

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, October 23, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday October 23, 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 Firefighter Ron Anders

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Nezianya – District 1

Brandon Noel – District 2

Laura O'Brien – District 3

Tommy Womack – District 5

ABSENT

Ben Cavin – District 4

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 Councilwoman O'Brien

To amend the agenda to move items N3, N4, N5 up on the agenda and to add the addendum to the agenda..

YEAS: Nezianya, O'Brien, Noel, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the October 09, 2018 regular meeting.
The motion was made by Councilman Nezianya
The motion was seconded by Councilman Womack
To approve the minutes of the October 09, 2018 regular meeting and approve them as written.
YEAS: Nezianya, O'Brien, Noel, Womack
NAYS: None
ABSENT: Cavin
ABSTAINED: None

ALTER AGENDA

NEW BUSINESS

3. **Public Hearing and Adoption of Ordinance 2018-21** ORDINANCE CREATING ZACHARY COMMONS ECONOMIC DEVELOPMENT DISTRICT, IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DEFINING THE BOUNDARIES THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:35 p.m. Jason Akers was present to explain the item. There was discussion about the development between the council members and Mayor Amrhein. There being no one else to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:38 p.m.

The motion was made by Councilman Womack
The motion was seconded by Councilman Noel

To approve the **Adoption of Ordinance 2018-21** ORDINANCE CREATING ZACHARY COMMONS ECONOMIC DEVELOPMENT DISTRICT, IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II OF CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; DEFINING THE BOUNDARIES THEREOF; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

4. **Introduction of Ordinance 2018-22** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO ORGANIZE AND TO RECOGNIZE A FIRE PREVENTION BUREAU AND FOR ALL MATTERS IN FURTHERANCE

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

To approve the **Introduction of Ordinance 2018-22** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO ORGANIZE AND TO RECOGNIZE A FIRE PREVENTION BUREAU AND FOR ALL MATTERS IN FURTHERANCE

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

5. **Approval of A Resolution 2018-06** of the City of Zachary, State of Louisiana authorizing the Mayor and administration to release the State Fire Marshal and any other State Entity from responsibility or liability for those inspections performed by the Zachary Fire Prevention Bureau ("ZFPB"), or the consequences thereof, within the jurisdiction of the governing authority

 The motion was made by Councilman Noel

 The motion was seconded by Councilwoman O'Brien

To approve a Resolution 2018-06 of the City of Zachary, State of Louisiana authorizing the Mayor and administration to release the State Fire Marshal and any other State Entity from responsibility or liability for those inspections performed by the Zachary Fire Prevention Bureau ("ZFPB"), or the consequences thereof, within the jurisdiction of the governing authority

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

ADDENEUM #1

K. BUDGET AND FINANCIAL MATTERS

2. Approval of Insurance Renewals for November 1, 2018

 The motion was made by Councilman Womack

 The motion was seconded by Councilman Nezianya

To approve the Insurance Renewals for November 1, 2018 and recommend to reject the Terrorism Act.

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

ADDENDUM #2

I. PLANNING AND ZONING MATTERS

6. OTHER MATTERS

- a. Replacement of Planning and Zoning member

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the replacement of Earl Thornton's position on the planning and zoning commission board with James Peay.

YEAS: Nezianya, O'Brien, Noel, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

Return to regular order

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**
- 2. **Hardship Waivers**
- 3. **Other Variances**
- 4. **Exceptions to Regulations**

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

- 1. **Receive Minutes of the Regular meeting of October 01, 2018 of the Planning Commission and the Minutes of the Regular meeting of October 01, 2018 of the Zoning Commission.**

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To **Receive Minutes of the Regular meeting of October 01, 2018 of the**

**Planning Commission and the Minutes of the Regular meeting of October 01, 2018
of the Zoning Commission.**

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

2. Planning Matters REQUIRING a Public Hearing

- a. Resubdivision – Combination of Lots 166 and 167 of Fennwood
Subdivision into Lot 166-A

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:05 p.m.
Marlon Lemond was present to speak and explained the item to the council members and Mayor. Dee Hunt, 23377 Old Scenic Hwy., Zachary was present to speak in favor of the item. There being no one to speak in favor or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:07 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision** – Combination of Lots 166 and 167 of Fennwood
Subdivision into Lot 166-A

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

- b. Site Plan – MISTG – 21152 Old Scenic Hwy

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 to the council members and Mayor. There being no one 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 Nezianya

The motion was seconded by Councilman Noel

To approve a Site Plan – MISTG – 21152 Old Scenic Hwy.

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

- c. Site Plan – The Boot Crossfit (4625 Main Street)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:09 p.m.
Marlon Lemond was present to speak and explained the item to the council members and Mayor. Jodie Haney, 7027 Fleur Dis Le, Zachary, was present to speak in favor of the item. There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:09 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a Site Plan – The Boot CrossFit (4625 Main Street)

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

d. Site Plan – Big Red Storage – Old Scenic Hwy

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:14 p.m.

Marlon Lemond was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:15 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Site Plan – Site Plan – Big Red Storage – Old Scenic Hwy

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

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

a. Conditional Use – Manufactured Home – 5455 Old Slaughter Road –
Front Lot Owner: Roger Allen Applicant: Marjorie Wilkerson

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:15 p.m.

Marlon Lemond was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:16 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Conditional Use – Manufactured Home – 5455 Old Slaughter Road – Front Lot Owner: Roger Allen Applicant: Marjorie Wilkerson

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

b. Conditional Use – Manufactured Home – 5455 Old Slaughter Road –
Back Lot Owner: Roger Allen Applicant: Marjorie Wilkerson

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:22 p.m.

Marlon Lemond was present to speak and explained the item to the council members and Mayor. Roger Allen, 2709 Brady Ave., Zachary, was present to speak in favor of the waiver. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:22 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Conditional Use – Manufactured Home – 5455 Old Slaughter Road – Back

Lot Owner: Roger Allen Applicant: Marjorie Wilkerson

YEAS: Nezianya, Womack

NAYS: Noel, O'Brien

ABSENT: Cavin

ABSTAINED: None

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To redo the motion.

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

To approve a Hardship Waiver – Manufactured Home – 5455 Old Slaughter Road – Back

Lot Owner: Roger Allen Applicant: Marjorie Wilkerson upon the completion of the paperwork for a hardship waiver and the verification of the correct address.

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

- c. Conditional Use – Alcohol – 20377 Old Scenic Hwy, Suite 210 – Vaquero's

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:23 p.m.

Marlon Lemond was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor

Amrhein declared the PUBLIC HEARING to be closed at 7:24 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Conditional Use – Alcohol – 20377 Old Scenic Hwy, Suite 210 – Vaquero's

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

- d. Conditional Use – Home based business – 3847 Robert Street – Sullivan Homes Services

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:25 p.m.

Marlon Lemond was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor

Amrhein declared the PUBLIC HEARING to be closed at 7:26 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Womack
To approve a Conditional Use – Home based business – 3847 Robert Street – Sullivan
Homes Services

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

- e. Conditional Use – Home Based business – 2616 Boudreaux Ave – Real estate investing

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:26 p.m.
Marlon Lemond was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:26 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve a Conditional Use – Home Based business – 2616 Boudreaux Ave – Real estate investing

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

5. Zoning Matters NOT Requiring Public Hearing

- a. Proposed Exchange of Property known as **51107-EOP** that lies within the Zone of Influence of the City of Zachary

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To deny Proposed Exchange of Property known as **51107-EOP** that lies within the Zone of Influence of the City of Zachary

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

- b. Proposed Rezoning from Rural to Neighborhood Commercial, 19809 Old Scenic Hwy; full service salon; **EBR 63-18**

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To deny Proposed Rezoning from Rural to Neighborhood Commercial, 19809 Old Scenic Hwy; full service salon; **EBR 63-18**

YEAS: Nezianya, Noel, O’Brien, Womack
NAYS: None
ABSENT: Cavin
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 September 2018

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To Receive Balance Sheet and Income Statement for the month of September 2018

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Public Hearing and Adoption of Ordinance 2018-19 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN IMMOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE SALE OF THE SAME AND FOR ALL OTHER MATTERS IN FURTHERANCE**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:38 p.m.

John Hopewell was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor

Amrhein declared the PUBLIC HEARING to be closed at 7:38 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Adoption of Ordinance 2018-19 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN IMMOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE SALE OF THE SAME AND FOR ALL OTHER MATTERS IN FURTHERANCE**

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: Cavin

ABSTAINED: None

2. **Public Hearing and Adoption of Ordinance 2018-20 PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO CREATE A**

PROGRAM FOR AND TO PROVIDE BENEFITS TO SURVIVORS AND DEPENDENTS OF MUNICIPAL, FIRE AND POLICE DEPARTMENT EMPLOYEES WHO DIE WHILE EMPLOYED BY THE CITY FOR ALL MATTERS IN FURTHERANCE

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:39 p.m. John Hopewell was present to speak and explained the item to the council members and Mayor. There being no one to speak in favor or against the conditional use Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:40 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve an **Adoption of Ordinance 2018-20** PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO CREATE A PROGRAM FOR AND TO PROVIDE BENEFITS TO SURVIVORS AND DEPENDENTS OF MUNICIPAL, FIRE AND POLICE DEPARTMENT EMPLOYEES WHO DIE WHILE EMPLOYED BY THE CITY FOR ALL MATTERS IN FURTHERANCE

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

6. Request for Council subpoena for removal of a travel trailer on the property of a resident on David Street

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the Request for Council subpoena for removal of a travel trailer on the property of a resident on David Street

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

7. Request for the City to advertise for bids for the purchase of up to four 2016 Chevrolet Tahoe pre-equipped police units for use by the Zachary Police Department

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To remove item from the agenda.

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

8. Discussion and set date for Halloween on October 31, 2018 from 6:00 p.m. until 8:00 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel
To approve and set date for Halloween on October 31, 2018 from 6:00 p.m. until
8:00 p.m. .

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

9. Discussion and Set date for workshop regarding paperless meetings

 The motion was made by Councilman Womack

 The motion was seconded by Councilman Noel

To remove item from the agenda until the first part of 2019.

YEAS: Nezianya, Noel, O'Brien, Womack
NAYS: None
ABSENT: Cavin
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 7:54 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, October 23, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council