

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, October 12, 2021, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday October 12, 2021, at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Nezianya

The Pledge of Allegiance was led by Councilman O'Brien

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

Hunter Landry – 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 is 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

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman LeBlanc

To amend the agenda to add the addendum.

YEAS: Nezianya, LeBlanc, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

The motion was made by Councilman Nezianya
The motion was seconded by Councilman Montgomery
To amend the agenda to move item I 4 A up on the agenda.
YEAS: Nezianya, LeBlanc, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the September 28, 2021, regular meeting and approve them as written.

The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman Montgomery
To approve the Minutes of the September 28, 2021, regular meeting and approve them as written.
YEAS: Nezianya, LeBlanc, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

ALTER AGENDA

I. PLANNING & ZONING MATTERS

1. **Receive Minutes of the Regular meeting of _____ of the Planning Commission and the Minutes of the Regular meeting of _____ of the Zoning Commission.**

2. **Planning Matters REQUIRING a Public Hearing**

3. **Planning Matters NOT requiring a Public Meeting**

4. **Zoning Matters REQUIRING a Public Hearing**

a. Request of Council to allow for issuance of Conditional Use Permit for the sale of Alcohol at 20377 Old Scenic Hwy which was approved by the P & Z on October 4th, 2021.

Mayor Amrhein opened the PUBLIC HEARING at 6:32 p.m. John Hopewell was present to speak for Villavaso and Associates, LLC. There being no one else to speak in favor or against the Conditional Use Permit Mayor Amrhein closed the PUBLIC HEARING AT 6:33 p.m.

The motion was made by Councilman Nezianya
The motion was seconded by Councilman Montgomery
To approve a Request of Council to allow for issuance of Conditional Use Permit for

the sale of Alcohol at 20377 Old Scenic Hwy which was approved by the P & Z on October 4th, 2021.

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

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

Mayor Amrhein read a letter from the Zachary Professional Firefighters Local 4644 thanking Mayor Amrhein and Council members for their continued support.

Councilman Nezianya thanked everyone for wearing pink in honor of Breast Cancer Awareness month.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

5. Other Projects

- a. Pay Estimate No. 1- Geo Surfaces, Inc.- Youth Park Ball Fields Improvements in the amount of \$26,100.00

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman LeBlanc

To approve Pay Estimate No. 1- Geo Surfaces, Inc.- Youth Park Ball Fields Improvements in the amount of \$26,100.00

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

- b. Pay Request #17 - City of Zachary Fire Station, Project 11401; Capitol Construction, LLC in the amount of \$56,138.45

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Nezianya

To table Pay Request #17 - City of Zachary Fire Station, Project 11401; Capitol Construction, LLC in the amount of \$56,138.45

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

- c. Pay Request #18 - City of Zachary Fire Station, Project 11401; Capitol Construction, LLC in the amount of \$96,626.58 representing the retainage on the project.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Nezianya

To table Pay Request #18 - City of Zachary Fire Station, Project 11401; Capitol Construction, LLC in the amount of \$96,626.58 representing the retainage on the project.

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

G. PRESENTATION OF DELEGATIONS

- 1. Requests to Speak
- 2. Hardship Waivers
- 3. Other Variances
- 4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

RETURN TO REGULAR ORDER

J. APPROVE PAYMENT OF BILLS

- 1. Approval of accounts payable for September 2021 and the natural gas bill when it is received.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Montgomery

To approve accounts payable for September 2021 and the natural gas bill when it is received.

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

K. BUDGET AND FINANCIAL MATTER

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Public Hearing and Adoption of Ordinance 2021-16** An ordinance authorizing the City of Zachary, State of Louisiana, to enter into a development agreement and lease agreement with respect to a multi-purpose real estate development project; approving the form and terms of such agreements; and providing for other matters in connection therewith.

(Tabled at the July 27, 2021, meeting)

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To table the **Adoption of Ordinance 2021-16** An ordinance authorizing the City of Zachary, State of Louisiana, to enter into a development agreement and lease agreement with respect to a multi-purpose real estate development project; approving the form and terms of such agreements; and providing for other matters in connection therewith. (Tabled at the July 27, 2021, meeting)

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Landry

ABSTAINED: None

2. **Public Hearing and Adoption of Ordinance 2021-18** Ordinance Authorizing The City Of Zachary To Amend And To Update The Unified Development Code And Which Are Described As "Group 4" Amendments And For All Related Matters In Furtherance (Tabled at the August 10, 2021, meeting)

The motion was made by Councilman Nezianya

The motion was made by Councilman LeBlanc

To table the **Adoption of Ordinance 2021-18** Ordinance Authorizing The City Of Zachary To Amend And To Update The Unified Development Code And Which Are Described As "Group 4" Amendments And For All Related Matters In Furtherance (Tabled at the August 10, 2021, meeting)

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Landry

ABSTAINED: None

3. **Public Hearing and Adoption of Ordinance 2021-21** Authorizing Implementation Of An Amendment To The Standard Specifications Pursuant To §2-13 Of The Home Rule Charter For The City Of Zachary Pertaining To Codes Of Technical Regulations By Amendment To The Most Recently Revised Subdivision Development Construction Standards Code Related To Drainage Design Criteria & Stormwater Management And Sanitary Sewer

Systems Associated With Construction, General Design, Review & Inspections And For Other Matters In Furtherance Of This Provision.

Mayor Amrhein opened the PUBLIC HEARING at 6:46 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein closed the PUBLIC HEARING AT 6:57 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman LeBlanc

To approve the **Adoption of Ordinance 2021-21** Authorizing Implementation Of An Amendment To The Standard Specifications Pursuant To §2-13 Of The Home Rule Charter For The City Of Zachary Pertaining To Codes Of Technical Regulations By Amendment To The Most Recently Revised Subdivision Development Construction Standards Code Related To Drainage Design Criteria & Stormwater Management And Sanitary Sewer Systems Associated With Construction, General Design, Review & Inspections And For Other Matters In Furtherance Of This Provision.

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Landry

ABSTAINED: None

- 4. Introduction of Ordinance 2021-22 ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND §86 - UTILITIES OF THE CODE OF ORDINANCES TO ADDRESS CHANGES TO CERTAIN FEES AND CHARGES FOR THE CITY OF ZACHARY AND FOR ANY AND ALL RELATED MATTERS IN FURTHERANCE.**

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Montgomery

To approve the **Introduction of Ordinance 2021-22 ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND §86 - UTILITIES OF THE CODE OF ORDINANCES TO ADDRESS CHANGES TO CERTAIN FEES AND CHARGES FOR THE CITY OF ZACHARY AND FOR ANY AND ALL RELATED MATTERS IN FURTHERANCE.**

YEAS: Nezianya, LeBlanc, O'Brien, Montgomery

NAYS: None

ABSENT: Landry

ABSTAINED: None

- 5. Request of Council to direct Mayor to hire special counsel to assist with the expropriation of additional immovable property contiguous to existing water well site located along Carpenter Rd. and to direct & allow the City Attorney to introduce an Ordinance allowing the acquisition by expropriation of the same when required.**

The motion was made by Councilman Nezianya

The motion was seconded by Councilman LeBlanc

To approve a Request of Council to direct Mayor to hire special counsel to assist with the expropriation of additional immovable property contiguous to existing water

well site located along Carpenter Rd. and to direct & allow the City Attorney to introduce an Ordinance allowing the acquisition by expropriation of the same when required.

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

6. Request of Council to direct Mayor to execute URA with City/Parish - East Baton Rouge for relocation of utilities in conjunction with MOVEBR McHugh project.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Montgomery

To approve a Request of Council to direct Mayor to execute URA with City/Parish - East Baton Rouge for relocation of utilities in conjunction with MOVEBR McHugh project.

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

7. Discussion and update regarding Lot 3-A Lloyd Hopkins Tract (4101 Hwy. 19) Councilman LeBlanc gave a brief update regarding the clean up of the property. Councilman LeBlanc explained that cleanup has been done but there are still things that need to be completed but it looks much better.

8. Request of Council to direct Mayor to issue subpoena to owners of Miller and Daughter Mortuary on Rule to provide status of permitting of improvements at 5905 Hwy 19 (Lot X-1, Kennedy S/D) Zachary East Baton Rouge Parish, State of Louisiana. **No action taken**

9. Request for issuance of Council Subpoena to owners of Lot 136 Marita Terrace, 5th Filing (5714 Joan St.) to appear at the next City Council Meeting on rule to show cause why damages should not be assessed for failure to abide by public safety ordinances.

The motion was made by Councilman LeBlanc

The motion was made by Councilman Montgomery

To approve the Request for issuance of Council Subpoena to owners of Lot 136 Marita Terrace, 5th Filing (5714 Joan St.) to appear at the next City Council Meeting on rule to show cause why damages should not be assessed for failure to abide by public safety ordinances.

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

10. Request for authorization to allow the Mayor to negotiate and to enter into a contract with the East Baton Rouge Traffic Control Division (“EBRTCD”) for the continued maintenance of traffic lights and related signaling equipment including the traffic lights systems previously managed by EBRTCD on behalf of DoTD.

The motion was made by Councilman Nezianya

The motion was made by Councilman LeBlanc

To approve a Request for authorization to allow the Mayor to negotiate and to enter into a contract with the East Baton Rouge Traffic Control Division (“EBRTCD”) for the continued maintenance of traffic lights and related signaling equipment including the traffic lights systems previously managed by EBRTCD on behalf of DoTD.

YEAS: Nezianya, LeBlanc, O’Brien, Montgomery
NAYS: None
ABSENT: Landry
ABSTAINED: None

ALTER AGENDA

ADDENDUM TO THE AGENDA

Request to address the council’s decision to raise the speed limit from 25 mph to 35 mph in the downtown district and to present the concerns of the Zachary Police Department.

Chief McDavid spoke to Council members regarding the change in the speed limit on Main Street. Councilman Montgomery explained data and research regarding traffic and speed limits.

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

1. **Review/Reports relative to Proposed/Active Condemnations NOT REQUIRING a public hearing.**
2. **Review/Reports relative to Proposed/Active Condemnations REQUIRING a public hearing.**

P. REPORTS FROM DEPARTMENT HEADS

1. Receive Inspection Report for the month of September 2021.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Montgomery

To Receive Inspection Report for the month of September 2021.

YEAS: Nezianya, LeBlanc, O’Brien, Montgomery
NAYS: None
ABSENT: Landry
ABSTAINED: None

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

Lt. Pratt gave a brief update on the issue in Little Farms regarding a dirt pit and heavy equipment. Councilman Montgomery asked that this item be added to the next council agenda.

RETURN TO REGULAR ORDER

11. Request for Council to go into Executive Session pursuant to LSA - RS 42:16 & 17 (A) (2) to discuss the status of the litigation - Alvin Jackson adv City of Zachary # 649,447 19th JDC EBRP.
No action was taken on this item.

R. ADJOURNMENT

The meeting was adjourned at 7:33 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 Tuesday, October 12, 2021, a proper quorum being there and then present.

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