

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, August 28, 2018, 6:30 P.M.**

A. CALL TO ORDER

Councilman Nezianya called the meeting to order at 6:30 p.m., on Tuesday August 28, 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 Cavin

C. OPENING PROCEDURES

1. ROLL CALL

COUNCIL MEMBERS

Francis Nezianya – District 1

Brandon Noel – District 2

Laura O’Brien – District 3

Ben Cavin – District 4

Tommy Womack – District 5

ABSENT

MAYOR

David Amrhein

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Councilman Nezianya 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 amend the agenda to move items G1 A and B up to item E.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

- 1. Approval of Minutes of the August 14, 2018 regular meeting.
 The motion was made by Councilman Womack
 The motion was seconded by Councilman Noel
 To approve the Minutes of the August 14, 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

ALTER AGENDA

G. PRESENTATION OF DELEGATIONS

- 1. **Requests to Speak**
 - a. Tony Onellion – Publisher of Mister Maps Cartoon Maps – update on the progress of the map for the City of Zachary

Tony Onellion, publisher of Mister Maps Cartoon Maps, was present to give an update to the council members on the Zachary map that he has been working on. Mr. Onellion told the council that fifty-three businesses and the Zachary School System were already on the map. Mr. Onellion said the map will be available near the end of November 2018.

- b. Donald Hains – Waste Management – PowerPoint Recycling Market Presentation (10 minutes)

Mr. Donald Hains gave a ten-minute power point presentation to the council members regarding recycling contamination. Attached to these minutes is a copy of the presentation.

ALTER AGENDA

Shannon Lawton, 3236 Tupelo Street, Zachary, La was present to speak to the council members regarding death benefits for City of Zachary Employees. She asked the council to consider changing the existing ordinance that is in place. Mrs. Lawton also asked the council to retro activate the ordinance to include her family due to the death of her husband, Chris Lawton, who died in the line of duty earlier this year.

RETURN TO ORDER

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. 2017 Road Rehabilitation and improvements Program – Phase II Change Order #2

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the 2017 Road Rehabilitation and improvements Program – Phase II Change Order #2 in the amount of -\$1655.00.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. 2017 Road Rehabilitation and Improvements Program – Phase II Pay Request #4.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Womack

To approve the 2017 Road Rehabilitation and Improvements Program – Phase II Pay Request #4 in the amount of \$28,053.50.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

- a. Sanitary Sewer Collection System Improvements – Contract No. 7B Pay Request #4 (Final Retainage)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a Sanitary Sewer Collection System Improvements – Contract No. 7B Pay Request #4 (Final Retainage) in the amount of \$35,680.03.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Subdivision Inspections

4. Water and Gas Projects

- a. Request for Authorization to advertise for bids on the Water Tower Project (as funded by Capital Outlay/Facility Planning and Control)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a Request for Authorization to advertise for bids on the Water Tower Project (as funded by Capital Outlay/Facility Planning and Control)

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

5. Other Projects

2. Hardship Waivers

3. Other Variances

- a. Variance Request for Façade Signage – Zachary Commons Investment Partners, LLC – to allow up to 10% of the façade of any side of the building to be signage.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Variance Request for Façade Signage – Zachary Commons Investment Partners, LLC – to allow up to 10% of the façade of any side of the building to be signage.

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

- b. Variance Request for Site Signage – Zachary Commons Investment Partners, LLC – amendment to a previously approved variance to allow for an increase to height and square footage.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

Councilman Noel explained that this variance is different than other sign variances because not all tenants have Hwy 64 frontage in the development.

To approve a Variance Request for Site Signage – Zachary Commons Investment Partners, LLC – amendment to a previously approved variance to allow for an increase to height and square footage.

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 August 6, 2018 of the Planning Commission and the Minutes of the Regular meeting of August 6, 2018 of the Zoning Commission.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To Receive Minutes of the Regular meeting of August 6, 2018 of the Planning Commission and the Minutes of the Regular meeting of August 6, 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. Site Plan – Union Antioch Baptist Church – Shaffett Lane

Owner: Union Antioch Baptist Church – Benjamin Groover- Pastor

Applicant: Joe Bergeron III, Design/Build Associates Inc

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:08 p.m. Tallie Langston was present to speak to explain the item. She said that the planning and zoning commission recommended approval of the site plan. Pastor Ben Groover was present to speak in favor of the site plan. He asked the council about the drainage that flows on the church property. There being no one to speak against the site plan Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:12 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a **Site Plan** – Union Antioch Baptist Church – Shaffett Lane

Owner: Union Antioch Baptist Church – Benjamin Groover- Pastor

Applicant: Joe Bergeron III, Design/Build Associates Inc.

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. Site Plan – Zachary Commons

Owner/Applicant: Alan Brewer/GBT Realty Cooperation/DDG

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:14 p.m. Tallie Langston was present to speak to explain the item. She said that the planning and zoning commission recommended approval of the site plan. Alan Brewer, 9010 Overlook Blvd., Brentwood, Tn was present to speak in favor of the site plan. There being no one to speak against the site plan Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:15 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a **Site Plan – Zachary Commons**

Owner/Applicant: Alan Brewer/GBT Realty Cooperation/DDG

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

NAYS: None

ABSENT: None

ABSTAINED: None

c. **Resubdivision – Tract A-3 of the McHugh Tract – line shift due to creek** Owner(s)/Applicant(s): Kevin Smith and Trella Bennett

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:16 p.m. Tallie Langston was present to speak to explain the item. Brian, MTB, 8642 Main Street, Zachary was present to speak in favor of the resubdivision. There being no one else to speak in favor or against the site plan Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:18 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Resubdivision – Tract A-3 of the McHugh Tract – line shift due to creek** Owner(s)/Applicant(s): Kevin Smith and Trella Bennett.

YEAS: Cavin, Nezianya, 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 – Alcohol – 4800 Hwy 19, Ste 300 (Cloud 9 Hookah Lounge)** Owner: Calvin J, LLC Applicant: April Scott.

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:19 Street, was present to speak in favor of the conditional use permit. Ms. Scott explained that they have been in business for 8 months and have not had any incidents. She explains that she has done everything that the city has asked and that she wants to be able to regulate alcohol at the business. There was discussion if the review of the location of the business had been completed by planning and zoning. There being no one to speak against the conditional use permit Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:22 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To table the **Conditional Use – Alcohol – 4800 Hwy 19, Ste 300 (Cloud 9 Hookah Lounge)** Owner: Calvin J, LLC Applicant: April Scott. And to instruct administration to complete the review.

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

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

1. Receive Balance Sheet and Income Statement for the month of July 2018.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To Receive the Budget to Actual Balance Sheet and Income Statement for the month of July 2018.

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

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

1. Eagle Drive-Speed Humps Research Request

John Leblanc, 1420 Eagle Drive, Zachary, was present to speak to the council regarding the traffic calming devices that were spoken of at the last council meeting. He said that he was disappointed that he had not heard from anyone concerning the issue. John Hopewell explained that he had not received all the information yet to present to the council. Chris and Emily Harr, 5490 Fennwood Drive, Zachary, was present to express their concerns of the speeding in Fennwood Subdivision. Mrs. Harr explained that the city already had ordinances in place to allow for traffic calming devices. Councilman Womack explained that this type of decision would take longer than a month or two to decide what the proper way to address the issue would be. He asked that everyone have patience with the council until the issue is resolved. Jeff Ponder, 3225 Vernon Road, Zachary, was present to express his concerns regarding the issue.

N. NEW BUSINESS

1. **Public Hearing and Approval** of license for sale of alcoholic beverages for Jarreau's Off the Hook, LLC pending approval of ABC Board.

The motion was made by Councilman Womack
The motion was seconded by Councilman Cavin
To remove the approval of license for sale of alcoholic beverages for Jarreau's Off the Hook, LLC pending approval of ABC Board from the agenda.
YEAS: Cavin, Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

2. Discussion of changes to placement of stop signs at intersection of Church St. & Rollins Rd. including additions and/or removal of existing placement
Officer Nevels of the Zachary Police Department was present to speak to the council members regarding the traffic issues during school hours and how the stop signs on Rollins and Church Street affect the traffic.

The motion was made by Councilman Noel
The motion was seconded by Councilman Womack
To table changes to placement of stop signs at intersection of Church St. & Rollins Rd. including additions and/or removal of existing placement.
YEAS: Cavin, Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

3. Approval of amended copy of the earlier submitted FY1819-LGAP required Resolution, containing corrected language regarding the Fire Department's specialized equipment listing. This amended copy replaces the original submittal of 8/20/18.

The motion was made by Councilman Womack
The motion was seconded by Councilman Cavin
To approve the amended copy of the earlier submitted FY1819-LGAP required Resolution, containing corrected language regarding the Fire Department's specialized equipment listing. This amended copy replaces the original submittal of 8/20/18.
YEAS: Cavin, Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

4. **Introduction** of ORDINANCE 2018-17 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 Councilman O'Brien

To approve/deny **Introduction** of ORDINANCE 2018-17 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

5. Update on technology meeting held August 3, 2018

Councilman Womack gave a brief discussion on the technology meeting that he and Tallie Langston had with MIS Technology regarding going paperless. He explained that they also discussed whether the city should provide devices or should everyone be required to use their own.

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 9:28 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, August 28, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council