

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, June 13, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday June 13, 2017 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 Councilwoman O'Brien

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR
David Amrhein
COUNCIL MEMBERS
Brandon Noel – District 2
Laura O'Brien – District 3
Ben Cavin – District 4
Tommy Womack – District 5
ABSENT
Francis Nezianya – District 1

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 Councilman Cavin

To alter the agenda and move item number 9 under New Business up in the order.

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

ALTER AGENDA

NEW BUSINESS

- 9. **Introduction** of Ordinance 2017-12 PERTAINING TO THE ENLARGEMENT OF BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACTS 5-A-1, 3-A-1-A-1 & 3-A-1-A-2 OF THE DR. JAMES T PERRETT ESTATE LOCATED IN §§68 & 76, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

The motion was made by Councilman Womack

The motion was second by Councilman Noel

To approve **Introduction** of Ordinance 2017-12 PERTAINING TO THE ENLARGEMENT OF BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACTS 5-A-1, 3-A-1-A-1 & 3-A-1-A-2 OF THE DR. JAMES T PERRETT ESTATE LOCATED IN §§68 & 76, T4S, R1W GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

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

Return To Regular Order

D. READING OF THE MINUTES

- 1. Minutes of the May 23, 2017 Regular Meeting.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve / deny Minutes of the May 23, 2017 Regular Meeting and approve them as presented.

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

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. 2017 Road Rehabilitation and Improvement Program – Periodic Estimate for Payment #1.

The motion was made by Councilman Womack
The motion was seconded by Councilwoman O'Brien
To approve the 2017 Road Rehabilitation and Improvement Program – Periodic Estimate for Payment #1.

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

2. Sewer

- a. Sanitary Sewer Collection System Improvements – Contract 7A – Periodic Estimate for Payment #1.

The motion was made by Councilman Womack
The motion was seconded by Councilwoman O'Brien
To approve the Sanitary Sewer Collection System Improvements – Contract 7A – Periodic Estimate for Payment #1.

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

3. Subdivision Inspections

4. Water and Gas Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

- a. Donielle Brown – 4136 Marshall Street – Utility/Sewer connection collection dispute.

Delia Singleton, 21020 Hwy. 19, Slaughter, La was present to update the Mayor and Councilman on the progress of the clean-up and to find out what was necessary to proceed in replacing the existing mobile home.. Scott Masterson was present to give an update and said there was still a lot of stuff that needed to be removed including the travel trailer that is located on the property with an occupant living there. The Council granted another extension until the June 27, 2017 meeting.

2. Hardship Waivers

3. Other Variances

- a. **Variance Request** – Christopher Avants – 9023 W. Vernon Road, Zachary To allow a home office.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Variance Request** – Christopher Avants – 9023 W. Vernon Road, Zachary To allow a home office.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- b. **Variance Request** – Bank of Zachary – 2110 Church St., Zachary To allow for a 2-directional sign along their South entrance and a 2-directional sign at their West entrance.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a **Variance Request** – Bank of Zachary – 2110 Church St., Zachary To allow for a 2-directional sign along their South entrance and a 2-directional sign at their West entrance.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

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

- a. **Conditional Use-** Home Based Business – 4319 Hunter’s Point – in-home child care Owner/Applicant: Ginger Deroche.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:53 p.m. Ginger Deroche, 4319 Hunters Point, Zachary, was present to speak in favor of the conditional use permit and to answer any questions. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:54 pm.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Noel

To approve a **Conditional Use-** Home Based Business – 4319 Hunter’s Point – in-home child care Owner/Applicant: Ginger Deroche.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- b. **Conditional Use-** Home Based Business – 2068 High Point Dr – online retail- bath and body products (Luxe Emporium Bath and Body)Owner/Applicant: Andrea Benjamin.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:55 p.m. Andrea Benjamin, 2068 High Point, Zachary was present to speak in favor of the conditional use permit and to answer any questions. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:56 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve a **Conditional Use-** Home Based Business – 2068 High Point Dr – online retail- bath and body products (Luxe Emporium Bath and Body)Owner/Applicant: Andrea Benjamin.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- c. **Conditional Use-** Manufactured Home (Hardship renewal)- 4735 Rush Avenue Owner: Theresa Hartley Applicant/Proposed Occupant: Marvin Hartley.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:56 p.m. Mayor Amrhein explained that Mrs. Hartley is ill and still continues to need the hardship waiver There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:57 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Conditional Use**- Manufactured Home (Hardship renewal)- 4735 Rush

Avenue Owner: Theresa Hartley Applicant/Proposed Occupant: Marvin Hartley.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

d. **Conditional Use**- Manufactured Home (Hardship renewal)- 6409 Hwy 19

Owner/Applicant/Proposed Occupant: Linda Fleming

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:58 p.m. Linda Fleming, 6409 Hwy 19, Zachary was present to speak in favor of the conditional use permit and to answer any questions if needed. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:59 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a **Conditional Use**- Manufactured Home (Hardship renewal)-

6409 Hwy 19 Owner/Applicant/Proposed Occupant: Linda Fleming.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

e. **Zone of Influence** – 17954 Spur Lane- New Light Baptist Church

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:59 p.m. There being no one to speak in favor or against the zone of influence Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:01 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To support a **Zone of Influence** – 17954 Spur Lane- New Light Baptist Church.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

f. **Zone of Influence** – 1115 Mt. Pleasant Rd –Generations Security

Consultants – (Rezoning request) Alvin R. Jackson (Owner/Applicant)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:02 p.m. There being no one to speak in favor or against the zone of influence Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:06 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a no opposition of **Zone of Influence** – 1115 Mt. Pleasant Rd –Generations Security Consultants – (Rezoning request) Alvin R. Jackson (Owner/Applicant).

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

5. Zoning Matters NOT Requiring Public Hearing

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 Noel

The motion was second by Councilwoman O'Brien

To approve Accounts Payable in the amount of \$537,602.19 and the natural gas bill when it is received.

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

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

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. Nancy McCarthy – 3541 Little Farms, Zachary – Request for extension to end of February 2018 to allow the continued placement of FEMA trailer on site.

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To approve Nancy McCarthy – 3541 Little Farms, Zachary – Request for extension to end of February 2018 to allow the continued placement of FEMA trailer on site

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

2. Kelli Thompson-Butler – 9106 Main St., Zachary – Request for extension to end of February 2018 to allow the continued placement of the FEMA trailer on site.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve Kelli Thompson-Butler – 9106 Main St., Zachary – Request for extension to end of February 2018 to allow the continued placement of the FEMA trailer on site.

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

3. Request for permanent abatement of swimming pool nuisance at 3728 Cherry Street.

The motion was made by Councilman Womack

The motion was second by Councilman Noel

To approve/deny Request for permanent abatement of swimming pool nuisance at 3728 Cherry Street and to proceed with the City Ordinance as soon as possible.

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

4. Council approval to give authorization to Mayor Amrhein to sign the economic development contract with Retail Strategies, Inc.

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To give authorization to Mayor Amrhein to sign the economic development contract with Retail Strategies, Inc.

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

5. Request for Resolution of the council that opposes the decision of BREC to move the Baton Rouge Zoo.

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To approve a Request for Resolution of the council that opposes the decision of BREC to move the Baton Rouge Zoo.

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

6. Discussion of reorganization of Public Works and Utility departments and/or functions pursuant to §4-11 of the Home Rule Charter.

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Cavin

To approve the reorganization of Public Works and Utility departments and/or functions pursuant to §4-11 of the Home Rule Charter.

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

7. 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 Womack

The motion was second by Councilman Noel

To approve LSA RS 43:141 – Official selection of the Advocate as the Official Journal for City of Zachary for next Fiscal Year.

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

8. **Introduction** of Ordinance 2017-11 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.

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To approve the **Introduction** of Ordinance 2017-11 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: Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: Nezianya
ABSTAINED: None

10. Announcement of Millage Rate

John Hopewell was present to announce that the Public Hearing to set the millage rate will be held on July 25, 2017.

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To approve the Public Hearing for the millage rate on July 25, 2017 at 4700 Main Street, Zachary, La.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

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 7:41 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, June 13, 2017, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council