

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, April 26, 2016, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Pro Tem Councilwoman O'Brien called the meeting to order at 6:30 p.m., on Tuesday April 26, 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 Councilman Noel

**C. OPENING PROCEDURES**

1. ROLL CALL

COUNCIL MEMBERS  
Francis Nezianya – District 1  
Brandon Noel – District 2  
Laura O'Brien – District 3  
Ben Cavin – District 4  
Tommy Womack – District 5  
ABSENT  
Mayor David Amrhein

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Mayor Pro Tem Councilwoman O'Brien 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 April 12, 2016 Regular Meeting

The motion was made by Councilman Nezianya

The motion was second by Councilman Cavin

To waive the reading of the minutes of the April 12, 2016 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. Pay Estimate #3 2015 Road Rehabilitation Program (Bia Hillhouse)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve Pay Estimate #2 Road Rehabilitation Program in the amount of \$148,075.20 to RWB Contracting, LLC.

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**

**1. Requests to Speak**

Richard Nalenze, 6375 Woodside Drive, Zachary, La was present to express his concerns about the ongoing construction on Hwy 64. He asked about the construction of the sidewalks and curbs. Amy Schulze was present to give an update on the construction and said that the construction should be finished by the end of May. She explained that nights and weekends are designated for most of the construction to avoid back up on Hwy 64 during the work week.

- 2. **Hardship Waivers**
- 3. **Other Variances**
- 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. **Planning Matters REQUIRING a Public Hearing**
  - a. **Resubdivision-** Tract 8-B-1A-1-A of the William J Wicker Place into 2 new tracts (8-B-1A-1-A-1 and 8-B-1A-1-A-2)(Fletcher)

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 6:37 p.m. Amy Schulze was present to speak. She explained that this property is owned by Diane Fletcher and her cousins. She said the property needed to be resubdivided due to her cousins wanting to sell their part of the property. Diane Fletcher, 21363 WJ Wicker Rd. Zachary, La 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 Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 6:39 p.m.

The motion was made by Councilman Neziyana  
The motion was second by Councilman Womack

To approve a **Resubdivision-** Tract 8-B-1A-1-A of the William J Wicker Place into 2 new tracts (8-B-1A-1-A-1 and 8-B-1A-1-A-2)(Fletcher)

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

- b. **Resubdivision** – Tract C-2 of the William J Wicker into 2 new tracts (C-2-A and C-2-B)(Rittell)

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 6:40 p.m. Amy Schulze was present to speak. She explained that this property was owned by two brothers and that they will be building homes there. Rip Rittell, 21840 WJ Wicker Rd., Zachary, La was present to speak in favor of the resubdivision. He said that they inherited

the land and they both plan to build homes. There being no one to speak against the resubdivision Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 6:41 p.m.

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To approve a **Resubdivision** – Tract C-2 of the William J Wicker into 2 new tracts (C-2-A and C-2-B)(Rittell)

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

c. **Resubdivision**- Final Plat- Redwood Lakes, 3<sup>rd</sup> Filing (Amy Schulze)

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 6:41 p.m. Amy Schulze was present to speak. She explained that the preliminary plat was approved before she was employed by the City of Zachary. She explained that she and the Public Works Director, Chris Davezac, went to the site. She said that the only thing that needed to be done was that some lots needed to be graded. She expressed that the final plat would not be signed until it was completed. Berry Causey, 15330 Honors Court, Baton Rouge, La was present to speak in favor of the final plat and to answer any questions. There being no one to speak against the final plat Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 6:48 p.m.

The motion was made by Councilman Womack

The motion was second by Councilman Noel

To approve a **Resubdivision**- Final Plat- Redwood Lakes, 3<sup>rd</sup> Filing

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

d. **Resubdivision**- Final Plat- Redwood Lakes, 5<sup>th</sup> Filing

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 6:48 p.m. Amy Schulze was present to speak. She explained that the preliminary plat was approved before she was employed by the City of Zachary. She explained that she and the Public Works Director, Chris Davezac, went to the site. She said that the only thing that needed to be done was that some lots needed to be graded. She expressed that the final plat would not be signed until it was completed. Berry Causey, 15330 Honors Court, Baton Rouge, La was present to speak in favor of the final plat and to answer any questions. He explained that the 3<sup>rd</sup> filing and the 4<sup>th</sup> filings were sold to two different builders. There being no one to speak against the final plat Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 6:52 p.m.

The motion was made by Councilman Womack

The motion was second by Councilman Noel

To approve a **Resubdivision**- Final Plat- Redwood Lakes, 5<sup>th</sup> Filing  
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**- Home based business- Lot 16 of Live Oak Trace 1<sup>st</sup> Filing (4370 Honeysuckle Drive)

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 6:53 p.m. Amy Schulze was present to speak. She explained that this was an internet based business only. Wanda Riddick, 4370 Honeysuckle Drive, Zachary, La was present to speak in favor of the conditional use permit and to answer any questions. There being no one to speak against the conditional use permit Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 6:55 p.m.

The motion was made by Councilman Nezianya

The motion was second by Councilman Cavin

To approve a **Conditional Use**- Home based business- Lot 16 of Live Oak Trace 1<sup>st</sup> Filing (4370 Honeysuckle Drive)

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

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

**6. Other Matters-Requiring a Public Hearing**

**J. APPROVE PAYMENT OF BILLS**

**K. BOOKKEEPING AND BUDGET CHANGES**

**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.

**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 for the 2016 Ad Valorem Millage Rates. (Mayor Amrhein) Remains on Agenda until removed by Council.
4. Special Event Permit to Cabo’s Mexican Grill for the sale of alcohol outdoors for Cinco de Mayo on May 5, 2016.(A request from the ABC board contingent upon council approval, request that the owner pick up the permit in person, and must have outside security.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve a Special Event Permit to Cabo’s Mexican Grill for the sale of alcohol outdoors for Cinco de Mayo on May 5, 2016.(A request from the ABC board contingent upon council approval, request that the owner pick up the permit in person, and must have outside security during the event.)

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

5. “Request for Council approval of placement of “No Parking” signs on Lee St. moving North from intersection of Main St. & Lee St. towards Church St.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve “Request for Council approval of placement of “No Parking” signs on Lee St. moving North from intersection of Main St. & Lee St. towards Church St.

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

6. **Introduction** of ORDINANCE 2016-08 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, 2016 AND ENDING JUNE 30, 2017.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve **Introduction** of ORDINANCE 2016-08 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, 2016 AND ENDING JUNE 30, 2017 and call for a Public Hearing of the same.

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

7.     **Introduction** of ORDINANCE 2016-09 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, 2015 AND ENDING JUNE 30, 2016.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve **Introduction** of ORDINANCE 2016-09 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, 2014 AND ENDING JUNE 30, 2015 and call for a Public Hearing of the same.

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

8.     **Introduction** of Ordinance 2016-10 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.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve **Introduction** of Ordinance 2016-10 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.

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

9. **Introduction** of Ordinance 2016-11 AUTHORIZING THE CITY OF ZACHARY TO AMEND §6-35 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE APPLICATION OF LOCATION RESTRICTIONS FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTURE OF THIS PROVISION.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To approve **Introduction** of Ordinance 2016-11 AUTHORIZING THE CITY OF ZACHARY TO AMEND §6-35 OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE APPLICATION OF LOCATION RESTRICTIONS FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTURE OF THIS PROVISION.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: None

ABSTAINED: Nezianya

10. **Adoption** of Ordinance 2016-03 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 Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 7:24 p.m. John Hopewell explained that this item was in regards to the online auction. There being no one to speak in favor or against the adoption of the ordinance Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 7:25 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve the **Adoption** of ORDINANCE 2016-03 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.

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

NAYS: None

ABSENT: None

ABSTAINED: None

11. **Adoption** of Ordinance 2016-05 AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §§ 32 and 58 RELATING TO THE PROSECUTION OF CRIMINAL AND TRAFFIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THERETO.



Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 7:26 p.m. John Hopewell explained that this item was in regards to the City Court Prosecutors Office. There being no one to speak in favor or against the adoption of the ordinance Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 7:27 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve the **Adoption** of Ordinance 2016-05 AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §§ 32 and 58 RELATING TO THE PROSECUTION OF CRIMINAL AND TRAFFIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THERETO.

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

- 12. **Adoption** of Ordinance 2016-06 AUTHORIZING THE CITY OF ZACHARY TO AMEND §14.203 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE PUBLIC HEARING PERMITS REQUIREMENTS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION.

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 7:28 p.m. Amy Schulze was present to speak. She explained the difference between a home based business and a conditional use permit. She said that by not requiring a home based business to seek approval by the Planning and Zoning Commission will promote owners to comply with the Occupational License ordinance. There being no one to speak in favor or against the adoption of the ordinance Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 7:35 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve the **Adoption** of Ordinance 2016-06 AUTHORIZING THE CITY OF ZACHARY TO AMEND §14.203 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE PUBLIC HEARING PERMITS REQUIREMENTS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION and to include portions of the UDC in regards to homes based businesses.

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

13. **Adoption** of Ordinance 2016-07 AUTHORIZING THE CITY OF ZACHARY TO AMEND §11.501(B)1 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE APPLICATION OF DESIGN STANDARDS TO OTHER AREAS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION.

Mayor Pro Tem O'Brien declared a PUBLIC HEARING to be opened at 7:38 p.m. Amy Schulze was present to speak. She explained that there are different standards for commercial buildings all over the City. There being no one to speak in favor or against the adoption of the ordinance Mayor Pro Tem O'Brien declared the PUBLIC HEARING to be closed at 7:52 p.m. Mrs. Judy White Schillings, 4420 Cypress Street, Zachary, La was present to speak. She said that she remembered a business trying to change the façade of a commercial building after it was already approved by council. She explained that she would like for all approvals and changes to be on record.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve the **Adoption** of ORDINANCE 2016-07 AUTHORIZING THE CITY OF ZACHARY TO AMEND §11.501(B)1 OF THE UNIFIED DEVELOPMENT CODE FOR THE CITY OF ZACHARY TO PROVIDE FOR AMENDMENTS TO THE APPLICATION OF DESIGN STANDARDS TO OTHER AREAS WITHIN THE CITY OF ZACHARY AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION.

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

**O. REPORTS FROM DEPARTMENT HEADS**

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

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

**Q. ADJOURNMENT**

The meeting was adjourned at 7:58 pm

**CERTIFICATION**

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

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**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 Pro Tem and Council of the City of Zachary, Louisiana, held on Tuesday, April 26, 2016, a proper quorum being there and then present.

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