

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, November 27, 2018, 6:30 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Nezianya called the meeting to order at 6:30 p.m., on Tuesday November 27, 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

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

D. READING OF THE MINUTES

1. Approval of Minutes of the November 13, 2018 regular meeting.
The motion was made by Councilman Womack
The motion was seconded by Councilwoman O’Brien

To approve the Minutes of the November 13, 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

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**

- a. AAA Signs- on behalf of PJ's Coffee – to provide a larger sign for multi- tenants than what is allowed in the UDC.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To Table AAA Signs- on behalf of PJ's Coffee – to provide a larger sign for multi- tenants than what 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 November 5, 2018 of the Planning Commission and the Minutes of the Regular meeting of November 5, 2018 of the Zoning Commission.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To Receive Minutes of the Regular meeting of November 5, 2018 of the Planning Commission and the Minutes of the Regular meeting of November 5, 2018 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

a. Preliminary Plat Modification – The Reserve

Owner/ Applicant: Step 12, LLC, Michael Caccavo

Councilman Neziانيا declared a PUBLIC HEARING to be in session at 6:41 p.m.

Marlon Lemond was present to explain the item to the council members. Mike Caccavo, 2526 North Turnberry Lane, Zachary, La was present to speak in favor of the preliminary plat. There being no one else to speak in favor or against the adoption Councilman Neziانيا declared the PUBLIC HEARING to be closed at 6:48 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve the Preliminary Plat Modification – The Reserve

Owner/ Applicant: Step 12, LLC, Michael Caccavo

YEAS: Cavin, Neziانيا, 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** – 4696 Hwy 19 – Jarreau's Cajun Specialties

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

Councilman Neziانيا declared a PUBLIC HEARING to be in session at 6:49 p.m.

Marlon Lemond was present to explain the item to the council members and said that the item meets the Unified Development Code. Glynn Jarreau, 606 Louisiana Street, New Roads, La was present to speak in favor of the conditional use. There being no one else to speak in favor or against the adoption Councilman Neziانيا declared the PUBLIC HEARING to be closed at 6:51 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Cavin

To approve the **Conditional Use- Alcohol** – 4696 Hwy 19 – Jarreau's Cajun Specialties Owner: Martin Wilkins Applicant: Glynn Jarreau/Jarreau's Cajun Specialties.

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

- b. **Rezone** – Lot 1 of the Pearl Hunt Ayer Tract – 19119 Plank Road – From H/BP to Industrial Owner: Exquisite Enterprise Inc/William Neff Jr. Applicant: Kelly Estes.

Councilman Nezianya declared a PUBLIC HEARING to be in session at 6:52 p.m. Marlon Lemond was present to explain the item to the council members. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak in favor of the rezone. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 6:58 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a **Rezone** – Lot 1 of the Pearl Hunt Ayer Tract – 19119 Plank Road – From H/BP to Industrial Owner: Exquisite Enterprise Inc/William Neff Jr. Applicant: Kelly Estes.

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

- c. **Rezone** – Lot 10 A of Zachary Roads Acres – 7775 Main Street – From CS to CG Owner: Karen Medina Applicant: Gregory Loubiere

Councilman Nezianya declared a PUBLIC HEARING to be in session at 6:59 p.m. Marlon Lemond was present to explain the item to the council members. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak in favor of the rezone. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:02 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Rezone** – Lot 10 A of Zachary Roads Acres – 7775 Main Street – From CS to CG Owner: Karen Medina Applicant: Gregory Loubiere

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

- d. **Conditional Use** – Home Based Business – 8823 Black Birch Avenue – Deep South Ductz LLC (A/C duct cleaning/dryer vents)

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:03 p.m. Marlon Lemond was present to explain the item to the council members. Brad Lawton, 8823 Black Birch Ave, Zachary was present to speak in favor of the conditional use. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:04 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve a **Conditional Use** – Home Based Business – 8823 Black Birch Avenue – Deep South Ductz LLC (A/C duct cleaning/dryer vents)

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

NAYS: None

ABSENT: None

ABSTAINED: None

- e. **Conditional Use** – Home Based Business – 5374 Fox Hunt Drive – The Brown Scapular LLC (online retail)

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:05 p.m. Marlon Lemond was present to explain the item to the council members. Reed Eldridge, 5374 Fox Hunt Drive, Zachary was present to speak in favor of the conditional use. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:06 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve a **Conditional Use** – Home Based Business – 5374 Fox Hunt Drive – The Brown Scapular LLC (online retail)

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

- a. PA-22-18 15694 and 15696 Old Scenic Highway To amend the Comprehensive Land Use Plan from Industrial to Residential Neighborhood on the east side of Old Scenic Highway, north of Groom Road, on a 350 acre parcel of the Goidie House Kizer property. Section 76, T5S, R1W, GLD, EBRP, LA (Council District 2- Banks)

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Womack

To approve a letter of objection for PA-22-18 15694 and 15696 Old Scenic Highway To amend the Comprehensive Land Use Plan from Industrial to Residential Neighborhood on the east side of Old Scenic Highway, north of Groom Road, on a 350 acre parcel of the Goidie House Kizer property. Section 76, T5S, R1W, GLD, EBRP, LA (Council District 2- Banks)

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 October 2018.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To Receive the Budget to Actual Balance Sheet and Income Statement for the month of October 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

N. NEW BUSINESS

1. **Introduction of Ordinance 2018-26** An ordinance authorizing the City of Zachary, Louisiana, to enter into a Cooperative Endeavor Agreement with respect to economic development projects within Zachary Commons Economic Development District; approving the form and terms of such agreement; and taking other matters in connection therewith.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the **Introduction of Ordinance 2018-26** An ordinance authorizing the City of Zachary, Louisiana, to enter into a Cooperative Endeavor Agreement with respect to economic development projects within Zachary Commons Economic Development District; approving the form and terms of such agreement; and taking other matters in connection therewith.

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

2. **Council Approval of a Resolution** authorizing the Mayor of the City of Zachary to appoint Mr. Chris M. Calbert, Chief Administrative Officer, City of Zachary as the designated and responsible party for a State Capital Outlay project, by providing compliance and oversight of the Zachary Youth Park Economic Development and Revitalization, Planning and Construction Project for the City of Zachary. This project is overseen by the State of Louisiana - Division of Administration's, Facility Planning and Control Unit. This Project is further identified as FP&C Project No. 50-MW3-18-01.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve a **Resolution** authorizing the Mayor of the City of Zachary to appoint Mr. Chris M. Calbert, Chief Administrative Officer, City of Zachary as the designated and responsible party for a State Capital Outlay project, by providing compliance and oversight of the Zachary Youth Park Economic Development and Revitalization, Planning and Construction Project for the City of Zachary. This project is overseen by the State of Louisiana - Division of Administration's, Facility Planning and Control Unit. This Project is further identified as FP&C Project No. 50-MW3-18-01

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Council approval of the 2019 City of Zachary Holidays.

The motion was made by Councilman Womack

The motion was seconded by Councilman O'Brien

To approve the 2019 City of Zachary Holidays.

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. **Adoption of Ordinance 2018-23 - AN ORDINANCE OF THE CITY OF ZACHARY, LOUISIANA ESTABLISHING A RATE SCHEDULE FOR SALES TO LARGE VOLUME INDUSTRIAL CUSTOMERS AND FOR ALL OTHER MATTERS IN FURTHERANCE THEREOF.**

Councilman Neziyanya declared a PUBLIC HEARING to be in session at 7:23 p.m.

There being no one to speak in favor or against the adoption Councilman Neziyanya declared the PUBLIC HEARING to be closed at 7:24 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve the **Adoption of Ordinance 2018-23 - AN ORDINANCE OF THE CITY OF ZACHARY, LOUISIANA ESTABLISHING A RATE SCHEDULE FOR SALES TO LARGE VOLUME INDUSTRIAL CUSTOMERS AND FOR ALL OTHER MATTERS IN FURTHERANCE THEREOF.**

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

5. **Adoption of Ordinance 2018-24** ORDINANCE 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.

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:24 p.m. John Hopewell was present to explain the ordinance to the council members. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:25 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Adoption of Ordinance 2018-24** ORDINANCE 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

6. **Adoption of Ordinance 2018-25** authorizing the levy of a sales tax within the Zachary Commons Economic Development District (the "District"); directing that such sales tax in the District will be used to provide funds for economic development projects in accordance with and as authorized by Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection with the foregoing.

Councilman Nezianya declared a PUBLIC HEARING to be in session at 7:26 p.m. John Hopewell was present to explain the ordinance to the council members. There being no one else to speak in favor or against the adoption Councilman Nezianya declared the PUBLIC HEARING to be closed at 7:27 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the **Adoption of Ordinance 2018-25** authorizing the levy of a sales tax within the Zachary Commons Economic Development District (the "District"); directing that such sales tax in the District will be used to provide funds for economic development projects in accordance with and as authorized by Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection with the foregoing

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

1. Discussion on Christmas Parade

Council members discussed the plan for purchasing their candy to throw at the Christmas Parade and if they were going to ride on a City of Zachary Fire Truck.

Mr. White, 5149 Louis Street, Days Inn, was present to ask if the Days Inn item was on the agenda. Mr. White was told that the item must go back through the planning and Zoning process.

R. ADJOURNMENT

The meeting was adjourned at 7:31 p.m.

CERTIFICATION

Dana LeJeune, Clerk of City Council
CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

Mayor Pro Temp, Nezianya

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, November 27, 2018, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council