

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, September 22, 2015, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday September 22, 2015 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 Cavin

**C. OPENING PROCEDURES**

**1. ROLL CALL**

MAYOR

David Amrhein

COUNCIL MEMBERS

Brandon Noel – District 2

Laura O’Brien – District 3

Ben Cavin – District 4

Tommy Womack – District 5

ABSENT:

Francis Neziyanya – District 1

**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 move item O-3 to G:** Special Event Permit –Claire Kent Simmons of the Zachary Charity League, request to sell alcohol at the Zachary Depot at the Bed Races on November 21, 2015 and request for resolution to waive section 6.103E of the Zachary Code of Ordinances pertaining to alcohol on City premises.

**To move item O-5 to G:** Council approval of the appointment of Amy Schulze as the new Code Compliance Officer for the City of Zachary.

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

**D. READING OF THE MINUTES**

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To waive the reading of the minutes of the regular meeting of September 8, 2015, and approve them as presented.

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

**E. HONORS, RECOGNITIONS AND INTRODUCTIONS**

Billy Kline was present to recognize Scott Buzhardt and Peggy Lantrip for their years of service to the Planning and Zoning Commission. Mayor Amrhein thanked them and presented them with a plaque.

**F. PRESENTATION OF DELEGATIONS**

**1. Requests to Speak**

Joyce Plummer, 1737 Progress Road, Baker, La was present to announce her candidacy for State Representative for District 63.

Mayor Amrhein recognized the City of Zachary and Council members for a Community Achievement Award that was received from the Louisiana Municipal Association for improving traffic capacity and efficiency along Highway 64 and the construction of a four lane bypass road. He said this is the first year the City of Zachary has won this award.

Bruce Bellingham, 1223 Kingsview Circle, Jackson, La was present to present a project to the Mayor and Council and to ask them to consider this project for the Zachary Depot. Mr. Bellingham asked to be notified if the City of Zachary planned to have a request for proposal so he would be able to be a part of the bidding process.

Randy Perkins, 4236 Honeysuckle Drive, Zachary, La was present to discuss the danger of the turning lane on Highway 64 in front of The Zachary Plaza. Councilman Womack said that Representative Kenny Havard's office had been

made aware of the issue. Chris Davezac also said that the State Department of Transportation would improve all issues before turning the highway over to the City of Zachary.

ALTER AGENDA:

- O-3 Special Event Permit –Claire Kent Simmons of the Zachary Charity League, request to sell alcohol at the Zachary Depot at the Bed Races on November 21, 2015 and request for resolution to waive section 6.103E of the Zachary Code of Ordinances pertaining to alcohol on City premises.

The motion was made by Councilman Noel

The motion was second by Councilwoman O'Brien

To approve Special Event Permit –Claire Kent Simmons of the Zachary Charity League, request to sell alcohol at the Zachary Depot at the Bed Races on November 21, 2015 and request for resolution to waive section 6.103E of the Zachary Code of Ordinances pertaining to alcohol on City premises contingent upon approval from the ABC Board.

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

- O-5 Council approval of the appointment of Amy Schulze as the new Code Compliance Officer for the City of Zachary.

The motion was made by Councilman Womack

The motion was second by Councilman Noel

To approve the appointment of Amy Schulze as the new Code Compliance Officer for the City of Zachary.

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

RETURN TO NORMAL AGENDA:

- 2. **Hardship Waivers**-None were presented.
- 3. **Other Waivers**- None were presented.
- 4. **Exceptions to Regulations**– None were presented

**G. ACTION MANDATED BY HOME RULE CHARTER**

**H PLANNING & ZONING MATTERS**

**1. Receive Minutes of the Planning Commission and Zoning Commission meeting from September 9, 2015**

The motion was made by Councilman Noel

The motion was seconded by Councilman Womack

To receive the minutes of the Planning Commission and Zoning Commission Meeting from September 9, 2015.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

**2. Planning Matters REQUIRING a Public Hearing**

- a. Resubdivision- combination of Lots B-1, B-2, B-3, B-4 (and revoking the right of way) into Tract B-4-A of the Mollie Loudon Property.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:05 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak in favor. There was no one to oppose the Resubdivision. Mayor Amrhein declared a public hearing to be closed at 7:09 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a Resubdivision- combination of Lots B-1, B-2, B-3, B-4 (and revoking the right of way) into Tract B-4-A of the Mollie Loudon Property.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- b. Site Plan- an un-numbered Tract of the J.S. Montegudo Tract (20123 Plank Road)- James' Barber Shop- James Graves.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:10 pm. James Graves, 20123 Plank Road, Zachary, La was present to speak in favor. Chris Davezac was present to inform the Council and Mayor that a sewer line had been bored under the road and no permit had been pulled. He said Mr. Graves also tapped into the City of Zachary line. Mr. Graves said that he hired Spinx Construction to do the job and neither of them knew that a permit had to be pulled. There was no one to oppose the Site Plan. Mayor Amrhein declared a public hearing to be closed at 7:27 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a Site Plan- an un-numbered Tract of the J.S. Montegudo Tract (20123 Plank Road)- James' Barber Shop- James Graves contingent upon approval of permits, the sewer issue being approved by the Utilities Director, Public Works Director, and PEC with specification of the Unified Development Code section 11:202 as amended.

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

- c. Site Plan – an un-numbered Tract of the Mollie Loudon Property (8511 Main St.).

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:44 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak on this item. Mr. Herring asked the Mayor and Council to table this item until October 27, 2015. There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 7:47 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To suspend the Public Hearing for the Site Plan – an un-numbered Tract of the Mollie Loudon Property (8511 Main St.) and to table the item until October 27, 2015.

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

- d. Resubdivision- an un-numbered Tract of the Mollie Loudon Property into lots 1-9 and 2 out parcels (8511 Main St.).

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:48 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak on this item. Mr. Herring asked the Mayor and Council to table this item until October 27, 2015. Mac Gregor, 400 Convention Street, Baton Rouge, La was also present to speak. Mr. Gregor represents Mr. David Gaines. There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 7:49 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To suspend the Public Hearing for a Resubdivision- an un-numbered Tract of the Mollie Loudon Property into lots 1-9 and 2 out parcels (8511 Main St.) and to table the item until October 27, 2015.

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

- e. Resubdivision- Tract CM2-H-1 of the Marshall M. Hughes Tract- Prestwick Ct & Iberville Ave- from 18 lots to 10 lots.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:49 pm. Mr. David Gaines, 17498 Old Scenic Hwy, Zachary, La was present to ask the Mayor and Council to send this item back to the Planning and Zoning Commission.

There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 7:55 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To send this item back to the Planning and Zoning Commission a Resubdivision- Tract CM2-H-1 of the Marshall M. Hughes Tract- Prestwick Ct & Iberville Ave- from 18 lots to 10 lots.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

f. Site Plan- Tract C1-A-2 of the Hubert C. Owens Tract, Hwy 964.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:59 pm. Mr. Ed Voltolina, 129 Charter St., New Orleans, La was present to speak in favor. There was no one to oppose the site plan. Mayor Amrhein declared a public hearing to be closed at 8:02 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To approve a Site Plan- Tract C1-A-2 of the Hubert C. Owens Tract, Hwy 964.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

g. Site Plan- Tract Z-1-A-4 of the Copper Mill Business Park.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 8:03 pm. Chad Stevens, 9143 Interline Ave. Baton Rouge, La was present to speak in favor for this item. David Gaines, 17498 Old Scenic Hwy, Zachary, La was also present to speak in favor for this item. Amy Schulze was present to discuss the minor issues from the UDC. She said she spoke to La Dental regarding these issues and they said they would comply. There was no one to oppose the site plan. Mayor Amrhein declared a public hearing to be closed at 8:05 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a Site Plan- Tract Z-1-A-4 of the Copper Mill Business Park contingent upon meeting dumpster enclosure, mechanical equipment, and parking isle width being compliant with the UDC as discussed.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

**3. Planning Matters NOT requiring a Public Meeting**

None were presented.

**4. Zoning Matters REQUIRING a Public Hearing**

- a. Rezone- Proposed Tract B-4-A of the Mollie Loudon Tract  
from RE and CS to Industry

Mayor Amrhein declared a public hearing to be in session at 8:17 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak in favor for this item. There was no one to oppose this item. Mayor Amrhein declared a public hearing to be closed at 8:18 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a Rezone- Proposed Tract B-4-A of the Mollie Loudon Tract from RE and CS to Industry.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- b. Rezone- an un-numbered Tract of the Mollie Loudon Property from  
RE (S-20) to CG (8511 Main St.).

Mayor Amrhein declared a public hearing to be in session at 8:19 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to request for this item to be tabled until October 27, 2015. There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 8:20 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To suspend the Public Hearing for a Rezone- an un-numbered Tract of the Mollie Loudon Property from RE (S-20) to CG (8511 Main St.) and table the item until October 27, 2015.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- c. Rezone – Tract CM-2-H-1 of the Marshall M. Hughes Tract from RS  
to RU.

Mayor Amrhein declared a public hearing to be in session at 8:20 pm. David Gaines, 17498 Old Scenic Hwy, Zachary, La was present to request to send this item back to the Planning and Zoning Commission. There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 8:23 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To send this item back to the Planning and Zoning Commission a Rezone – Tract CM-2-H-1 of the Marshall M. Hughes Tract from RS to RU.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

- d. Rezone- Lots A, B, and C of the Bendale Farms Property from Estate and C-AB-4 to CS.

Mayor Amrhein declared a public hearing to be in session at 8:26 pm. Randy Herring, 23221 Sunnyside Lane, Zachary, La was present to speak in favor of this item. There was no one to oppose. Mayor Amrhein declared a public hearing to be closed at 8:29 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a Rezone- Lots A, B, and C of the Bendale Farms Property from Estate and C-AB-4 to CS.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

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**- None were presented
- K. **CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS**
  - 1. **Street/Road Projects**- None were presented
  - 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.

**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)
3. **Moved up in Agenda** Special Event Permit –Claire Kent Simmons of the Zachary Charity League, request to sell alcohol at the Zachary Depot at the Bed Races on November 21, 2015 and request for resolution to waive section 6.103E of the Zachary Code of Ordinances pertaining to alcohol on City premises.
4. Council approval regarding the suggested name of the street connecting to the Zachary Walmart Super Center to be Emmie Drive.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve the suggested name of the street connecting to the Zachary Walmart Super Center to be Emmie Drive.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

5. **Moved up in Agenda** Council approval of the appointment of Amy Schulze as the new Code Compliance Officer for the City of Zachary.
6. Council discussion and approval to set time and date for Trick or Treating.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the time and date for Trick or Treating to be held October 31, 2015 from the hours of 6:00 pm until 8:00 pm.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

7. Council approval of moving a wood frame building to 20123 Plank Road, Zachary, La.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve moving a wood frame building to 20123 Plank Road, Zachary, La.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

8. Introduce Ordinance #2015-11 - Ordinance authorizing the City of Zachary to levy up to a five (5%) percent hotel occupancy tax within the City of Zachary if approved by the voters by election on October 24, 2015 and for other matters in furtherance of these provisions.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To introduce the Ordinance #2015-11 - Ordinance authorizing the City of Zachary to levy up to a five (5%) percent hotel occupancy tax within the City of Zachary if approved by the voters by election on October 24, 2015 and for other matters in furtherance of these provisions.

YEAS: Noel, O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINED: None

9. Request to go into executive session pursuant to LSA-R.S. 42:17(2) to discuss the status of ongoing litigation-*Zachary Housing Partners*, LLC advs. City of *Zachary, et al-* #613155 “Sec. 25” – 19<sup>th</sup> JDC EBR, SoL. (Hopewell)

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve the request to go into executive session pursuant to LSA-R.S. 42:17(2) to discuss the status of ongoing litigation-*Zachary Housing Partners*, LLC advs. City of *Zachary, et al-* #613155 “Sec. 25” – 19<sup>th</sup> JDC EBR, SoL. A vote of greater than two thirds was met.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINING: None

At 9:14 pm, the Council returned to the Council Chamber, and

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To reconvene the regular meeting.

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINING: None

To approve the city attorney, John Hopewell, to enter into mediation in good faith with *Zachary Housing Partners*, LLC.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

YEAS: Noel, O’Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya

ABSTAINING: None

**P. REPORTS OF COMMITTEES/COMMISSIONS/BOARDS-** None were presented

**Q. REPORTS FROM DEPARTMENT HEADS**

None were presented

**R. DISCUSSION OF BUSINESS NOT ON AGENDA**

**(No Action May Be Taken Unless Declared an Emergency)**

**S. ADJOURNMENT**

The meeting adjourned at 9:17 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, September 22, 2015, a proper quorum being there and then present.

\_\_\_\_\_  
**Dana Poole, Clerk of City Council**