

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 28, 2019, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday May 28, 2019 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Montgomery
Pledge of Allegiance by Scout Greg Brust

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Neziyanya – 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

The motion was made by Councilman Noel

The motion was seconded by Councilman Landry

To amend the agenda to add the addendum.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the May 14, 2019 regular meeting and May 20, 2019 workshop.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Landry

To approve the Minutes of the May 14, 2019 regular meeting and May 20, 2019 workshop 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**

- a. Beau Brock 19th Judicial District Court candidate.

Police Chief David McDavid introduced Beau Brock, Judicial District Court Candidate.

Howell Leggett, spoke to Mayor Amrhein and the Council members regarding Mr. Brock's candidacy for District Judge. Mr. Brock spoke and was available to answer any questions.

Mr. Haynes and Mr. Turner spoke to Mayor Amrhein and the Council members regarding the drainage issues in Little Farms Subdivision.

Councilman Montgomery thanked Ms. Sharon Turner for filling the vacancy on the Historic Village board.

2. **Hardship Waivers**

3. Other Variances

- a. Reconsideration of sign variance located at 4746 Main Street-Z-Market, Zachary. No action taken on this item.
- b. Variance Request – Brad Roy, 10055 Main Street – to re-apply for an expired variance.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O’Brien

To approve a Variance Request – Brad Roy, 10055 Main Street – to re-apply for an expired variance for a metal building.

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 May 6, 2019 of the Planning Commission and the Minutes of the Regular meeting of May 6, 2019 of the Zoning Commission.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Landry

To Receive Minutes of the Regular meeting of May 6, 2019 of the Planning Commission and the Minutes of the Regular meeting of May 6, 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. Rezone- CMTH-1-B-1 of Copper Mill – From R-10 (RS) to CG

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:52 p.m. Mickie Robinson, 9345 Interline, Baton Rouge, was present to speak in favor of the rezone.

There being no one else to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:56 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilman Landry

To approve a Rezone- CMTH-1-B-1 of Copper Mill – From R-10 (RS) to CG.

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

- b. Conditional Use- Alcohol – Lot B-1-A-1 of the James Pickering Tract (1605 E. Mt. Pleasant)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:00 p.m. Fred Neal, Villavaso & Associates was present to speak and said that the planning and zoning commission passed the item contingent upon a restaurant being built. Randy Herring, 23221 Sunnyside Lane, Zachary, was present to speak in favor of the conditional use. There being no one else to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:02 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilman Nezianya

To approve a Conditional Use- Alcohol – Lot B-1-A-1 of the James Pickering Tract (1605 E. Mt. Pleasant) contingent upon a restaurant being built.

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- Amended Preliminary Plat – Fountain View Estates

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:03 p.m. Rudy Crnko 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 7:08 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilman Noel

To approve a Site Plan- Amended Preliminary Plat – Fountain View Estates

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

- b. Site Plan – Verizon Cell Tower – 2010 Church Street

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:08 p.m. Ryan Shahan and Jay Mark Hodges, Verizon Wireless, 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 7:14 p.m.

The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman Nezianya
To approve a Site Plan – Verizon Cell Tower – 2010 Church Street
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

- c. Annexation – Lot 7 and 6A of the E B Harrell Estate
(Rollins Road)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:15 p.m. Mickey Robinson, 9345 Interline, Baton Rouge, was present to speak in favor of the annexation. There being no one else to speak in favor or against the annexation 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 Councilwoman O'Brien
To approve an Annexation – Lot 7 and 6A of the E B Harrell Estate (Rollins Road)
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 April 30, 2019.

The motion was made by Councilman Nezianya
The motion was seconded by Councilwoman O'Brien
To Receive Balance Sheet and Income Statement for the month of
April 30, 2019.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

- 1. Approval of LMA Gas Purchasing and Distribution Authority delegates
(Mayor Amrhein) (Remains tabled until further notice)

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Adoption of Ordinance 2019-05** 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, 2018 AND ENDING JUNE 30, 2019.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:17 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 Nezianya

The motion was seconded by Councilman Landry

To approve an **Adoption of Ordinance 2019-05** 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, 2018 AND ENDING JUNE 30, 2019.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. **Adoption of Ordinance 2019-06** 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, 2019 AND ENDING JUNE 30, 2020.

Mayor Amrhein declared a PUBLIC HEARING to be in 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 7:20 p.m.

The motion was made by Councilman Landry

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption of Ordinance 2019-06** 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, 2019 AND ENDING JUNE 30, 2020.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- 3. Adoption of Ordinance 2019-07** AUTHORIZING THE CITY OF ZACHARY TO AMEND ARTICLE 2 - DISTRICT INTENSITY AND DEVELOPMENT STANDARDS OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY RELATED TO RESIDENTIAL LOT, YARD, AND HEIGHT STANDARDS BY AMENDING TABLES 2.201, 2.301A AND 2.301B AND FOR ALL RELATED MATTERS IN FURTHERANCE.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:21 p.m. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:31 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilman Landry

To approve an **Adoption of Ordinance 2019-07** AUTHORIZING THE CITY OF ZACHARY TO AMEND ARTICLE 2 - DISTRICT INTENSITY AND DEVELOPMENT STANDARDS OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY RELATED TO RESIDENTIAL LOT, YARD, AND HEIGHT STANDARDS BY AMENDING TABLES 2.201, 2.301A AND 2.301B AND FOR ALL RELATED MATTERS IN FURTHERANCE.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- 4. Introduction of Ordinance 2019-08** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND § 86 – 6 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY RELATED TO REQUIRED UTILITY SECURITY DEPOSITS FOR THE ESTABLISHMENT OF WATER AND NATURAL GAS SERVICES AND FOR ALL RELATED MATTERS IN FURTHERANCE.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve an **Introduction of Ordinance 2019-08** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND § 86 – 6 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY RELATED TO REQUIRED UTILITY SECURITY DEPOSITS FOR THE ESTABLISHMENT OF WATER AND NATURAL GAS SERVICES AND FOR ALL RELATED MATTERS IN FURTHERANCE.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- 5. Request by Lit Pizza, Bistro Byronz & Walk-ons** - each respectively for issuance of five (5) special event permits for sale of alcohol for the remainder of 2019 for use for events in and on the Americana TND. The 1st one is for their July 4th Celebration and the other 4 are for Americana events that are being planned but not yet scheduled.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Request by Lit Pizza, Bistro Byronz & Walk-ons - each respectively for issuance of five (5) special event permits for sale of alcohol for the remainder of 2019 for use for events in and on the Americana TND which will include May 31, 2019, July 4th Celebration, and the other 4 are for Americana events that are being planned but not yet scheduled.

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

6. Request for removal of the stop sign on Avenue A at the intersection with East Central.

The motion was made by Councilman Landry

The motion was seconded by Councilman Montgomery

To approve a Request for removal of the stop sign on Avenue A at the intersection with East Central.

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

7. Request for payment to Caldwell Tanks in the amount of \$304,233.22.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Request for payment to Caldwell Tanks in the amount of \$304,233.22.

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

8. Request for issuance by the City Attorney to subpoena Bayou Cajun Pest Control for rule to show cause.

No action taken.

ALTER AGENDA TO ADD ADDENDUM

Discussion and approval relating to the cooperative endeavor agreement between the City and Zachary Community School Board for SROs and crossing guards for 2019-2020.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a cooperative endeavor agreement between the City and Zachary Community School Board for SROs and crossing guards for 2019- 2020.

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)**

R. ADJOURNMENT

The meeting was adjourned at 7:59 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 28, 2019 a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council