

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, February 14, 2017, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor Amrhein called the meeting to order at 6:30 p.m., on Tuesday February 14, 2017 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 Noel

**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 January 24, 2017 Regular Meeting.

The motion was made by Councilman Womack

The motion was seconded by Councilwoman O'Brien

To approve the Minutes of the January 24, 2017 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**

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

• **Street/Road Projects**

a. Zachary Youth Park Lighting

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a payment in the amount of \$431,136.00 to Global Synthetics Environmental, LLC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

b. 2016 Road Rehab. & Improvement Program Retainage

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To approve a #3 Retainage Fee in the amount of \$26,977.48 to RJ Daigle & Sons Contractors, Inc.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**2. Sewer**

**3. Subdivision Inspections**

**4. Water and Gas Projects**

**G. PRESENTATION OF DELEGATIONS**

- **Requests to Speak**

- a. Dwayne Hill, 4817 Rollins Road, Zachary, La – Extension on removal of vehicle.

Mr. Hill was not able to attend the meeting. The Code Enforcement Officer, Mr. William Johnson, 14044 Brandon Drive, Baker, La was present to speak. He explained that the first citation was issued to the property owners in 2011. He explained that a pit bull dog was fenced in the yard and he could not get in touch with Mr. Hill. Mayor Amrhein recommended Mr. Johnson to call law enforcement to assist in the removal of the car and Animal Control to assist with the dog. Mayor Amrhein also explained to the Council that more complaints from residents all over the City have been coming in to his office.

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To deny the extension of removal of a vehicle located at 4817 Rollins Road, Zachary, La 70791 to Mr. Dwayne Hill.

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

NAYS: None

ABSENT: None

ABSTAINED: None

## 2. **Hardship Waivers**

### 3. **Other Variances**

- a. Molly Myers Dance Studio, 1495 Church St., Zachary, La – To allow spacing less than the 360' shown in table 9.403B of the UDC.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Nezianya

To approve a variance to Molly Myers Dance Studio, 1495 Church St., Zachary, La – To allow spacing less than the 360' shown in table 9.403B of the UDC.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Whitney Bank, 5440 Main St., Zachary, La, - To allow for a freestanding sign to be placed closer to the property line than the 10' allowed in Section 5.303.B.1 of the UDC. (Move existing sign due to ROW shift)

The motion was made by Councilman Womack

The motion was seconded by Councilman Nezianya

To approve a variance to Whitney Bank, 5440 Main St., Zachary, La, - To allow for a freestanding sign to be placed closer to the property line than the 10' allowed in Section 5.303.B.1 of the UDC. (Move existing sign due to ROW shift)

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**

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

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

- a. Conditional Use Permit – Alcohol – Walk On’s, 1100 Americana Blvd., Zachary, La – Owner: CPRT Americana LLC. Applicant: DBMC Restaurants of Zachary, La LLC

Mayor Amrhein declared a PUBLIC HEARING to be in session at 6:47 pm. Amy Schulze was present to speak on the conditional use permit. Mrs. Schulze explained that this item was recommended for approval at a special Planning and Zoning Meeting on February 13, 2017. There being no one to speak for or against the conditional use permit Mayor Amrhein declared the PUBLIC HEARING to be closed at 6:48 pm.

The motion was made by Councilman Noel

The motion was seconded by Councilwoman O’Brien

To approve a Conditional Use Permit – Alcohol – Walk On’s, 1100 Americana Blvd., Zachary, La – Owner: CPRT Americana LLC. Applicant: DBMC Restaurants of Zachary, La LLC

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

NAYS: None

ABSENT: None

ABSTAINED: None

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

6. **Other Matters**

**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 second by Councilwoman O'Brien

To approve Accounts Payable in the amount of \$756,204.50  
and the natural gas bill  
when it is received.

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

NAYS: None

ABSENT: None

ABSTAINED: None

1.

## **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**

a. Request for resolution for the approval of the CEA with Louisiana  
Municipal Natural Gas Purchasing and Distribution Authority.

The motion was made by Councilman Cavin

The motion was seconded by Councilman Womack

To approve a Request for resolution for the approval of the CEA with Louisiana  
Municipal Natural Gas Purchasing and Distribution Authority.

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

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **Introduction of Ordinance 2017-2 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 Womack

The motion was seconded by Councilman Cavin

To approve an **Introduction of Ordinance 2017-2 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

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

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

a. 4795 Avenue G

b. 3144 Vernon Road

The motion was made by Councilman Womack

The motion was seconded by Councilman Noel

To table both items and both Public Hearings until the February 28, 2017 meeting.

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

NAYS: None

ABSENT: None

ABSTAINED: None

**P. REPORTS FROM DEPARTMENT HEADS**

Mayor Amrhein addressed the audience and Council members regarding social media. He discussed the issues regarding customer drafts and NSF returns on payments made by customers to pay their utility bill. He encouraged customers to call the office if they have a problem regarding their bill. He also explained that if a customer makes a change to their banking account they are encouraged to call the billing department to make the change with them. He explained that the

City will investigate all complaints and resolve any problems. There was discussion regarding mail delivery within the City. Mayor Amrhein said a meeting will be held with the Post Master for Zachary to address the issues regarding mail delivery. There was also discussion on safety issues at the Zachary Youth Park during the replacement of the lights. Fencing the entire park was discussed. He said by doing this nothing will change with the scheduling of the fields.

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

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

**ALT R. ADJOURNMENT**

The meeting adjourned at 7:18 p.m.

**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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**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, January 24, 2017, a proper quorum being there and then present.

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

