

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, January 24, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday January 24, 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 January 10, 2017 Regular Meeting and amend the minutes of the November 22, 2016 Regular Meeting.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Minutes of the January 10, 2017 Regular Meeting and correct the minutes of the November 22, 2016 Regular Meeting

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

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

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

• **Street/Road Projects**

- a. Request authorization to advertise for bids for sidewalk/bike path improvement project.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Request authorization to advertise for bids for sidewalk/bike path improvement project.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Request authorization to advertise the 2017 Road Rehabilitation Project.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Request authorization to advertise the 2017 Road Rehabilitation Project.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

G. PRESENTATION OF DELEGATIONS

• **Requests to Speak**

- a. Janice Manning, David Street, Zachary, La regarding mobile home located at 3840 David Street.

Scott Masterson was present to speak on the issue. Mr. Masterson presented pictures of what had been done as of January 24, 2017. John Hopewell was also present to speak on the issue and said that the owners called him and said they had not been able to remove any more of the debris due to rainy weather. The Council expressed concern of the debris blowing on other residents' property and said it is a public safety issue. There was discussion regarding significant progress and proper notification. The issue was added to section

P. DISCUSSION OF BUSINESS NOT ON AGENDA (No Action May Be Taken Unless Declared an Emergency) and a vote was taken.

Janice Manning declined to speak on the issue.

Linda Dunaway, 3837 David Street, Zachary, La was present to speak to inform the council that the debris from the mobile home was put on her property. Mayor Amrhein suggested to call the Police Department.

- b. Dale Dunaway, David Street, Zachary, La regarding mobile home located at 3840 David Street.
(Did not Show up to speak at the meeting)

2. Hardship Waivers

3. Other Variances

- a. Variance Request – Red Door Storage, 2010 Church Street, ESL, LLC (Steve Leonard) waiver request Section 11.507 of the UDC, to allow for a reduction of a Type C bufferyard width from 25 feet to 15 feet.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve Variance Request – Red Door Storage, 2010 Church Street, ESL, LLC (Steve Leonard) waiver request Section 11.507 of the UDC, to allow for a reduction of a Type C buffer yard width from 25 feet to 15 feet.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Variance Request – Ronald Jett, waiver request Division 10.300 Bufferyards Section 10.302 Bufferyards Standards of the UDC.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve a Variance Request – Ronald Jett, waiver request Division 10.300 buffer yards Section 10.302 buffer yards Standards of the UDC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. Variance Request – Wayne Durham, 21802 Mac Host Rd., regarding building a shed on property before a home.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O’Brien

To approve a Variance Request – Wayne Durham, 21802 Mac Host Rd., to complete an accessory building on the property prior to a residence being built. It was noted and explained to the owner that Code of Ordinance section 10-13 prohibits an owner who intends on possessing, raising, or keeping horses within a subdivision or residential area within the City to keep them in a pen or enclosure to be located at least 150 feet from property lines adjacent thereto.

Amy Schulze was present to speak on the variance. She explained to the council that she and Mr. Durham had several conversations regarding building an accessory building before a residence and the issuance of a variance and permits. Mr. Durham, 12473 Homeport Drive, Maurepas, La was present to speak. He explained to the council that he was in the construction business and he understood that ignorance of the law was no excuse. He explained that he did not know he had to have a permit. He said that the barn he was presently working would be to store his construction equipment and another barn would need to be built to house his horses so that he would be 150 feet from the property line. There was discussion that the property was only 200 feet wide. There was also discussion regarding if the Council could waive the ordinance or make changes to allow the horses to be kept on the property. Councilman Womack wanted to make it clear that Ms. Rouse is his sister and lives next door to her. The Council also said that the permit amount would be \$100.00 instead of \$50.00. Johnna Rouse, 21884 MacHost Rd., Zachary, La was present to speak to the Council. Ms. Rouse expressed her concerns about housing horses that close to her residence. She said it would be approximately 100 feet from her patio. Ms. Rouse explained that she did not have an issue with horses being kept on the property but would prefer them to be housed much further back on the property.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- d. Variance Request – Stephen Jones, 2854 April St., to all for a second meter for an accessory building.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a Variance Request – Stephen Jones, 2854 April St., to all for a second meter

for an accessory building.

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

Mayor Amrhein informed the Council of the members who currently hold positions on these boards. No action was taken on this item.

I. PLANNING & ZONING MATTERS

1. Receive Minutes of the Regular meeting of November 7, 2016 and December 5, 2016 of the Planning Commission and the Minutes of the Regular meeting of November 7, 2016 and December 5, 2016 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 7, 2016 and December 5, 2016 of the Planning Commission and the Minutes of the Regular meeting of November 7, 2016 and December 5, 2016 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

• Planning Matters REQUIRING a Public Hearing

- a. Resubdivision - Final Plat – Copper Mill 8th Filing; Part 1
Owner/Applicant Cedar Bend, LLC (Ross Bruce)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:30 pm. Amy Schulze was present to speak on this item. She explained that this item was recommended for approval at the Planning and Zoning meeting. Mrs. Schulze also said that Mr. Davezac had done his inspection and noted that the subdivision was in good shape and that there were areas that needed minimal dressing up from erosion. Mr. Ross Bruce, 4220 Blue Bonnet Blvd., Baton Rouge, La 70809, was present to speak in favor of the resubdivision. He told the council that he had been meeting with the Copper Mill HOA on several items. He said they have discussed the trees in certain areas, a fence that he wanted to replace with the residents

permission, and also a drainage issue that had been remedied. There being no one to speak against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:38 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a Resubdivision - Final Plat – Copper Mill 8th Filing; Part 1
Owner/Applicant Cedar Bend, LLC (Ross Bruce) and to include corrections with approval of completion of the punch list by Mr. Davezac.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: Nezianya

- b. Resubdivision – Preliminary Plat – Clairmont Community Subdivision
Owner/Applicant (Donald D. Hunt, Jr.)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:40 pm. Amy Schulze was present to speak on the resubdivision. Mrs. Schulze explained that there were a few changes made regarding lot sizes and that the plat still meets the UDC. Travis Woodard, 6767 Perkins Rd., Baton Rouge, La 70808, was present to speak in favor of the resubdivision. He explained that the “eyebrow” had been removed and that one lot was added. There being no one to speak against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:45 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Resubdivision – Preliminary Plat – Clairmont Community Subdivision
Owner/Applicant (Donald D. Hunt, Jr.)

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. Resubdivision – Combination of Tracts A-1-A and A-2-A of the S.R.
Kennedy Tract into A-1-A-1 (21085 Hwy 964) Owner/Applicant: Gary Guido/ G & D Self Storage-Big Red Self Storage.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:47 pm. Amy Schulze was present to speak on the resubdivision. She explained that the owner wanted to combine the three lots into one. Chad Stevens, MR Engineering & Surveying, LLC, was present to speak in favor of the resubdivision and to answer any questions if needed. There being no one to speak against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:50 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve a Resubdivision – Combination of Tracts A-1-A and A-2-A of the S.R.
Kennedy Tract into A-1-A-1 (21085 Hwy 964) Owner/Applicant: Gary Guido/
G & D Self Storage-Big Red Self Storage.

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 Permit – Manufactured Home – 9044 West Vernon
Owner/Applicant: Mary Lilly.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:51 pm. Amy Schulze was present to speak and explained that Ms. Mary Lilly needed to redo the conditional use permit due to her mobile home being flooded in August 2016. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:52 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Conditional Use Permit – Manufactured Home – 9044 West Vernon Owner/Applicant: Mary Lilly.

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

- b. Conditional Use Permit – Alcohol – 20766 Highway 964 – Applicant:
DG Louisiana/Dollar General Store #16561 Owner: Zachary TEC DG,
LLC.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:54 pm. Amy Schulze was present to speak on the conditional use permit. She explained that the owner conditional use permit was recommended by the planning and zoning commission. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:55 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a Conditional Use Permit – Alcohol – 20766 Highway 964 – Applicant: DG Louisiana/Dollar General Store #16561 Owner: Zachary TEC DG, LLC.

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

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.
2. 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)
3. Introduce Ordinance #2014-12 – Calling for the Annexation of Tracts 1 & 2 of the
J. A. Carruth Subdivision (Remains Tabled)

N. NEW BUSINESS

1. **Adoption of ORDINANCE 2016-18 AUTHORIZING THE CITY OF ZACHARY TO AMEND §§2-199, 2-200 AND 2-201 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY TO PROVIDE FOR THE SETTING AND ADMINISTRATION OF SALARIES FOR ELECTED OFFICIALS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTURE OF THIS PROVISION.**

Mayor Amrhein declared the PUBLIC HEARING to be in session at 8:09 pm. Mr. Hopewell was present to speak and explained that this ordinance was created to provide a starting salary and an ending salary for elected officials. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 8:10 pm.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve **Adoption of ORDINANCE 2016-18 AUTHORIZING THE CITY OF ZACHARY TO AMEND §§2-199, 2-200 AND 2-201 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY TO PROVIDE FOR THE SETTING AND ADMINISTRATION OF SALARIES FOR ELECTED OFFICIALS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTURE OF THIS PROVISION.**

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

2. **Adoption of ORDINANCE 2016-24** 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 the PUBLIC HEARING to be in session at 8:10 pm. Mr. Hopewell was present to speak and explained that this item was a 4-wheeler that was donated by the Voluntary Fire Department. There being no one to speak in favor or against the adoption Mayor Amrhein declared the PUBLIC HEARING to be closed at 8:12 pm.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve **Adoption of ORDINANCE 2016-24** 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.

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

3. **Adoption of ORDINANCE** PROVIDING FOR THE INCURRING OF DEBT AND ISSUANCE OF ONE MILLION DOLLARS (\$1,000,000) OF HOTEL OCCUPANCY TAX BONDS, SERIES 2017, OF THE CITY OF ZACHARY, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID BONDS; DESIGNATING THE DATE, DENOMINATION AND PLACE OF PAYMENT OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AUTHORIZING AN AGREEMENT WITH THE PAYING AGENT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

This item was voted on at the November 22nd meeting. No action was necessary.

4. Request for amendment of EO 2016-19 to expand issuance of a conditional use permit to eighteen (18) months (GOSEP)

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To deny a Request for amendment of EO 2016-19 to expand issuance of a conditional use permit to eighteen (18) months (GOSEP).

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

5. **Introduction of ORDINANCE 2017-01** AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §14-254 RELATING TO FALSE ALARM RESPONSE FEES WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THEREOF.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Introduction of ORDINANCE 2017-01** AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §14-254 RELATING TO FALSE ALARM RESPONSE FEES WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THEREOF.

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

6. Request for approval of Dana Poole to continue as Clerk of Council.
No action was taken on this item. It was not necessary.

O. REPORTS FROM DEPARTMENT HEADS

Fire Chief Danny Kimble was present to thank the Mayor and Council for attending the Fireman's banquet. Mayor Amrhein thanked PEC Engineering and the Rotary Club for their sponsorship of the banquet.

P. DISCUSSION OF BUSINESS NOT ON AGENDA

(No Action May Be Taken Unless Declared an Emergency)

1. Motion and authorization pursuant to emergency powers of the Home Rule Charter authorizing the Mayor to exercise emergency authorization to expedite the removal of a mobile home and debris located at 3840 David Street.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve the authorization pursuant to emergency powers of the Home Rule

Charter authorizing the Mayor to exercise emergency authorization to expedite the removal of a mobile home and debris located at 3840 David Street.

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

ALT Q. ADJOURNMENT

The meeting adjourned at 8:39 p.m.

CERTIFICATION

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

Laura O'Brien, Mayor Pro Tempore

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 Pro Tempore and Council of the City of Zachary, Louisiana, held on Tuesday, January 24, 2017, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council

