

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, November 22, 2016, 6:30 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Laura O'Brien called the meeting to order at 6:30 p.m., on Tuesday November 22, 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 Councilman Cavin

C. OPENING PROCEDURES

1. ROLL CALL

COUNCIL MEMBERS

Laura O'Brien – District 3
Ben Cavin – District 4
Tommy Womack – District 5

ABSENT

Mayor David Amrhein
Francis Nezianya – District 1
Brandon Noel – District 2

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Mayor Pro Tem Laura O'Brien 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

1. Minutes of the November 1, 2016 special meeting and November 09, 2016 regular meeting.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To waive the reading of the minutes of the November 1, 2016 special meeting and

3. Other Variances

a. **Variance Request** – Jason Broussard – 3750 Nelson Street – To allow for less rear setbacks than required by Table 2.401 of the UDC. (Amy Schulze)

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve a **Variance Request** – Jason Broussard – 3750 Nelson Street – To allow for a less rear setbacks than required by Table 2.401 of the UDC

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

b. **Variance Request** – Jason Broussard – 3750 Nelson Street – To allow for a second electrical meter for a secondary building. (Amy Schulze)

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve a **Variance Request** – Jason Broussard – 3750 Nelson Street – To allow for a second electrical meter for a secondary building.

YEAS: O'Brien, Cavin, Womack
NAYS: None
ABSENT: Neziyanya, Noel
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 November 7, 2016 of the Planning Commission and the Minutes of the Regular meeting of November 7, 2016 of the Zoning Commission.

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To Receive Minutes of the Regular meeting of November 7, 2016 of the Planning Commission and the Minutes of the Regular meeting of November 7, 2016 of the Zoning Commission.

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

- **Planning Matters REQUIRING a Public Hearing**

a. Resubdivision – Preliminary Plat – Americana Phase 4 D (Amy Schulze)
Mayor Pro Tem Laura O'Brien declared a PUBLIC HEARING to be in session at 6:37 p.m. Amy Schulze was present to speak on this item. She explained that this tract is a portion of Americana that is located in front of The Pointe. She also said that it was recommended for approval by the Planning and Zoning Board. Jerry Spears, 535 Mount Pleasant Rd., Zachary, La was present to speak against the resubdivision. He questioned the council about the drainage issues that affect that area. Amy Schulze explained that the drainage study had been completed and said more drainage would be added and also the tract would drain to the existing ponds. There being no one else to speak for or against the resubdivision Mayor Pro Tem Laura O'Brien declared the PUBLIC HEARING to be closed at 6:39 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a Resubdivision – Preliminary Plat – Americana Phase 4 D

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

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

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

a. **Conditional Use** – Home based business – Todd Builders, LLC – 7100 Pride Port Hudson Road (Amy Schulze)
Mayor Pro Tem Laura O'Brien declared a PUBLIC HEARING to be in session at 6:39 p.m. Amy Schulze was present to speak on this item. She explained that the owner would only do paperwork from this location and no equipment would be stored there. Mr. Victor Todd, Sr., 9047 Veal St., Central, La was present to answer any questions if needed. There being no one else to speak for or against the conditional use permit Mayor Pro Tem Laura O'Brien declared the PUBLIC HEARING to be closed at 6:41 p.m.

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a **Conditional Use** permit for a Home based business to Todd Builders, LLC at 7100 Pride Port Hudson Road.

YEAS: O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya, Noel

ABSTAINED: None

- b. **Conditional Use** – Homes based business – KA – Corp, LLC – 5762 Rollins Road (Amy Schulze)

Mayor Pro Tem Laura O'Brien declared a PUBLIC HEARING to be in session at 6:42 p.m. Amy Schulze was present to speak on this item. She explained that this was a clothing retailer. Keva Washington, 5762 Rollins Road, Zachary, La was present to speak in favor of the conditional use permit. She explained that she sets up at different locations to sell her products. The council explained to her that there are no signs allowed and no traffic allowed. There being no one else to speak in favor or against the conditional use permit Mayor Pro Tem Laura O'Brien declared the PUBLIC HEARING to be closed at 6:43 p.m.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve a **Conditional Use** permit for a home based business to KA – Corp, LLC – 5762 Rollins Road.

YEAS: O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya, Noel

ABSTAINED: None

- c. **Conditional Use** – Alcohol – DG Louisiana #13245 – 20131 Plank Road (Amy Schulze)

Mayor Pro Tem Laura O'Brien declared a PUBLIC HEARING to be in session at 6:44 p.m. Amy Schulze was present to speak on this item. She explained that this store is located on Plank Road. She also explained that the application only said for the sale of beer and wine. There being no one to speak for or against the conditional use permit Mayor Pro Tem Laura O'Brien declared the PUBLIC HEARING to be closed at 6:48 p.m.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve a **Conditional Use** permit for Alcohol to DG Louisiana #13245 located at 20131 Plank Road for beer and wine only.

YEAS: O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya, Noel

ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters-Requiring a Public Hearing

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

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. **Adoption of Ordinance 2016-22 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**
(John Hopewell)

Mayor Pro Tem Laura O'Brien declared a PUBLIC HEARING to be in session at 6:49 p.m. Mr. Jerry Osbourne, Foley and Judell, LLP, 365 Canal Street, New Orleans, La was present to explain the Bond process. There being no one to speak for or against the adoption of the ordinance Mayor Pro Tem Laura O'Brien declared the PUBLIC HEARING to be closed at 6:57 p.m.

The motion was made by Councilman Cavin

The motion was second by Councilman Womack

To approve **Adoption of Ordinance 2016-22 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: O'Brien, Cavin, Womack

NAYS: None

ABSENT: Nezianya, Noel

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)**

ALT R. SPECIAL EXECUTIVE SESSION, IF ANY

S. ADJOURNMENT
The meeting adjourned at 7:02 p.m.

CERTIFICATION

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

Laura O'Brien, Mayor Pro Tempore

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 Pro Tempore and Council of the City of Zachary, Louisiana, held on Tuesday, November 22, 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