

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, February 06, 2024, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday February 06, 2024, at the Zachary City Hall located at 4700 Main Street, Zachary, LA.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilwoman Boyd
Pledge of Allegiance by Councilman Graves

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 DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve to amend the agenda to add the addendum.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the January 23, 2024, 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 January 23, 2024, regular meeting and approve them with corrections as noted.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
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. Request to advertise for bids “Concrete Road Crack Sealing and Joint Sealing.”

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve to advertise for bids “Concrete Road Crack Sealing and Joint Sealing.”

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

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

5. Other Projects

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak
2. Hardship Waivers
3. Other Variances
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.

2. Planning Matters REQUIRING a Public Hearing.

- a. **Annexation 2-24 (1203 Mount Pleasant-Zachary Road)** - Proposed petition of annexation of property located at Tract 3-C of the Presbyterian Church of Buhlers, T4S R1W Sect 76, 1203 Mount Pleasant-Zachary Road, Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:35 p.m. There being no one to speak in favor or against the annexation Mayor McDavid closed the PUBLIC HEARING at 6:36 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve the **Annexation 2-24 (1203 Mount Pleasant-Zachary Road)** - Proposed petition of annexation of property located at Tract 3-C of the Presbyterian Church of

Buhlers, T4S R1W Sect 76, 1203 Mount Pleasant-Zachary Road, Zachary, LA 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

- a. **CUPAB-1-24 (Walk-On's Bistreaux & Bar)** - Proposed restaurant to serve alcoholic beverages, located on Lot C-2-A of the Americana Phase 1, on property located at 1100 Americana Boulevard, Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:38 p.m. A representative of Walk-On's Bistreaux & Bar was present to speak in favor of the conditional use permit. There being no one else to speak in favor or against the conditional use permit, Mayor McDavid closed the PUBLIC HEARING at 6:38 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve a **CUPAB-1-24 (Walk-On's Bistreaux & Bar)** - Proposed restaurant to serve alcoholic beverages, located on Lot C-2-A of the Americana Phase 1, on property located at 1100 Americana Boulevard, Zachary, LA 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **CUPAB-2-24 (T&T Liquor)** - Proposed liquor store to sell liquor, on property located at 6565 Zachary-Slaughter Highway, Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:39 p.m. Sam Vince, 5132 Waterford Drive, Zachary was present to speak in favor of the conditional use permit. There being no one else to speak in favor or against the conditional use permit Mayor McDavid closed the PUBLIC HEARING at 6:40 p.m.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman Boyd

To approve a **CUPAB-2-24 (T&T Liquor)** - Proposed liquor store to sell liquor, on property located at 6565 Zachary-Slaughter Highway, Zachary, LA 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

- a. **ZOI - CS-3-24, Lot 2-A of Mary Z. Knight Tract** - Proposed minor subdivision of Lot 2-A into Lots 2-A-1, 2-A-2, 2-A-3 & 2-A-4, on property located at 20839 MacHost Road, Zachary, LA 70791.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a recommendation of no objection of a **ZOI - CS-3-24, Lot 2-A of Mary Z. Knight Tract** - Proposed minor subdivision of Lot 2-A into Lots 2-A-1, 2-A-2, 2-A-3 & 2-A-4, on property located at 20839 MacHost Road, Zachary, LA 70791.

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

6. Other Matters

- a. **Waiver Request** – Michael Smith - Lot 3C Sunset BLVD. – to build an accessory building before the main structure is constructed.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman Graves

To approve a **Waiver Request** – Michael Smith - Lot 3C Sunset BLVD. – to build an accessory building before the main structure is constructed and to allow for water and sewer.

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

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

1. Receive accounts payable for January 2024 and the natural gas bill when it is received.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To receive accounts payable for January 2024 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

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

(Deferred until the April 9, 2024, meeting)

- Illegal sign at property located at **4524 Virginia Street**
- Junk property located at **4735 Avenue G**
- Junk property located at **4633 Avenue C**
- Junk property located at **5236 E Mae Street**

N. NEW BUSINESS

- 1. Introduction of Ordinance 2024-03** ORDINANCE PERTAINING TO THE INTENT BY THE CITY OF ZACHARY TO CREATE AND TO ESTABLISH §58-40 OF CHAPTER 58 OF THE CODE OF ORDINANCES FOR THE CITY ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS AND FOR ACTIONS IN FURTHERANCE OF THE SAME TO ADDRESS INSTANCES OF PUBLIC CONDUCT DEEMED TO BE LEWD IN NATURE AND FOR ENFORCEMETN IN ACCORDANCE THEREWITH.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Boyd

To approve the **Introduction of Ordinance 2024-03** ORDINANCE PERTAINING TO THE INTENT BY THE CITY OF ZACHARY TO CREATE AND TO ESTABLISH §58-40 OF CHAPTER 58 OF THE CODE OF ORDINANCES FOR THE CITY ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS AND FOR ACTIONS IN FURTHERANCE OF THE SAME TO ADDRESS INSTANCES OF PUBLIC CONDUCT DEEMED TO BE LEWD IN NATURE AND FOR ENFORCEMETN IN ACCORDANCE THEREWITH.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- 2. Approval of a Resolution** to Support Preparation and Submittal Of an Application for Funding through the Division of Administration Community Water Enrichment Fund.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve a **Resolution** to Support Preparation and Submittal Of an Application for Funding through the Division of Administration Community Water Enrichment Fund.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- 3. Approval of a Resolution** to Support Preparation and Submittal Of an Application for Funding through the Division of Administration Local Government Assistance Program (LGAP)

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve a **Resolution** to Support Preparation and Submittal Of an Application for Funding through the Division of Administration Local Government Assistance Program.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

4. Discussion and approval of the vacant seats of the Planning and Zoning Commission.

The motion was made by Councilwoman LeBlanc

The motion was seconded by Councilwoman Boyd

To approve Councilwoman Westmoreland’s nominee, Tommy Womack, to the Planning and Zoning commission.

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

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To approve Councilwoman DeVirgilio’s nominee, Kristie Murphy, to the Planning and Zoning commission.

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

ALTER AGENDA

Adoption of Ordinance 2024-02 ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT B-1-A-2 & B-1-A-3 OF THE DELAUNE -JACKSON TRACT, T4S, R1W, §§ 75 & 76, TRACT 2-E OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76, TRACT 3-A OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76, TRACT 3-C OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76 WITHIN EAST BATON ROUGE PARISH LOUISIANA INTO THE MUNICIPAL LIMITS OF THE CITY OF ZACHARY.

Mayor McDavid opened the PUBLIC HEARING at 7:17 p.m. There being no one to speak in favor or against the adoption Mayor McDavid closed the PUBLIC HEARING at 7:17 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve **Adoption of Ordinance 2024-02** ORDINANCE PERTAINING TO THE ENLARGEMENT OF THE BOUNDARIES OF THE CITY OF ZACHARY BY THE ANNEXATION OF TRACT B-1-A-2 & B-1-A-3 OF THE DELAUNE -JACKSON TRACT, T4S, R1W, §§ 75 & 76, TRACT 2-E OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76, TRACT 3-A OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76, TRACT 3-C OF THE PRESBYTERIAN CHURCH OF BUHLERS PLAIN, T4S R1W § 76 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

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

1. Review/Reports relative to Proposed/Active Condemnations

2. Receive the minutes of the January 25, 2024, Condemnation meeting

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To Receive the minutes of the January 25, 2024, Condemnation meeting.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

P. REPORTS FROM DEPARTMENT HEADS

Q. DISCUSSION OF BUSINESS NOT ON AGENDA

(No Action May Be Taken Unless Declared an Emergency)

John Hopewell spoke to make council members aware of the upcoming millage ordinances.

Councilman LeBlanc asked when the next Home Rule Charter meeting is to be held.

Councilwoman Boyd announced the Pawdy Gras parade to be held in downtown Zachary. Mr.

Pete Charlet, 1161 Memorial Square, Zachary, was present to speak to ask if citizens can have full access to ordinances before meetings.

R. ADJOURNMENT

The meeting was adjourned at 7:29 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, February 06, 2024, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council