

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, March 13, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday March 13, 2018 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Nezianya
Pledge of Allegiance by Councilman Noel

Councilman Nezianya asked everyone to observe a moment of silence for Officer and Firefighter Chris Lawton.

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 30, 2018 and February 22, 2018 Special Meetings and February 27, 2018 Regular Meeting.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the Minutes of the January 30, 2018 and February 22, 2018 Special Meetings and February 27, 2018 Regular Meeting and approve them as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

Mayor Amrhein and the Council members express their gratitude for Officer and Firefighter Chris Lawton.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Pay estimate #5 and retainage – Pedestrian Pathways and Bike Trails

The motion was made by Councilman Neziانيا

The motion was seconded by Councilwoman O'Brien

To approve Pay estimate #5 and retainage – Pedestrian Pathways and Bike Trails in the amount of \$39,413.70.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Pay estimate #1 – 2017 Road Rehabilitation and Improvement Program – Phase II.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Cavin

To approve Pay estimate #1 – 2017 Road Rehabilitation and Improvement Program Phase II in the amount of \$309,950.80.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

- a. Pay estimate #7 and retainage – Sanitary Sewer Collection System

Improvements – Contract 7A

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve Pay estimate #7 and retainage – Sanitary Sewer Collection System Improvements – Contract 7A in the amount of \$42,658.82.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Subdivision Inspections

4. Water and Gas Projects

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

2. Hardship Waivers

3. Other Variances

- a. Variance Request – Matt Gayle, 5555 Lower Zachary Road, Zachary – to allow for a second meter to be used for a surveillance camera or possibly a powered gate.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Variance Request – Matt Gayle, 5555 Lower Zachary Road, Zachary – to allow for a second meter to be used for a surveillance camera or possibly a powered gate.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Brandon L Williams –2267 Zelmere - to allow for an office only out of the home for a catering business; all prep and cooking done off site

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve Brandon L Williams –2267 Zelmere - to allow for an office only out of the home for a catering business; all prep and cooking done off site.

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

- c. Charles Albert – 4214 Spring Hollow Court – to have a home-based office for CAFIREGroup, Inc.; paperwork only.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve Charles Albert – 4214 Spring Hollow Court – to have a home-based office for CAFIREGroup, Inc.; paperwork only

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

- d. Genko Mgmt. dba Force Construction – sign for Meadow View Subdivision.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve Genko Mgmt. dba Force Construction – sign for Meadow View Subdivision.

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

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

- a. Approval of the Zachary Historic Village Board
(No Action was taken on this item)

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. **Conditional Use- Alcohol** – 20103 Old Scenic Hwy, Building 4, Suite A, (PJ's Coffee) Owner: Old Scenic Builders #4 Investment, LLC
Applicant: KL and AM Holdings, LLC.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:45 p.m. Amy Schulze was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:45 pm.

The motion was made by Councilwoman

The motion was seconded by Councilman Womack

To approve a Conditional Use- Alcohol – 20103 Old Scenic Hwy, Building 4, Suite A, (PJ's Coffee) Owner: Old Scenic Builders #4 Investment, LLC
Applicant: KL and AM Holdings, LLC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Conditional Use – Home based business – 4528 Avenue C – Frances Barton – to create hair care products.**

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 conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:47 pm. Applicant was not present at the meeting.

The motion was made by Councilman Womack

The motion was seconded by Councilman Neziyana

To Table the Conditional Use – Home based business – 4528 Avenue C – Frances Barton – to create hair care products.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **Conditional Use – 5615 Jane Marie – Home based business Rafael Nowicki– Biomedical Support Services, Inc.**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:48 p.m. Mr. Nowicki, 5615 Jane Marie, was present to speak in favor of the conditional use permit. He explained to Mayor Amrhein and Council members that he has been operating his business from this home for 18 years. He said he has never had any problems and has paid his taxes every year. He said that he no longer lives there but considers this to be a second residence. He said he does have four employees and that no other vehicles are ever at the residence. He said that technicians work from their homes. Mr. Nowicki explained that by operating his business from this residence he has not changed the character of the neighborhood. Mr. Nowicki explained that he did not understand what the complaint was by continuing to operate his business there. Larry Savoy, 5616 Jane Marie was present to speak in favor of the conditional use permit. Tracy Chidester, 5557

Jane Marie, was present to speak in favor of the conditional use permit, Drew Robertson, 5637 Jane Marie, was present to speak in favor of the conditional use permit. Graham Arnold, 23050 General Gardner Lane, was present to speak in favor of the conditional use permit and also represents Mr. Nowicki. He explained to Mayor Amrhein and to the council that Mr. Nowicki meets all regulations for a home office. There was discussion with Mr. Nowicki and the council explaining to him that this residence is in a residential zoned area and that such use is not incidental and accessory to the use of the building as a residence by the person engaged in the home business.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To deny a Conditional Use permit at 5615 Jane Marie for a Home-based business to Rafael Nowicki– Biomedical Support Services, Inc. but to allow the continuation of the business until December 31, 2018.

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

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

- a. EBR Item # 50665-SS – Subdivision of Tract 1-B-1-A-3-A-1-A-1 into 3 lots (1-B-1-A-3-A-1-A-1-A, 1-B-1-A-3-A-1-A-1-B, and 1-B-1-A-3-A-1-A-1-C)

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve a letter of objection for a zone of influence for EBR Item # 50665-SS – Subdivision of Tract 1-B-1-A-3-A-1-A-1 into 3 lots (1-B-1-A-3-A-1-A-1-A, 1-B-1-A-3-A-1-A-1-B, and 1-B-1-A-3-A-1-A-1-C)

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

- b. EBR Item # 50619-SS – Resubdivision Plat of Lot X into X-1, X-2, X-3 of the Marshall Bond Tract, Sections 63 & 66, T4S-R1W, EBRP, GLD for Mary Elizabeth Simms Guy.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a letter of objection for a zone of influence for EBR Item # 50619-SS – Resubdivision Plat of Lot X into X-1, X-2, X-3 of the Marshall Bond Tract, Sections 63 & 66, T4S-R1W, EBRP, GLD for Mary Elizabeth Simms Guy.

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

J. APPROVE PAYMENT OF BILLS

1. Approve Accounts Payable and the natural gas bill when it is received.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve Accounts Payable in the amount of \$709,720.22 and the natural gas bill when it is received.

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

NAYS: None

ABSENT: None

ABSTAINED: None

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Public Hearing and Adoption of Ordinance 2018-06 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTIES DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OR ABANDONMENT IN PLACE.**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:39 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:40 pm. Applicant was not present at the meeting.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption of Ordinance 2018-06 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTIES DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OR ABANDONMENT IN PLACE**

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Discussion of the process of setting the millage rate for the upcoming year

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the process to go forward of setting the millage rate at 5.48 mils for the upcoming year.

YEAS: Cavin, Nezianya, O'Brien, Noel, 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. Public Hearing of Notice of Condemnation; 9366 Main Street, Zachary, La; Lot 58, Little Farms Subdivision, First Filing (John Hopewell) (Tabled until the March 27, 2018 meeting)

P. REPORTS FROM DEPARTMENT HEADS

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

R. ADJOURNMENT

The meeting was adjourned at 7:48.

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, March 13, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council