

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, September 12, 2017, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday September 12, 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 Boy Scout Troop 472

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

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 Noel

The motion was seconded by Councilwoman O'Brien

To amend the agenda to add the addendum.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Minutes of the August 22, 2017 Regular Meetings.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve the Minutes of the August 22, 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

Mayor Amrhein recognized Metro Councilman Trae Welch.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

a. **Pay Estimate #3 - 2017 Pedestrian Pathways and Bike Trails**

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To approve **Pay Estimate #3 - 2017 Pedestrian Pathways and Bike Trails**

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. **Bid Tabs for Zachary Youth Park Restrooms**

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a recommendation of rejection for Bid Tabs for Zachary Youth Park Restrooms.

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

NAYS: None

ABSENT: None

ABSTAINED: None

c. **Bid Tabs for 2017 Road Rehabilitation and Improvement Program Phase II**

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To approve a recommendation of rejection for Bid Tabs for 2017 Road Rehabilitation and Improvement Program Phase II.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- d. Bid Tabs for Zachary Youth Park Artificial Field Turf Improvements Information Only

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To accept Bid Tabs for Zachary Youth Park Artificial Field Turf Improvements Information Only.

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

2. Sewer

- a. **Pay estimate #4** - 2017 Sanitary Sewer Collection System Improvements Contract 7A

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve **Pay estimate #4** - 2017 Sanitary Sewer Collection System Improvements Contract 7A.

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

3. Subdivision Inspections

4. Water and Gas Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

- a. Power Point Presentation by Axon – Police body cameras and Tasers

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Cavin

To move the item until the September 26, 2017 meeting.

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

2. Hardship Waivers

3. Other Variances

- a. Pro Signs & Graphics: Monica Mcneira – Ashley Nails & Spa – 5145 Main Street, Zachary, Suite A – to allow for a roof sign

The motion was made by Councilman Noel
The motion was seconded by Councilman Cavin
To deny Pro Signs & Graphics: Monica Mcneira – Ashley Nails & Spa – 5145 Main Street, Zachary, Suite A – to allow for a roof sign.
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 ____ 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** – Preliminary Plat – Zachary Trails Phase I-VI – Tracts D-2-B and portions of D-2-A and B-4 of the E.D. Annison Subdivision and Tracts A, B, and C of the Albert C. Mills Subdivision.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:47 p.m. Amy Schulze was present to speak. Mrs. Schulze explained that this item was recommended for approval by the Planning and Zoning Commission. Michael Clegg, 8714 Jefferson Hwy. Baton Rouge, La was present to speak in favor of the Resubdivision. He explained that in the first phase 85 homes will be built and in the second phase 65 homes will be built. Mr. Clegg explained that the subdivision will take eight to ten years to complete. Nick Ferlito explained that about 120 extra trips would be added in peak traffic hours for in the first two phases. Metro Councilman Trae Welch was present to speak and explained the growth of Zachary and how road ways and infrastructure is effected by growth. Jerry Spears, 535 East Mt. Pleasant Road, Zachary, present to speak against the resubdivision. Mr. Spears spoke about his concerns of flooding. Kathy Rogillio, Zachary, also spoke against the item expressing her concerns of flooding. Elizabeth Montalbono, 1370 Birdie Drive, Zachary, spoke against the item expressing her concerns of flooding and infrastructure. Scott Montalbono, 1370 Birdie Drive, Zachary, was present to speak against the item. Mr. Montalbono also expressed his concerns of flooding and if the bayous will be able to handle more water. Matt Thornton, 5498 Fairway Drive, Zachary, was present to and explained to the Mayor and Council about a Hazard Mitigation Plan to improve drainage between Zachary and surrounding areas. Councilman Cavin spoke on the 25-year retention pond that is included with the development. Councilman Cavin also spoke on the growth of Zachary and explained that if there is no growth the city will die. Councilwoman O’Brien explained that the development could de-annex from the city and the restrictions would be a lot more lenient and the traffic issues and infrastructure issues

would still be there. Councilman Noel spoke and explained that DEQ is responsible for the run off during construction.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve **Resubdivision** – Preliminary Plat – Zachary Trails Phase I-VI – Tracts D-2-B and portions of D-2-A and B-4 of the E.D. Annison Subdivision and Tracts A, B, and C of the Albert C. Mills Subdivision.

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

5. Zoning Matters NOT Requiring Public Hearing

- a. **Zone of Influence** – Applicant: David Gaines Property Owner: Henry Matthews – William G. Thomas Tract.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a recommendation of no objection for a **Zone of Influence** – Applicant: David Gaines Property Owner: Henry Matthews – William G. Thomas Tract

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

NAYS: None

ABSENT: None

ABSTAINED: None

6. Other Matters

J. APPROVE PAYMENT OF BILLS

The motion was made by Councilman Noel

The motion was second by Councilman Womack

To approve Accounts Payable in the amount of \$454,660.48 and the natural gas bill when it is received.

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

NAYS: None

ABSENT: None

ABSTAINED: None

ALTER AGENDA

1. Americana Taste of Zachary – Requesting a Special Events permit to be held on September 16, 2017 for the sale of alcohol.

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To approve a request for a special events permit to sell alcohol at Americana Taste of Zachary on September 16, 2017.

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

Return to regular order

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. Ronald Adams, Sr., 8766 Main Street, Zachary, LA 70791- Request to place a FEMA trailer on site and for extension to end in February 2018.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To table Ronald Adams, Sr., 8766 Main Street, Zachary, LA 70791- Request to place a FEMA trailer on site and for extension to end in February 2018. Mr. Adams did not attend the meeting.

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

2. **Introduction of Ordinance 2017-17** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES TO ALLOW FOR THE CREATION OF §86-24 RELATING TO THE PROVISION OF CERTAIN UTILITY SERVICES TO SENIORS WITHING 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 Noel

To approve the **Introduction of Ordinance 2017-17** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND THE CODE OF ORDINANCES TO ALLOW FOR THE CREATION OF §86-24 RELATING TO THE PROVISION OF CERTAIN UTILITY SERVICES TO SENIORS WITHING 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

3. Declaration of official times for Trick or Treat within the cooperate limits of the City of Zachary for the 2017 year.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve the official times for Trick or Treat within the cooperate limits of the City of Zachary for October 31, 2017 from 6:00 p.m. until 8:00 p.m.

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

4. Wayne Durham, 21802 MacHost Road, Zachary – To show cause why the City Council should not revoke the variance previously allowed on January 24, 2017.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To table Wayne Durham, 21802 MacHost Road, Zachary – To show cause why the City Council should not revoke the variance previously allowed on January 24, 2017 until the September 26, 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

- a. Notice of Condemnation Hearing – 3510 Rollins Road, Zachary, LA; Lot A-2-D A.E. Kirby Tract Subdivision – City of Zachary, State of Louisiana (Scott Masterson) (Tabled from August 22nd Meeting)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To remove this item from the agenda.

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

P. REPORTS FROM DEPARTMENT HEADS

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

R. ADJOURNMENT
The meeting was adjourned at 8:10 pm.

CERTIFICATION

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

David Amrhein, Mayor

Councilman Cavin, Mayor Pro Tem

I, Dana LeJeune, 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, September 12, 2017, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council