

**Zachary Home Rule Charter
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, October 17, 2023, 6:00 P.M.**

A. CALL TO ORDER

Mr. Kline called the meeting to order at 6:00 p.m., on Tuesday October 17, 2023, at the Zachary City Hall located at 4700 Main Street, Zachary, LA.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Kline offered the invocation and pledge of allegiance.

C. OPENING PROCEDURES

1. ROLL CALL

PRESENT

Billy Kline

Adam Kwentua – arrived at 6:08 p.m.

Emily Harr

John Hopewell

Brandon Noel

Ben Cavin

Darin David – arrived at 6:08 p.m.

ABSENT

Hopewell

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

An opportunity for public comment shall be observed before a vote is taken on any agenda item. Once recognized by the presiding officer, the person afforded the floor, shall identify the agenda item upon which he or she wishes to provide comment and shall limit his or her comments to matters that are strictly relevant to that agenda item. Commentary shall not exceed three (3) minutes per person. No dialogue between Zachary Home Rule Charter board members and the public shall be permitted at these meetings, except to clarify the nature of questions and/or comments. The presiding officer reserves the right to limit and/or terminate any commentary when deemed necessary or outside of public decorum.

3. CHANGES/ADDITIONS TO AGENDA

D. READING OF THE MINUTES

1. Approval of minutes from the September 19, 2023, meeting, and approve them as with corrections as noted.

The motion was made by Commissioner Noel

The motion was seconded by Commissioner Kline

YEAS: Kline, Noel, Harr, Kwentua, David, Cavin
NAYS: None
ABSENT: Hopewell
ABSTAINED: None

E. OLD BUSINESS

1. Completion of Review of prior sections previewed.

The Commission reviewed Article IV Administration Section 4-06 Police Department.

The motion was made by Commissioner Harr

The motion was seconded by Commissioner Kline

To approve the change in Article IV Administration Section 4-06 Police Department as follows:

Section 4-06. - Police Department.

A. The head of the Police Department shall be the police chief who shall be elected at large by all the qualified electors of the city in accordance with the election laws of the state.

B. The police chief shall be elected for a four (4) year term concurrent with that of the mayor and shall be eligible for reelection.

C. The police chief shall be a qualified elector of the municipality and shall have been legally domiciled ~~and shall have actually resided~~ for at least one (1) year immediately preceding the time established by law for qualifying for office in an area which, at the time of qualification, is within the City. The police chief shall continue to be legally domiciled and to **actually** reside within the City limits during the term of office. Should the legal domicile ~~and/or actual residence~~ of the police chief change from the City, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter.

D. The office of police chief shall be considered to be a full-time position. The annual salary of the police chief shall be set by ordinance. For purposes of this initial fixing, the ordinance in place at the time of the approval by the electors of the new charter or amendments shall become the effective compensation benchmark. No ordinance changing the salary or granting any other monetary compensation shall be adopted during the last year of a term of office. **The ordinance changing the salary or other monetary compensation shall become effective twelve months from the date of adoption. No more than two changes in salary or other compensation shall be made during the term of office. and no such ordinance shall become effective during the term of the council**

~~adopting the ordinance provided, however, that the The police chief shall be entitled to receive cost-of-living adjustments in compensation in amounts set by the council by ordinance. Said cost-of-living adjustments shall not exceed the current published percentage change established and as the Consumer Price Index ("CPI") as that index is commonly described.~~

E. The police chief shall serve as marshal of the city court and may appoint more or more deputy marshals having the same powers and authority as the marshal, but the police chief shall be responsible for their actions, and The police chief shall direct and be responsible for the preservation of public peace and order; prevention of crime; apprehension of criminals; assistance to the courts and other law enforcement officials; and the enforcement of the laws of the state and the ordinances of the council. The police chief shall be the appointing authority of all personnel within the Police Department.

F. The office of police chief shall be forfeited if the officeholder during the term of office:

(1) Lacks at any time during the term of office any qualification for the office prescribed by this charter, or

(2) Is convicted of a state or federal felony.

~~(2) Violates any express prohibition of this charter, or~~

~~(3) Is disqualified by law from holding public office.~~

G. The office of police chief shall become vacant upon death, resignation, removal from office in any manner authorized by law, forfeiture of office by the officeholder or failure to take office for any reason.

H. A vacancy in the office of police chief shall be filled by appointment of a person meeting the qualifications for office by the mayor with the consent of the majority of the authorized council membership. If one (1) year or less of the unexpired term remains when the vacancy occurs, the person appointed shall serve as acting chief for the remainder of the term. If the vacancy occurs more than one (1) year prior to the expiration of the term, the person appointed shall serve as acting chief until the office is filled by the vote of the qualified electors voting in a special election called by the council for that purpose, which election shall be held according to the timetable and procedures established by state law generally for the filling of vacancies in elected municipal offices.

I. The police chief shall hold no other elected public office nor any compensated appointive City office or City employment during the term of office for which elected.

YEAS: Kline, Noel, Harr, Kwentua, David, Cavin
NAYS: None
ABSENT: Hopewell
ABSTAINED: None

Mr. Charlet was present to speak and asked the commission to explain how a salary change can be made in the current year.

The motion was made by Commissioner Kline

The motion was made by Commissioner Noel

To table sections 4-07,08,09,10,11 until the next meeting.

YEAS: Kline, Noel, Harr, Kwentua, David, Cavin
NAYS: None
ABSENT: Hopewell
ABSTAINED: None

F. NEW BUSINESS

Commissioner Kline spoke and said that Article V Fiscal Year Section 5-02 Operating Budget Preparation and Adoption will be discussed at the next meeting.

G. REPORT OF THE CHAIRMAN

H. ADJOURNMENT

The meeting was adjourned at 7:51 p.m.

CERTIFICATION

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

William Kline, Chairman

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 Zachary Home Rule Charter Commission of the City of Zachary, Louisiana, held on Tuesday, October 17, 2023, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council