

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, June 25, 2019, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday June 25, 2019 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
- Laura O’Brien – District 3
- Hunter Landry – District 4
- Lael Montgomery – District 5

ABSENT

Brandon Noel – District 2

**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 Councilwoman O’Brien  
The motion was seconded by Councilman Landry

To amend the agenda to add the addendum.

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

**D. READING OF THE MINUTES**

- 1. Approval of Minutes of the June 11, 2019 regular meeting.  
 The motion was made by Councilman Landry  
 The motion was seconded by Councilman O'Brien  
 To approve the Minutes of the June 11, 2019 regular meeting and approve them with corrections as noted.  
 YEAS: Nezianya, O'Brien, Landry, Montgomery  
 NAYS: None  
 ABSENT: Noel  
 ABSTAINED: None

**E. HONORS, RECOGNITIONS AND INTRODUCTIONS**

**F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS**

- 1. **Street/Road Projects**
  - a. Request for authorization to award the 2019 Road Rehabilitation Project per bids received.  
 The motion was made by Councilman Nezianya  
 The motion was seconded by Councilman Landry  
 To approve a Request for authorization to award the 2019 Road Rehabilitation Project per bids received.  
 YEAS: Nezianya, O'Brien, Landry, Montgomery  
 NAYS: None  
 ABSENT: Noel  
 ABSTAINED: None

- 2. **Sewer**
  - a. Request for authorization to request proposals on a new sewer cleaner/vacuum truck.  
 The motion was made by Councilman Nezianya  
 The motion was seconded by Councilwoman O'Brien  
 To approve a Request for authorization to request proposals on a new sewer cleaner/vacuum truck.  
 YEAS: Nezianya, O'Brien, Landry, Montgomery  
 NAYS: None  
 ABSENT: Noel  
 ABSTAINED: None

**3. Subdivision Inspections**

**4. Water and Gas Projects**

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Hattie Kemp, 5328 Rollins Road was present to discuss the drainage in her area. Mayor Amrhein spoke and said that Chris Davezac would discuss this matter with her.

Nick Johnson, 1136 Eagle Drive was present to speak to the council regarding the speeding issues in our city and in Fennwood Hills subdivision.

Sharon McKnight, 4809 New Weis Road was present to speak regarding speeding in her area and that speed signs were not visible. Mayor Amrhein spoke and said Chris Davezac would address this issue.

2. Hardship Waivers

3. Other Variances

- a. Variance request – Patrick Deslatte – 21321 W.J. Wicker Road, Zachary – to allow for a second electrical meter installed on a shed located on property.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Landry

To approve a Variance request – Patrick Deslatte – 21321 W.J. Wicker Road, Zachary – to allow for a second electrical meter installed on a shed located on property.

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

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

- 1. Approval of Steve Nunnery as the Chief Administrative Officer.

The motion was made by Councilman Landry

The motion was seconded by Councilman Nezianya

To approve Steve Nunnery as the Chief Administrative Officer.

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

**I. PLANNING & ZONING MATTERS**

**1. Receive Minutes of the Regular meeting of June 3, 2019 of the Planning Commission and the Minutes of the Regular meeting of June 3, 2019 of the Zoning Commission.**

No action taken on this item.

**2. Zoning Matters REQUIRING a Public Hearing**

- a. Rezone - Wicker Place Subdivision – Lots 8-B-1-A-1-A-1 and 8-B-1-B-1 of the William J Wicker Property – From RE to RS

The motion was made by Councilman Nezianya  
 The motion was seconded by Councilwoman O’Brien

To table a Rezone - Wicker Place Subdivision – Lots 8-B-1-A-1-A-1 and 8-B-1-B-1 of the William J Wicker Property – From RE to RS until the July 25, 2019 meeting.

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

- b. Conditional Use – Manufactured Home – 4768 Avenue Z (replacement)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:59 p.m. Marlon Lemond was present to introduce the item. Mr. Lemond said that the item meets all requirements except for the acreage. Henrietta Gilmore, 8508 Apr. 14 Greenwell Springs Rd., was present to speak for her brother, Cleamon Stewart, and said that the previous mobile home had burned. There being no one else to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:01 p.m.

The motion was made by Councilman Montgomery  
 The motion was seconded by Councilman Nezianya

To approve a Conditional Use – Manufactured Home – 4768 Avenue Z (replacement)

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

- c. Rezone – 5325 Lower Zachary Road – Lot D-1 of the Sarah McHugh Tract – From RE to RU

The motion was made by Councilman Landry  
 The motion was seconded by Councilwoman O’Brien

To table a Rezone – 5325 Lower Zachary Road – Lot D-1 of the Sarah McHugh Tract – From RE to RU and suspend the public hearing until the next meeting.

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

d. Conditional Use – 1932 Weschester Ave – Online Retail

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:06 p.m. Marlon Lemond was present to introduce the item. Keyana Tolbert, 1932 Weschester Avenue, was present to speak in favor of the conditional use permit. Farin Khosravi, 2022 Westchester Avenue was present to speak to ask questions about the conditional use permit. There being no one else to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:10 p.m.

The motion was made by Councilman Montgomery  
The motion was seconded by Councilman Nezianya

To approve a Conditional Use – 1932 Weschester Ave – Online Retail

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

e. Conditional Use – 7063 Lakecrest Drive – Online Retail

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:10 p.m. Marlon Lemond was present to introduce the item. LaDerricka Durand, 7063 Lakecrest Drive, was present to speak in favor of the conditional use permit. Ericka Durand, 7063 Lakecrest Drive, was present to speak in favor of the conditional use permit. Ryan Doerr, 2970 Majestic Oak Drive, was present to speak against the conditional use permit. There being no one else to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:13 p.m.

The motion was made by Councilman Montgomery  
The motion was seconded by Councilman Nezianya

To approve a Conditional Use – 7063 Lakecrest Drive – Online Retail

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

f. Conditional Use – 2297 Port Hudson – Pride Road – Engineering Consultant.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:14 p.m. Marlon Lemond was present to introduce the item. Geoff Wilson, 2297 Port Hudson Pride Road, was present to speak in favor of the conditional use permit. There being no one else to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:13 p.m.

The motion was made by Councilman Montgomery  
The motion was seconded by Councilman Landry

To approve a Conditional Use – 2297 Port Hudson – Pride Road – Engineering Consultant.

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

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

**4. Planning Matters REQUIRING a Public Hearing**

a. Site Plan – Preliminary Plat – Wicker Place Subdivision  
No action taken. Developer asked to table this item for 30 days or until the July 23, 2019 meeting.

b. Site Plan – Preliminary Plat – Adalyn Trails Subdivision  
Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:16 p.m. Marlon Lemond was present to introduce the item. Geoff Wilson, 2297 Port Hudson Pride Road, was present to speak in favor of the site plan. James McCall, 9452 Millwood Creek was present to speak in opposition to the site plan. He is speaking on behalf of the residents of Millwood Creek Subdivision. He explained that he is in favor of the RE zoning. Janice Knox, 9173 Millwood Creek, was present to speak in opposition to the site plan. Ms. Knox explained that when it rains there is no way out and no way in due to flooding. She explained that the neighbor is a peaceful place. Lee Coleman, 9359 Millwood Creek, was present to speak in opposition to the site plan. He explains that he is not against developing but adding another subdivision adds to the existing problems. Mindy Slaughter, 9264 Highland Oaks Ave. was present to speak in opposition to the site plan. Ms. Slaughter expressed concerns on sediment in the retention pond, drainage, and traffic. Renee’ Lee, 9413 Millwood Creek, expressed concerns about flooding. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:43 p.m.

The motion was made by Councilman Landry  
To approve a Site Plan – Preliminary Plat – Adalyn Trails Subdivision  
Due to the lack of a second motion the motion died.

The motion was made by Councilman Montgomery  
To deny a Site Plan – Preliminary Plat – Adalyn Trails Subdivision  
Due to the lack of a second motion the motion died.

**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 May 31, 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 May 31, 2019.  
YEAS: Nezianya, O’Brien, Landry, Montgomery  
NAYS: None  
ABSENT: Noel  
ABSTAINED: None

**L. OLD BUSINESS PENDING FOR FINAL ACTION**

1. Approval of LMA Gas Purchasing and Distribution Authority delegates (Mayor Amrhein) (Tabled from the previous meeting)

The motion was made by Councilman Landry

The motion was seconded by Councilman Nezianya

To table the LMA Gas Purchasing and Distribution Authority delegates.

YEAS: Nezianya, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: Noel

ABSTAINED: None

**M. OLD BUSINESS PENDING**

**N. NEW BUSINESS**

1. **Introduction** of An ordinance amending the General Bond Ordinance adopted on November 23, 2011, providing for the issuance of Utilities Revenue Bonds of the City so as to exclude all contracts and/or agreements in connection with the provision and supply of natural gas service to the Georgia-Pacific properties located outside of the City limits from the definitions of "Revenues" and "System" in Section 1.01, and providing for other matters in connection therewith."

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Montgomery

To approve the **Introduction** of An ordinance amending the General Bond Ordinance adopted on November 23, 2011, providing for the issuance of Utilities Revenue Bonds of the City so as to exclude all contracts and/or agreements in connection with the provision and supply of natural gas service to the Georgia-Pacific properties located outside of the City limits from the definitions of "Revenues" and "System" in Section 1.01, and providing for other matters in connection therewith."

YEAS: Nezianya, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: Noel

ABSTAINED: None

2. **Reintroduction 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 Councilwoman O'Brien

The motion was seconded by Councilman Landry

To Table the **Reintroduction 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, O’Brien, Landry, Montgomery
- NAYS: None
- ABSENT: Noel
- ABSTAINED: None

3. **Adoption of Ordinance 2019-09** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF IMMOVABLE PROPERTIES BEING IN WARD 2-3, AND DESCRIBED AS LOT: 6 PT+ SUBDIV.: HARRELL, E. B. ESTATE BEING 104.00 ACRES +/- BEING DESIGNATED AS ALL OF LOT 7 AND THE EAST 26 ACRES OF LOT 6 OF THE MRS. E. B. HARRELL ESTATE, SAID 26 ACRE TRACT BEING DESIGNATED AS LOT 6-A, IN § 71, T4S, R1W, LESS & EXCEPT 0.52 ACRES AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 8:07 p.m. There being no one else to speak in favor or against the adoption 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 Councilwoman O’Brien

To approve an **Adoption of Ordinance 2019-09** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF IMMOVABLE PROPERTIES BEING IN WARD 2-3, AND DESCRIBED AS LOT: 6 PT+ SUBDIV.: HARRELL, E. B. ESTATE BEING 104.00 ACRES +/- BEING DESIGNATED AS ALL OF LOT 7 AND THE EAST 26 ACRES OF LOT 6 OF THE MRS. E. B. HARRELL ESTATE, SAID 26 ACRE TRACT BEING DESIGNATED AS LOT 6-A, IN § 71, T4S, R1W, LESS & EXCEPT 0.52 ACRES AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

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

4. Approval of Mayor Amrhein and Steve Nunnery to sign checks less than \$2500.00.

The motion was made by Councilman Nezianya  
The motion was seconded by Councilman Montgomery



To approve Mayor Amrhein, Steve Nunnery, and Deanna Mankins to sign checks less than \$2500.00.

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

5. Executive Session of the Council pursuant to LSA- R.S. 42:17 (A)(2) at request of the Mayor with regard to the discussion of litigation matters – Sassano vs City of Zachary et al - 19<sup>th</sup> JDC, EBR state of Louisiana.

The motion was made by Councilman Montgomery

The motion was seconded by Councilman Landry

To adjourn the regular meeting and to enter into executive session at 8:12 p.m.

Two thirds member of the vote was met to enter into this executive session.

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

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Nezianya

To reconvene the regular session of the council meeting at 8:54 p.m.

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

The motion was made by Councilman Landry

The motion was seconded by Councilwoman O'Brien

To authorize the Mayor to attempt to negotiate a settlement in the Sassano litigation recognizing that although the Council & City is be willing to compromise the application of the UDC and to allow for certain waivers therein, the developer must still meet all EPA/DEQ, Army Corp of Engineers, State and EBR Parish regulations including but not limited to compliance with Federal Floodway development guidelines to which the City of Zachary has no control.

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

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To allow Mayor Amrhein to negotiate for amendment to the executive order in place and to allow for a counter proposal from Zachary Housing Partners.

YEAS: Nezianya, O'Brien, Landry, Montgomery  
NAYS: None  
ABSENT: Noel  
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 8:58 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, June 25, 2019 a proper quorum being there and then present.

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