

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, October 27, 2015, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the special meeting to order at 6:30 p.m., on Tuesday October 27, 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 Noel

**C. OPENING PROCEDURES**

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Neziyana – 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

**D. READING OF THE MINUTES**

The motion was made by Councilman Noel  
The motion was second by Councilwoman O'Brien

To waive the reading of the minutes of the October 13, 2015 Regular and October 18, 2015 Special Meeting, and approve them with corrections made from Councilman Noel on the October 13, 2015 minutes .

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

**E. HONORS, RECOGNITIONS AND INTRODUCTIONS**

Wade Langston, 1148 Willow Creek, Zachary, La was present to speak on behalf of the Northwestern Middle School Swim Team. Wade is in the 8<sup>th</sup> grade and one of the top swimmers on the team for the 2015 season. Wade said he swam the 50 meter free style and the 100 meter free style. The swim team placed 7<sup>th</sup> in the State of Louisiana. Mayor Amrhein and the Council congratulated him on a job well done.

Ms. Barbara Carpenter, 3245 Chamberlain Ave., Baker, La was present to introduce herself and to announce her candidacy for run off for District 63. She explained that she has been a resident of Baker for nearly 40 years. She said she is employed at Southern University and is Dean of International Affairs. She asked for support in her campaign.

**F. 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

**G. PRESENTATION OF DELEGATIONS**

**1. Requests to Speak**

a. Sharon Phillips, 1855 Royal Troon Court, Zachary, La was present to speak in regards to the Cherry Boudreaux Memorial Gardens which was tabled from the October 13,2015 Meeting. Mrs. Phillips explained that Mrs. Boudreaux's family approached her after her death to ask if it would be possible to create a memorial garden behind the Zachary Depot in her honor. She said that Mrs. Boudreaux served on the first Beautification Committee and gardening was one of her passions. She said the City has surveyed the property behind the Depot and found that it does belong to the City of Zachary and the memorial would be located on the City's property. She explained that there are private and public partners that have funded the project. She asked the council to consider the Memorial Garden so that the construction can begin.

**ALTER AGENDA:**

The motion was made by Councilman Womack  
The motion was seconded by Councilman Noel  
To alter the agenda and to hear item N-4 out of order.  
YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
NAYS:                   None  
ABSENT:               None  
ABSTAINED:          None

**N-4** Presentation of Insurance Renewals-John Norris Insurance.  
The motion was made by Councilman Nezianya  
The motion was seconded by Councilman Womack  
To approve the Insurance Renewals for 2015-2016 as presented and to reject the terrorism and uninsured motorist policies.  
YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
NAYS:                   None  
ABSENT:               None  
ABSTAINED :          None

Return to Regular Agenda Order

**2. Hardship Waivers**

a.       Hardship Waiver Renewal – Frank & Linda Devall – 6505 Main Street Zachary, La 70791.  
The motion was made by Councilman Womack  
The motion was seconded by Councilman Noel  
To approve a one-year renewal of a hardship waiver for Frank & Linda Duvall - to continue a mobile home at 6505 Main Street Zachary, La  
YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
NAYS:                   None  
ABSENT:               None  
ABSTAINED:          None

b.       Hardship Waiver Renewal – Mr. & Mrs. Weldon Nuggent – 3399 Pride Pt. Hudson Road Zachary, La 70791.  
The motion was made by Councilman Womack  
The motion was seconded by Councilwoman O'Brien  
To approve a one-year renewal of a hardship waiver for Mr. & Mrs. Weldon Nuggent to continue a mobile home at 3399 Pride Pt. Hudson Road Zachary, La  
YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
NAYS:                   None  
ABSENT:               None  
ABSTAINED:          None

- c. Hardship Waiver Renewal – Ms. Margaret Judson – 2266 Hwy. 964 Zachary, La 70791

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve a one-year renewal of a hardship waiver for Ms. Margaret Judson to continue a mobile home at 2266 Hwy. 964 Zachary, La

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

NAYS: None

ABSENT: None

ABSTAINED: None

### 3. Other Waivers

- a. Waiver Request – Sam Johnson – 2525 Church Street, Zachary - To waive requirements of Section 9.403 (D) and (E) as well as Table 9.403 B to allow the easterly driveway be closer than 360 feet to the adjacent driveways and to allow the driveway to be offset from the driveway across Church Street.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a waiver request for Sam Johnson – 2525 Church Street, Zachary - To waive requirements of Section 9.403 (D) and (E) as well as Table 9.403 B to allow the easterly driveway be closer than 360 feet to the adjacent driveways and to allow the driveway to be offset from the driveway across Church Street.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Waiver Request – Sam Johnson – 2525 Church Street, Zachary – To waive Section 10.302 (B) which requires the next most opaque classification if existing adjacent development does not have buffer yards so that the property can abide by Table 10.302.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a waiver request for Sam Johnson – 2525 Church Street, Zachary – To waive Section 10.302 (B) which requires the next most opaque classification if existing adjacent development does not have buffer yards so that the property can abide by Table 10.302.

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

NAYS: None

ABSENT: None

ABSTAINED: None

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

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

**I. PLANNING & ZONING MATTERS**-None were presented.

**1. Receive Minutes of the Planning Commission and Zoning Commission meeting.**

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

- a. **Resubdivision**-Un-numbered Tract of the Mollie Loudon Property into Lots 1-9 and 2 out parcels. (8511 Main St.)  
(Suspended from the September 22, 2015 Meeting)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:59 pm. Randy Herring, 23221 Sunnyside Lane was present to speak in favor of the Resubdivision. He asked council for approval. Ken Jones, P.O. Box 720 St. Francisville, La. 70775 was present to speak in favor of the Resubdivision. He represents Mr. Campbell of Superior Ford and tells the council that he is present if anyone has any questions. There being no one to speak against Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:01 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve an Un-numbered Tract of the Mollie Loudon Property into Lots 1-9 and 2 out parcels. (8511 Main St.)

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

NAYS: None

ABSENT: None

ABSTAINED: None

Councilman Noel asked if there will still be access to the residence in the back of the property and Mr. Jones answered that there is a servitude of access.

- b. **Site Plan**- Un-numbered Tract of the Mollie Loudon Property. (8511 Main Street)  
(Suspended from the September 22, 2015 Meeting)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:03 pm. Patrick Campbell, 3100 Fairway Drive, Baton Rouge, La was present to speak in favor of the site plan. He projected the project date to be July 31, 2015. Mayor Amrhein thanked Mr. Campbell for investing in the Zachary Community. There being no one to speak against Mayor Amrhein declared a PUBLIC HEARING to be closed at 7:06 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a site plan for an Un-numbered Tract of the Mollie Loudon Property.  
(8511 Main Street)

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

- c. **Site Plan-** Lot A-1-A-2 of the Rome and Josephine Atkins Tract.  
(2525 Church Street, State Farm)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:06 pm.  
There being no one to speak in favor or against Mayor Amrhein declared a PUBLIC HEARING to be closed at 7:07 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a site plan Lot A-1-A-2 of the Rome and Josephine Atkins Tract.  
(2525 Church Street, State Farm)

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

**ALTER AGENDA:**

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To alter the agenda and to hear item 4-a out of order.

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

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

- a. **Rezone-**Tract CM2-H-1 of the Marshall M. Hughes Tract-  
Prestwick Ct & Iberville Ave- from RS to RU.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:09 pm.  
Joe Howard, 1715 Royal Troon, Zachary, La was present to speak against the rezoning.  
There being no one else to speak in favor or against Mayor Amrhein declared a PUBLIC HEARING to be closed at 7:10 pm.

The motion was made by Councilman Cavin

The motion was seconded by Councilwoman O'Brien

To deny a rezoning of Tract CM2-H-1 of the Marshall M. Hughes Tract-  
Prestwick Ct & Iberville Ave- from RS to RU

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

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d. **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 7:11 pm.  
There being no one to speak in favor or against the Resubdivision Mayor Amrhein  
declared a PUBLIC HEARING to be closed at 7:12 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilman Cavin

To deny a Resubdivision for 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: None  
ABSTAINED: Nezianya (recues)

e. **Resubdivision**-Tract B-1 of the D. E. Annison Property into Lots B-1-A  
and B-1-B.

Mayor Amrhein declared a PUBLIC HEARING to be in session at  
7:13 pm. There being no one there to speak in favor or against Mayor Amrhein declared a  
PUBLIC HEARING to be closed at 7:15 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a Resubdivision for Tract B-1 of the D. E. Annison Property into Lots B-1-A  
and B-1-B.

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

f. **Resubdivision**-Lot B-1-A-1 of the Otey M. Hughes Property into  
Lots B-1-A-1-A, B-1-A-1-B, and B-1-A-1-C.

Mayor Amrhein declared a PUBLIC HEARING to be in session at  
7:15 pm. There being no one to speak in favor or against Mayor Amrhein declared a  
PUBLIC HEARING to be closed at 7:16 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilman O'Brien

To approve a Resubdivision for -Lot B-1-A-1 of the Otey M. Hughes Property into Lots B-1-A-1-A, B-1-A-1-B, and B-1-A-1-C.

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

**3. Planning Matters NOT requiring a Public Meeting-**  
None were presented.

**4. Zoning Matters REQUIRING a Public Hearing**  
Taken up earlier in agenda

a. **Rezone-**Tract CM2-H-1 of the Marshall M. Hughes Tract-  
Prestwick Ct & Iberville Ave- from RS to RU.

b. **Rezone-** Rezone- an un-numbered Tract of the Mollie Loudon Property  
from RE (S-20) to CG (8511 Main St.).  
(Suspended from the September 22, 2015 Meeting)

Mayor Amrhein declared a public hearing to be in session at 7:17 pm. There being no one to speak in favor or against Mayor Amrhein declared a public hearing to be closed at 7:18 pm.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a rezoning of an un-numbered Tract of the Mollie Loudon Property from RE (S-20) to CG (8511 Main St.).

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

**5. Zoning Matters NOT Requiring Public Hearing-**None were presented.

**6. Other Matters-** None were presented.

**J. APPROVE PAYMENT OF BILLS**

**K. BOOKKEEPING AND BUDGET CHANGES-**None were presented.

**L. OLD BUSINESS PENDING FOR FINAL ACTION-** None were presented.



**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.

**N. 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. Introduce Ordinance #2015-12 – Authorizing the City Of Zachary to Amend the Code of Ordinances §§ 32 and 58 Relating to the Prosecution of Criminal and Traffic Offences within the corporate limits of the City of Zachary and for other matters related thereto. (Ricky McDavid)(Tabled from October 13, 2015 Meeting)  
The motion was made by Councilman Womack  
The motion was seconded by Councilman Noel  
To Table Ordinance #2015-12 – Authorizing the City Of Zachary to Amend the Code of Ordinances §§ 32 and 58 Relating to the Prosecution of Criminal and Traffic Offences within the corporate limits of the City of Zachary and for other matters related thereto.  
YEAS: Nezianya, Noel, O’Brien, Cavin, Womack  
NAYS: None  
ABSENT: None  
ABSTAINED : None
4. Presentation of Insurance Renewals – John Norris Insurance  
(Taken up earlier in agenda)

**O. REPORTS FROM DEPARTMENT HEADS**

None were presented.

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

John Hopewell was present to update Mayor Amrhein and the Council about the Hotel Occupancy Tax that passed at the October 24, 2015 election. He said that the item will be on the November 10, 2015 agenda to discuss the rate. Mayor Amrhein thanked the citizens that voted for the tax.

**Q. ADJOURNMENT**

The meeting adjourned at 7:22 pm.

**CERTIFICATION**

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**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 27, 2015, a proper quorum being there and then present.

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