

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, August 23, 2022, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday, August 23, 2022, at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Fire Captain Seagraves

Pledge of Allegiance by Firefighter Noel

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Nezianya – District 1

John LeBlanc– District 2

Laura O’Brien – District 3

Lael Montgomery – District 5

ABSENT

Bruce Thornton – District 4

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Mayor Amrhein read a statement into the record regarding the Open Meetings Law, and citizens’ right to participate in public meetings. The statement set forth general rules of conduct of the public meeting and outlined the process through which a citizen can have items placed on the Council agenda. A copy of the rules are available at City Hall, Mayor’s Office or by calling the Clerk of the City Council. The rules will also be available at every Council meeting.

3. CHANGES/ADDITIONS TO AGENDA

D. READING OF THE MINUTES

1. Approval of Minutes of the August 09, 2022, regular meeting and approve them as written.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Montgomery

To approve the August 09, 2022, regular meeting and approve them as written.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

1. Recognition to the City of Zachary Administration for winning the LMA Community Achievement Award.
Mayor Amrhein recognized city department heads for winning the statewide Louisiana Municipal Association's "Community Achievement Award."
2. Proclamation for Flood Awareness Week of August 29, 2022 until September 02, 2022.
Mayor Amrhein issued a proclamation establishing Flood Awareness Week in the City of Zachary for the week of August 29-September 2, 2022.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Award Bids for 2022 Road Rehab Phase 3 Project to MTrack in the amount of \$3,065,465.30.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman LeBlanc

To approve and Award Bids for 2022 Road Rehab Phase 3 Project to MTrack in The amount of \$3,065,465.30.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

- b. Road Rehab Phase 2 Retainage Pay Request

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve Road Rehab Phase 2 Retainage Pay Request in the amount of \$234,809.29.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

- a. Demetric Hunter – Organization and Implementation of a family fall fest on Monday, October 31, 2022 at the Zachary BREC Community Park
Mr. Hunter, a District 3 resident, was present to speak to city officials and council members regarding a family fall fest to be held on Monday, October 31, 2022 at the Zachary BREC Community Park and ask for support and to participate in the activities.

Ms. Richards, 6710 Woodland Drive, Zachary, was present to speak to Mayor Amrhein and council members regarding the property next to her. Ms. Richards explained that the property had been abandoned and expressed concerns about wild animals, abandoned vehicles, and dangerous debris left on the property.

2. Hardship Waivers

3. Other Variances

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

- 1. Receive Minutes of the Regular meeting of August 01, 2022 of the Planning Commission and the Minutes of the Regular meeting of August 01, 2022 of the Zoning Commission.**

The motion was made by Councilman Nezianya

The motion was seconded by Councilman LeBlanc

To Receive Minutes of the Regular meeting of August 01, 2022 of the Planning Commission and the Minutes of the Regular meeting of August 01, 2022 of the Zoning Commission.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Thornton

ABSTAINED: None

2. Consent Agenda

3. Planning Matters REQUIRING a Public Hearing

- a. **Subdivision of Property Lot A-1-B Mattie Y. Zimmerman Tract**
located at 575 Zimmerman Road, for a proposed resubdivision of Lot A-1-B Mattie Y. Zimmerman Tract into Lot A-1-B-1 and Lot A-1-B-2
(The public hearing was opened at 6:59 p.m. at the July 26, 2022 meeting)
The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman LeBlanc

To table the Subdivision of Property Lot A-1-B Mattie Y. Zimmerman Tract.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

- 4. **Planning Matters NOT requiring a Public Meeting**
- 5. **Zoning Matters REQUIRING a Public Hearing**
- 6. **Zoning Matters NOT Requiring Public Hearing**
- 7. **Other Matters**

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

- 1. Receive the Balance Sheet and Income statement as of July 31, 2022
The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman LeBlanc

To Receive the Balance Sheet and Income statement as of July 31, 2022.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

Council members expressed their concerns regarding Ms. Richards situation. Mayor Amrhein and City Attorney, John Hopewell, explained that the city could not keep residents from growing trees and shrubs on their property.

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

- 1. **Public Hearing and Adoption of Ordinance 2022-13 ORDINANCE CREATING §58-39 OF CHAPTER 58 ENTITLED OFFENSES AND MISCELLANOUS PROVISIONS TO AUTHORIZE ENFORCEMENT BY THE ZACHARY POLICE DEPARTMENT FOR UNNECESSARY NOISE EMANATION OR GENERATION**

WITHIN THE CITY OF ZACHARY AND FOR ALL OTHER RELATED MATTERS.

The motion was made by Councilman Nezianya
The motion was seconded by Councilwoman O'Brien

To table the **Adoption of Ordinance 2022-13** ORDINANCE CREATING §58-39 OF CHAPTER 58 ENTITLED OFFENSES AND MISCELLANOUS PROVISIONS TO AUTHORIZE ENFORCEMENT BY THE ZACHARY POLICE DEPARTMENT FOR UNNECESSARY NOISE EMANATION OR GENERATION WITHIN THE CITY OF ZACHARY AND FOR ALL OTHER RELATED MATTERS.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

2. **Public Hearing and Adoption of Ordinance 2022-14** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO PURCHASE IMMOVABLE PROPERTY AS REQUIRED BY HOME RULE CHARTER §2-09 (A) (12) RELATING TO THE IMMOVABLE PROPERTY ON FLONACHER ROAD AND IN NEAR VICINITY AND PROXIMITY TO THE EXISTING CITY PUBLIC WORKS FACILITIES AND FIRE STATION AND FOR ALL OTHER MATTERS RELATED THERETO.

Mayor Amrhein opened the PUBLIC HEARING at 7:11 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein closed the PUBLIC HEARING at 7:13 p.m.

The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman LeBlanc

To approve the **Adoption of Ordinance 2022-14** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO PURCHASE IMMOVABLE PROPERTY AS REQUIRED BY HOME RULE CHARTER §2-09 (A) (12) RELATING TO THE IMMOVABLE PROPERTY ON FLONACHER ROAD AND IN NEAR VICINITY AND PROXIMITY TO THE EXISTING CITYPUBLIC WORKS FACILITIES AND FIRE STATION AND FOR ALL OTHER MATTERS RELATED THERETO.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

N. NEW BUSINESS

1. Discussion of Mayor and Chief of Police pay (Chief David McDavid)
Item was withdrawn from the agenda. No action was taken.
2. Council Request - Discussion of issuance of a subpoena to Kristen Cherico, regarding a Cease and Desist; violation of the City of Zachary's code of ordinances; 5714 Joan Street, Zachary, La 70791.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Nezianya

To approve the appointing authority to issue a subpoena to Kristen Cherico, regarding a Cease and Desist; violation of the City of Zachary's code of ordinances; 5714 Joan Street, Zachary, La 70791 and to appear at the council meeting set for September 27, 2022.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Thornton

ABSTAINED: None

3. Council Request - Discussion of issuance of a subpoena to John Perkins, regarding a Cease and Desist; violation of the City of Zachary's code of ordinances; 4563 New Weis, Zachary, La 70791 (Bryant Dixon)

Mr. Perkins was present to council members and said that he would remove abandoned vehicles from the property. No action was taken on this item.

4. Discussion and approval of a 3-way stop sign located at Rollins Road and Ada Street.

Mayor Amrhein spoke regarding this item and said that the Planning and Zoning directors would observe the area.

5. Discussion of the downtown restrooms.

This item was withdrawn from the agenda. No action was taken.

6. Discussion and council approval to hire Stidham & Crane to represent the City of Zachary for a special counsel contract regarding Filetrac claim APFT-008801 & Filehandler w/Claim #APL0009283.

No action was taken on this item.

O. CONDEMNED BUILDINGS - PUBLIC HEARINGS OR OTHER ACTION REGARDING BUILDINGS BEING CONSIDERED FOR CONDEMNATION

1. Review/Reports relative to Proposed/Active Condemnations

- a. Update to owners located at 4420 New Weis Road to provide status of condemnation (Tabled until the September 13, 2022 meeting)

- b. Receive the minutes of the August 16, 2022 Condemnation Board meeting

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To Receive the minutes of the August 16, 2022 Condemnation Board meeting.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Thornton

ABSTAINED: None

P. REPORTS FROM DEPARTMENT HEADS

1. Receive the inspection Report for the month of July 2022.
The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman Montgomery
To Receive the inspection Report for the month of July 2022.
YEAS: Nezianya, LeBlanc, O'Brien, Montgomery
NAYS: None
ABSENT: Thornton
ABSTAINED: None

**Q. DISCUSSION OF BUSINESS NOT ON AGENDA
(No Action May Be Taken Unless Declared an Emergency)**

Councilman LeBlanc spoke regarding sagging driveways and broken sidewalks and asked who is responsible for those issues. Councilman Montgomery spoke regarding the issue at Rankin Street and a stop sign. Councilman Montgomery also asked for an update regarding the poles that were installed on Cherry Court.

R. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

CERTIFICATION

Dana LeJeune, Clerk of City Council
CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

David Amrhein, Mayor

I, Dana LeJeune, do hereby certify that I am the duly appointed and acting Clerk of the City Council for the City of Zachary, Parish of East Baton Rouge, Louisiana.

I further certify that the above and foregoing is a true and correct copy of the minutes of the regular meeting of the Mayor and Council of the City of Zachary, Louisiana, held on Thursday, August 23, 2022, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council