

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 22, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday May 22, 2018 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Womack

Pledge of Allegiance by Councilman Noel

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

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To amend the agenda to move item 4C up on the agenda.

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

D. READING OF THE MINUTES

1. Approval of Minutes of the May 08, 2018 regular meeting.
The motion was made by Councilman Nezianya
The motion was seconded by Councilman Noel
To approve the Minutes of the May 08, 2018 regular meeting and approve them as written.
YEAS: Cavin, Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

Mayor Amrhein congratulates Tallie Langston for her accomplishments for being abducted into the Academic Honor Society at BRCC.

ALTER AGENDA

4c. **Conditional Use** – Alcohol – 20610 Old Scenic Hwy (Jett's Food Mart #8) Owner: AJKBE Investments Applicant: Jett's Food Mart #8
Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:39 p.m. Tallie Langston was present to speak to explain the item. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:40 p.m.
The motion was made by Councilman Noel
The motion was seconded by Councilman Womack
To approve a **Conditional Use** – Alcohol – 20610 Old Scenic Hwy (Jett's Food Mart #8) Owner: AJKBE Investments Applicant: Jett's Food Mart #8
YEAS: Cavin, Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

Return to regular order

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. 2017 Road Rehabilitation and Improvement Program- Phase II – Change Order #1

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve/deny 2017 Road Rehabilitation and Improvement Program- Phase II – Change Order #1 in the amount of \$50,892.00.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. 2017 Road Rehabilitation and improvement Program Phase II – Pay Request #3

The motion was made by Councilman Nezianya

The motion was seconded by Councilman O’Brien

To approve the 2017 Road Rehabilitation and improvement Program Phase II – Pay Request #3 in the amount of \$261,607.20

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

- a. FY 2016 LCDBG Water Distribution System Improvements – Certificate of Substantial Completion

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the FY 2016 LCDBG Water Distribution System Improvements – Certificate of Substantial Completion.

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Mark Osyka, 4078 Cherry Street, Zachary, La was present to speak. He asked the Mayor and Council to explain what the definition was for modular homes vs trailers. He explained that he believes that they decrease property values. Mr. Osyka referred to the modular home that is located at 22584 Hwy 964 in Zachary. Scott Masterson was present to explain that it is a modular home and not a trailer. Mr. Vallavouso was also present to explain the difference between the two.

2. Hardship Waivers

3. Other Variances

- a. To allow for a variance of the 360 architecture requirements and metal building for Union Antioch Baptist Church

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve a variance of the 360 architecture requirements and metal building for Union Antioch Baptist Church.

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 May 07, 2018 of the Planning Commission and the Minutes of the Regular meeting of May 07, 2018 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 May 07, 2018 of the Planning Commission and the Minutes of the Regular meeting of May 07, 2018 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

- a. Final Plat- revision 1- Meadow View Subdivision, Phase 1
Owner/Applicant: D. R. Horton – Gulf Coast

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:03 p.m. Tallie Langston 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 final plat Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:04 p.m.

The motion was made by Councilman Womack
The motion was seconded by Councilman O'Brien

To approve a Final Plat- revision 1- Meadow View Subdivision, Phase 1
Owner/Applicant: D. R. Horton – Gulf Coast

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

- b. Site Plan – Preliminary Plat – The Reserve (67.3 Acres – The Jerry McHugh Law Property) Owner/Applicant: Michael Caccavo/ Step 12, LLC.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:08 p.m. Tallie Langston was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. Michael Carruso, 2526 North Turnberry, Zachary was present to answer any questions. Kyle Peal, 4970 Idlewood Drive, Clinton was present to speak in favor and to answer any questions. Larry Powenski, 5787 Port Hudson Pride Road, Zachary was present to speak against the item. Mr. Powenski expressed his concerns about the development. Mary Landry, 27126 Pride Port Hudson Road, Zachary was present to express her concerns about the drainage. Councilman Noel explains that the developer is required to do all the studies for drainage. There being no one else to speak Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:15 pm.

The motion was made by Councilman Womack
The motion was seconded by Councilman Cavin

To approve a Site Plan – Preliminary Plat – The Reserve (67.3 Acres – The Jerry McHugh Law Property) Owner/Applicant: Michael Caccavo/ Step 12, LLC.

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

- c. Site Plan – Premier Collision- 20201 Machost Road
Owner/Applicant: Jason Brown

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:16 p.m. Tallie Langston was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. Jason Brown, 8816 Novar Drive Denham Springs, La was present to speak in favor of the site plan. There being no one else to speak Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:17 pm.

The motion was made by Councilman Noel
The motion was seconded by Councilwoman O'Brien

To approve a Site Plan – Premier Collision- 20201 Machost Road

Owner/Applicant: Jason Brown

YEAS: Cavin, Neziyanya, O’Brien, Noel, 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 –4659 Avenue C

Owner/Applicant: Andrew Bradford

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:18 p.m. Tallie Langston was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. Andrew Bradford, 8610 Lemon Road was present to speak in favor of the conditional use permit. There being no one else to speak Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:20 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Neziyanya

To approve a **Conditional Use-** Manufactured Home –4659 Avenue C

Owner/Applicant: Andrew Bradford.

YEAS: Cavin, Neziyanya, O’Brien, Noel, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

b. Conditional Use- Manufactured Home –21366 Hwy 964

(Replacement)Owner: Michael Parker Sr Applicant: Michael Jarreau Jr

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:20 p.m. Tallie Langston was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. Mike Parker, 4451 Cypress St., Zachary was present to speak in favor of the conditional use permit. A letter from Jeanette Boggs was read in to the minutes by City Attorney, John Hopewell. There being no one else to speak Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:24 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a **Conditional Use-** Manufactured Home –21366 Hwy 964

(Replacement)Owner: Michael Parker Sr Applicant: Michael Jarreau Jr

YEAS: Cavin, Neziyanya, O’Brien, Noel, Womack

NAYS: None

ABSENT: None

ABSTAINED: None

- d. **Conditional Use-** Alcohol – 1185 Americana Blvd, Ste 1180 (Bistro Byronz) Owner: CPRT Americana II, LLC Applicant: Bistro Byronz Americana, LLC

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:27 p.m. Tallie Langston was present to speak and said that this item was recommended for approval by the Planning and Zoning Commission. Brock Kendrow, 9990 Stanford Drive, Baton Rouge, La was present to speak in favor of the conditional use permit. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:36 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Conditional Use-** Alcohol – 1185 Americana Blvd, Ste 1180 (Bistro Byronz) Owner: CPRT Americana II, LLC Applicant: Bistro Byronz Americana, LLC

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

- e. **Rezone** – Lot D-1 of the Johnson-Julius Estate/ 21233 Hwy 964/Old Scenic Hwy- from RE to CS Owner/Applicant: Leroy Williams, Jr.

The motion was made by Councilman Womack

The motion was seconded by Councilman Neziانيا

To remove **Rezone** – Lot D-1 of the Johnson-Julius Estate/ 21233 Hwy 964/Old Scenic Hwy- from RE to CS Owner/Applicant: Leroy Williams, Jr. from the agenda.

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

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

- a. **EBR #50718-SS/ SS-2-18** – resubdivision of Lot X-3 into Lots X-3-A, X-3-B, and X-3-C of the Marshall Bond Tract (20103 Eastwood Drive)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To send a letter of no objection for a zone of influence for **EBR #50718-SS/ SS-2-18** – X-3-B, and X-3-C of the Marshall Bond Tract (20103 Eastwood Drive)

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

- b. **EBR #50735-SS** – resubdivision of Lot W-1-A of the J. R. Tucker Property into Lots W-1-A-1, W-1-A-2 and W-1-A-3

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To send a letter of no objection for a zone of influence for **EBR #50735-SS** – resubdivision of Lot W-1-A of the J. R. Tucker Property into Lots W-1-A-1, W-1-A-2 and W-1-A-3

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

NAYS: None

ABSENT: None

ABSTAINED: None

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

- 1. Approval of Balance Sheet and Income Statement for the month of April 2018

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To accept the Balance Sheet and Income Statement for the month of April 2018

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

NAYS: None

ABSENT: None

ABSTAINED: None

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 May 08, 2018 Meeting)**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:42 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:43 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve 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**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:43 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:44 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve 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, Nezianya, O'Brien, Noel, Womack
 NAYS: None
 ABSENT: None
 ABSTAINED: None

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Public Hearing and Adoption of Ordinance 2018-13 ORDINANCE PERTAINING TO THE ESTABLISHMENT OF A RATE SCHEDULE FOR SALES OF NATURAL GAS TO LARGE VOLUME INDUSTRIAL AND FOR OTHER MATTERS IN CONNECTION THEREWITH**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:45 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:47 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

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

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

2. **Introduction of Ordinance 2018-14** 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

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Introduction of Ordinance 2018-14** 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

3. LSA RS 43:141 -Official selection of The Advocate as the Official Journal for City of Zachary for next Fiscal Year.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve LSA RS 43:141 -Official selection of The Advocate as the Official Journal for City of Zachary for next Fiscal 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**

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 7:57 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, May 22, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council