

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 09, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday May 09, 2017 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
ABSENT
Tommy Womack – 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

The motion was made by Councilman Noel
The motion was seconded by Councilwoman O'Brien
To approve and add the addendum to the agenda in section G3.
YEAS: Nezianya, Noel, O'Brien, Cavin
NAYS: None
ABSENT: Womack
ABSTAINED: None

D. READING OF THE MINUTES

- 1. Minutes of the April 25, 2017 Regular Meeting.
 The motion was made by Councilman Cavin
 The motion was seconded by Councilwoman O'Brien
 To approve the Minutes of the April 25, 2017 Regular Meeting and approve them as presented.
 YEAS: Nezianya, Noel, O'Brien, Cavin
 NAYS: None
 ABSENT: Womack
 ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

- 1. Zachary Men's Club (Mayor Amrhein)

 Mayor Amrhein recognized The Zachary Men's Club for receiving the Solaris Award at the 5th annual Gala held in Baton Rouge on April 27, 2017. He explained that the award is given for having overall outstanding service to the Zachary Community. Mayor Amrhein thanked the Men's Club for their outstanding efforts which include: back to school supplies, Zachary Food Bank, elderly citizen's assistance, and scholarships for Zachary High School students. He noted that the Men's Club served as an information assistance center for FEMA after the 2016 flood.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Zachary Youth Park Field Lighting Change Order #2
 The motion was made by Councilman Nezianya
 The motion was seconded by Councilman Cavin
 To approve Zachary Youth Park Field Lighting Change Order #2.
 YEAS: Nezianya, Noel, O'Brien, Cavin
 NAYS: None
 ABSENT: Womack
 ABSTAINED: None

- b. Zachary Youth Park Field Lighting Certificate of Substantial Completion.
 The motion was made by Councilwoman O'Brien
 The motion was seconded by Councilman Noel
 To approve Zachary Youth Park Field Lighting Certificate of Substantial Completion.
 YEAS: Nezianya, Noel, O'Brien, Cavin
 NAYS: None
 ABSENT: Womack
 ABSTAINED: None

2. Sewer
3. Subdivision Inspections
4. Water and Gas Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak
2. Hardship Waivers

ALTER AGENDA

1. Landmark Bank, 2250 Church St. Ste. B, Zachary – To allow for larger fascia signs than what is allowed in Table 5.301B of the UDC.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Nezianya

To approve Kevin Smith- 4938 Hillcrest Drive - to allow for reduced lot width and size for property zoning.

YEAS: Nezianya, Noel, O'Brien

NAYS: None

ABSENT: Womack

ABSTAINED: Cavin

Return to regular order

3. Other Variances

- a. Kevin Smith- 4938 Hillcrest Drive - to allow for reduced lot width and size for property zoning.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve Kevin Smith- 4938 Hillcrest Drive - to allow for reduced lot width and size for property zoning.

YEAS: Nezianya, Noel, O'Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

- b. Enquist Management, LLC- Americana Development- to allow for a greater sign size than permitted in the UDC.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve Enquist Management, LLC- Americana Development- to allow for a greater sign size than permitted in the UDC.

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

- c. Sam Johnson – 2525 Church Street- to allow for no buffer yard on the west side and allow buffer yard as shown on east side (Table 10.301); allow for parking lot buffer yard along Main Street (Sec 10.305).

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve Sam Johnson – 2525 Church Street- to allow for no buffer yard on the west side and allow buffer yard as shown on east side (Table 10.301); allow for parking lot buffer yard along Main Street (Sec 10.305).

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

- d. Amy Schulze – 7184 Lakeland Drive – to allow a home office for LMS Training Services, LLC.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve Amy Schulze – 7184 Lakeland Drive – to allow a home office for LMS Training Services, LLC.

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

- e. Bad Boy Bow Ties Incorporated – 5039 Newell Street - to allow a home based business – online retail.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Bad Boy Bow Ties Incorporated – 5039 Newell Street - to allow a home based business – online retail.

- YEAS: Nezianya, Noel, O'Brien, Cavin
- NAYS: None
- ABSENT: Womack
- 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. **Zoning Matters REQUIRING a Public Hearing**
3. **Zoning Matters NOT Requiring Public Hearing**
4. **Planning Matters REQUIRING a Public Hearing**
5. **Planning Matters NOT requiring a Public Meeting**
6. **Other Matters**

J. APPROVE PAYMENT OF BILLS

1. Approve Accounts Payable and the natural gas bill when it is received.
The motion was made by Councilman Cavin
The motion was second by Councilman Nezianya
To approve Accounts Payable in the amount of \$407,021.17 and the natural gas bill when it is received.
YEAS: Nezianya, Noel, O'Brien, Cavin
NAYS: None
ABSENT: Womack
ABSTAINED: None

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

1. **Public Hearing and Adoption of ORDINANCE 2017-03 PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME.**
Mayor Amrhein declared a PUBLIC HEARING to be session 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 7:04 p.m.
The motion was made by Councilman Cavin
The motion was seconded by Councilwoman O'Brien
To approve an **Adoption** of ORDINANCE 2017-03 PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME.

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

2. **Public Hearing and Adoption** of ORDINANCE 2017-04 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, 2016 AND ENDING JUNE 30, 2017.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:05 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:11 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption** of ORDINANCE 2017-04 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, 2016 AND ENDING JUNE 30, 2017.

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

3. **Public Hearing and Adoption** of ORDINANCE 2017-05 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, 2017 AND ENDING JUNE 30, 2018.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:11 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:12 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve an **Adoption** of ORDINANCE 2017-05 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, 2017 AND ENDING JUNE 30, 2018.

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

4. **Public Hearing and Adoption** of ORDINANCE 2017-06 AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §86-23 RELATING TO THE INITIAL SETTING OF MISCELLANEOUS SERVICE CHARGES IN CONNECTION WITH THE DELIVERY OF UTILITIES AND FOR METER SERVICING AND FOR ALL OTHER MATTERS RELATED THERETO.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:13 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:14 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve an **Adoption** of ORDINANCE 2017-06 AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §86-23 RELATING TO THE INITIAL SETTING OF MISCELLANEOUS SERVICE CHARGES IN CONNECTION WITH THE DELIVERY OF UTILITIES AND FOR METER SERVICING AND FOR ALL OTHER MATTERS RELATED THERETO.

YEAS: Nezianya, Noel, O'Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

5. **Public Hearing and Adoption** of ORDINANCE 2017-07 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT D-2-B OF THE E.D. ANNISON TRACT LOCATED IN §§61 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:15 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:15 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption** of ORDINANCE 2017-07 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT D-2-B OF THE E.D. ANNISON TRACT LOCATED IN §§61 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

YEAS: Nezianya, Noel, O'Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

6. **Public Hearing and Adoption** of ORDINANCE 2017-09 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT F-1 OF THE E.D. ANNISON TRACT LOCATED IN §§61 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:16 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:17 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Cavin

To approve an **Adoption** of ORDINANCE 2017-09 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT F-1 OF THE E.D. ANNISON TRACT LOCATED IN §§61 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

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

7. **Public Hearing and Adoption** of ORDINANCE 2017-08 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACTS A, B & C OF THE ALBERT C. MILLS, JR. PROPERTY LOCATED IN §§27, 28 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor Amrhein declared a PUBLIC HEARING to be session at 7:18 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:18 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To approve an **Adoption** of ORDINANCE 2017-08 PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACTS A, B & C OF THE ALBERT C. MILLS, JR. PROPERTY LOCATED IN §§27, 28 & 68, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

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

M. OLD BUSINESS PENDING

1. Introduce Ordinance #2014-07 – Petition of Annexation East Mt. Pleasant Rd. & the remainder of the Marshall Bond Property – Located on Hwy. 61 & Hwy.64 (Remains Tabled)

N. NEW BUSINESS

1. Request for authorization and approval of an RFP award for Disaster Debris – **“Monitoring Services”** to PEC.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve a Request for authorization and approval of an RFP award for Disaster Debris – **“Monitoring Services”** to PEC.

YEAS: Nezianya, Noel, O’Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

2. Request for re-adoption of Resolution for the FY2016 Residential Anti-displacement Plan and Relocation Assistance Plan for the Louisiana Community Development Block Grant Program.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O’Brien

To approve a Request for re-adoption of Resolution for the FY2016 Residential Anti-displacement Plan and Relocation Assistance Plan for the Louisiana Community Development Block Grant Program.

YEAS: Nezianya, Noel, O’Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

3. Request for an extension to the emergency ordinance, regarding occupancy of FEMA trailers, for Nancy McCarthy located at 3541 Little Farms.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve a Request for an extension to the emergency ordinance, regarding occupancy of FEMA trailers, for Nancy McCarthy located at 3541 Little Farms until February 28, 2018.

YEAS: Nezianya, Noel, O’Brien, Cavin

NAYS: None

ABSENT: Womack

ABSTAINED: None

4. **Introduction** of Ordinance 2017-10 - Authorizing The City Of Zachary To Amend §2.201 And §2.301 Of The Unified Development Code For The City Of Zachary To Provide For Amendments To The Application Of Parcel, Residential Lot, And Yard Standards Within The City Of Zachary And For Other Matters In Furtherance Of This Provision.

The motion was made by Councilman Noel

The motion was seconded by Councilman Nezianya

To Table an **Introduction** of Ordinance 2017-10 - Authorizing The City Of Zachary To Amend §2.201 And §2.301 Of The Unified Development Code For The City Of Zachary To Provide For Amendments To The Application Of Parcel, Residential Lot, And Yard Standards Within The City Of Zachary And For Other Matters In Furtherance Of This Provision.

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

5. **Approval** of PROPOSED AMENDMENT TO RULE XII § 7 OF THE ZACHARY MUNICIPAL FIRE AND POLICE CIVIL SERVICE BOARD RULES - Military Leave with Pay.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a PROPOSED AMENDMENT TO RULE XII § 7 OF THE ZACHARY MUNICIPAL FIRE AND POLICE CIVIL SERVICE BOARD RULES - Military Leave with Pay.

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**

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 adjourned at 7.58 p.m.

CERTIFICATION

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

Ben Cavin, Mayor Pro Tempore

I, Dana Poole, 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 09, 2017, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council

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