

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, January 09, 2024, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday January 09, 2024, at the Zachary City Hall located at 4700 Main Street, Zachary, LA.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilman LeBlanc

Pledge of Allegiance by Councilman Westmoreland

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David McDavid

COUNCIL MEMBERS

Brandy Westmoreland – District 1

John LeBlanc– District 2

Ambre DeVirgilio – District 3

James Graves – District 4

Jennifer Boyd – District 5

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Mayor McDavid 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 Boyd

The motion was seconded by Councilman Westmoreland

To approve to amend the agenda to move item N6 to F4.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the December 12, 2023, and December 19, 2023, regular meeting and approve them as written.

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilman LeBlanc
To approve the Minutes of the December 12, 2023, and December 19, 2023, regular meeting and approve them as written.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

Councilwoman Westmoreland requested that employee service recognition be added to the agenda each month.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

- 1. Street/Road Projects**
- 2. Sewer**
- 3. Subdivision Inspections**
- 4. Water and Gas Projects**

- a. LCDBG Water Contract 2 – Pay Request #3

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilwoman Westmoreland
To approve of the LCDBG Water Contract 2 – Pay Request #3 in the amount of \$294,189.16 to Griner Drilling Services, Inc.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

- b. LCDBG Water Contract 2 – Change Order #3.

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilwoman Westmoreland
To approve the LCDBG Water Contract 2 – Change Order #3 in the amount of \$10,000.00.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

ALTER AGENDA

6. Adoption of Ordinance 2023-20 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO AMEND ITS UNIFIED DEVELOPMENT CODE - ARTICLE 4 STORMWATER MANAGEMENT AND OPEN SPACES TO INCLUDE POLICY CHANGES AND PRACTICES PERTAINING TO CONSTRUCTION BEST MANAGEMENT PRACTICES

ENFORCEMENT TO BE ADDED AS §4.301(C) AND TO CREATE DIVISION 4.500 TO BE ENTITLED ILLICIT DISCHARGE ENFORCEMENT PROCEDURES AND FOR ACTIONS IN FURTHERANCE OF THE SAME AND IN ACCORDANCE THEREWITH.

Mayor McDavid opened the PUBLIC HEARING at 6:36 p.m. Bia Hillhouse was present to explain the ordinance to council members. There being no one to speak in favor or against the adoption Mayor McDavid closed the PUBLIC HEARING at 6:38 p.m.

The motion was made by Councilman

The motion was seconded by Councilman

To approve **Adoption of Ordinance 2023-20** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO AMEND ITS UNIFIED DEVELOPMENT CODE - ARTICLE 4 STORMWATER MANAGEMENT AND OPEN SPACES TO INCLUDE POLICY CHANGES AND PRACTICES PERTAINING TO CONSTRUCTION BEST MANAGEMENT PRACTICES ENFORCEMENT TO BE ADDED AS §4.301(C) AND TO CREATE DIVISION 4.500 TO BE ENTITLED ILLICIT DISCHARGE ENFORCEMENT PROCEDURES AND FOR ACTIONS IN FURTHERANCE OF THE SAME AND IN ACCORDANCE THEREWITH.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

RETURN TO REGULAR ORDER

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

- a. Audit Report presentation for the FY 2023 (Baxley and Associates, LLC.)

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To receive the Audit Report for the FY 2023.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

2. Hardship Waivers

3. Other Variances

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

1. Annual Election of the Mayor Pro Tempore.

The motion was made by Councilwoman Boyd
 The motion was seconded by Councilman LeBlanc
 To approve Councilman Graves as the Mayor Pro Temp for the 2024 year.
 YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
 NAYS: None
 ABSENT: None
 ABSTAINED: None

Mayor McDavid thanked Councilwoman DeVirgilio for doing an excellent job as the Mayor Pro Temp.

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.**

ALTER AGENDA

2. **Planning Matters REQUIRING a Public Hearing**
 - a. **RESUB-1-24 (3575 Shaffett Lane)** - Proposed resubdivision of the remainder of Lot 4-L into Lots 4-L-1, 4-L-2, 4-L-3, 4-L-4, and 4-L-5, on property located at 3575 Shaffett Lane, Zachary, La 70791.

The motion was made by Councilwoman DeVirgilio
 The motion was seconded by Councilwoman Westmoreland

To defer a **RESUB-1-24 (3575 Shaffett Lane)** - Proposed resubdivision of the remainder of Lot 4-L into Lots 4-L-1, 4-L-2, 4-L-3, 4-L-4 and 4-L-5, on property located at 3575 Shaffett Lane, Zachary, La 70791, **SP-1-24 (Feliciana Towing and Recovery)** - Proposed site plan for towing business on Lot UND of the George Cooper Tract, on property located at 4445 Spur Lane, Zachary, La 70791, **ZOI- 54595-EOP** - Proposed exchange of property of Tracts A, B-1, B-2-, B-2-1-A & B-2-1-B into Tracts A-1, B-1-A, B-2-1-A-1, B-2-1-B-1 & B-2-1-B-2, on property located at Zachary-Slaughter Highway near E Central Avenue.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
 NAYS: None
 ABSENT: None
 ABSTAINED: None

RETURN TO REGULAR ORDER

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

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

1. Receive accounts payable for December 2023 and the natural gas bill when it is received.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman DeVirgilio

To receive accounts payable for December 2023 and the natural gas bill when it is received.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. Discussion and approval of issuance of a City Council ordered subpoena for enforcement action to adhere to local ordinances regarding the following:

- Illegal sign at property located at **4524 Virginia Street**
- Junk vehicle at property located at **6524 Rollins Road**
- Junk vehicle at property located at **4513 Avenue G**
- Junk vehicle at property located at **4605 Avenue G**
- Junk vehicle and junk property located at **4735 Avenue G**
- Junk vehicle at property located at **4779 Avenue G**
- Junk vehicle at property located at **5935 Avenue L**
- Junk vehicle and junk property located at **4633 Avenue C**
- Junk vehicle at property located at **4619 Avenue B**
- Junk property located at **5236 E Mae Street**
- Junk vehicle at property located at **4362 Young Street**
- Junk vehicle at property located at **4820 Rollins Road**
- Junk vehicle at property located at **5714 Joan Street**

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To remove the item Illegal sign at property located at 4524 Virginia Street from the agenda.

Councilwoman DeVirgilio and Councilman LeBlanc then rescinded their motions. Another motion was made as follow:

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To remove all junk vehicles from the agenda and revisit them at the February 27, 2024, meeting.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To table all signs and the three junk properties until the January 23, 2024, meeting.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

2. Discussion regarding the November 05, 2024, election day.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman Graves

To table the Discussion regarding the November 05, 2024, election day.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

3. Resolution Establishing The Policy Of The City Of Zachary Regarding Use Of Certain Public Spaces And Forums.

The motion was made by Councilman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve a Resolution 2024-01 Establishing The Policy Of The City Of Zachary Regarding Use Of Certain Public Spaces And Forums.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

4. Adoption of Ordinance 2023-18 ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT A-1 OF THE CHARLES C. MCCOY TRACT LOCATED IN §45, T4S, R1E GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY

Mayor McDavid opened the PUBLIC HEARING at 7:39 p.m. There being no one to speak in favor of the adoption Mayor McDavid closed the PUBLIC HEARING at 7:40 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve an **Adoption of Ordinance 2023-18** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT A-1 OF THE CHARLES C. MCCOY TRACT LOCATED IN §45, T4S, R1E GLD WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

5. Adoption of Ordinance 2023-19 ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY PURSUANT TO THE HOME RULE CHARTER § 2-09 (7) TO AMEND ITS UNIFIED DEVELOPMENT CODE ARTICLE 1-602 TO CREATE A ZONING DISTRICT VERIFICATON FEE AND FOR ACTIONS IN FURTHERANCE OF THE SAME AND IN ACCORDANCE THEREWITH.

Mayor McDavid opened the PUBLIC HEARING at 7:41 p.m. There being no one to speak in favor of the adoption Mayor McDavid closed the PUBLIC HEARING at 7:41 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve an **Adoption of Ordinance 2023-19** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY PURSUANT TO THE HOME RULE CHARTER § 2-09 (7) TO AMEND ITS UNIFIED DEVELOPMENT CODE ARTICLE 1-602 TO CREATE A ZONING DISTRICT VERIFICATON FEE AND FOR ACTIONS IN FURTHERANCE OF THE SAME AND IN ACCORDANCE THEREWITH.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

7. Executive Session of the Council and of the Mayor pursuant to LSA- R.S. 42:17 (A)(2) with regard to status of civil litigation- Goodson vs. CoZ- 19th JDC EBR #667741- 24.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve to recess the regular council meeting and enter into executive session at 7:43 p.m. A two thirds vote was met to recess the meeting.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilwoman Westmoreland
To reconvene the regular council meeting at 8:03 p.m.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilwoman Westmoreland
To approve to allow the City Attorney to submit a supervisory writ application to
the La Supreme Court
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
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

1. Receive Inspection report for the month of December 2023.
The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilwoman Westmoreland
To Receive Inspection report for the month of December 2023.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

2. Receive subpoena report from the Planning and Zoning Department.
The motion was made by Councilwoman Westmoreland
The motion was seconded by Councilwoman DeVirgilio
To Receive subpoena report from the Planning and Zoning Department.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

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

Mayor McDavid spoke to council members regarding an ordinance that addressed feather flags, etc. that was received from City of Mandeville. Mayor McDavid also addressed an issue regarding local Zachary businesses using vulgarity on their websites. Councilwoman Boyd spoke on a pile of debris that is located behind LeBlanc's Restaurant. Bryant Dixon spoke and said he would report it to the appropriate department.

R. ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

CERTIFICATION

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

David McDavid, 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 and Council of the City of Zachary, Louisiana, held on Thursday, January 09, 2024, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council