

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 23, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Ben Cavin called the meeting to order at 6:30 p.m., on Tuesday May 23, 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 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 Temp Ben Cavin 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 May 09, 2017 Regular Meeting.
The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien
To approve the Minutes of the May 09, 2017 Regular Meeting and approve them as presented.

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

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. **Street/Road Projects**
2. **Sewer**
3. **Subdivision Inspections**
4. **Water and Gas Projects**

G. PRESENTATION OF DELEGATIONS

ALTER AGENDA

2. **Hardship Waivers**
3. **Other Variances**
 - a. Variance Request – Acadiana Lighting - AT&T , 5555 Main Street, Zachary, to allow for a sign that is larger than allowed in Table 5.302 of the UDC.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a Variance Request – Acadiana Lighting - AT&T , 5555 Main Street, Zachary, to allow for a sign that is larger than allowed in Table 5.302 of the UDC.

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 May 1, 2017 of the Planning Commission and the Minutes of the Regular meeting of May 1, 2017, of the Zoning Commission.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Nezianya

To receive the Minutes of the May 1, 2017 of the Planning Commission and the Minutes of the Regular meeting of May 1, 2017 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

a. Resubdivision – Lot Z of the William J Wicker Property into

Tracts Z-1 and Z-2 (21835 W J Wicker Rd)

Owners/Applicants: Robert J. and Eunice W. Mitchell

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:34 p.m. Amy Schulze was present to speak and said that the item was recommended for approval. Brian Bunch, 8643 Main Street, Zachary was present to answer any questions. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:35 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision** – Lot Z of the William J Wicker Property into Tracts Z-1 and Z-2 (21835 W J Wicker Rd) Owners/Applicants: Robert J. and Eunice W. Mitchell.

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. Resubdivision – Lots B-5 & B-1-A-1 of the former A. C. Mills Estate

Into 3 lots Owner/Applicant: William Burk III

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:36 p.m. Amy Schulze was present to speak and said that the item was recommended for approval and meets all recommendations. There being no one to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:37 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve a **Resubdivision** – Lots B-5 & B-1-A-1 of the former A. C. Mills Estate Into 3 lots Owner/Applicant: William Burk III.

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

- c. **Resubdivision** – Final Plat – Zachary Commercial Park – Lots 1-14 and Tract A, formerly being Tracts X-2, A-2-A, B-4 and C of the Montegudo Property Owner/Applicant: Barogon Properties, LLC by William N. Fakouri.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:37 p.m. Amy Schulze was present to speak and said that the item was recommended for approval and meets all recommendations. There being no one to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:38 p.m.

The motion was made by Councilman Womack
The motion was seconded by Councilwoman O'Brien

To approve a **Resubdivision** – Final Plat – Zachary Commercial Park – Lots 1- 14 and Tract A, formerly being Tracts X-2, A-2-A, B-4 and C of the Montegudo Property Owner/Applicant: Barogon Properties, LLC by William N. Fakouri.

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

- d. **Resubdivision** – Three certain existing tracts of the McHugh Property Located within Section 51, T-4-S, R-1-E, Greensburg Land District, into Tracts A-1, A-2 and A-3 of the McHugh Property (4938 Hillcrest) Owner/Applicant: Kevin Smith.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:39 p.m. Amy Schulze was present to speak and said that the item was recommended for approval and meets all recommendations. Brian Bunch, 8643 Main Street, Zachary was present to answer any questions. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:41 p.m.

The motion was made by Councilman Nezianya
The motion was seconded by Councilman Womack

To approve a **Resubdivision** – Three certain existing tracts of the McHugh Property Located within Section 51, T-4-S, R-1-E, Greensburg Land District, into Tracts A-1, A-2 and A-3 of the McHugh Property (4938 Hillcrest) Owner/Applicant: Kevin Smith.

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

- e. **Resubdivision** – Lots A-25 and A-26 into Lots A-25-A, A-25-B, And A-26-A – Americana Phase 1 & 1A
 Owner: Americana Development Company LLC
 Applicant: Stantec- Owner’s Engineer.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:41 p.m. Amy Schulze was present to speak and said that the item was recommended for approval and meets all recommendations. Matt Estopinal, Stantec, 500 Main Street, BR was present to answer any questions. Wilfred Guerin, 910 Mt. Pleasant, Zachary was present to speak about the flooding concerns in the area. Jerry Spears, 535 Mt. Pleasant, Zachary was also present to speak about the flooding concerns in the area. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:48 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a **Resubdivision** – Lots A-25 and A-26 into Lots A-25-A, A-25-B, And A-26-A – Americana Phase 1 & 1A Owner: Americana Development Company LLC
 Applicant: Stantec- Owner’s Engineer.

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

- f. **Resubdivision** – Lots A-41, A-42 and A-43 into Lots A-41-A, A-42-A, A-42-B and A-43-A- Americana Phase 1 & 1A
 Owner: Americana Development Company LLC
 Applicant: Stantec- Owner’s Engineer.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:48 p.m. Matt Estopinal, Stantec, 500 Main Street, BR was present to answer any questions. Wilfred Guerin, 910 Mt. Pleasant, Zachary was present to speak about the flooding concerns in the area. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:51 p.m.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve a **Resubdivision** – Lots A-41, A-42 and A-43 into Lots A-41-A, A-42-A, A-42-B and A-43-A- Americana Phase 1 & 1A.

Owner: Americana Development Company LLC

Applicant: Stantec- Owner’s Engineer

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

- g. **Resubdivision** – Un-named 2.75 acres located in Section 61, T-4-S, R-1-W, Greensburg Land District, Into Tracts A & B (Old Scenic Highway) Owner(s)/Applicant(s): David P. Mills II & Mary Farmer Mills and Virginia Mills Musacchia.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:52 p.m. Amy Schulze was present to speak and said that the item was recommended for approval by the Planning and Zoning commission. Brian Bunch, 8643 Main Street was present to answer any questions. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:53 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve a **Resubdivision** – Un-named 2.75 acres located in Section 61, T-4-S,R-1-W, Greensburg Land District, Into Tracts A & B (Old Scenic Highway) Owner(s)/Applicant(s): David P. Mills II & Mary Farmer Mills and Virginia Mills Musacchia.

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

- h. **Annexation-** Tracts 5-A-1, 3,A-1-A-1 & 3-A-1-A-2 of the Dr. James T Perrett Estate Owner(s): Lonesome Development LLC Other individuals/groups assisting: Geoff Wilson, Sigma Consultants

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:54 p.m. Geoff Wilson, 10305 Airline Hwy, BR, was present to answer any questions. There being no one else to speak in favor or against the resubdivision Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 6:56 p.m.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Nezianya

To approve the **Annexation-** Tracts 5-A-1, 3,A-1-A-1 & 3-A-1-A-2 of the Dr. James T Perrett Estate and to introduce an ordinance at the June 13, 2017 meeting Owner(s): Lonesome Development LLC Other individuals/groups assisting: Geoff Wilson, Sigma Consultants.

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-** Manufactured Home- (New Placement) – 21408 MacHost Road Owner: David Ashley Jr. Applicant: Rhonda Dillon

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 6:57 p.m. Misty Ashley, 21416 MacHost Road was present to answer any questions. There being no one else to speak in favor or against the conditional use permit Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 7:01 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a **Conditional Use-** Manufactured Home- (New Placement) –21408 MacHost Road Owner: David Ashley Jr. Applicant: Rhonda Dillon.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Conditional Use-** Manufactured Home- (New Placement) –
3520 McHugh Road Owner/Applicant: Delia Robinson Singleton

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 7:01 p.m. Amy Schulze was present to speak on this item and said that the Planning and Zoning Commission did not recommend approval. Joan Lee, 3425 Charry Drive, Baker, La was present to speak. She explained that she was the owner of the property. She also explained that someone lives on the property in a travel trailer. There was discussion on cleaning the property up and that two residents cannot be on the same property. There being no one else to speak in favor or against the conditional use permit Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 7:09 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To Table a **Conditional Use-** Manufactured Home- (New Placement) 3520 McHugh Road Owner/Applicant: Delia Robinson Singleton for three weeks.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **Rezone-** Lots 1, 2, 3 & 8 of the West End Subdivision- from RU to CS
Owner(s): Landry Property Management LLC Applicant(s): Frank & Rhonda Landry III.

Mayor Pro Tem Ben Cavin declared a PUBLIC HEARING to be session at 7:13 p.m. Frank Landry, 5568 Main street, Zachary was present to speak and said that part of the property will be used as Mrs. Landry’s existing business. There being no one else to speak in favor or against the rezone Mayor Pro Tem Ben Cavin declared the PUBLIC HEARING to be closed at 7:15 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a **Rezone-** Lots 1, 2, 3 & 8 of the West End Subdivision- from RU to CS
Owner(s): Landry Property Management LLC Applicant(s): Frank & Rhonda Landry III

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. 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)

N. NEW BUSINESS

1. Team Alexis - Request for group waiver pursuant to §18-21(h) of the CoO for the implementation of occupational licenses fees for specific noncommercial - nonprofit door-to-door solicitation.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve Team Alexis - Request for group waiver pursuant to §18-21(h) of the CoO for the implementation of occupational licenses fees for specific noncommercial - nonprofit door-to-door solicitation.

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

2. Request for ordinance that a business (YMCA, Zachary Men's Club and ball parks etc.) provide security at a \$40.00 hour rate for public safety at these locations.

No action was taken

3. Request for approval of recommended changes to Article 2 of the Unified Development Code for consideration of removal of conservation, preservation and single family detached cluster from RS zoning.

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To approve the Request to introduce an ordinance to approve recommended changes to Article 2 of the Unified Development Code for consideration of removal of conservation, preservation and single family detached cluster from RS zoning and place on the agenda for the June 27, 2017 meeting.

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 and explained that he was still working on properties And that it takes a considerable amount of time to go through the process of tracking down owners.

P. REPORTS FROM DEPARTMENT HEADS

**Q. DISCUSSION OF BUSINESS NOT ON AGENDA
(No Action May Be Taken Unless Declared an Emergency)**

Councilman Trae Welch was present to update the Council members on drainage issues in the City. He explained that drainage is on the Metro Council's agenda. He also said that the when the flood happened in August 2016 everything washed into the canals and is now blocking the canals. He said there will be discussion on surrounding areas working together to clean up the canals.

ALTER AGENDA

1. Requests to Speak

Claudette Wilkins, 2703 Middle Towne Road, Zachary, La was present to speak on the issues she is having with kids riding 4-wheelers in her neighborhood and yard. Chief Of Police David McDavid spoke and said they will be watching closer to those violating the law. Randy Gates, 4845 St. Louis Street, Zachary, was present to speak on issues at Doss Trailer Park. He explained that it was a public nuisance and an eye sore and that it has more potential for crime in that area. He explained that he would like for it to be cleaned up or maybe closed down. Scott Masterson, City Building Official spoke and explained that the City has been speaking to the owners about keeping it cleaned up and that when he does an inspection the site has to meet all requirements before electricity can be turned on.

R. ADJOURNMENT

The meeting was adjourned at 8:13 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, May 23, 2017, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council