

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, January 12, 2016, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday January 12, 2016 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 Captain Bryan Henderson

**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

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To alter the agenda and move item K1 up to F4

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

NAYS: None

ABSENT: None

ABSTAINED: None

**D. READING OF THE MINUTES**

The motion was made by Councilman Nezianya

The motion was second by Councilwoman O'Brien

To waive the reading of the minutes of the December 8, 2015 Regular Meeting and December 11, 2015 Special Meeting and approve them as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**E. HONORS, RECOGNITIONS AND INTRODUCTIONS**

Fire Chief Danny Kimble recognized four new Fire Fighters. Ron Anders, Chase Lord, Darius Patt, and Camron Thompson were welcomed by Mayor Amrhein and the Council.

**F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS**

**1. Street/Road Projects**

a. Pay Estimate #14 Mount Pleasant Boulevard (Bia Hillhouse)

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve Pay Estimate #14 Mount Pleasant Boulevard in the amount of \$153,082.37 to R.J. Daigle & Sons, Inc. contingent upon PEC approval.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**2. Sewer**

**3. Subdivision Inspections**

**4. Water and Gas Projects**

**ALTER AGENDA**

**K. BOOKKEEPING AND BUDGET CHANGES**

1. Presentation of Audit for the 2014-2015 fiscal year

Margaret Pritchard, CPA, Baxley and Associates 58225 Belleview Road, Plaquemine, La was present to explain to Mayor Amrhein and the Council the findings of the 2014-2015 Fiscal year Audit.

**Back to Regular Agenda**

**G. PRESENTATION OF DELEGATIONS**

1. Requests to Speak
2. Hardship Waivers
3. Other Variances

- a. Occupational Waiver Request-Alice Brown 1628 Royal Troon Ct., Zachary, La 70791 – Request to operate a home based business from her home.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve an Occupational Waiver Request to Alice Brown 1628 Royal Troon Ct., Zachary, La 70791 to teach piano lessons from her home.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Occupational Waiver Request – Alfrieda Judson 22673 Hwy 964, Zachary, La 70791 – Request to operate a home based business from her home.

The motion was made by Councilman Neziaanya

The motion was seconded by Councilman Cavin

To approve an Occupational license to Alfrieda Judson, 22673 Hwy 964, Zachary, La 70791 to operate a Tax Service business from her home.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. Waiver Request – Dee Hunt – Clairmont Preliminary Plat – Request for waiver of table 2.301 B to allow a greater percentage of large lots.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O’Brien

To approve a Waiver Request to Dee Hunt for the Clairmont Preliminary Plat. Request for waiver of table 2.301 B to allow a greater percentage of large lots.

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

- d. Waiver Request – Milton Anderson 1715 Worsham Drive, Zachary, La 70791- Request for a second utility meter for an accessory building.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a Waiver Request to Milton Anderson, 1715 Worsham Drive, Zachary, La 70791 for a second utility meter for an accessory building.

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

- e. Waiver Request- Kelly Brian 23644 Brian Road, Zachary, La 70791- Request for a second utility meter for a pole barn to house horses.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a Waiver Request to Kelly Brian, 23644 Brian Road, Zachary, La 70791, for a second utility meter for a pole barn to house horses.

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

#### **4. Exceptions to Regulations**

### **H. ACTION MANDATED BY HOME RULE CHARTER**

- 1. Appointments to Boards, Commissions, Committees

- 1. ABC Board
- 2. Municipal Civil Service Board
- 3. Fire & Police Civil Service Board
- 4. Zachary Historic Village Board

John Hopewell, City Attorney was present to inform the council that there was one change to the boards listed that he was aware of. He said that Janice Bergeron has decided to not be a board member for the Municipal Civil Service Board and a list of college appointed names was needed to proceed in filling her seat. He also informed the council to send any names that they would like to nominate to the Technical Review Board. No action was taken on this item.

**I. PLANNING & ZONING MATTERS**

**1. Receive Minutes of the Regular meeting of December 07, 2015 of the Planning Commission and the Minutes of the Regular meeting of December 07, 2015 of the Zoning Commission.**

The motion was made by Councilman Cavin

The motion was second by Councilman Nezianya

To receive the minutes of the December 07, 2015 Regular Meeting of the Planning Commission and the December 07, 2015 Regular Meeting of the Zoning Commission as presented.

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

**2. Planning Matters REQUIRING a Public Hearing**

- a. Conditional Use- Lot 8-B-1A-2-B of the William J. Wicker Place (21301 WJ Wicker Road- Mobile Home)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:19 pm. Amy Schulze, Planning and Zoning Coordinator, was present to explain that this item was heard at the December 2015 Planning and Zoning meeting and was recommended for approval. She said that all regulations meet the Unified Development Code. The being no one to speak for or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:22 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Conditional Use Permit for Lot 8-B-1A-2-B of the William J. Wicker Place (21301 WJ Wicker Road- Mobile Home).

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

b. Resubdivision- Preliminary Plat- Clairmont

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:23 pm. Mrs. Schulze was present to explain that this item was heard at the December 2015 Planning and Zoning meeting and was recommended for approval. There being no one to speak for or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:24 pm.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve the Resubdivision- Preliminary Plat of Clairmont subdivision.

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

NAYS: None

ABSENT: None

ABSTAINED: None

c. Resubdivision- Lots 4-J-1 and 4-J-2 being portions of the Leonard Moore Tract of the Lilly Tract into Lots 4-J-1-A and 4-J-2-A.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:24 pm. Mrs. Schulze was present to explain that the owner was purchasing this property behind his and was recommended for approval at the Planning and Zoning meeting in December 2015. There being no one to speak for or against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:25 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a Resubdivision of Lots 4-J-1 and 4-J-2 being portions of the Leonard Moore Tract of the Lilly Tract into Lots 4-J-1-A and 4-J-2-A.

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

NAYS: None

ABSENT: None

ABSTAINED: None

d. Annexation- Lot F-4 of the E.D. Annison Property (Amy Schulze)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:26 pm. Mrs. Schulze was present to explain that this property has frontage on Hwy 964 and Flonacher Road. She said the owners would make some improvements to the entrance of the Annison Plantation and the owners have plans to develop a subdivision on the tract. There being no one to speak for or against the annexation Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:28 pm.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve an Annexation of Lot F-4 of the E.D. Annison Property and to approve John Hopewell to draft and present an Ordinance to introduce and adopt by the council.

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**

**5.     Zoning Matters NOT Requiring Public Hearing**

**6.     Other Matters**

**J.     APPROVE PAYMENT OF BILLS**

1.     Approve Accounts Payable and the natural gas bill when it is received.

          The motion was made by Councilman Cavin

          The motion was seconded by Councilman Womack

To approve accounts payable in the amount of \$558,916.10 and the natural gas bill when it is received.

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

NAYS:                   None

ABSENT:               None

ABSTAINED:           None

**K.     BOOKKEEPING AND BUDGET CHANGES**

(This item heard earlier in meeting.)

**L.     OLD BUSINESS PENDING FOR FINAL ACTION**

**M.     OLD BUSINESS PENDING**

1.     Brown Property – MacHost Road

          Subpoena issued to Laurie Brown to attend Jan 28, 2014 meeting pertaining to failure to abide by Ordinance (46-53) and continued violation of same.

          Laurie Brown represented by her father Joseph Brown

          Remains under Subpoena, remains on the agenda until removed by Council.

          Mayor Amrhein said this item remains in status.

**N.     NEW BUSINESS**

1.     Introduce Ordinance #2014-07 – Petition of Annexation East Mt. Pleasant Rd. & the remainder of the Marshall Bond Property – Located on Hwy. 61 & Hwy.64 (Remains Tabled)

2. Introduce Ordinance #2014-12 – Calling for the Annexation of Tracts 1 & 2 of the J. A. Carruth Subdivision (Remains Tabled)
3. Discussion of Adoption of Online Auction Procedures for sale of surplus property owned by the City with a request for council guidance on: (1) the method of acceptance of actual bid prices; and (2) the level of on-going council participation in the same.

Chip Troth, City Purchasing Agent was present to speak. He explained to the council that he would like to move the sale of City Surplus Property from The Louisiana Property Assistance Agency to online auction procedures to maximize the value of the surplus. He said the City of Baton Rouge and BREC have both moved to these procedures and indicated that they are getting a little more money for their surplus. Mr. Troth recommended a three person committee be put in place to handle the online procedures. He said that he recommends himself and CFO, Steve Nunnery, be on that committee and a councilman. He said there is no cost to set up the online process.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To allow the day to day participation of the council and to approve Councilman Womack as the committee member for the online bidding process for the City of Zachary online surplus property.

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

4. Discussion of City Holiday Schedule for the 2016 calendar year.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve City Holiday Schedule for the 2016 calendar year

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

5. Election of the 2016 Mayor Pro Tem.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve Councilwoman Laura O'Brien as Mayor Pro Tem for the 2016 year.



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

6. Discussion of 2016-2017 Salaries for all elected City Officials.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

There was discussion on salary steps and adjustments as needed. Mr. Hopewell said that this can be done through ordinances. He said that it cannot be done during the 4<sup>th</sup> year of a term.

To approve Mayor Amrhein's rejection of his 2016-2017 Salary increase.

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

7. Notice of Council Meeting Dates for the 2016 calendar year.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve the Council Meeting Dates for the 2016 calendar year.

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

8. Adoption of Ordinance #2015-13 – ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY OWNED BY THE ZACHARY POLICE DEPARTMENT DECLARED TO BE SURPLUS AND ALLOWING FOR THE DONATION AND/OR DISPOSAL OF SAME AND FOR OTHER MATTERS IN FURTHERANCE THEREOF.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 8:14 pm. Mr. Hopewell was present to explain that this property was computers that have been donated to another Police Department. There being no one else to speak in favor or against the adoption of the ordinance Mayor Amrhein declared the PUBLIC HEARING to be closed at 8:15 pm.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve Adoption of Ordinance #2015-13 – ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY OWNED BY THE ZACHARY POLICE DEPARTMENT DECLARED TO BE SURPLUS AND ALLOWING FOR THE DONATION AND/OR DISPOSAL OF SAME AND FOR OTHER MATTERS IN FURTHERANCE THEREOF.

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

9. Adoption of Ordinance #2015-14 - ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY OWNED BY THE CITY OF ZACHARY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME AND FOR ANY OTHER MATTERS IN FURTHERANCE THEREOF.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 8:17 pm. Mr. Hopewell explained that this ordinance is referring to the caboose that needs to be removed due to it being a dangerous hazard to the community. There being no one else to speak in favor or against the adoption of the ordinance Mayor Amrhein declared the PUBLIC HEARING to be closed at 8:20 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve Adoption of Ordinance #2015-14 - ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY OWNED BY THE CITY OF ZACHARY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME AND FOR ANY OTHER MATTERS IN FURTHERANCE THEREOF.

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

10. Discussion concerning the City's policy for the purchase and placement of permanent special (incl. deaf, blind, handicapped and/or autistic) children's warning signs (placards) in neighborhoods and upon the public streets within the City Limits of the City of Zachary

Mr. Hopewell was present to explain that the city has been asked several times to place these placards in different areas. He said that the Bank of Zachary use to pay for these signs but no longer do so. He explained that he has done some research and found that placing these signs has no good effect on the safety in the area. Mrs. Schulze said that this causes too many signs and people do not pay attention to them. No action was taken on this item.

11. Request for Approval by City Council for the Mayor to negotiate and to enter into a prospective agreement with EBR Tax Collector and/or EBR Sheriff for the third party recovery of unbilled and uncollected ad valorem property tax revenues on a contingency fee basis.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a Request by City Council for the Mayor to negotiate and to enter into a prospective agreement with EBR Tax Collector and/or EBR Sheriff for the third party recovery of unbilled and uncollected ad valorem property tax revenues on a contingency fee basis.

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

**O.     REPORTS FROM DEPARTMENT HEADS**

1.   Inspection Reports for the month of December 2015

      The motion was made by Councilman Nezianya

      The motion was seconded by Councilwoman O'Brien

To receive the Inspection Reports for the month of December 2015

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

**P.     DISCUSSION OF BUSINESS NOT ON AGENDA**

**(No Action May Be Taken Unless Declared an Emergency)**

Mr. Hopewell explained to the council that if there are any issues that need to be discussed concerning the Unified Development Code to please submit them to him or to Amy Schulze.

Mrs. Schulze said she would like to schedule some workshops to discuss these items to be able to move forward on the changes that need to be made.

**Q.     ADJOURNMENT**

The meeting was adjourned at 8:35 pm.

**CERTIFICATION**

\_\_\_\_\_  
**Dana Poole, Clerk of City Council**  
**CITY OF ZACHARY**  
**PARISH OF EAST BATON ROUGE**  
**STATE OF LOUISIANA**

\_\_\_\_\_  
**David Amrhein, Mayor**

I, Dana Poole, 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, January 12, 2016, a proper quorum being there and then present.

\_\_\_\_\_  
**Dana Poole, Clerk of the City Council**