

MINUTES
For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, January 13, 2015 - 6:30 p.m.

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m, on January 13, 2015 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 Noel

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:

None

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

Motion by Councilman Womack

Motion seconded by Councilman Noel

To move Item O-3 (Accept Audit) up on the agenda to immediately following Item G - Action Mandated by Home Rule Charter.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

Motion by Councilman Nezianya

Motion seconded by Councilman Womack

To waive the reading of the minutes of the meetings of December 9, 11, and 16, 2014 and approve them as presented.

YEAS: Nezianya, Noel, Womack

NAYS: None

ABSENT: None

ABSTAINED: O'Brien, Cavin,

E. HONORS, RECOGNITIONS AND INTRODUCTIONS - None presented

F. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Leroy Williams – 4638 Avenue - Natural gas incidents in Avenue C area

Mr. Williams said that on at least 3 occasions during the rehabilitation of gas lines in the Avenues area, gas lines either ruptured or leaked. There was also a loss of pressure on one of the coldest nights. Mayor Amrhein said that the city is aware of problems with the gas lines and there is an ongoing investigation of the matter. He asked Chris Davezac, Lionel Lawson and Jeff Johnson to go to the microphone to discuss the issues.

Mr. Davezac said that the lines in that area are not looped. He also said that replacement of the PVC pipe in the area is scheduled, and they can be looped at the same time. It was also reported that on several occasions, and in several locations, valves have been turned off for no apparent reason and without the city's knowledge. Mayor Amrhein said this has never happened before and it's also being investigated. It may be that valves were turned off during the rehabilitation work, and not turned back on as they should have been

There are approximately 200 gas valves throughout the city, and Bianca Hillhouse (PEC) said that they are currently mapping them and attaching GPS devices on all valves. Security is also being upgraded to include a log-in/log-out procedure for closing and opening valves. Mayor Amrhein said with a firm procedure in place, if the issues of closed valves continue, he will assume the action to be deliberate and act accordingly.

2. Hardship waivers – None presented

3. Other Waivers

a. Waiver request: Occupational license for Dawn Saucier
7535 Lower Zachary Road – Concession trailer

Motion by Councilman Nezianya

Motion seconded by Councilman Womack

To approve an occupational license for Dawn Saucier to operate a business (concession trailer – off-site) at 7535 Lower Zachary Road. Only office work will be done from the home.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Waiver Request: Occupational License for Johnnie Brown at 2730 Pine Thicket for Photography Business (Hugh Engels)

Motion by Councilman Noel

Motion seconded by Councilwoman O'Brien

To approve an occupational license for Johnnie Brown at 2730 Pine Thicket for a photography business.

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

- c. Waiver Request: Kenneth & Jean Arnold – 5665 Rush Drive To place an accessory building at that address (Hugh Engels)

Hugh Engels presented a map of the property showing the lot to be approximately three acres, zoned Residential Estate. Due to a recent change in the UDC, accessory buildings are allowed in Residential Estate zones. However, because this is a recent change in the code Council members decided to go through the approval process in an abundance of caution.

Motion by Councilman Womack

Motion seconded by Councilman Nezianya

To approve the placement of an accessory building at 5665 Rush Drive for Kenneth and Jean Arnold.

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

- 4. **Exceptions to Regulations** – None presented

G. ACTION MANDATED BY HOME RULE CHARTER

- 1. Election of Mayor Pro Tempore (Mayor Amrhein)

Motion by Councilman Womack

Motion seconded by Councilman Cavin

To elect Councilman Brandon Noel to serve as Mayor Pro Tempore for the calendar year of 2015.

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

2. Approval of Mayor’s Appointments (Mayor Amrhein)
Motion by Councilman Nezianya
Motion seconded by Councilman Noel

To confirm the following Department Head appointees presented by Mayor Amrhein:

| | |
|-----------------|-----------------------------------|
| Chris Calbert | Chief Administrative Officer |
| Steve Nunnery | Chief Financial Officer |
| John Hopewell | City Attorney |
| Chris Davezac | Public Works Director |
| Ashlee Pratt | Human Resources |
| Shane Hebert | Parks & Recreation |
| Chip Troth | Purchasing |
| Hugh Engels | Code Enforcer |
| Scott Masterson | Building Official |
| Randy Partin | Utility (Meters) |
| Jean Byers | Zachary Historic Village Director |

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

Motion by Councilman Womack
Motion Seconded by Councilman Noel

To confirm the following non-Department Head appointees presented by Mayor Amrhein

| | |
|-----------------|-------------------------|
| Kathi Brumley | Secretary |
| Bob Whitaker | Safety |
| Sharon Phillips | Public Relations |
| Ricky McDavid | Assistant City Attorney |
| Rodney Williams | |
| Diane LeBlanc | Parks & Recreation |

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

ALTERED AGENDA ORDER:

The Council took up Item O-3: Accept Audit

Chief Financial Officer Steve Nunnery distributed the completed Audit document, and Margaret Prichard representing Baxley & Associates, 58225 Bellview, Plaquemine, LA 70764, led Council members through a summary of the information presented. A copy of the audit is available and may be viewed by contacting the Chief Financial Officer, Steve Nunnery at Zachary City Hall, 4700 Man Street, Zachary, LA 70791, or by telephone at 225-654-0287.

Motion by Councilman Womack

Motion seconded by Councilman Noel

To Accept the Audit as presented.

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

NAYS: None

ABSENT: None

ABSTAINING: None

The normal order of the Agenda was resumed at this point.

3. Appointments to Boards, Commissions, Committees

ABC Board

Motion by Councilman Nezianya

Motion seconded by Councilman Noel

To table the appointments to the ABC Board

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

NAYS: None

ABSENT: None

ABSTAINING: None

Planning & Zoning Commission

Motion by Councilman Nezianya

Motion seconded by Councilman Cavin

To approve the following appointments to the Planning & Zoning Commission:

Mayor Amrhein Robert Snowden and Billy Kline

Councilman Nezianya D Hunt

Councilman Noel Earl Thornton

Councilwoman O'Brien Scott Buzhart

Councilman Cavin Mike Freeman

Councilman Womack Mark Martin

Municipal Civil Service Board

Fire and Police Civil Service Board

Zachary Historic Village Board

Motion by Councilman Womack

Motion by Councilman Cavin

To table the appointments to the Municipal Civil Service Board, the Fire and Police Civil Service Board and the Zachary Historic Village Board.

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. Other Appointments by Mayor with Council Concurrence

Site Plan:

Motion by Councilman Womack

Seconded by Councilman Nezianya

To appoint Councilman Cavin (as representative from City Council for calendar year 2015) and Lionel Lawson were appointed to serve on the Site Plan review Board. The remainder of the board remains the same.

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

NAYS: None

ABSENT: None

ABSTAINED: None

Economic Development:

By rotation the following Council members were appointed to serve on the Economic Development Board. There was no action taken.

LMA Gas Purchasing and Distribution Authority

Motion by Councilman Womack

Seconded by Councilman Noel

To adopt a resolution appointing Chris Calbert as delegate, and Steve Nunnery as alternate to the LMA Gas Purchasing & Distribution Authority.

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

NAYS: None

ABSENT: None

ABSTAINED: None

Gas District #1

Motion by Councilman Cavin

Seconded by Councilman Nezianya

To adopt a resolution re-appointing Jeff Johnson as City of Zachary representative on the Gas District #1 Board.

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

NAYS: None

ABSENT: None

ABSTAINED: None

H. PLANNING & ZONING MATTERS

- 1. Receive Minutes of January 2015 Planning Commission and January 2015 Zoning Commission - None were presented.**
- 2. Planning Matters REQUIRING a Public Hearing – None presented.**
- 3. Planning Matters NOT Requiring a Public Meeting - No presented**

4. **Zoning Matters REQUIRING a Public Hearing** - None presented
5. **Zoning Matters NOT Requiring Public Hearing** - None presented
6. **Other Matters** – None presented

I. APPROVE PAYMENT OF BILLS

Motion by Councilman Womack
Seconded by Councilman Nowl

To approve accounts receivable in the amount of \$257,084.85, along with the natural gas bill when it is received.

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

J. BOOKKEEPING AND BUDGET CHANGES – None presented

K. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Mt. Pleasant Blvd Project, Payment Request #3 (PEC)
Motion by Councilman Womack
Seconded by Councilman Noel

To approve Pay Request #3 in the amount of \$399,688.43, presented by R. J. Daigle and Sons, for work done on the Mt. Pleasant Blvd Project.

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

2. Sewer

- a. Sewer Contract # 5 – Accept Certificate of Substantial Completion (PEC)
Motion by Councilman Womack
Seconded by Councilman Cavin

To receive Certificate of Substantial Completion submitted by Grady Crawford Construction for Sanitary Sewer Collection System Improvements, Contract #5.

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

b. Sewer Contract #5 – Approval of Final Change Order (PEC)

Motion by Councilman Womack

Seconded by Councilman Noel

To approve Final Change Order submitted by Grady Crawford Construction, for Sewer Contract #5, showing a decrease of \$473,491.55 in the contract price and describing the changes from the original construction plans and specifications.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Subdivision Inspections – None presented

4. Water and Gas Project

a. Gas Regulation Station – Contract #1, Change Order #2 (PEC)

Motion by Councilman Womack

Seconded by Councilman Nezianya

To approve Contract #1, Change Order #2, presented by Feliciano Welders, Inc., showing an increase in contract price in the amount of \$65,996.26 for work on the new gas regulation station.

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. Gas High Pressure Line, Contract # 2, Pay Request # 4 (PEC)

Motion by Councilman Nezianya

Seconded by Councilman Womack

To approve Pay Request #4, submitted by Industrial Enterprises, Inc., in the amount of \$140,182.10 for work on the new high pressure gas line (Contract #2)

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Zachary Youth Park – None presented

L. CONDEMNED BUILDINGS - PUBLIC HEARINGS OR OTHER ACTION REGARDING BUILDINGS BEING CONSIDERED FOR CONDEMNATION

1. Review/Reports – Proposed and Active Condemnation of Buildings

Motion by Councilman Cavin
Seconded by Councilman Womack

On the direction of City Attorney John Hopewell, to remove items L1a through d from the agenda. The addresses of removed items are:

5395 Church Street
5960 Rollins Road
4760 West Central Avenue
6210 East Central Avenue

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

M. OLD BUSINESS PENDING FOR FINAL ACTION

There was no old business pending for final action.

N. 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

Settlement of this matter is expected within two months.
No action was taken.

O. NEW BUSINESS

1. Introduce Ordinance 2014 – 07: Annexation of East Mt. Pleasant Road and the remainder of the Marshall Bond Property - Located Hwy 61 and Hwy 64 (Remains tabled) No action was taken.

2. Introduce Ordinance 2014 – 12: Annexation of Lots 1 and 2 of the J.A. Carruth Subdivision (Remains tabled) No action was taken.

3. Accept Audit (Steve Nunnery) – Received earlier in this meeting.

4. Floating Holidays (Mayor Amrhein)

Mayor Amrhein explained the vacation calendar for holidays that happen on a Friday since city employees work Monday through Thursday. When a vacation day falls on Friday, employees will be allowed to take their holiday on another work day to be scheduled within their departments.

The floating holiday, which the Council has in the past voted to be used on the Friday after Thanksgiving, will be used by working half a day on Christmas Eve when it falls on Monday through Thursday, and the other half on New Years Eve in the same way.

Motion by Councilman Womack

Seconded by Councilwoman O'Brien

To approve the designation of the Floating Holiday by approving a half day to be used on Christmas Eve and the other half of the day on New Years Eve.

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

Motion by Councilman Womack

Seconded by Councilman Noel

To post and publish the regular meetings of the Zachary City Council as the second and fourth Tuesday, of every month, with the exception that the City Council will meet only the second Tuesday of the month in December. There will not be a second meeting in December unless circumstances make it necessary to have a second meeting, and it will be published as a Special Meeting. All regular meetings of the Zachary City Council will be convened at 6:30 p.m. at the Zachary City Hall located at 4700 Main Street, Zachary, LA 70791.

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

5. Request for Bids for New Meter System (Randy Partin)

Funding for a new meter system has been approved in the current budget

Motion by Councilman Cavin

Seconded by Councilman Womack

To authorize the advertising for bids for a new meter system for the City of Zachary.

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

P. REPORTS OF COMMITTEES/COMMISSIONS/BOARDS

None were presented

Q. REPORTS FROM DEPARTMENT HEADS

Motion by Councilman Nezianya

Seconded by Councilman Noel

To accept Department Head reports as presented.

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

- R. DISCUSSION OF BUSINESS NOT ON AGENDA
(No Action May Be Taken Unless Declared an Emergency)**
There were no other matters to be discussed.
- S. ADJOURNMENT – 7:20 p.m.**

CERTIFICATION

Jean Byers, Clerk of City Council
CITY OF ZACHARY
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

David Amrhein, Mayor

I, Jean Byers, 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 13, 2015, a proper quorum being there and then present.

Jean Byers, Clerk of the City Council