

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, October 25, 2016, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday October 25, 2016 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 Clint Anders

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 Noel

The motion was seconded by Councilwoman O'Brien

To add the addendum to the agenda, and changes in item order as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Minutes of the October 11, 2016 Regular and October 13, 2016 Special Meetings.

The motion was made by Councilman Noel

The motion was second by Councilman Womack

To waive the reading of the minutes of the October 11, 2016 regular meeting and October 13, 2016 special meeting and approve them as presented.

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

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

2. Sewer

a. Request to receive bids for Sewer Lift Station Upgrades.

The Motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Nezianya

To approve the request to receive bids for the Sewer Lift Station Upgrades contingent upon DEQ loan approval.

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**
- 2. Hardship Waivers**

ALTER AGENDA

- 1. Site Plan - Captain D's Restaurant – 5353 Main Street**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:35 p.m. Amy Schulze was present to speak. She explained that this site plan meets all requirements of the UDC. She also said that it was recommended for approval by the Planning and Zoning Commission. She said that a fence was added to the site plan and that stucco would replace ifus on the building. There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:41 p.m.

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Cavin

To approve a site plan for Captain D's Restaurant at 5353 Main Street.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- 2. Rezone – 4400 McHugh Road – From RE to RS**

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:42 p.m. Amy Schulze was present to speak. She explained that this is in regards to the property being built before the UDC and the owners are asking to rezone to meet the UDC. There being no one to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:41 p.m.

The motion was made by Councilman Noel

The motion was second by Councilman Cavin

To approve a rezone for 4400 McHugh Road from RE to RS.

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

NAYS: None

ABSENT: None

ABSTAINED: None

Return to Regular Order

- 3. Other Variances**

- a. **Variance Request - Cricket Wireless - 5464 Main Street, Zachary, La – To allow for a larger sign than permitted as per Table 5.301B of the Unified Development Code**

The motion was made by Councilman Nezianya

The motion was second by Councilman Cavin

To approve a **Variance Request** - Cricket Wireless - 5464 Main Street, Zachary, La – To allow for a larger sign than permitted as per Table 5.301B of the Unified Development Code

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Variance Request** - Comfort Inn and Suites – 1686 E. Mount Pleasant Road, Zachary, La – To allow for a larger sign than permitted as per Table 5.301B of the unified Development Code.

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Noel

To approve a **Variance Request** - Comfort Inn and Suites – 1686 E. Mount Pleasant Road, Zachary, La – To allow for a larger sign than permitted as per Table 5.301B of the unified Development Code.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **Variance Request** - Elvin Comena, Jr. – 3364 Vernon Road, Zachary, La – To be able to store no more than three semi-trucks on his property and to allow, if necessary, light mechanic work.

The motion was made by Councilman Cavin

The motion was second by Councilman Noel

To approve a **Variance Request** - Elvin Comena, Jr. – 3364 Vernon Road, Zachary, La – To be able to store no more than one semi-trucks on his property and to allow, if necessary, light mechanic work.

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

NAYS: None

ABSENT: None

ABSTAINED: None

ALTER AGENDA

NEW BUSINESS

1. **Request** for approval of the new Zachary Fire Department pay scale.

The motion was made by Councilman Noel

The motion was second by Councilman Nezianya

To approve the new Zachary Fire Department pay scale.

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

NAYS: None

ABSENT: None

ABSTAINED: None

Return to Regular Order

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

1. Receive Minutes of the Regular meeting of October 3, 2016 of the Planning Commission and the Minutes of the Regular meeting of October 3, 2016 of the Zoning Commission.

The motion was made by Councilman Womack

The motion was second by Councilwoman O'Brien

To receive Minutes of the Regular meeting of October 3, 2016 of the Planning Commission

And the Minutes of the Regular meeting of October 3, 2016 of the Zoning Commission.

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

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

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

K. BUDGET AND FINANCIAL MATTERS

1. Presentation of Renewal of Insurance, John Norris

The motion was made by Councilman Nezianya

The motion was second by Councilman Womack

To approve the Renewal of Insurance and to reject the TRIA coverage.

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

ALTER AGENDA

1. **Hardship Waiver Request** – 3840 David Street (Manufactured Home)

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To deny a hardship waiver request to Deborah Barker and William Hasty at 3840 David Street.
The mobile home is to be removed by January 5, 2017 per Council order.

Return to Regular Order

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.)
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 approval of the new Zachary Fire Department pay scale.
(Heard earlier in meeting)

ALTER AGENDA

3. **Special Event Permit** –Hannah Plauche, Cast Iron Classic, request to sell alcohol at the Jambalaya Cook Off on November 12, 2016.
The motion was made by Councilman Noel
The motion was second by Councilwoman O'Brien

To approve a **Special Event Permit** –Hannah Plauche, Cast Iron Classic, request to sell alcohol at the Jambalaya Cook Off on November 12, 2016.

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

2. **Approval** of Special Counsel Contract for Craig Kaster (Kaster & Cop) related to litigation of construction contract – R. J. Daigle & Sons Contractors, Inc. vs City of Zachary (Mt. Pleasant Road.)

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To approve a Special Counsel Contract for Craig Kaster (Kaster & Cop) related to litigation of construction contract – R. J. Daigle & Sons Contractors, Inc. vs City of Zachary (Mt. Pleasant Road.)

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

Return to Regular Order

4. **Introduction of Ordinance** AN ORDINANCE PROVIDING FOR THE INCURRING OF DEBT AND ISSUANCE OF ONE MILLION DOLLARS (\$1,000,000) OF HOTEL OCCUPANCY TAX BONDS, SERIES 2017, OF THE CITY OF ZACHARY, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID BONDS; DESIGNATING THE DATE, DENOMINATION AND PLACE OF PAYMENT OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AUTHORIZING AN AGREEMENT WITH THE PAYING AGENT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

The motion was made by Councilman Noel

The motion was second by Councilwoman O'Brien

To approve **Introduction of Ordinance** AN ORDINANCE PROVIDING FOR THE INCURRING OF DEBT AND ISSUANCE OF ONE MILLION DOLLARS (\$1,000,000) OF HOTEL OCCUPANCY TAX BONDS, SERIES 2017, OF THE CITY OF ZACHARY, STATE OF LOUISIANA; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID BONDS; DESIGNATING THE DATE, DENOMINATION AND PLACE OF PAYMENT OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AUTHORIZING AN AGREEMENT WITH THE PAYING AGENT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

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**
- P. **REPORTS FROM DEPARTMENT HEADS**
- Q. **DISCUSSION OF BUSINESS NOT ON AGENDA
(No Action May Be Taken Unless Declared an Emergency)**
- R. **SPECIAL EXECUTIVE SESSION, IF ANY**
- S. **ADJOURNMENT**
The meeting adjourned at 8:40 p.m.

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, October 25, 2016, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council

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