

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, December 13, 2016, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday December 13, 2016 at the Zachary City Hall located at 4700 Main Street, Zachary, LA.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilwoman O'Brien

Pledge of Allegiance by Councilman Cavin

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

D. READING OF THE MINUTES

1. Minutes of the November 22, 2016 regular meeting and December 01, 2016 regular meeting.

The motion was made by Councilman Cavin

The motion was second by Councilwoman O'Brien
To waive the reading of the minutes of the November 22, 2016 regular meeting and
approve them as presented.

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

To waive the reading of the minutes of the December 01, 2016 regular meeting and
approve them as presented.

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

E. HONORS, RECOGNITIONS AND INTRODUCTIONS

Mayor Amrhein thanked all the volunteers for helping at the Christmas Open House and
Christmas in the Village.

K. F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

- **Street/Road Projects**
- **Sewer**

3. Subdivision Inspections

4. Water and Gas Projects

G. PRESENTATION OF DELEGATIONS

- **Requests to Speak**

2. Hardship Waivers

3. Other Variances

- a. 22593 Old Scenic Hwy- Vivian Wright- to allow for a lesser amount of
road frontage- related To a resubdivision

The motion was made by Councilman Nezianya

The motion was second by Councilman Womack

To approve a variance to 22593 Old Scenic Hwy, Vivian Wright to allow for a lesser amount
of road frontage related to a resubdivision.

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

NAYS: None
ABSENT: None
ABSTAINED: None

- b. 21085 Hwy 964 – Gibko signs- Ladd Rhodes (for Big Red Self Storage)- to allow for a larger Attached building sign than allowed in Table 5.301 B of the UDC

The motion was made by Councilman Womack
The motion was second by Councilman Cavin

To approve a variance to 21085 Hwy 964, Gibko signs- Ladd Rhodes (for Big Red Self Storage)- to allow for a larger Attached building sign than allowed in Table 5.301 B of the UDC.

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

- c. ESL, LLC – Steve Leonard- owner of Red Door Storage-to allow a request for a waiver of Section 11.507 (c) of the UDC regarding the requirement of a masonry wall around the perimeter of the facility.

The motion was made by Councilman Cavin
The motion was second by Councilman Womack

To approve a variance to ESL, LLC, Steve Leonard- owner of Red Door Storage- to allow a request for a waiver of Section 11.507 (c) of the UDC regarding the requirement of a masonry wall around the perimeter of the facility and contingent upon the minimum standard of an opaque wooden fence.

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

- d. ESL, LLC – Steve Leonard – owner of Red Door Storage-to allow a request for a waiver of Section 11.500 of the UDC regarding the continuation of architectural styles of the existing buildings at the facility.

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

To approve a variance to ESL, LLC, Steve Leonard – owner of Red Door Storage-to allow a request for a waiver of Section 11.500 of the UDC regarding the continuation of architectural styles of the existing buildings at the facility.

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

- e. John M. Cordray – 3437
Vernon Drive – request to allow a home
office for

a consulting business.

The motion was made by Councilman Womack
The motion was second by Councilman Nezianya

To approve a variance to John M. Cordray, 3437 Vernon Drive to request to allow a home office for a consulting business.

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.

• Planning Matters REQUIRING a Public Hearing

- a. **Resubdivision**- Tract CM2-A-1-B of the Marshall M Hughes Tract (End of Carnoustie- Copper Mill)Owner: Equity Land Developers, LLC; Applicant: Ken Jones, Member- (as agent)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:13 p.m. Amy Schulze was present to speak. She explained that the resubdivision meets all requirements of the Unified Development Code and was recommended for approval at the Planning and Zoning meeting. There being no one to speak in favor or against Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:16 p.m.

The motion was made by Councilman Nezianya
The motion was second by Councilman Cavin

To approve a **Resubdivision**- Tract CM2-A-1-B of the Marshall M Hughes Tract (End of Carnoustie- Copper Mill)Owner: Equity Land Developers, LLC; Applicant: Ken Jones, Member- (as agent)

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

- a. **Conditional Use-** Alcohol – Lot Z-1-A-1-A of the Marshall M Hughes Tract (1210 Independence Blvd.)Owner: David Gaines; Applicant: Ken Jones)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:18 p.m. Amy Schulze was present to speak. She explained that this tract was rezoned as CG contingent upon being a restaurant. Ken Jones, 6819 St. Francisville, La 70775 was present to speak in favor and to answer any questions necessary. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:26 p.m.

The motion was made by Councilman Noel

The motion was second by Councilwoman O'Brien

To approve a **Conditional Use-** Alcohol – Lot Z-1-A-1-A of the Marshall M Hughes Tract (1210 Independence Blvd.)Owner: David Gaines; Applicant: Ken Jones)

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

- b. **Conditional Use-** Manufactured Home- 21746 W.J. Wicker Road Owner: Cheryl Wicker Hutchinson; Applicant: Brennan Hutchinson

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:26 p.m. Amy Schulze was present to speak. She explained that this conditional use permit was required to replace an existing mobile home. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:28 p.m.

The motion was made by Councilman Nezianya

The motion was second by Councilman Womack

To approve a **Conditional Use-** Manufactured Home- 21746 W.J. Wicker Road Owner: Cheryl Wicker Hutchinson; Applicant: Brennan Hutchinson

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

- c. **Conditional Use-** Manufactured Home Replacement- 9018 Dottie Lee owner/Applicant: Donald Ard

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:28 p.m. Amy Schulze was present to speak. She explained that this mobile home was lost in the August 2016 flood. She said that there is an existing house pad in place and this conditional use permit was recommended for approval at the Planning and Zoning meeting. There being no one to speak in favor or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:30 p.m.

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Cavin

To approve a **Conditional Use-** Manufactured Home Replacement- 9018 Dottie Lee
owner/Applicant: Donald Ard

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

NAYS: None

ABSENT: None

ABSTAINED: None

d. **Conditional Use-** Manufactured Home Replacement – 7822 Main Street

Owner/Applicant: Joyce Causey

Mayor Amrhein declared the PUBLIC HEARING to be in session at 7:30 p.m. Amy Schulze was present to speak. She explained that this was mobile home was lost in the August 2016 flood. There being no one to speak in favor or against the conditional use permit Mayor Amrhein de clared the PUBLIC HEARING to be closed at 7:33 p.m.

The motion was made by Councilman Womack

The motion was second by Councilman Cavin

To approve a **Conditional Use-** Manufactured Home Replacement – 7822 Main Street
Owner/Applicant: Joyce Causey

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

NAYS: None

ABSENT: None

ABSTAINED: None

e. **Conditional Use-** Hardship Renewal Manufactured Home- 22661 Old

Scenic Hwy Owner: Margaret Judson; Applicant: Margaret

Judson/Clarence Stanley Judson

Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:33 p.m. Amy Schulze was present to speak. She explained that the conditional use permit was recommended for approval at the Planning and Zoning meeting. Clarence Judson, 22649 Old Scenic Hwy, Zachary was present to speak in favor of the conditional use permit. He said he would replace the septic tank cover and also the steps. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:37 p.m.

The motion was made by Councilman Cavin

The motion was second by Councilwoman O'Brien

To approve a **Conditional Use- Conditional Use-** Hardship Renewal Manufactured Home- 22661 Old Scenic Hwy Owner: Margaret Judson; Applicant: Margaret Judson/ Clarence Stanley Judson contingent upon approval from the Chief Building Official, Scott Masterson.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- f. **Conditional Use – Hardship Renewal Manufactured Home- 3399 Pride Port Hudson Road Owner: Weldon and Barbara Nugent; Applicant: Weldon and Barbara Nugent/ Anna Kendrick**

Mayor Amrhein declared the PUBLIC HEARING to be in session at 7:39 p.m. Amy Schulze was present to speak. She explained that there are three mobile homes located on the tract. She said that this item was recommended for approval at the Planning and Zoning meeting. Anna Kendrick, 3399 Port Hudson Pride Road, Zachary, La was present to speak in favor of the conditional use permit. She explained to the council the time line of how each mobile home was placed there. Ms. Kendrick explained that there was a financial for her at one time but now her mother is sick and she takes care of her. It was recommended to Ms. Kendrick to either resubdivide the property or come back to the council with a new application. There being no one to speak against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:54 p.m.

The motion was made by Councilman Cavin

The motion was second by Councilman Noel

To table a **Conditional Use- Hardship Renewal Manufactured Home- 3399 Pride Port Hudson Road Owner: Weldon and Barbara Nugent; Applicant: Weldon and Barbara Nugent/ Anna Kendrick**

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

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters-Requiring a Public Hearing

J. APPROVE PAYMENT OF BILLS

- Approve Accounts Payable and the natural gas bill when it is received.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve accounts payable in the amount of \$ 365,250.90 and the natural gas bill when it is received.

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

I. BUDGET AND FINANCIAL MATTERS

1. Approval of renewal of Workers Compensation Insurance for the 2017 year

The motion was made by Councilman

Nezianya

The motion was seconded by Councilman Womack

To approve/deny Approval of renewal of Workers

Compensation Insurance for the 2017
Year.

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

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. Authorization to advertise for bids for the replacement of the Mayor's
vehicle lost during the August 2016 flood.
The motion was made by Councilman
Womack
The motion was seconded by Councilman Nezianya
To approve Authorization to advertise for bids for the replacement of the Mayor's vehicle
lost during the August 2016 flood.
YEAS: Nezianya, Noel, O'Brien, Cavin, Womack
NAYS: None
ABSENT: None
ABSTAINED: None
2. **Introduction of Ordinance** 2016-24 to Declare certain movable property
belonging to the City to be surplus in order to dispose of the same.
The motion was made by Councilman Noel
The motion was seconded by Councilwoman O'Brien
To approve **Introduction of Ordinance** 2016-24 to Declare certain movable

property belonging to the City to be surplus in order to dispose of the same.

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

NAYS: None

ABSENT: None

ABSTAINED: None

3. Approval of amendment to special counsel contract for Michael West of the Baker Donelson law firm relating to the Alvin Jackson vs City of Zachary Matter.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Noel

To approve Approval of amendment to special counsel contract for Michael West of the Baker Donelson law firm relating to the Alvin Jackson vs City of Zachary Matter.

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

NAYS: None

ABSENT: None

ABSTAINED: None

4. **Adoption of Ordinance** 2016-23 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME

The motion was made by Councilman

Nezianya

The motion was seconded by Councilwoman O'Brien

To approve **Adoption of Ordinance** 2016-23 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE THE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL OF SAME

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

NAYS: None

ABSENT: None

ABSTAINED: None

5. Approval of Council Meeting dates for the year 2017

The motion was made by Councilman

Womack

The motion was seconded by Councilman Noel

To approve Council Meeting dates for the year 2017 with adjustments for the December meetings.

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

NAYS: None

ABSENT: None

ABSTAINED: None

6. Approval of City of Zachary Holidays for the year 2017

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Approval of City of Zachary Holidays for the year 2017

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)**

ALT R. SPECIAL EXECUTIVE SESSION, IF ANY

S. ADJOURNMENT
The meeting was adjourned at 8:17 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, December 13, 2016, a proper quorum being there and then present.

Dana Poole, Clerk of the City Council

