

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, January 23, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday January 23, 2018 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Zachary High Football Player Tahj Patterson
Pledge of Allegiance by Zachary High Football Player Jon Burrell

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR
David Amrhein

COUNCIL MEMBERS
Francis Nezianya – District 1
Brandon Noel – District 2
Laura O’Brien – District 3
Ben Cavin – District 4
Tommy Womack – District 5

ABSENT

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

D. READING OF THE MINUTES

1. Minutes of the January 09, 2018 Regular Meetings.

The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman Neziyanya
To approve the Minutes of the January 09, 2018 Regular Meeting and approve them as presented.

YEAS: Neziyanya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

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**

G. PRESENTATION OF DELEGATIONS

1. **Requests to Speak**
 - a. Coach Brewerton, Zachary High School Head Football Coach

Mayor Amrhein announces the Zachary High School Football Team and praises their accomplishment as Champions. Mayor Amrhein praises the team for representing the City of Zachary. Coach Brewerton speaks on the team's accomplishments in the last two years and presents Mayor Amrhein and the Council with a Zachary High School shirt.

2. **Hardship Waivers**
3. **Other Variances**
4. **Exceptions to Regulations**

H. ACTION MANDATED BY HOME RULE CHARTER

1. Appointments to Boards, Commissions, Committees
(Tabled from the January 9, 2018 meeting)

- a. ABC Board
- b. Municipal Civil Service Board
- c. Fire & Police Civil Service Board
- d. Zachary Historic Village Board

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve the appointments to the ABC board, Municipal Civil Service Board, Fire & Police Civil Service board, and to appoint Brandy Westmoreland to the ABC board.

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

I. PLANNING & ZONING MATTERS

1. Receive Minutes of the Regular meeting of January 08, 2018 of the Planning Commission and the Minutes of the Regular meeting of January 08, 2018 of the Zoning Commission.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To Receive Minutes of the Regular meeting of January 08, 2018 of the Planning Commission and the Minutes of the Regular meeting of January 08, 2018 of the Zoning Commission.

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

- a. **Resubdivision** – Tracts R-1 and R-2 of the M. L. Harvey Tract into 4 lots being identified as R 1 A, R 2 A, R 2 B and R 2 C
Owner: Americana Development, LLC
Applicant: Michael Davis, Landsource Inc (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:45 p.m. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:45 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision** – Tracts R-1 and R-2 of the M. L. Harvey Tract into 4 lots being identified as R 1 A, R 2 A, R 2 B and R 2 C

Owner: Americana Development, LLC Applicant: Michael Davis, Landsource Inc

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Site Plan-** Tract R-2-C of the M.L. Harvey Tract- The Garden Shed at Americana Owner/Applicant: Americana Development Company, LLC (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:46 p.m. There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:47 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve / deny **Site Plan-** Tract R-2-C of the M.L. Harvey Tract- The Garden Shed at Americana Owner/Applicant: Americana Development Company, LLC

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **Resubdivision** – Final Plat – Americana Phase 1 & 1A, 2nd Filing Owner: Americana Development LLC Applicant: Stantec (Owner's Agent) (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:47 p.m. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:48 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a **Resubdivision** – Final Plat – Americana Phase 1 & 1A, 2nd Filing Owner: Americana Development LLC Applicant: Stantec

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

- d. **Resubdivision-** Final Plat – Meadow View Subdivision- Phase 1 Owner/Applicant: D. R. Horton, Inc-Gulf South (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:48 p.m. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:49 pm.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve a **Resubdivision-** Final Plat – Meadow View Subdivision- Phase 1 Owner/Applicant: D. R. Horton, Inc-Gulf South contingent upon the developer paying the permit fee due for the sidewalk variance.

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

- e. **Annexation** – A certain 67.3 Acres of the Jerry McHugh Law Property, Located in sections 43 and 45, T4S-R1E, Greensburg Land District, East Baton Rouge Parish. Owner/Applicant: Michael Caccavo, Authorized signer for Step 12, LLC (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:50 p.m. There being no one to speak in favor or against the annexation Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:52 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve an **Annexation** – A certain 67.3 Acres of the Jerry McHugh Law Property, Located in sections 43 and 45, T4S-R1E, Greensburg Land District, East Baton Rouge Parish. Owner/Applicant: Michael Caccavo, Authorized signer for Step 12, LLC

To approve the Introduction of Ordinance 2018-03 **ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF A CERTAIN 67.3 ACRE TRACT OF THE JERRY MCHUGH LAW PROPERTY, LOCATED WITHIN §§43 AND 45, T4S-R1E, GLD, AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY**

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
 NAYS: None
 ABSENT: None
 ABSTAINED: None

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

- a. **Conditional Use – Manufactured Home (Hardship renewal) – 6505 Main Street** Owners: Jesse F. and Linda C. Devall
 Applicant: Sharon Devall Hawes (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:53 p.m. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:54 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a **Conditional Use – Manufactured Home (Hardship renewal) – 6505 Main Street** Owners: Jesse F. and Linda C. Devall Applicant: Sharon Devall Hawes

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
 NAYS: None
 ABSENT: None
 ABSTAINED: None

- b. **Conditional Use – Manufactured Home – renewal- 21301 W. J. Wicker Road** Owners/Applicant: Floyd and Dianne Fletcher (21363 W. J. Wicker Road) (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:55 p.m. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:56 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve a **Conditional Use – Manufactured Home – renewal- 21301 W. J. Wicker Road** Owners/Applicant: Floyd and Dianne Fletcher (21363 W. J. Wicker Road)

YEAS: Nezianya, Noel, O’Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To receive the Balance Sheet and Income Statement for the month of December 2017

YEAS: Nezianya, Noel, O’Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

- 1. **Special Event Permit for the sale of alcohol** - Rick Brown, Coconut Willies – Approval to sell alcohol on Super Bowl Sunday, February 4, 2018 (Lovenia Williams)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Special Event Permit for the sale of alcohol** - Rick Brown, Coconut Willies – Approval to sell alcohol on Super Bowl Sunday, February 4, 2018

YEAS: Nezianya, Noel, O’Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

2. **Special Event Permit for the sale of alcohol** – Hannah Plauche – Approval to sell alcohol on February 24, 2018 for the Cast Iron Classic (Hannah Plauche)

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve / deny **Special Event Permit for the sale of alcohol** – Hannah Plauche – Approval to sell alcohol on February 24, 2018 for the Cast Iron Classic and to consume alcohol on city premises.

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

3. **Introduction of Ordinance 2018-01** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO PURCHASE CERTAIN IMMOVABLE PROPERTY PURSUANT TO HOME RULE CHARTER § 2-09 (12) AND ALLOWING FOR THE PURCHASE OF SAME (John Hopewell)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve the **Introduction of Ordinance 2018-01** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO PURCHASE CERTAIN IMMOVABLE PROPERTY PURSUANT TO HOME RULE CHARTER § 2-09 (12) AND ALLOWING FOR THE PURCHASE OF SAME

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

4. **Introduction of Ordinance 2018-02** - ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO CREATE AND TO INTRODUCE CODE OF ORDINANCES § 42-14 TO ALLOW FOR THE ZACHARY FIRE DEPARTMENT TO ADDRESS THE PROVISION OF SMOKE DETECTING DEVICES WITHIN EXISTING RESIDENTIAL BUILDINGS WITHIN THE CITY OF ZACHARY AND FOR MATTERS IN FURTHERENCE (John Hopewell)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Introduction of Ordinance 2018-02** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO CREATE AND TO INTRODUCE CODE OF ORDINANCES § 42-14 TO ALLOW FOR THE ZACHARY FIRE DEPARTMENT TO ADDRESS THE PROVISION OF SMOKE DETECTING DEVICES WITHIN EXISTING RESIDENTIAL BUILDINGS WITHIN THE CITY OF ZACHARY AND FOR MATTERS IN FURTHERENCE

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

5. **Resolution 2018-03** - A resolution of the City of Zachary, State of Louisiana authorizing the Mayor and the Chief Financial Officer to exercise dual signature authority as sufficient for required signatures on checks equal to or less than \$2,500.00 without the concurrence of a member of the City Council and providing for other matters in connection therewith. (John Hopewell)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve the **Resolution 2018-03** - A resolution of the City of Zachary, State of Louisiana authorizing the Mayor and the Chief Financial Officer to exercise dual signature authority as sufficient for required signatures on checks equal to or less than \$2,500.00 without the concurrence of a member of the City Council and providing for other matters in connection therewith.

YEAS: Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

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

1. Review/Reports relative to Proposed/Active Condemnations

- a. Notice of Condemnation Hearing; 9366 Main Street, Zachary, La; Lot 58, Little Farms Subdivision, First Filing (John Hopewell) (Tabled until the January 23, 2018 meeting)

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To table the Notice of Condemnation Hearing; 9366 Main Street, Zachary, La; Lot 58, Little Farms Subdivision, First Filing until February 27, 2018.

Nezianya, Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

P. REPORTS FROM DEPARTMENT HEADS

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

Mayor Amrhein spoke to the council regarding electronic documentation. Mayor Amrhein also reminded the Council of the webinar that was to be held on January 30, 2018.

Amy Schultz spoke to the Mayor and Council regarding the feather flags and said they were getting out of hand again. Mrs. Schulze said that the UDC code needed to be enforced.

R. ADJOURNMENT

The meeting 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 Pro Tempore and Council of the City of Zachary, Louisiana, held on Tuesday, January 23, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council