

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, February 09, 2016, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday February 09, 2016 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 Councilwoman O'Brien

**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**

The motion was made by Councilwoman O'Brien

The motion was second by Councilman Cavin

To waive the reading of the minutes of the January 26, 2016 Regular 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**

a. Pay Estimate #15 Mount Pleasant Boulevard

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve Pay Estimate #15 Mount Pleasant Boulevard in the amount of \$461,196.70 to RJ Daigle & Sons Contractors, Inc.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**2. Sewer**

a. Pay Estimate #3 Sanitary Sewer Collection System Improvements – Contract 6

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve Pay Estimate #3 Sanitary Sewer Collection System Improvements – Contract 6 in the amount of \$71,578.89 to Insituform Technologies, LLC

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**

**ADDENDUM TO THE AGENDA**

**3. Other Variances**

- a. Walter Scott Venable –4114 N. Vernon Road, Zachary- Table 2.503

Maximum Height on Detached Accessory Building.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a variance to Walter Scott Venable, 4114 N. Vernon Road, Zachary to Table 2.503 Maximum Height on Detached Accessory Building.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Fabian Herrera-5041 Hwy 19, Zachary – Table 9.402 for the minimum lot frontage and Table 9.403B for the minimum, connection spacing for lots A-4-A-1 and A-5-A-1 of the G.B. Annison Property.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a variance to Fabian Herrera, 5041 Hwy 19, Zachary to Table 9.402 for the minimum lot frontage and Table 9.403B for the minimum, connection spacing for lots A-4-A-1 and A-5-A-1 of the G.B. Annison Property.

YEAS: Nezianya, Noel, O'Brien, Womack

NAYS: None

ABSENT: None

ABSTAINED: Cavin

- c. Robert J. Boudreaux – Carpenter Road Fire Station, Zachary – Table 2.601 Front Setback allowance from 50' to 30'. Section 2.705.C.4.A. To allow a wood fence in lieu of masonry. EMS Station #8

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve a variance to Robert J. Boudreaux Carpenter Road EMS Station #8, Zachary to Table 2.601 Front Setback allowance from 50' to 30'. and to deny a variance to Section 2.705.C.4.A. To allow a wood fence in lieu of masonry.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- d. Robert J. Boudreaux – Carpenter Road Fire Station, Zachary – Table 1.403 – To allow a public service facility on a local street, in lieu of an arterial or collector street. EMS Station #8

The motion was made by Councilman Womack

The motion was seconded by Councilman Cavin

To approve a variance to Robert J. Boudreaux Carpenter Road EMS Station #8, Zachary to Table 1.403 to allow a public service facility on a local street, in lieu of an arterial or collector street.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- e. Robert J. Boudreaux – Carpenter Road Fire Station, Zachary – Section 11.504.C.1.A. To allow prefabricated wall panels. EMS Station #8

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a variance to Robert J. Boudreaux Carpenter Road EMS Station #8, Zachary to Section 11.504.C.1.A. to allow prefabricated wall panels. The Council noted that this ruling will not set a precedence on approving metal buildings in the future.

YEAS: Nezianya, Noel, Cavin, Womack

NAYS: O'Brien

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 February 01, 2016 of the Planning Commission and the Minutes of the Regular meeting of February, 2016 of the Zoning Commission.**

The motion was made by Councilman Nezianya

The motion was second by Councilman Womack

To Receive Minutes of the Regular meeting of February 01, 2016 of the Planning Commission and the Minutes of the Regular meeting of February 01, 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**

- a. **Resubdivision-** Lot B-1-A-2 of the James Pickering Tract into 4 lots (A, B, C, D)

Amy Schulze was present to speak to the council and ask to continue the extension to the Public Hearing until the February 23, 2016 meeting.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To continue the extension of the Public Hearing and Table a Resubdivision- Lot B-1-A-2 of the James Pickering Tract into 4 lots (A, B, C, D) until the February 23, 2016 Council meeting.

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**

**5. Zoning Matters NOT Requiring Public Hearing**

**6. Other Matters**

- a. To move a house onto Tract BB-1-A of the Pearl Hickman Property, Having a physical address of 3499 Shaffett Lane, Zachary, La.

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:59 pm. Scott Masterson was present to speak and explained that Mr. Hamilton purchased a house in from of Live Oak Trace Subdivision and is requesting to relocate the house to this address. He told the council that the advertising had been posted properly. Amy Schulze was present to speak and explained that the zoning of the property does allow mixed housing. Councilman Noel noted that Mr. Hamilton take into consideration the time that the schools dismiss so that traffic would not be an issue when moving the house. There being no one to speak in favor or against Mayor Amrhein declared a PUBLIC HEARING to be closed at 7:03 pm.

The motion was made by Councilman Nezianya

The motion was seconded by Councilman Noel

To approve Mr. Norvel Hamilton to move a house onto Tract BB-1-A of the Pearl Hickman Property, Having a physical address of 3499 Shaffett Lane, Zachary, La.

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

**J. APPROVE PAYMENT OF BILLS**

1. Approve Accounts Payable and the natural gas bill when it is received.  
The motion was made by Councilman Womack  
The motion was seconded by Councilman Cavin  
To Approve Accounts Payable in the amount of \$650,784.27 and the natural gas bill when it is received.  
YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
NAYS:                   None  
ABSENT:               None  
ABSTAINED:          None

**K. BOOKKEEPING AND BUDGET CHANGES**

**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.

**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.     Present new prices for water and gas installation/taps and meters for residential and commercial customers.  
          The motion was made by Councilman Womack  
          The motion was seconded by Councilman Nezianya  
       To approve new prices for water and gas installation/taps and meters for residential and commercial customers.  
       YEAS:                   Nezianya, Noel, O'Brien, Cavin, Womack  
       NAYS:                   None  
       ABSENT:               None

ABSTAINED: None

4. Discussion of Resolution Authorizing any of the two employee members of the Zachary Municipal Fire and Police Civil Service Board to serve without being required to be residents or qualified voters of Zachary or residents of East Baton Rouge Parish - pursuant to §2476(B)(1)(c) of Title 33 of the Louisiana Revised Statutes of 1950.

The motion was made by Councilwoman O'Brien

The motion was seconded by Councilman Noel

To approve a Resolution Authorizing any of the two employee members of the Zachary Municipal Fire and Police Civil Service Board to serve without being required to be residents or qualified voters of Zachary or residents of East Baton Rouge Parish - pursuant to §2476(B) (1) (c) of Title 33 of the Louisiana Revised Statutes of 1950.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**O. REPORTS FROM DEPARTMENT HEADS**

John Hopewell was present to speak to the Council about the Millage rates. He told the Council that it was time to discuss this issue and it will be on the next agenda.

Scott Masterson also submitted to the council pictures of a house that will need to be added to the condemnation list.

Mayor Amrhein announced that Louisiana Day would be held at Northwestern Elementary at 1:00 pm on February 12, 2016.

**P. DISCUSSION OF BUSINESS NOT ON AGENDA**

**(No Action May Be Taken Unless Declared an Emergency)**

**Q. ADJOURNMENT**

The meeting was adjourned at 7:20 pm.

**CERTIFICATION**

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

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**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, February 09, 2016, a proper quorum being there and then present.

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