

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, April 11, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday April 11, 2017 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

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 Womack
The motion was seconded by Councilwoman O’Brien

To add the addendum to the agenda.

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

D. READING OF THE MINUTES

1. Minutes of the March 28, 2017 Regular Meeting.

The motion was made by Councilman

The motion was seconded by Councilman

To approve the Minutes of the March 28, 2017 Regular Meeting and approve them as presented.

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. Zachary Youth Park Field Lighting Change Order #1 (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve Zachary Youth Park Field Lighting Change Order #1 (PEC)

In the amount of 104,000.00.

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

- b. Zachary Youth Park Field Lighting Pay Estimate Application #2 (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve / deny Zachary Youth Park Field Lighting Pay Estimate Application #2

236,524.00.

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

ALTER AGENDA

There was a motion made by Councilman Noel to alter the agenda and move item N1 up. The motion was seconded by Councilman Womack.

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

NEW BUSINESS

1. Request for Issuance for RFP (Request for Proposal) for Disaster Debris – **“Monitoring Services”**.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Request for Issuance for RFP (Request for Proposal) for Disaster Debris – **“Monitoring Services”**.

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

- 2a. Public Hearing and request for Resolution to sign Application for funding under FY2018-FY2019 LCDBG Program

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:20 p.m. There being no one to speak in favor or against the Resolution Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:40 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilman Nezianya

To approve the request for Resolution for Mayor Amrhein to sign Application for funding under FY2018-FY2019 LCDBG Program.

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

- 2b. Public Hearing and request for Resolution for Mayor to Hire Engineering and Administrative Services.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:45 p.m. There being no one to speak in favor or against the Resolution Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:46 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve the request for Resolution for Mayor Amrhein to Hire Engineering and Administrative Services.

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

Return to regular order

- 2. **Sewer**
- 3. **Subdivision Inspections**
- 4. **Water and Gas Projects**

G. PRESENTATION OF DELEGATIONS

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

- a. M C Sign Company/ Captain D’s – to allow a greater sign height than permitted as per table 5.301 B in the UDC.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O’Brien

To approve a Variance Request – M C Sign Company/ Captain D’s – to allow a greater sign height than permitted as per table 5.301 B in the UDC

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

- b. Donald Richard- 5112 Knight Drive- to allow a home office in a residence for a business.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve a Variance Request –Donald Richard- 5112 Knight Drive- to allow a home office in a residence for a business

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

- c. Darian Williams – 2501 St. Andrews Ave. – to allow a home office in a residence for a business.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a Variance Request – Darian Williams – 2501 St. Andrews Ave. – to allow a home office in a residence for a business.

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 _____ of the Planning Commission and the Minutes of the Regular meeting of _____, of the Zoning Commission.

2. Zoning Matters REQUIRING a Public Hearing

- a. Conditional Use- Manufactured Home- (Hardship) -Lot B-2-A of the William J Wicker Property (21850 W. J. Wicker Rd)**
 Owner(s)/Applicant(s): Glen and Kelly Desselle
 Proposed Occupant: Anthony Desselle
 Hardship: “Anthony was in a wreck in 2011. As a result of this his left leg was amputated above the knee and some head trauma occurred during the accident. These conditions keep him from being employed by anyone except his father’s company.”

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:58 p.m. Amy Schulze was present to speak and said that the Planning and Zoning Commission approved the conditional use permit with a favorable recommendation. Glen Desselle, 21850 WJ Wicker Road was present to speak in favor of the hardship. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:00 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a **Conditional Use- Manufactured Home- (Hardship) -Lot B- 2-A** of the William J Wicker Property (21850 W. J. Wicker Rd) Owner(s)/Applicant(s): Glen and Kelly Desselle.

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

3. Zoning Matters NOT Requiring Public Hearing

4. Planning Matters REQUIRING a Public Hearing

- a. Annexation- Tract D-2-B of the E. D. Annison Property**
 Owners/Applicants: Edward K. and Carol Annison Other professionals involved: Redstone Group LLC, Evans-Graves Engineers Inc. Acceptance of petition for annexation and calling for introduction of ordinance to annex same.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:01 p.m. Amy Schulze was present to speak. Eddie Annison, 22345 Old Scenic Hwy, Zachary was present to speak in favor of the annexation. Jerry Spears, 535 East Mt. Pleasant Road, Zachary, La, was present to speak against the annexation. There being no one else to speak against the annexation Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:04 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve an **Annexation**- Tract D-2-B of the E. D. Annison Property Owners/Applicants: Edward K. and Carol Annison Other professionals involved: Redstone Group LLC, Evans-Graves Engineers Inc. Acceptance of petition for annexation and calling for introduction of ordinance to annex same.

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

- b. Annexation**- Tracts A, B, C of the Albert C. Mills Property Owners/Applicants: Michael Worley/W Resources LLC. Acceptance of petition for annexation and calling for introduction of ordinance to annex same.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:06 p.m. There being no one to speak in favor or against Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:07 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve an **Annexation**- Tracts A, B, C of the Albert C. Mills Property Owners/Applicants: Michael Worley/W Resources LLC. Acceptance of petition for annexation and calling for introduction of ordinance to annex same.

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

5. Planning Matters NOT requiring a Public Meeting

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 second by Councilman Womack

To approve Accounts Payable in the amount of \$444,887.58 and the natural gas bill when it is received.

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

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

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)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a request to remove M2 from the agenda.

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

NAYS: None

ABSENT: None

ABSTAINED: None

N. NEW BUSINESS

ALTER AGENDA

2. **Introduction of Ordinance** 2017-04 AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2016 AND ENDING JUNE 30, 2017

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a **Introduction of Ordinance** 2017-04 AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2016 AND ENDING JUNE 30, 2017

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

NAYS: None

ABSENT: None

ABSTAINED: None

Return to regular order

3. **Introduction of Ordinance** 2017-05 AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND

BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve an **Introduction of Ordinance** 2017-05 AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. **Introduction of Ordinance** 2017-06 to amend Zachary Code of Ordinances §86-23 to allow for special charges for installation and subsequent regular monitoring and reading of manual read utility meters.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a **Introduction of Ordinance** 2017-06 to amend Zachary Code of Ordinances §86-23 to allow for special charges for installation and subsequent regular monitoring and reading of manual read utility meters.

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Request for Council resolution to allow Mayor to request Attorney General's opinion on discounted utility rates for senior citizens.

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve a Request for Council resolution to allow Mayor to request Attorney General's opinion on discounted utility rates for senior citizens.

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

NAYS: None

ABSENT: None

ABSTAINED: None

6. Discussion of amendments to the ordinance regulating the sale of alcohol on Sunday. (Councilman Noel) (Tabled from the March 28, 2017 meeting)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the request to remove item N6 from the agenda.

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

John Hopewell was present to speak on condemnations and reported that he is still working on some issues. Mayor Amrhein requested to Scott Masterson to follow up on the condemnation on Hwy 19.

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 adjourned at 7:25 p.m.

CERTIFICATION

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

Ben Cavin, 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, April 11, 2017, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council