

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, February 26, 2019, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday March 26, 2018 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Landry
Pledge of Allegiance by Councilwoman O'Brien

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Nezianya – District 1
Brandon Noel – District 2
Laura O'Brien – District 3
Hunter Landry – District 4
Lael Montgomery – District 5

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. Approval of Minutes of the March 12, 2019 regular meeting.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Landry

To approve the Minutes of the March 12, 2019 regular meeting and approve them as written.

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

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

John LeBlanc, 1420 Eagle Drive, Zachary, La was present to get an update on when the rumble stripes would be removed and to get an update on when a meeting would be scheduled to receive the traffic data that was gathered by the traffic engineers.

2. Hardship Waivers

3. Other Variances

- a. Variance Request – 4746 Main Street Zachary -Z Market - To allow use of existing pole sign on property.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To deny Variance Request – 4746 Main Street Zachary -Z Market - To allow use of existing pole sign on property.

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

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

1. Receive Minutes of the Regular meeting of March 11, 2019 of the Planning Commission and the Minutes of the Regular meeting of March 11, 2019 of the Zoning Commission.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To Receive Minutes of the Regular meeting of March 11, 2019 of the Planning Commission and the Minutes of the Regular meeting of March 11, 2019 of the Zoning Commission.

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

2. Zoning Matters REQUIRING a Public Hearing

a. Article 2 District Intensity and Development Standards, Division 2/300 Residential Lot, Yard, and Height Standards.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To Introduce Ordinance 2019-04 Article 2 District Intensity and Development Standards, Division 2/300 Residential Lot, Yard, and Height Standards changes.

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

b. Conditional Use – Manufactured Home – 5710 Avenue X

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:48 p.m. Marlon Lemond was present to explain the item. Mr. Lemond said that the Planning and Zoning commission recommended this item for approval. Mr. Lemond explained that this was to replace an existing mobile home. There being no one else to speak in favor or against the

conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:49 p.m.

The motion was made by Councilman Montgomery

The motion was seconded by Councilman Nezianya

To approve a Conditional Use – Manufactured Home – 5710 Avenue X.

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

NAYS: None

ABSENT: None

ABSTAINED: None

c. Rezone – Lot Y of the Mollie Loudon Tract – From CG to BP

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:50 p.m. Marlon Lemond was present to explain the item. Mr. Lemond explained that a contractors' office was not permitted in CG zoning. Amy Schultz, 8643 Main Street, Zachary, was present to speak in favor of the item and to answer any questions. There being no one else to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:51 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Landry

To approve a Rezone – Lot Y of the Mollie Loudon Tract – From CG to BP.

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

NAYS: None

ABSENT: None

ABSTAINED: None

d. Rezone – Tract C of the Julius Johnson Estate – From AF to I

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:52 p.m.

Marlon Lemond was present to explain the item. There being no one to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:53 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilman Nezianya

To approve a Rezone – Tract C of the Julius Johnson Estate – From AF to I.

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

NAYS: None

ABSENT: None

ABSTAINED: None

e. Rezone – Portion of Lots A-4-B-1 and A-4-B-2 of the F. E. Bennett Estate – From RE to RS.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:53 p.m. Marlon Lemond was present to explain the item. Goeff Wilson, 10305 Airline Hwy, Baton Rouge, was present to speak in favor of the item. Mr. Wilson proposed to rezone only 35

acres of the existing 65 acres. Mr. Villavaso requested that a new site plan be submitted. Mr. Abraham, 9599 Millwood Creek Ct., Zachary was present to speak against the rezone. Mrs. Diane Fletcher, 21363 W.J. Wicker Road, Zachary was also present to speak against the rezone. Other residents that were present to speak against the rezone are as follows; Mindy Slaughter, 9264 Highland Oaks, Lee Coleman 9359 Millwood Creek, Renee Lee, 9413 Millwood Creek, Ken Wicker, 4128 Lake Pointe Ave., Janice Knox, 9173 Millwood Creek, Russell Jones, 9524 Millwood Creek Ct., Ronald Sanford, 9556 Millwood Creek, Sebastrian Brazelton, 9151 Millwood Creek, Monique Brazelton, 9151 Millwood Creek Ct., James McCall, 9452 Millwood Creek Ct., Mike Knaps, 21614 McHost Road, Zachary, La. Susan Staid, 21457 W.J. Wicker and Joanne Saale, 21407 W.J. Wicker Road also expressed opposition through email. There being no one else to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:11 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To deny a Rezone – Portion of Lots A-4-B-1 and A-4-B-2 of the F. E. Bennett Estate – From RE to RS.

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

3. Zoning Matters NOT Requiring Public Hearing

4. Planning Matters REQUIRING a Public Hearing

- a. Site Plan – Preliminary Plat revision- the Reserve
(Pride Port Hudson)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:14 p.m. Marlon Lemond was present to explain the item. Michael Caccaro, 2526 North Turnberry Lane, Zachary, was present to speak in favor of the site plan. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:16 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilman Noel

To approve a Site Plan – Preliminary Plat revision- the Reserve (Pride Port Hudson)

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

- b. Resubdivision – Lot 2-A of the Montegudo Property – Zachary
Commercial Park – into lots 2-A-1 and 2-A-2.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:17 p.m. Marlon Lemond was present to explain the item. David Patterson, 6730 Exchequer Drive, Baton Rouge, was present to speak in favor of the resubdivision. Nick Fakouri, 13555 Highland Road, Baton Rouge, was also present to speak in favor of the resubdivision. There being no one else to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:19 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilman Noel

To approve a Resubdivision – Lot 2-A of the Montegudo Property – Zachary Commercial Park – into lots 2-A-1 and 2-A-2.

YEAS: Nezianya, Noel, O’Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

c. Site Plan – Final Plat – Olde Oaks at Zachary

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:19 p.m. Marlon Lemond was present to explain the item. Oscar Zeringue, 298 Highland Meadow Drive, Jackson, La, was present to speak in favor of the site plan. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:22 p.m.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Noel

To approve a Site Plan – Final Plat – Olde Oaks at Zachary.

YEAS: Nezianya, Noel, O’Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

d. Site Plan – Americana 5-B

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:23 p.m. Marlon Lemond was present to explain the item. Dale Aucoin, 19717 Barnette Road, Zachary, was present to speak against the site. Mr. Aucoin expressed his concerns regarding drainage in the area. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:29 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve a Site Plan – Americana 5-B.

YEAS: Nezianya, Noel, O’Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

5. Planning Matters NOT requiring a Public Meeting

6. Other Matters

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

1. Receive the Balance Sheet and Income statement as of February 28, 2019.
The motion was made by Councilman Nezianya
The motion was seconded by Councilman Landry
To Receive Balance Sheet and Income Statement for the month of February 28, 2019.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Introduction of Ordinance 2019-02** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND SUBSECTIONS (B) and (C) OF § 6-38 AND (D), (E) and (G) of § 6-103 OF THE ZACHARY CODE OF ORDINANCES RELATING TO THE SUNDAY SALE OF ALCOHOLIC BEVERAGES AND POSSESSION OF THE SAME ON CITY PROPERTIES AND FOR RELATED MATTERS
The motion was made by Councilman Landry
The motion was seconded by Councilman Noel
To approve an **Introduction of Ordinance 2019-02** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND SUBSECTIONS (B) and (C) OF § 6-38 AND (D), (E) and (G) of § 6-103 OF THE ZACHARY CODE OF ORDINANCES RELATING TO THE SUNDAY SALE OF ALCOHOLIC BEVERAGES AND POSSESSION OF THE SAME ON CITY PROPERTIES AND FOR RELATED MATTERS.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

2. **Introduction of Ordinance 2019-03** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND PREVIOUSLY ENACTED ORDINANCE 2014-13 RELATING OF THE ZACHARY CODE OF ORDINANCES REGARDING THE PROHIBITION OF SMOKING ON CITY PROPERTIES TO CREATE § 38-6 AND FOR RELATED MATTERS.

The motion was made by Councilman Landry

The motion was seconded by Councilman Nezianya

To approve an **Introduction of Ordinance 2019-03** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND PREVIOUSLY ENACTED ORDINANCE 2014-13 RELATING OF THE ZACHARY CODE OF ORDINANCES REGARDING THE PROHIBITION OF SMOKING ON CITY PROPERTIES TO CREATE § 38-6 AND FOR RELATED MATTERS.

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

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**

P. REPORTS FROM DEPARTMENT HEADS

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

John Hopewell was present to speak to Mayor Amrhein and Council members regarding the Alvin Jackson vs. City of Zachary case and to amend the contract with legal counsel representing the City of Zachary.

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, March 26, 2019 a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council