

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, November 28, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday November 28, 2017 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 Councilwoman O'Brien

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
ABSENT

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

D. READING OF THE MINUTES

1. Minutes of the November 14, 2017 Regular Meetings.
The motion was made by Councilwoman O'Brien
The motion was seconded by Councilman Nezianya

To approve the Minutes of the November 14, 2017 Regular Meeting and approve them with corrections.

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

- a. Pay Request #4 (Retainage) for 2017 Road Rehabilitation and Improvement Program.

The motion was made by Councilman Womack
The motion was seconded by Councilwoman O'Brien

To approve a Pay Request #4 (Retainage) for 2017 Road Rehabilitation and Improvement Program in the amount of \$61,983.36 to Barriere Construction.

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

- b. Request to award Road Improvement Project – Phase II (please see attached Bid Tab)

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

To approve a Request to award Road Improvement Project – Phase II to Coastal Bridge Company in the amount of \$734,775.00.

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

- c. Change Order #1 for the Pedestrian Pathways and Bike Trails Project

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

To approve a Change Order #1 for the Pedestrian Pathways and Bike Trails Project in the amount of \$212,300.22

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

- d. Pay Order #4 for Pedestrian Pathways and Bike Trails.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Pay Order #4 for Pedestrian Pathways and Bike Trails.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- e. Certificate of Substantial Completion for the Pedestrian Pathways and Bike Trails Project.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To approve a Certificate of Substantial Completion for the Pedestrian Pathways and Bike Trails Project.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

- a. Request to award LCDBG Water Improvement Project (please see attached Bid Tab)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Request to award LCDBG Water Improvement Project to Grady Crawford Construction in the amount of \$747,872.96 contingent upon following ordinances that are in place.

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

2. Hardship Waivers

3. Other Variances

- a. Sign Variance – Investar Bank – to allow for a taller sign than what is allowed in Table 5.302 of the UDC.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve a Sign Variance- Investar Bank – to allow for a taller sign than what is allowed in Table 5.302 of the UDC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Melane Landry – 4344 Church Street – To allow for a smaller proposed parcel for development than what is allowed in Table 2.204 of the UDC.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

There was discussion on the building being a 3620 square foot deficiency than allowed in the UDC.

To approve a variance to Melane Landry – 4344 Church Street – To allow for a smaller proposed parcel for development than what is allowed in Table 2.204 of the UDC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. Melane Landry – 4344 Church Street – To allow for less than the 35% landscape ratio required by Table 2.204 of the UDC for the proposed development.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a Variance- Melane Landry – 4344 Church Street – To allow for less than the 35% landscape ratio required by Table 2.204 of the UDC for the proposed development.

YEAS: Nezianya, Noel, O’Brien, Cavin, 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 6, 2017 of the Planning Commission and the Minutes of the Regular meeting of November 6, 2017 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 November 6, 2017 of the Planning Commission and the Minutes of the Regular meeting of November 6, 2017 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

- a. **Resubdivision – Preliminary Plat** – Americana Phase 5B (Tract A of the M L Harvey Tract) Owner/ Applicant: Americana Development Company

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:02 pm.

There being no one to speak in favor or against the resubdivision Mayor Amrhein closed the PUBLIC HEARING at 7:04 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve a **Resubdivision – Preliminary Plat** – Americana Phase 5B (Tract A of the M L Harvey Tract) Owner/ Applicant: Americana Development Company.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Resubdivision – Final Plat** – Cedar Bend- Second Filing owner/Applicant: Cedar Bend LLC / Ross Bruce.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:04 pm.

There being no one to speak in favor or against the resubdivision Mayor Amrhein closed the PUBLIC HEARING at 7:05 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision – Final Plat** – Cedar Bend- Second Filing owner/Applicant: Cedar Bend LLC / Ross Bruce.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **Resubdivision** – A portion of the (former) Maurice H. Herpin Tract into lots A-1 and A-2 (8500 block Main Street/ Hwy 64) Owner: Basil and Doreen Waldron Applicant: Basil and Doreen Waldron/Eno Roman

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:06 pm.

There being no one to speak in favor or against the resubdivision Mayor Amrhein closed the PUBLIC HEARING at 7:07 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Resubdivision** – A portion of the (former) Maurice H. Herpin Tract into lots A-1 and A-2 (8500 block Main Street/ Hwy 64) Owner: Basil and Doreen Waldron Applicant: Basil and Doreen Waldron/Eno Roman.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- d. **Resubdivision** – Lot 2-A of the Robert Flanders Tract (4344 Church Street) into lots 2-A-1 and 2-A-2 Owner: Melanie Landry and James A. Poche Applicant: Melane Landry.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:08 pm.

There being no one to speak in favor or against the resubdivision Mayor Amrhein closed the PUBLIC HEARING at 7:08 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a **Resubdivision** – Lot 2-A of the Robert Flanders Tract (4344 Church Street) into lots 2-A-1 and 2-A-2 Owner: Melanie Landry and James A. Poche Applicant: Melane Landry.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- e. **Site Plan** – Lot 2-A of the Robert Flanders Tract (proposed retail) Owner/Applicant: Melane Landry.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To table **Site Plan** – Lot 2-A of the Robert Flanders Tract (proposed retail) Owner/Applicant: Melane Landry.

YEAS: Nezianya, Noel, O’Brien, Cavin, 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- Manufactured Home –3110 McHugh Road (flood replacement)** Owner: Gwen B. Albritton Applicant: Kenneth M. Albritton

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:09 pm.

There being no one to speak in favor or against the conditional use Mayor Amrhein closed the PUBLIC HEARING at 7:10 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a **Conditional Use – Manufactured Home –3110 McHugh Road (flood replacement)** Owner: Gwen B. Albritton Applicant: Kenneth M. Albritton

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. Rezone –Tract 1 of the E. D. Annison property (21628 Old Scenic Hwy.)

From CS to RU Owner/Applicant: Oscar Zeringue

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:11 pm. Amy Schulze was present to speak and said that the item was denied at Planning and Zoning meeting due to no one being present. Oscar Zeringue, 298 Highland Meadows was present to answer any questions. There being no one to speak in favor or against the rezone Mayor Amrhein closed the PUBLIC HEARING at 7:10 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Womack

To approve a **Rezone –Tract 1 of the E. D. Annison property (21628 Old Scenic Hwy.)** From CS to RU Owner/Applicant: Oscar Zeringue

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

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To receive the budget the Balance Sheet and Income Statement for the month of October 2017.

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

NAYS: None

ABSENT: None

ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Adoption** of Ordinance 2017-18 ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND §8.211 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY TO PROVIDE BY AN AMENDMENT FOR THE CONNECTIVITY AND INCORPORATION OF BICYCLE ROUTES, LANES, PATHS AND TRAILS INTO THE DEVELOPMENT OF SUBDIVISIONS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:18 pm. There being no one to speak in favor or against the adoption Mayor Amrhein closed the PUBLIC HEARING at 7:22 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption** of Ordinance 2017-18.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. **Adoption** of Ordinance 2017-19 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:23 pm. There being no one to speak in favor or against the adoption Mayor Amrhein closed the PUBLIC HEARING at 7:24 p.m.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve an **Adoption** of Ordinance 2017-19.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. City Council consideration/ approval for the publishing of a "Request for Qualifications" advisory notice, pursuant to a requirement from the Governor's Office of Homeland Security (GOHSEP) regarding Zachary's "approval for project funding" in the Hazard Mitigation Grant Program (HMGP) 2016 Flood Event - "Storm Water" Drainage Relief Fund.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a request to publish a "Request for Qualifications" advisory notice, pursuant to a requirement from the Governor's Office of Homeland Security (GOHSEP)

regarding Zachary's "approval for project funding" in the Hazard Mitigation Grant Program (HMGP) 2016 Flood Event - "Storm Water" Drainage Relief Fund.

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

- a. Notice of Condemnation Hearing; 9366 Main Street, Zachary, La; Lot 58, Little Farms Subdivision, First Filing (John Hopewell) (Tabled until the January 23, 2018 meeting)
- b. Notice of Condemnation Hearing; 4311 Stewart Street, Zachary, La; Lot 2-A, Square: B,, Northside Extension Subdivision – Ward: 2-3 #956, City of Zachary, State of Louisiana.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

No one was present to speak on this item.

To approve the condemnation located at 4311 Stewart Street, Zachary, La Lot 2-A, square: B Northside Extension Subdivision – Ward: 2-3 #956, City of Zachary, State of Louisiana.

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

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 7:31 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 and Council of the City of Zachary, Louisiana, held on Tuesday, November 28, 2017, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council