

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, June 14, 2016, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday June 14, 2016 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 Councilwoman O'Brien

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

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 Councilman Cavin

To alter the agenda and to move items I 2a, I 2d, N1 and N4 up on the agenda. To move item 3a to later on the agenda.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Minutes of the May 10, 2016 Regular Meeting and of the May 24, 2016 Regular Meeting

The motion was made by Councilman Womack

The motion was second by Councilman Nezianya

To waive the reading of the minutes of the May 10, 2016 regular meeting and approve them as presented and to receive the minutes of the May 24, 2016 regular meeting.

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

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

Fire Chief Danny Kimble was present to introduce Austin Porche as a new employee of the Zachary Fire Department.

ALTER AGENDA

NEW BUSINESS

- N4. **Introduction** OF ORDINANCE 2016-14 - AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §14 RELATING TO FIRE SUPPRESSION SYSTEMS AS REQUIRED WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THERETO.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve **Introduction** OF ORDINANCE 2016-14 - AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §14 RELATING TO FIRE SUPPRESSION SYSTEMS AS REQUIRED 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

N1. Request for Council approval for the authorization for issuance of an RFP for a "Debris Management and Renewal" contract as required by FEMA. (This contract is a precautionary measure (pre-existing emergency contract) for the delivery of post-hurricane management and clean-up services.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a Request for Council approval for the authorization for issuance of an RFP for a "Debris Management and Renewal" contract as required by FEMA. (This contract is a precautionary measure (pre-existing emergency contract) for the delivery of post-hurricane management and clean-up services.

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

Planning Matters REQUIRING a Public Hearing

2a. **Site Plan** – Americana Senior Living Facility (Provident)

Mayor Amrhein declared a PUBLIC HEARING to be opened at 6:50 pm. Amy Schulze was present to speak. She explained that this site plan was recommended for approval by the Planning and Zoning Commission. She pointed out that comments were made on drainage and sewer at this location. Charles Landry, Zachary, La was present to speak in favor of the site plan. He said he was present to answer any questions the Mayor and Council may have. Jerry Spears, 535 East Mount Pleasant Road, Zachary, La was present to speak against the site plan. He said that he represents the Mount Pleasant Home Owners Association. He explained that he still had concerns of the flooding on Mount Pleasant Road would like to hold a meeting with Mr. Charles Landry to discuss these issues. Mr. Landry said he would comply with the request. There being no one else to speak against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:53 pm.

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Nezianya

To approve the **Site Plan** – Americana Senior Living Facility (Provident)

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

- 2d. **Resubdivision** – Consolidation of Lots A-1 and A-2 of Americana Phase I and IA into Lot A-1-A-2-A.

Mayor Amrhein declared a PUBLIC HEARING to be opened at 6:54 pm. Amy Schulze was present to speak. She explained that these lots were purchased by the same person. She said that the home owner would like to build a swimming pool on one of the lots. Mrs. Schulze told the Mayor and Council that this resubdivision was recommended for approval by the Planning and Zoning Commission. Rob Hetherington, 4364 Chapel Hill Row, Zachary, La was present to speak in favor of the resubdivision. He said he was present to answer any questions the Mayor and Council may have. There being no one else to speak against the resubdivision Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:57 pm.

The motion was made by Councilwoman O’Brien

The motion was second by Councilman Cavin

To approve a **Resubdivision**- Consolidation of Lots A-1 and A-2 of Americana Phase I and IA into Lot A-1-A-2-A

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

Return to Regular Agenda Order

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. Pay Estimate #18 Mount Pleasant Boulevard

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve Pay Estimate Pay Estimate #18 Mount Pleasant Boulevard in the amount of \$197,667.67 to R.J. Diagle and Sons, Contracting, Inc.

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

- b. Pay Estimate #5 2015 Road Rehabilitation Program

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve Pay Estimate Pay Estimate #5 2015 Road Rehabilitation Program in the amount of \$21,087.00 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

2. Hardship Waivers

- a. Hardship Waiver Renewal – Linda Fleming – 6409 Hwy 19, Zachary, La 70791

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To Table a Hardship Waiver Renewal – Linda Fleming – 6409 Hwy 19, Zachary, La 70791 until the June 28, 2016 Council Meeting.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Hardship Waiver Renewal – Dora Kirkwood – 3018 Old Baker Rd., Zachary, La 70791

Amy Schulze was present to speak to the Council on this Hardship renewal. She explained that the mobile homes located there are on two different tracts of land and a hardship was not needed. She asked that this item be dismissed from the agenda. No action was necessary.

- c. Hardship Waiver Renewal – Theresa Hartley – 4735 Rush Ave, Zachary, La 70791

To table a Hardship Waiver Renewal – Theresa Hartley – 4735 Rush Ave, Zachary, La 70791 until the June 28, 2016 Council Meeting.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Other Variances

- a. Fabian Harrera – Cross Fit – 3204 Hwy 19 – To allow an attached building sign to be greater than the allowable square footage of 40 s/f as shown in Table 5.301 B. **To be moved later in the agenda.**

- b. Randy Verdun – 4532 E. Central Avenue – To allow an accessory building to be greater than the allowable height of 17 feet shown in Table 2.503 of the UDC.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O’Brien

To approve a variance to Randy Verdun – 4532 E. Central Avenue – To allow an accessory building to be greater than the allowable height of 17 feet shown in Table 2.503 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 02, 2016 of the Planning Commission and the Minutes of the Regular meeting of May 02, 2016 of the Zoning Commission.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To waive the reading of the minutes of the Regular meeting of May 02, 2016 of the Planning Commission and the Minutes of the Regular meeting of May 02, 2016 of the Zoning Commission and receive them as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

- a. Site Plan – Americana Senior Living Facility (Provident)
Moved up on Agenda

- b. Site Plan – Pleasant Grove Baptist Church (Pride Port Hudson Road)

Mayor Amrhein declared the PUBLIC HEARING to be opened at 7:32 pm. Amy Schulze was present to speak. She explained that this item was recommended for approval by the Planning and Zoning Commission. She explained that the size of the building had decreased since the original submittal.

There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:34 pm.

The motion was made by Councilman Neziانيا
The motion was second by Councilman Womack
To approve a Site Plan – Pleasant Grove Baptist Church (Pride Port Hudson Road)
YEAS: Neziانيا, Noel, O’Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

c. Site Plan – Premier Collision – 20201 MacHost Road
The motion was made by Councilman Noel
The motion was second by Councilwoman O’Brien
To withdraw a Site Plan – Premier Collision – 20201 MacHost Road and return at a later date.
YEAS: Neziانيا, Noel, O’Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

d. Resubdivision – Consolidation of Lots A-1 and a-2 of Americana Phase I and IA into Lot A-1-A-2-A. **Moved up on agenda.**

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters-Requiring a Public Hearing

J. APPROVE PAYMENT OF BILLS

1. Approve Accounts Payable and the natural gas bill when it is received.

The motion was made by Councilman Noel
The motion was seconded by Councilman Womack
To approve accounts payable in the amount of \$ 269,128.11 and the natural gas bill when it is received.
YEAS: Neziانيا, 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. 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.
John Hopewell announced that a status conference was scheduled for mid-July.
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. Request for Council approval for the authorization for issuance of an RFP for a “Debris Management and Renewal” contract as required by FEMA. (This contract is a precautionary measure (pre-existing emergency contract) for the delivery of post-hurricane management and clean-up services. **Moved up on agenda.**
2. **Introduction** of Ordinance 2016-12 ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2016 AND TO ESTABLISH THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF 3.08 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2016 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve **Introduction** of Ordinance 2016-12 ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2016 AND TO ESTABLISH THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF 3.08 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2016 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH

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

3. **Introduction** of Ordinance 2016-13 ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2016 AND TO ESTABLISH AND TO ROLL FORWARD THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF MAXIMUM MILLAGE RATE OF 5.64 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2016 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve **Introduction** of Ordinance 2016-13 ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2016 AND TO ESTABLISH AND TO ROLL FORWARD THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF MAXIMUM MILLAGE RATE OF 5.64 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2016 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. **Introduction** OF ORDINANCE 2016-14 - AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES §14 RELATING TO FIRE SUPPRESSION SYSTEMS AS REQUIRED WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND FOR ALL OTHER MATTERS RELATED THERETO. **Moved up on agenda.**

5. Discussion and adoption of a Resolution – Resolution to allow the City of Zachary to participate in the Security Benefits Plan.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve adoption of a Resolution – Resolution to allow the City of Zachary to participate in the Security Benefits Plan.

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

NAYS: None

ABSENT: None

ABSTAINED: None

6. Discussion and adoption of Resolution (2016-05 Official Journal) - Resolution 2016-05 to select and to recognize *The Advocate* as the Official Journal as selected by the City Council for a term of one year, all pursuant to LSA-R.S. 43:140 et seq.

The motion was made by Councilman Womack
The motion was seconded by Councilman Cavin
To approve adoption of Resolution (2016-05 Official Journal) - Resolution
2016-05 to select and to recognize *The Advocate* as the Official Journal as selected by the
City Council for a term of one year, all pursuant to LSA-R.S. 43:140 et seq.
YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

7. Discussion and approval of new Zachary Police Department pay plan.

The motion was made by Councilman Nezianya
The motion was seconded by Councilman Cavin
To approve a new Zachary Police Department pay plan.
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. Condemnation Report – 4449 West Central, Zachary, La 70791 (Scott Masterson)

The motion was made by Councilman Womack
The motion was seconded by Councilwoman O'Brien
To dismiss and remove this item from agenda.
YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

ALTER AGENDA

Other Variances

a. Fabian Herrera – Cross Fit – 3204 Hwy 19 – To allow an attached building sign to
be greater than the allowable square footage of 40 s/f as shown in Table 5.301 B.
(This property is zoned BP Zoning)

The motion was made by Councilman Nezianya
The motion was seconded by Councilman Womack
To approve Fabian Herrera – Cross Fit – 3204 Hwy 19 – To allow an attached building
sign to be greater than the allowable square footage of 40 s/f as shown in Table 5.301 B.
YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None

Return to Regular Agenda Order

P. REPORTS FROM DEPARTMENT HEADS

John Hopewell was present to explain that there will be more changes to be presented regarding the UDC.

Councilman Womack announced that he would like to add an item to the second meeting in July regarding changes to the salary structure for elected officials.

Councilman Womack also asked to discuss the MacHost Road Project on the June 28, 2016 Regular Council Meeting.

Q. DISCUSSION OF BUSINESS NOT ON AGENDA

(No Action May Be Taken Unless Declared an Emergency)

R. ADJOURNMENT

The meeting was adjourned at 8:11 pm

CERTIFICATION

Dana Poole, Clerk of City Council
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 Amrhein and Council of the City of Zachary, Louisiana, held on Tuesday, June 14, 2016, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council