

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, January 22, 2019, 6:30 P.M.**

A. CALL TO ORDER

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday January 22, 2019 at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman Nezianya

Pledge of Allegiance by Councilman Landry

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David Amrhein

COUNCIL MEMBERS

Francis Nezianya – District 1

Brandon Noel – District 2

Laura O’Brien – District 3

Hunter Landry – District 4

Lael Montgomery – District 5

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 Councilwoman O’Brien

The motion was seconded by Councilman Landry

To amend the agenda to add a variance application.

YEAS: Nezianya, Noel, O’Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the January 8, 2019 regular meeting.
The motion was made by Councilman Nezianya
The motion was seconded by Councilwoman O'Brien
To approve the Minutes of the January 8, 2019 regular meeting and approve them with corrections noted.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
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**
3. **Subdivision Inspections**
4. **Water and Gas Projects**
5. **Other Projects**

G. PRESENTATION OF DELEGATIONS

1. **Requests to Speak**

John LeBlanc, 1420 Eagle Drive, Zachary, was present to speak to Mayor Amrhein and the Council members regarding the status of the speed trailer.

Tamara Frank, 4140 Rosewood Street, Zachary, was present to speak to Mayor Amrhein and the Council members regarding the signs and the red light located at Hwy 64 and Church.

ALTER AGENDA

Variance Request – John and Carla Umphlett, 5768 Deanne Marie Drive, Zachary- to allow for a 20x20 accessory building with plumbing.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve a **Variance Request** – John and Carla Umphlett, 5768 Deanne Marie Drive, Zachary- to allow for a 20x20 accessory building with plumbing.

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

RETURN TO REGULAR ORDER

- 2. **Hardship Waivers**
- 3. **Other Variances**
- 4. **Exceptions to Regulations**

H. ACTION MANDATED BY HOME RULE CHARTER

- 1. Election of the 2019 Mayor Pro Tem
The motion was made by Councilman Nezianya
The motion was seconded by Councilwoman O'Brien
To approve the Election of Council Noel as the 2019 Mayor Pro Tem.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None
- 2. Appointments to Boards, Commissions, Committees
 - a. ABC Board
 - b. Municipal Civil Service Board
 - c. Fire & Police Civil Service Board
 - d. Zachary Historic Village Board

No action required on this item.

I. PLANNING & ZONING MATTERS

- 1. **Receive Minutes of the Regular meeting of the January 7, 2019 and January 10, 2019 of the Planning Commission and the Minutes of the Regular meeting of January 7, 2019 and January 10, 2019 of the Zoning Commission.**
The motion was made by Councilman Nezianya
The motion was seconded by Councilwoman O'Brien
To Receive Minutes of the Regular meeting of the January 7, 2019 and January 10, 2019 of the Planning Commission and the Minutes of the Regular meeting of January 7, 2019 and January 10, 2019 of the Zoning Commission.
YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

a. Site Plan – Americana – Garden Shed – Pavilion

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:45 p.m. Marlon Lemond was present to explain the item to the council members. Marlon explained that the Planning and Zoning Commission recommended this item for approval. Andy Hursey, 5184 Sarah Drive, Baton Rouge was present to speak in favor of the site plan. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:48 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Nezianya

To approve a Site Plan – Americana – Garden Shed – Pavilion.

YEAS: Nezianya, Noel, O'Brien, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: Landry

b. Site Plan – Days Inn (Hwy 19)

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:48 p.m. Marlon Lemond was present to explain the item to the council members. Marlon explained that the Planning and Zoning Commission recommended this item for approval. Theresa Cop, 1076 Carney Road, Zachary, whom represents Patel Construction, was present to speak in favor of the site plan. Mr. Patel, 17565 Lake Willow Drive, Baton Rouge, was also present to speak in favor of the site plan. Angela Alan, 5120 St. Louis Street, was present to speak in opposition of this item. Ms. Alan expressed her concerns with sex trafficking, vehicle traffic, senior citizens, the safety of children, and drug usage in the area. Rosa Peterson, 5262 Lennox Street, was present to speak in opposition of the item expressing her concerns of widows who live in the area, drug usage, and safety for the elderly citizens. Marla Hebert, 5244 Harlem Street, was present to speak in opposition of the site plan. Ms. Hebert expressed her same concerns. Ms. Rita Costen, 5301 Lennox Street, was present to speak in opposition of the site plan. Ms. Dorothy Harris White, 5243 Old Slaughter Road, was present to speak in opposition of the site plan. Ms. White expressed her concerns of the daycare in the area. Jamal White, 5949 St. Louis Street, was present to speak in opposition of the site plan. Mr. White explained that he is raising a young family at this time and does not want a motel in his backyard. Tracey Bethley, 4709 Ave Z, was present to speak in opposition of the site plan stating that building a motel in that neighborhood would be detrimental. Larry White, 912 Meadow Glen, was present to speak in opposition of the site stating his concerns of increased traffic and response times for emergency vehicles. Tamara Frank, 4140 Rosewood Street, also spoke against the site plan. Renea White, 5440 Cathcart Lane, was also present to speak against the site plan. Council members each expressed their own concerns bringing another Hotel/Motel to Zachary. There being no one else to speak in favor or against the site plan Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:22 p.m.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve a Site Plan – Days Inn (Hwy 19)

YEAS: Nezianya, Noel, O'Brien,
NAYS: Montgomery
ABSENT: None
ABSTAINED: Landry

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

a. Rezone – Tract 1 of the George Annison Property, From S-20/RE to RS
Mayor Amrhein declared a PUBLIC HEARING to be in session at 7:35 p.m. Marlon Lemond was present to explain the item to the council members. Stephen Favorite, 3391 Hwy 1, Donaldsonville, was present to speak in favor of the rezone. Joe Lamb, 5325 Lower Zachary Road, was present to speak in opposition of the rezone. Dwight Llander, 13118 Joor Road, was present to speak in opposition of the rezone stating his concerns of infrastructure issues. There being no one else to speak in favor or against the rezone Mayor Amrhein declared the PUBLIC HEARING to be closed at 7:42 p.m.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Montgomery

To approve a Rezone – Tract 1 of the George Annison Property, From S-20/RE to RS

YEAS: Nezianya, Noel, O'Brien, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: Landry

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

J. APPROVE PAYMENT OF BILLS

K. BUDGET AND FINANCIAL MATTERS

1. Receive Balance Sheet and Income Statement for the month of December 2018.

The motion was made by Councilman Noel

The motion was seconded by Councilman Nezianya

To Receive Balance Sheet and Income Statement for the month of December 2018.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

1. **Adoption of Ordinance 2018-26** An ordinance authorizing the City of Zachary, Louisiana, to enter into a Cooperative Endeavor Agreement with respect to economic development projects within Zachary Commons Economic Development District; approving the form and terms of such agreement; and taking other matters in connection therewith (John Hopewell)
(Tabled from the December 11, 2018 meeting and until further notice)

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. Removal of stop signs at East Central and Rollins Place and removal of signs on Rollins at Church.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the removal of stop signs at East Central and Rollins Place and removal of signs on Rollins at Church and to add additional four-way stop sign.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

2. Discussion and resolution of procedure on selecting Planning and Zoning Commissioners.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Landry

To approve the procedure on selecting Planning and Zoning Commissioners as follows: Each council member will appoint a commissioner and the Mayor will appoint two commissioners.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

3. Election of Economic Development Council Member for the Chamber of Commerce.

The motion was made by Councilman Noel

The motion was seconded by Councilman Landry

To approve Councilman Nezianya and Councilwoman O'Brien as the new Economic Development Council Members for the Chamber of Commerce for 2019

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

4. Appointment of Planning and Zoning member for expired term of Billy Kline
Action was taken on this item during the discussion on item N2.

5. Discussion and approval of dates and start time for council meetings for 2019

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve the dates and start time for council meetings for 2019.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

6. Approval and execution of new council members bank signature cards

The motion was made by Councilman Nezianya

The motion was seconded by Councilwoman O'Brien

To approve new council members bank signature cards.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

7. **Introduction of Ordinance 2019-01** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF A CERTAIN 5 ACRES OF THE JULIUS JOHNSON ESTATE PROPERTY KNOWN AS TRACT C AND LOCATED IN §80, T4S-R1W, GREENSBURG LAND DISTRICT, AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve **Introduction of Ordinance 2019-01** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF A CERTAIN 5 ACRES OF THE JULIUS JOHNSON ESTATE PROPERTY KNOWN AS TRACT C AND LOCATED IN §80, T4S-R1W, GREENSBURG LAND DISTRICT, AND WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery

NAYS: None

ABSENT: None

ABSTAINED: None

8. Appointment of surplus sale committee member.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Councilman Landry as the new Appointment of surplus sale committee member.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

9. Approval of Special Counsel Contract for Shelton Dennis Blunt, (Phelps Dunbar) substituting for (Winston Decuir, Jr. (Decuir, Clark & Adams) in the *Alvin Jackson vs Americana & CoZ* matter.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Landry

To approve a Special Counsel Contract for Shelton Dennis Blunt, (Phelps Dunbar) substituting for (Winston Decuir, Jr. (Decuir, Clark & Adams) in the *Alvin Jackson vs Americana & CoZ* matter.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

10. Resolution of Council allowing the Mayor the discretion to set policy that could require the Utilities department or Public Works to automatically refer any matter involving the suspected intentional tampering of utility meters by customers to the Zachary Police Department for further investigation.

The motion was made by Councilman Landry

The motion was seconded by Councilwoman O'Brien

To approve a Resolution of Council allowing the Mayor the discretion to set policy that could require the Utilities department or Public Works to automatically refer any matter involving the suspected intentional tampering of utility meters by customers to the Zachary Police Department for further investigation.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

11. Discussion of Renewal of existing Lease of a portion of Zachary Community Center to the Division of Human Development and Services, Office of Social Services, City of Baton Rouge, Parish of East Baton Rouge with possible change in lease terms.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O'Brien

To approve Discussion of Renewal of existing Lease of a portion of Zachary Community Center to the Division of Human Development and Services, Office of Social Services, City of Baton Rouge, Parish of East Baton Rouge with possible change in lease terms.

YEAS: Nezianya, Noel, O'Brien, Landry, Montgomery
NAYS: None
ABSENT: None
ABSTAINED: None

O. CONDEMNED BUILDINGS - PUBLIC HEARINGS OR OTHER ACTION REGARDING BUILDINGS BEING CONSIDERED FOR CONDEMNATION

1. **Review/Reports relative to Proposed/Active Condemnations**

P. REPORTS FROM DEPARTMENT HEADS

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

R. ADJOURNMENT
The meeting was adjourned at 8:32 p.m.

CERTIFICATION

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

David Amrhein, Mayor

I, Dana LeJeune, 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, January 22, 2019 a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council