

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, September 25, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday September 25, 2018 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 Councilman Cavin

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

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 Cavin
The motion was seconded by Councilman Nezianya

To amend the agenda to move item N1 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 September 11, 2018 regular meeting.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the Minutes of the September 11, 2018 regular meeting and approve them as written.

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

NAYS: None

ABSENT: None

ABSTAINED: None

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the Minutes of the September 11, 2018 regular meeting with corrections as noted.

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

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. Shannon Lawton - Discussion of ordinance pertaining to death benefits and line of duty death benefits.

Jonathan Roberts, 4953 Fennwood Drive, Zachary, was present to speak regarding the survivors' benefits that are available to city employees. Shannon Lawton, 3236 Tupelo Street, Zachary, was also present to speak to the council members regarding the issue.

2. **Hardship Waivers**

ALTER AGENDA

N. NEW BUSINESS

- 1. Review request for consent to allow ABC Board to issue 3 special event permits for the sale of alcohol at the “Roctober at the Villages of Americana” events to be held on October 11, 18 and 25, 2018, from 6 pm to 9 pm in the Americana Traditional Neighborhood Development.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve the ABC Board to issue 3 special event permits for the sale of alcohol at the “Roctober at the Villages of Americana” events to be held on October 11, 18 and 25, 2018, from 6 pm to 9 pm in the Americana Traditional Neighborhood Development

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

Return to Regular Order

3. Other Variances

- a. Variance Request for site signage – Vaqueros Bar & Grill, 20377 Old Scenic Hwy Ste. 210 – to allow for a greater sign size than is allowed in the UDC.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve a Variance Request for site signage – Vaqueros Bar & Grill, 20377 Old Scenic Hwy Ste. 210 – to allow for a greater sign size than is allowed in the UDC.

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 September 5 and 17, 2018 of the Planning Commission and the Minutes of the Regular meeting of September 5 and 17, 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 September 5 and 17, 2018 of the Planning Commission and the Minutes of the Regular meeting of September 5 and 17, 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. **Resubdivision – Copper Mill lots 423, 424, 425 of 8th filing part 2; line shift** Owner: Todd Waguespack Applicant: MR Engineering/Mickey Robertson.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:06 p.m.
Marlon Lemond was present to speak and explained that this item was only a line shift.
There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:07 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve a **Resubdivision – Copper Mill lots 423, 424, 425 of 8th filing part 2; line shift** Owner: Todd Waguespack Applicant: MR Engineering/Mickey Robertson.

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

- b. **Resubdivision – Zachary Commercial Park, Lots 2-5 and 9-11**
Owner: Baragon Properties/Nick Fakouri Applicant: Landsource/Michael Davis.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:07 p.m.
Marlon Lemond was present to speak and explained the item. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:08 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve/deny **Resubdivision – Zachary Commercial Park, Lots 2-5 and 9-11**

Owner: Baragon Properties/Nick Fakouri Applicant: Landsource/Michael Davis.

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

- c. **Resubdivision – Preliminary Plat - Americana 5 B**
Owner/Applicant: Americana Development Company LLC

(DDG as representative)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:08 p.m. Marlon Lemond was present to speak and explained the item. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:09 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision – Preliminary Plat - Americana 5 B**

Owner/Applicant: Americana Development Company LLC

(DDG as representative)

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

NAYS: None

ABSENT: None

ABSTAINED: None

d. **Site Plan – Days Inn** Owner/Applicant: Patel Construction

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:10 p.m. Marlon Lemond was present to speak and explained the item. Mr. Lemond said that the item was denied at the planning and Zoning meeting due to no one showing up to the meeting to answer questions that the commissioners wanted to ask. The engineer with Patel Construction was present to speak in favor of the item. Mr. Hunter Landry, 4116 Church Street, Zachary, was present to explain the planning and zoning concerns. Tracey Bethley, 4709 Avenue Z, Zachary, was present to speak against the item. Ms. Bethley asked the council to not allow the two story building in the area due to it being a historical part of Zachary. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:18 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To refer the **Site Plan** for **Days Inn** back to the Technical review board and start the process over.

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. **Rezone – 8400 Hwy 19, From RE to CS** Owner: Mark Hurley

Applicant: Denver Sign Company/Larry Powensk.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:19 p.m. Marlon Lemond was present to speak and explained the item. There being no one to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:20 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Rezone – 8400 Hwy 19, From RE to CS** Owner: Mark Hurley

Applicant: Denver Sign Company/Larry Powenski.

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. **Rezone – 4696 Hwy 19 – Jarreau's Cajun Specialties, From BP to CG**

Owner: Martin Wilkins Applicant: Glynn Jarreau/Jarreau's Cajun Specialties.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:21 p.m.

Marlon Lemond was present to speak and explained the item. There being no one to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:23 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve a **Rezone – 4696 Hwy 19 – Jarreau's Cajun Specialties, From BP to CG** Owner: Martin Wilkins Applicant: Glynn Jarreau/Jarreau's Cajun Specialties.

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

NAYS: None

ABSENT: None

ABSTAINED: None

c. **Conditional Use – Manufactured Home – 5670 Rush Drive**

Owner/Applicant: Frank and Markeisha Smith.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:29 p.m.

Marlon Lemond was present to speak and explained the item. Mr. Lemond explained that this was to replace an existing mobile home. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:30 p.m.

The motion was made by Councilman Neziyanya

The motion was seconded by Councilman Womack

To approve a **Conditional Use – Manufactured Home – 5670 Rush Drive**

Owner/Applicant: Frank and Markeisha Smith.

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

NAYS: None

ABSENT: None

ABSTAINED: None

d. **Conditional Use – Manufactured Home – 218008 W. J. Wicker Road**

Owner/Applicant: Gerald Wicker

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:30 p.m.

Marlon Lemond was present to speak and explained the item. Mr. Lemond explained that this was to replace an existing mobile home. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:31 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a **Conditional Use – Manufactured Home – 218008 W. J. Wicker Road**

Owner/Applicant: Gerald Wicker.

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

a. EBR #S-9-18 Miraval Subdivision Preliminary Plat

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To send a letter of objection regarding **EBR #S-9-18 Miraval Subdivision Preliminary Plat.**

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

NAYS: None

ABSENT: None

ABSTAINED: None

6. Other Matters

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

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

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To Receive the Budget to Actual Balance Sheet and Income Statement for the month of August 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 2018-17 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

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:34 p.m. John Hopewell was present to explain the item. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:35 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Adoption** 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

M. OLD BUSINESS PENDING

- 1. Discussion of changes to placement of stop signs at intersection of Church St. & Rollins Rd. including additions and/or removal of existing placement (Justin Nevels) (Tabled at the August 28, 2018)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To table the 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

- 2. Eagle Drive Speed Humps Request

John Leblanc, 1420 Eagle Drive, Zachary, was present to give an update on the meeting that was held regarding traffic calming devices. He said it was a very productive meeting and thanked everyone for attending and making progress. Chief David McDavid was present to say that tickets will be give out to anyone traveling 10 miles per hour over the speed limit. Councilman Noel thanked Mr. Harr and Mr. Leblanc for being a part of the progress. Carolyn Ford, 4125 Robert Street, Zachary, explained that she would also like to the rumble stripes installed in her neighborhood.

N. NEW BUSINESS

ALTER AGENDA

- 2. Request for grant of authority from the council to Mayor to cause the formation of an Economic Development District pursuant to LSA – R.S. 39:1430 as amended

and to propose a corresponding Cooperative Endeavor Agreement to govern the same as relates to the Zachary Commons retail development.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve a Request to grant authority to Mayor to cause the formation of an Economic Development District pursuant to LSA – R.S. 39:1430 as amended and to propose a corresponding Cooperative Endeavor Agreement to govern the same as relates to the Zachary Commons retail development.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Approval of a Resolution to Support the Preparation and Submittal of an Application for Funding through the Division of Administration's - Office of Community Development - FY 2018-2019 Community Water Enrichment Fund (CWEF)

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Resolution to Support the Preparation and Submittal of an Application for Funding through the Division of Administration's - Office of Community Development - FY 2018-2019 Community Water Enrichment Fund (CWEF)

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. Review and request for approval by Council for Mayor to proceed with implementation of suggested changes to benefits provided survivors and dependents of employees killed during the course and scope of their employment. John Hopewell was present to speak to explain the changes that were presented to Mayor Amrhein regarding employees killed during the course and scope of their employment at the City of Zachary. No action was taken.

5. **Discussion and possible introduction of Ordinance 2018-18** - Amendment to §2-221 of the Zachary Code of Ordinances to allow for the qualification of medical and hospitalization insurance benefits for a surviving spouse and/or dependents of an employee killed during the course and scope of their employment.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve the **introduction of Ordinance 2018-18** - Amendment to §2-221 of the Zachary Code of Ordinances to allow for the qualification of medical and hospitalization insurance benefits for a surviving spouse and/or

dependents of an employee killed during the course and scope of their employment.

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

6. Discussion and update on the technology meeting and possibly set a workshop date.

Ms. Langston was present to give an update to council members and Mayor Amrhein on the progress that has been made regarding Office 365 Share Point. There was discussion on what type of devices would be available to use. Ms. Langston asked the council to give a date of when a workshop could be set up to train on the new program.

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 8:03 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, September 25, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council