

MINUTES
For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 26, 2015, 6:30 p.m.

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on May 26, 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 Womack

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

D. READING OF THE MINUTES

The motion was made by Councilwoman O’Brien

The motion was second by Councilman Nezianya

To waive the reading of the minutes of the regular meeting May 12, 2015, and approve them as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

None were presented.

F. PRESENTATION OF DELEGATIONS

1. Requests to Speak- None were presented

2. Hardship Waivers

a. Linda Fleming – 6401 Hwy 19. Renewal

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a one-year renewal of a hardship waiver for Linda Fleming to continue a mobile home at 6401 Highway 19.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Other Waivers

a. Occupational License – Aaron Ducote – 3552 Olive Street
Wholesale

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O' Brien

To approve a waiver for Aaron Ducote to operate a wholesale business from his home at 3552 Olive Street. There will only be administrative work done from his home.

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. Exceptions to Regulations – None were presented

G. ACTION MANDATED BY HOME RULE CHARTER

None were presented

ALTERED ORDER OF AGENDA:

K-1 a. Bypass Road Pay Estimate - #11 – in the amount of \$255,900.93 (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve pay estimate #11, submitted by Industrial Enterprises, Inc., in the amount of \$255,900.93 for work done on the Bypass Road.

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

NAYS: None

ABSENT: None

ABSTAINED: None

O-3 Request to Award Bids, Sanitary Sewer Collection System Improvements-
Contract #6 (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To accept the recommendation of PEC Engineers and award the bid for Sanitary Sewer
Collection System Improvements for the City of Zachary to the lower bidder, Insituform
Technologies, who presented a bid in the amount of \$1,386,005.08.

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

NAYS: None

ABSENT: None

ABSTAINED : None

Returned to Normal Agenda Order.

H. PLANNING & ZONING MATTERS

**1. Receive Minutes of May 4, 2015 Planning Commission and
May 4, 2015 Zoning Commission**

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O’Brien

To receive the minutes of the May 4, 2015 Planning Commission and May 4, 2015, Zoning
Commission

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

NAYS: None

ABSENT: None

ABSTAINED : None

2. Planning Matters REQUIRING a Public Hearing

a. Resubdivision – Tract C-1-A of the Hubert C. Owen Tract into two new
lots.

Mayor Amrhein declared a public hearing to be in session at 6:44 pm.

Randy Herring, 22321 Sunnyside Drive, Zachary, La, was present to speak for the
approval of the resubdivision. Mr. Ed Voltolina, 129 Charter Street, New
Orleans, La 70130, representing the Dollar General, was present to speak for
the approval of the resubdivision. There being no others to speak against the
approval of the resubdivision the public hearing was closed at 6:46 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the resubdivision of Lot C-1-A of the Hubert C. Owen Tract located
on Highway 964.

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

NAYS: None

ABSENT: None

ABSTAINED : None

- b. Site Plan Review – Lot 2 of the A.C. Mills Jr. Tract (Pleasant Grove Church) – Pride Port Hudson Road.
 Mayor Amrhein declared a public hearing to be in session at 6:47 p.m.
 Mr. Kenneth Collins, 1145 Mount Pleasant Road, Zachary, La was present to speak for the approval of the site plan review. There being no others to speak against the approval of the site plan review the public hearing was closed at 6:48 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve the site plan for Lot 2 of the A.C. Mills Jr. Tract (Pleasant Grove Church) Located on Pride Port Hudson Road.

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

3. Planning Matters NOT requiring a Public Meeting – None were presented.

4. Zoning Matters REQUIRING a Public Hearing

- a. Rezone – Lot Z-1-A-1 of the Marshall M. Hughes Tract (Corner of Independence Blvd. and Old Scenic Hwy) Coppermill Business Park from CS to CG.

Mayor Amrhein declared a public hearing to be in session at 6:50 p.m.
Mr. Patrick Campbell, 3100 Fairway Dr., Baton Rouge, La was present to speak for the approval of the rezoning of Lot Z-1-A-1. There being no others to speak against the Rezoning of Lot Z-1-A-1 the public hearing was closed at 6:51 p.m.

Councilman Noel asked Mr. Campbell what the timeline would be for the project. Mr. Campbell replied that he would like it to be within one year. Councilwoman O’Brien added that the motion be made contingent upon the use of the project being a restaurant. Councilman Cavin agreed. Councilman Womack asked if the law was silent. Mr. Hopewell responded that the law was silent. Councilman Womack agreed that the contingency be added with approval being the same as recommendations from the Planning and Zoning Commission.

The motion was made by Councilwoman O’Brien

The motion was seconded by Councilman Womack

To approve the rezoning of the Marshall M. Hughes Tract located at the corner of Independence Blvd. and Old Scenic Hwy. Coppermill Business Park from Zone CS to Zone CG with the above noted contingency.

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

- b. Rezone – Tract C-1-A of the Hubert C. Owens Tract, Hwy 964 from RE to CG.

Mayor Amrhein declared a public hearing to be in session at 6:57 p.m. Randy Herring, 22321 Sunnyside Drive, Zachary, La, was present to speak for the approval of the rezoning of Tract C-1-A. There being no others to speak against the rezoning of Tract C-1-A the public hearing was closed at 6:59 p.m. Councilman Womack added that the motion be made contingent upon the use of the project as a Dollar General Store, with approval being the same recommendations as the Planning and Zoning Commission. Councilman Nezianya requested that the building not have any metal on the exterior of the building and instead have stucco and brick on the exterior. Mr. Voltolina confirmed that there would be stucco and brick on the exterior of the building.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve the rezoning of Tract C-1-A of the Hubert C. Owens Tract located on Hwy 964 from Zone RE to Zone CG.

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

- 5. **Zoning Matters NOT Requiring Public Hearing** -None were presented.

- 6. **Other Matters** – None were presented.

I. APPROVE PAYMENT OF BILLS – None were presented.

J. BOOKKEEPING AND BUDGET CHANGES

- 1. Introduce Ordinance 2015-05, 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, 2015.
- 2. Introduce Ordinance 2015-06, 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, 2015 and ending June 30, 2016.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To place Ordinance 2015-05, 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, 2015, on the June 9, 2015 agenda for final adoption.

To place Ordinance 2015-06, Authorizing the City of Zachary to implement the general fund, utility fund, special revenue fund and capital improvement fund budgets for the fiscal year, on the June 9, 2015 agenda for final adoption.

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

K. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Bypass Road Pay Estimate - #11 – in the amount of \$255,900.93 (PEC)
Taken out of order earlier in the meeting during G section of the agenda.

2. Sewer- None were presented.

3. Subdivision - None were presented.

4. Water and Gas Projects – None were presented.

5. Zachary Youth Park -None were presented.

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

- 1. Review/Reports relative to Proposed/Active Condemnations-** None were presented.

M. OLD BUSINESS PENDING FOR FINAL ACTION - None were presented.

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.
A status conference was set for May.

O. 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)

P. REPORTS OF COMMITTEES/COMMISSIONS/BOARDS

None were presented

Q. REPORTS FROM DEPARTMENT HEADS

R. DISCUSSION OF BUSINESS NOT ON AGENDA

None were presented.

S. ADJOURNMENT

The meeting adjourned at 7:04 pm.

CERTIFICATION

Dana Poole, Clerk of City Council

(In Training)

CITY OF ZACHARY

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

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 and Council of the City of Zachary, Louisiana, held on Tuesday, May 12, 2015 a proper quorum being there and then present.

Dana Poole, Clerk of the City Council

(In Training)