would recommend that they issue a conditional use permit for those types of activities. He stated that the conditional use permit is conditioned. The applicant would go before the Planning Commission, based on a traffic study or a drainage study that would be prepared for that type of development. He advised that the Planning Commission could put conditions on that project.

Mr. Fournier stated that he could not stress it enough, and it was very important that they needed to talk about it, the need to have infrastructure accompany the development that is occurring in the Parish. He advised that if there was a large development coming into the Parish, they needed to make sure that the impact that development is having on public infrastructure pays its way. He questioned what does that mean? He stated that it could mean something as small as an added turn lane going into the subdivision or it could be the widening of the road or it could be a major upgrade to a nearby intersection. That will be determined when the traffic study is completed for a project. When those projects come into the Planning Commission for approval, the Planning Commission should place conditions on that project in order for it to move forward.

The Parish had the ability to place conditions on a project on state roads that are above and beyond what Louisiana DOTD has. He stated that they did that quite a bit in Ascension Parish.

He discussed sewer plant construction and recommended that any property that is developing with ten (10) or more lots be required to put in a sewer plant and not use mo-dads regardless of the size of the lots within that subdivision. He spoke at length about defining a “parent tract” to put in the Parish’s Land Development Code. He also recommended that the location of sewer treatment plants be placed as close to the entry roads as practicable to accommodate future trunk lines.

Mr. Fournier discussed Development Impact Fees:

He advised that there were three (3), maybe four (4) parishes in the state that have development impact fees, East Baton Rouge, St. Tammany, Ascension. He stated that when they put traffic impact fees together in 2016, they had a study prepared by a company out of Austin Texas and that study created the plan for them. He advised that it is based on a benefit Nexus test. It needs to be precise and it needs to be based on your traffic study and it needs to be based on that the fees that are being paid are based on the current road infrastructure. It requires a detailed study that performs what Mr. Fournier calls a benefit Nexus test and that is what the fee is justified on. Fees for roads are usually defined by the trips generated by the land use for transportation. He advised that the Institute of Traffic Engineers publishes a document that shows each land use: single family, residential home, a drive-thru, a bank. He explained that all these different things have different traffic generation rates and the fees are based on those rates.

Mr. Fournier further advised that they could put fees together for drainage. He stated that typically drainage fees are based on impermeability of the lot. The fees are collected and deposited into a fund that is used for the infrastructure identified in the benefit Nexus study. The money can be used to build infrastructure and can also be used as matching funds for state projects. He wanted to convey that it becomes somewhat controversial with local properties because no one is exempt from the fee.

He discussed the road infrastructure district and involvement with the Legislature.

Mr. Fournier discussed Flood Plain Management:

He recommended that the Parish raise the current elevation standards at one (1) foot over base flood elevation and go to two (2) feet over base flood elevation. He advised that this would protect more homes for the Parish from future flooding and it will also make those homes that were flooded eligible for certain federal grant money. He also advocated to limit the amount of fill that can be placed in the Parish and where that fill can be. He stated that whatever was decided upon for the depth of the fill, had to be mitigated to equal volume of pond surface. He encouraged them to build with pier and beam and was aware that the development community does not like that, but when it comes to certain low-lying areas of the Parish it must be required. He proposed that they might consider some areas in the Parish as “no fill” that are environmentally sensitive areas and they could define those. He felt like they could come up with a definition that would suit the Parish appropriately and he thought that they needed to work on that wherever that is. He offered that it could be based on an elevation, it could be based on a certain area, it could be based on a certain drainage area, and he encouraged them to work together with him on this because it is an important thing that they can do as a Parish.

Mr. Fournier discussed the matter of wetland preservation and wanted to encourage wetland preservation. He advised that they will require those when they put a preliminary plat together for the Parish. He instructed that they needed to make a determination as to how they want to define wetlands. He identified that this was defined by the Corps of Engineers, but how do they want to apply that to the Parish when property owners are developing in your Parish.

He continued to discuss Flood Plain Management and recommended that he would require flood mitigation designed to maintain the existing flow patterns established prior to the proposed improvements at the site. He stated that they would have that in the drainage plan and implement it.

He discussed the need to prepare a major drainage master plan. It is going to define the major flow channels in the Parish, it’s going to define the flood plain areas per FEMA’s standards, floodways within the Parish and provide building standards within those areas, and it is going to prepare an inventory of existing drainage features in the Parish to establish drainage baselines.

Mr. Fournier advised that he was going to make a couple of recommendations on administration and how projects are processed. He thought that the application process needed to be modified

and be in compliance with R.S. 33:113. He stated that he wished to quote here because it is such an important piece of the law.  
*“A planning commission shall approve or disapprove a plat within sixty days after the submission thereof to it; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by such commission on demand.”*

He stated that what he would recommend is that they revise the application process and start off with what he was calling a pre-application meeting. They were not going to accept an application until it was complete. He instructed that at that pre-application meeting they were going to have all of the staff members that are going to be affected by a particular development, planning staff, engineering, drainage department, building department, any department of the Parish that is going to be affected by any subdivision that comes in to the Parish, they will have a seat at the table at that pre-app meeting and they will be able to provide comments. At that meeting they were going to detail the parameters of any traffic study that’s going to be required of that development. Depending on the size of the development, they will expand the scope of the traffic to include any intersections and roads that are well beyond the parameters of that subdivision. The same method would be used for the drainage.

Mr. Fournier indicated that those are just part of the recommendations that he had for the Administration process. There are others that he will go over at another time.

He advised that the next step in this process was that he had been working with the Administration and the Purchasing Department on how to prepare an RFQ. The following list below were services that the Parish would need to obtain by RFQ (Request for Qualifications).

Prepare RFQ for Consulting Services:

- Master Plan and Zoning Update
- Land Development Code Update
- Master Transportation Plan
- Impact fee
- Legal
- All advertisements for RFQ must adhere to state law

*Note: Certain services, depending on cost and service, may be contracted without an RFQ process. Legal advice needed.*

Mr. Fournier answered questions from the Council members:

John Mangus:	2016 Flood statistics
Ryan Chavers:	What is the definition of overlay zone?
	Airport must be properly zoned
	Conditional permit for any development?
	Maintenance of sewer plants?
	Where does the money from the impact fees go?
	Can impact fees go to schools?
	Reiterate the pre-application meeting?
	What triggers the 60 days?
	Recommend pier and beam Parishwide?
John Mangus:	Water retention ponds? Who maintains them? Can that be a conditional use permit?
Ricky Goff:	Expanded on Water retention ponds and funding their maintenance
Lonnie Watts:	Collection of money for maintenance?
	Can a setback be placed on fill dirt?
Ricky Goff:	Fill and pier and beam?
Erin Sandefur:	Question about fill
Public input:	Gary O’Neal
John Wascom:	Questioned about R-1 having convenience stores with a gas pump?
	Non-conforming definition?

The chair allowed an open discussion and allowed questions from the audience.

Public input: Mike Juno

Erin Sandefur:           Waivers?

The open discussion continued.  
The chair closed the open discussion.

Having no further business, a motion to adjourn was requested until the next regular meeting being scheduled on Thursday, May 9, 2024, at the hour of six o'clock (6:00) p.m. in Livingston, Louisiana.

**LPR NO. 24-184**

MOTION was offered by John Mangus and duly seconded by Lonnie Watts to adjourn the May 1, 2024 special meeting of the Livingston Parish Council.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS:       MS. SANDEFUR, MR. GOFF, MR. WASCOM, MR. MANGUS, MR. CHAVERS,  
              MR. WATTS

NAYS:       NONE

ABSENT:   MR. ERDEY, MR. COATES, MR. TAYLOR

ABSTAIN:   NONE

Thereupon the chair declared that the Motion had been carried and was adopted and that the meeting was adjourned.

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Sandy C. Teal, Council clerk



John Wascom, Council chairman

The audio and video for this meeting may be found in its entirety on the Livingston Parish Council's YouTube page at:

<https://www.youtube.com/watch?v=bj7cOQHMvc&t=2222s>

It may also be found on the Livingston Parish Council's website at:

<https://www.livingstonparishcouncil.com/>

If you have any questions, please contact Sandy Teal at the Livingston Parish Council office at (225)686-3027.