

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, May 08, 2018, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday May 08, 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 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  
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. Approval of Minutes of the April 24, 2018 regular meeting.  
The motion was made by Councilman Nezianya  
The motion was seconded by Councilwoman O'Brien

To approve the Minutes of the April 24, 2018 regular meeting and approve them with corrections as noted.

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

a. Sanitary Sewer Collection System Improvements – Contract 7B Contract Change Order.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Sanitary Sewer Collection System Improvements – Contract 7B Contract Change Order in the amount of \$72,290.48

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

b. Sanitary Sewer Collection System Improvements – Contract 7B Pay estimate #3.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve Sanitary Sewer Collection System Improvements – Contract 7B Pay estimate #3 in the amount of \$165,900.86.

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

c. Sanitary Sewer Collection System Improvements – Contract 7B Certificate of Substantial Completion.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve Sanitary Sewer Collection System Improvements – Contract 7B Certificate of Substantial Completion.

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** – Pit Stop Auto Shop – 3690 Hwy 19, Zachary, La 70791 – to allow the installation of a roll up bay door facing Hwy 19  
The motion was made by Councilman Womack  
The motion was seconded by Councilwoman O'Brien

To approve a **Variance Request** – Pit Stop Auto Shop – 3690 Hwy 19, Zachary, La 70791 – to allow the installation of a roll up bay door facing Hwy 19.

YEAS: Cavin, Nezianya, O'Brien, Noel, Womack  
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 \_\_\_\_\_ 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**

**5. Zoning Matters NOT Requiring Public Hearing**

**6. Other Matters**

**J. APPROVE PAYMENT OF BILLS**

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve accounts payable in the amount of \$535,125.41 and the 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**

1. **Public Hearing and Adoption of Ordinance 2018-08** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018 (Tabled from the April 24, 2018 Meeting)

The hearing was suspended at 6:46 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To table the **Adoption of Ordinance 2018-08** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. **Public Hearing and Adoption of Ordinance 2018-09** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019 (Tabled from the April 24, 2018 Meeting)

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To table the **Adoption of Ordinance 2018-09** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019.

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

**M. OLD BUSINESS PENDING**

**N. NEW BUSINESS**

1. **Public Hearing and Adoption of Ordinance 2018-10** 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 opened the PUBLIC HEARING at 6:48 p.m. Councilman Noel spoke and said that he would like to see an attempt to sell all city vehicles that are declared to be surplus on the City's online auction site first before donating them to other municipalities. Councilman Cavin also agreed. Councilman Neziyanya also agrees. However, if there is a municipality that is in need and cannot afford to buy a vehicle then it would be okay to donate it. Councilman Noel agreed and said that a letter explaining the need would be sufficient. Councilman Womack spoke and said that he would like to support surrounding law enforcements. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:03 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Adoption of Ordinance 2018-10** 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, Neziyanya, O'Brien, Noel, Womack  
NAYS: None  
ABSENT: None  
ABSTAINED: None

2. **Public Hearing and Adoption of Ordinance 2018-12** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF THAT CERTAIN PORTION OF FORMER STATE ROUTE LA 64 FROM ITS INTERSECTION WITH BARNETT ROAD EAST TO ITS INTERSECTION WITH STATE ROUTE LA 964 AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor Amrhein opened the PUBLIC HEARING at 7:03 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:05 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve the **Adoption of Ordinance 2018-12** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF THAT CERTAIN PORTION OF FORMER STATE ROUTE LA 64 FROM ITS INTERSECTION WITH BARNETT ROAD EAST TO ITS INTERSECTION WITH STATE ROUTE LA 964 AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. **Introduction of Ordinance 2018-13** ORDINANCE PERTAINING TO THE ESTABLISHMENT OF A RATE SCHEDULE FOR SALES OF NATURAL GAS TO LARGE VOLUME INDUSTRIAL CUSTOMERS AND FOR OTHER MATTERS IN CONNECTION THEREWITH.

The motion was made by Councilman Neziانيا

The motion was seconded by Councilman Womack

To approve the **Introduction of Ordinance 2018-13** ORDINANCE PERTAINING TO THE ESTABLISHMENT OF A RATE SCHEDULE FOR SALES OF NATURAL GAS TO LARGE VOLUME INDUSTRIAL CUSTOMERS AND FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. Approval to allow the Administration to negotiate and to enter into proposed contracts for sales of natural gas in accordance therewith including but not limited to:

- a. A North American Energy Standards Board (NAESB) Base Contract for Purchase and Sale of Natural Gas, including the Transaction Confirmation, between the City and Georgia-Pacific, and
- b. A Gas Sales Contract between the Louisiana Municipal Gas Authority (LMGA) and the City of Zachary for the sale of the gas from the prepayment transaction.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Neziانيا

To approve the Administration to negotiate and to enter into proposed contracts for sales of natural gas in accordance therewith including but not limited to:

- a. A North American Energy Standards Board (NAESB) Base Contract for Purchase and Sale of Natural Gas, including the Transaction Confirmation, between the City and Georgia-Pacific, and

- b. A Gas Sales Contract between the Louisiana Municipal Gas Authority (LMGA) and the City of Zachary for the sale of the gas from the prepayment transaction and, to hire special council to assist in the process.

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

5. Executive Session of the Council and of the Mayor pursuant to LSA- R.S. 42:17 (A)(2) with regard to civil litigation - *Goodson vs. CoZ*- 19<sup>th</sup> JDC EBR #667741-24 & *Scott vs. McDavid (CoZ), et al* - 19<sup>th</sup> JDC EBR #31071- 24

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To table the executive session. The motion failed due to a lack of vote. Mayor Amrhein spoke and said he did need to speak to the council regarding this item.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To enter in to executive session at 7:18 p.m.

A super majority was met.

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

The motion was made by Councilman Neziانيا

The motion was seconded by Councilman Womack

To reconvene the regular meeting at 7:28 p.m.

YEAS: Cavin, Neziانيا, 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**

**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 7:29 p.m.

**CERTIFICATION**

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

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**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, May 08, 2018, a proper quorum being there and then present.

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**Dana LeJeune, Clerk of the City Council**