

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, August 11, 2015, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday August 11, 2015 at the Zachary City Hall located at 4700 Main Street, Zachary, LA.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Steve Nunnery
Pledge of Allegiance by Firefighter Jeremy Wilkes

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR
David Amrhein
COUNCIL MEMBERS
Francis Neziانيا – District 1
Brandon Noel – District 2
Ben Cavin – District 4
Tommy Womack – District 5
ABSENT:
Laura O’Brien – District 3

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 Councilman Noel
The motion was second by Councilman Womack

To waive the reading of the minutes of the special meeting of July 15, 2015 and regular meeting of July 28, 2015, and approve them with corrections to the July 15, 2015.

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

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

Chief David McDavid introduced Ms. Kandyce Coward, President of the National Association Drug Diversion Investigators (NADDI). Ms. Coward presented a check in the amount of \$5,000.00 to the Zachary Police Department for their participation and involvement in collecting unwanted prescription drugs.

Chief Danny Kimble was present to announce the Zachary Fire Department 2015 PIAL Rating (Property Insurance Association of Louisiana). Chief Kimble explained that the rating was compiled by three sections; Fire Department, Utilities Department, and Police Department. He said that without the proper fire equipment, upgraded utility lines, and the communication with the Police department we would not have gotten as good of a rating as the City of Zachary did. He also added that the fireman did a tremendous job. Mayor David Amrhein commended the fire department for a job well done.

Larry Powenski from Fire District 1 presented a check to Chief Kimble and the City of Zachary in the amount of \$362,000.00 for fire services in Fire District 1.

F. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Steve Pike, 20650 MacHost Road, Zachary, La was present to submit pictures of Joseph Brown's form boards of the project that has not been approved by the council. Mayor Amrhein clarified to Mr. Pike that there was no law that said Mr. Brown could not form. Mayor Amrhein adds that Mr. Brown cannot pour concrete due to the fact that he does not have a permit to do so.

Mrs. Beverly Cerise, 4253 Honeysuckle Drive, Zachary, La was present to clarify when the council meeting concerning the Walmart Neighborhood Market issue was going to be and to ask to remove the zoning signs that are in front of the Live Oak Subdivision. Mayor Amrhein explained that Walmart would be on the October 13, 2015 council agenda and that the zoning signs could not be removed by state law until after that public meeting.

2. Hardship Waivers

None were presented

3. Other Waivers

- a. Occupational License – Johnny Caruso – 5355 Knight Drive Zachary, La Retail (Chris Davezac)(Tabled at previous meeting)
The motion was made by Councilman Womack
The motion was seconded by Councilman Noel

To remove the Occupational License waiver request for Johnny Caruso, 5355 Knight Drive, Zachary, La from the agenda. The waiver request was to allow him to operate an online dating website in his home. Mr. Caruso failed to attend two council meetings regarding his request.

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

- b. Waiver Request – Richard Blalock – 4220 Vernon Street, Zachary, La
(Chris Davezac)

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Womack

To approve a waiver for Richard Blalock, 4220 Vernon Street, Zachary, La for a minimum required frontage of property in Zone RE from 200' to 185.44' and to resubdivide Lot 4 into two new separate 2 acres lots and to waive the minimum lot size from 3 acres to 2 acres.

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

4. **Exceptions to Regulations**– None were presented

G. ACTION MANDATED BY HOME RULE CHARTER

- a. Discussion of salary increase for Police Chief (Chief McDavid)

Chief David McDavid was present to speak to the Council about an increase in the salary of the Police Chief. He explained that he has 31 years of service, 27 ½ are full time years and 4 are part time years, he has 105 hours towards his degree, and has attended the FBI National Academy, and the DA Drug Commander School. He said that the Police Department and Prosecutors Office have done everything that has been asked of them and would like the council to consider an increase in salary. He asked the council to consider adding this to a ballot if something comes up that would concern a change to the UDC or to adopt an ordinance to increase the salary.

Councilman Noel thanked Chief McDavid for bringing this to the council. The council realizes now that this cannot take place in the last year of a term but it can be done in this term to take place in the next term of office. He said that being a two term Police Chief deserving of an increase in pay. Councilman Noel continues by saying that there should be an incremental increase and have a cap on the salary. The council will look into sometime this fall.

Councilman Cavin said that he also thinks that with Chief McDavid's years of service and dedication it does warrant a salary increase.

Mayor Amrhein said this was something he wanted to do last term. He said he believes that there needs to be a starting point and an ending point. Mayor Amrhein explains that any new employee whether in civil service or private sector should not be able to start at the same salary as the person that left. He said that in talking with John Hopewell the salary can be increased by ordinance. Hopefully we can get to some kind of agreement. Councilman Cavin asked if this was something that Mr. Hopewell can start looking into. Mayor Amrhein said he would like to have a workshop and to get all the facts first. Mayor Amrhein added that he would like to look at the council seats as well. Councilman Neziyana said the council should look into this as a whole. Councilman Noel added that this will take a significant amount of time to gather the information. The council agrees that this is something that should be looked into now for the beginning of the next term.

- b. Approval of Louisiana Compliance Questionnaire (Steve Nunnery)
The motion was made by Councilman Noel
The motion was seconded by Councilman Womack
To approve the Louisiana Compliance Questionnaire for audit.
YEAS: Neziyana, Noel, Cavin, Womack
NAYS: None
ABSENT: O'Brien
ABSTAINED: None

H. PLANNING & ZONING MATTERS

- 1. **Receive Minutes of Planning Commission and Zoning Commission**
- 2. **Planning Matters REQUIRING a Public Hearing**
- 3. **Planning Matters NOT requiring a Public Meeting**– None were presented.
- 4. **Zoning Matters REQUIRING a Public Hearing**
- 5. **Zoning Matters NOT Requiring Public Hearing**
- 6. **Other Matters** – None were presented.

I. APPROVE PAYMENT OF BILLS

- 1. Approve Accounts Payable in the of \$398,453.76 and the natural gas bill when it is received.
The motion was made by Councilman Neziyana
The motion was seconded by Councilman Cavin
To approve accounts payable in the amount of \$ 398,453.76 and the natural gas bill when it is received.
YEAS: Neziyana, Noel, Cavin, Womack
NAYS: None
ABSENT: O'Brien
ABSTAINED: None

J. BOOKKEEPING AND BUDGET CHANGES

K. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

a. 2015 Road Maintenance and Rehabilitation Program (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To Authorize PEC to advertise for bids for the 2015 Road Maintenance and Rehabilitation Program.

YEAS: Nezianya, Noel, Cavin, Womack

NAYS: None

ABSENT: O'Brien

ABSTAINED: None

b. Authorization to Advertise for bids for the construction of vehicular connection from the new Montegudo Boulevard Bypass (and/or Bob Odom Drive) in and unto the Walmart Supercenter for access – ingress and egress. (PEC)

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To Authorize PEC to Advertise for bids for the construction of vehicular connection from the new Montegudo Boulevard Bypass (and/or Bob Odom Drive) in and unto the Walmart Supercenter for access – ingress and egress.

YEAS: Nezianya, Noel, Cavin, Womack

NAYS: None

ABSENT: O'Brien

ABSTAINED: None

2. Sewer – None were presented.

3. Subdivision Inspections- 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 until removed by Council).
Status Conference set in 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)

Bia Hillhouse was present to clarify the administrative procedure on items 3,4, 5 and asked to only hold a public hearing and to table those items on the agenda. She said the resolutions need to be added to the August 25, 2015 council agenda.

Mayor Amrhein opens the public hearing at 7:26 pm.

Ms. Hillhouse was present to speak regarding the City of Zachary relative to the Louisiana Community Development Block grants and explained the amount of funds available for proposed community development and housing activities. She explained the range of activities available that may be undertaken, including the estimated amount of funds proposed to be used for the activities that will benefit persons of low and moderate housing.

Being there no one to speak against the item the public hearing was declared closed at 7:31 pm.

P. REPORTS OF COMMITTEES/COMMISSIONS/BOARDS

None were presented.

Q. REPORTS FROM DEPARTMENT HEADS

1. Inspections Department Monthly Report (Scott Masterson)
The motion was made by Councilman Womack
The motion was seconded by Councilman Nezianya

To accept the Monthly Report from the Inspections Department for the Month of July 2015.

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

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

John Hopewell was present to announce that Ms. Kimberly Robinson of Jones Walker, LLP, who represents Walmart Neighborhood Market has requested to be moved to the October 13, 2015 council meeting. He explained that she wanted all council members to be able to vote and therefore she wanted to wait for Councilman Nezianya to obtain an opinion from the Board of Ethics, being that he operates a Subway Franchise within a Walmart store. Council Nezianya said the opinion would be on the Board of Ethics Agenda in September. Councilman Noel asked if the council could waive this for 6 months. Mayor Amrhein said he suggests that they wait on the opinion for the Ethics Board. Councilman Womack asked John Hopewell if a Special Meeting should be held for this item and he said yes.

Councilman Womack asked if appraisals for the MacHost Road Project were coming in and Mr. Hopewell answered yes. Councilman Cavin asked if they could request a deadline and Mr. Hopewell answered yes.

Beverly Cyress, 4253 Honeysuckle Lane, Zachary, La was present to clarify the dates of two properties that were resubdivided and/or rezoned concerning Walmart and when Walmart would be back on the Council agenda.

Councilman Nezianya announced that Mayor Amrhein's birthday was today.

S. ADJOURNMENT

The meeting adjourned at 7:47 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 and Council of the City of Zachary, Louisiana, held on Tuesday, , 2015, a proper quorum being there and then present.

Dana Poole, Clerk of City Council