

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, June 27, 2023, 6:30 P.M.**

A. CALL TO ORDER

Councilwoman DeVirgilio called the meeting to order at 6:30 p.m., on Tuesday, June 27, 2023, 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

COUNCIL MEMBERS
Westmoreland – District 1
John LeBlanc– District 2
Ambre DeVirgilio – District 3
James Graves – District 4
Jennifer Boyd – District 5
ABSENT
Mayor David McDavid

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Councilwoman DeVirgilio 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. Approval of Minutes of the June 13, 2023, regular meeting, June 13, 2023, Millage meeting, June 13, 2023, AEDD meeting, June 13, 2023, Attorney General Workshop, June 22, 2023, EDD workshop, and approve them as written

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To approve the Minutes of the June 13, 2023, regular meeting, June 13, 2023, Millage meeting, June 13, 2023, AEDD meeting, June 13, 2023, Attorney General Workshop, June 22, 2023, EDD workshop, 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**
- 2. Sewer**
- 3. Subdivision Inspections**
- 4. Water and Gas Projects**
- 5. Other Projects**

- a. Change order request #003 – Stuart & Company – Demolish and Remove remains from pre-existing houses.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman LeBlanc

To approve a Change order request #003 – Stuart & Company – Demolish and Remove remains from pre-existing houses.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- b. Change Order Request #004 – Stuart & Company – Time Extension for April Weather Days.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman Boyd

To approve a Change Order Request #004 – Stuart & Company – Time Extension for April Weather Days.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

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. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

1. Receive the Balance Sheet and Income statement as of May 2023

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To Receive the Balance Sheet and Income statement as of May 2023.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

ALTER AGENDA

2. **Consent Agenda**
3. **Planning Matters REQUIRING a Public Hearing**
4. **Planning Matters NOT requiring a Public Meeting**
5. **Zoning Matters REQUIRING a Public Hearing**
6. **Zoning Matters NOT Requiring Public Hearing**
7. **Other Matters**
 - a. Waiver Request – 9353 Highway 19 – Waiver for a metal building
The motion was made by Councilwoman Boyd
The motion was seconded by Councilman LeBlanc
To deny a Waiver Request – 9353 Highway 19 – Waiver for a metal building.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

RETURN TO REGULAR ORDER

J. PLANNING & ZONING MATTERS

1. **Receive Minutes of the Regular meeting of June 05, 2023, of the Planning Commission and the Minutes of the Regular meeting of June 05, 2023, of the Zoning Commission.**
The motion was made by Councilman Graves
The motion was seconded by Councilman LeBlanc
To Receive Minutes of the Regular meeting of June 05, 2023, of the Planning Commission and the Minutes of the Regular meeting of June 05, 2023, of the Zoning Commission.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

1. Ratification of appointment by Councilman Graves of John Hopewell (City Attorney) to Home Rule Charter Commission to complete the requested Commission appointments.
The motion was made by Councilman LeBlanc
The motion was seconded by Councilwoman Westmoreland
To approve Councilman Graves' appointment of John Hopewell to the Home Rule Charter Commission.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

2. Recognition that the Home Rule Charter Commission has been created pursuant to LSA- R.S. 33:1395 (A) by appointment of commissioners with notice that the Commission has begun public meetings with the goal to amend the Home Rule Charter now that the governing body (the Council) has completed the requested Commission appointments.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve that the Home Rule Charter Commission has been created pursuant to LSA-R.S. 33:1395 (A) by appointment of commissioners with notice that the Commission has begun public meetings with the goal to amend the Home Rule Charter now that the governing body (the Council) has completed the requested Commission appointments.

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

3. Notice that the Chairman (William L. Kline) has appointed Mr. Hopewell to be the Reporter to this Council on behalf of the Commission.

Mr. Hopewell spoke to council members to say that the Chairman of the Home Rule Charter Commission, Mr. Billy Kline, has appointed Mr. Hopewell to report to the council regarding updates on the meetings.

4. Receive the minutes of the May 15, 2023, and June 20, 2023, Home Rule Charter Commission.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman Boyd

To Receive the minutes of the May 15, 2023, and June 20, 2023, Home Rule Charter Commission.

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

M. OLD BUSINESS PENDING

1. Update of Hearing of issuance of a City Council ordered subpoena to Lou Bertha Gayden 4763 Ford Street, Baton Rouge, La 70811; Enforcement action on refusal to adhere to local ordinances relating to 4839 Old Slaughter Rd. Zachary, La 70791; Lot 4 Block 62 Bond S/D; East Baton Rouge Parish, State of Louisiana Ty Stephens, Code Compliance Officer, gave a brief update. Mr. Stephens explained that 1-3 items have been removed from the property but there is still a lot of stuff that needs to be removed. Council members spoke regarding a volunteer group to help with the efforts of removing the items.

2. Update on subpoena request – 5738 Avenue K – Junk Vehicles violations

The motion was made by Councilman Graves

The motion was seconded by Councilman LeBlanc

To defer this item until the July 11, 2023, meeting.

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

N. NEW BUSINESS

1. Council approval to subpoena 3708 Little Farms Drive Zachary, La 70791, 5100-5200 lower Zachary Rd Zachary, la 70791, MICHAEL MAY, Cease and Desist for illegal business and performing dirt work in a flood way without a No Rise certificate.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Graves

To approve to subpoena 3708 Little Farms Drive Zachary, La 70791, 5100-5200 lower Zachary Rd Zachary, la 70791, MICHAEL MAY, Cease and Desist for illegal business and performing dirt work in a flood way without a No Rise certificate.

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

2. Council approval to subpoena 4322 Cherry Court Zachary, La 70791, MICHAEL LEE SMITH, Junk vehicles/storage container.

The motion was made by Councilwoman Westmoreland to approve to subpoena Michael Smith, but the motion failed due to the lack of a second.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman LeBlanc

To defer to subpoena 4322 Cherry Court Zachary, La 70791, MICHAEL LEE SMITH, Junk vehicles/storage container for 30 days.

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

3. Council approval to subpoena 5236 E Mae Street Zachary, La 70791, CEDRIC BROUSSARD, Junk property/illegal second residence.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Boyd

To approve to subpoena 5236 E Mae Street Zachary, La 70791, CEDRIC BROUSSARD, Junk property/illegal second residence.

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

4. Council approval to subpoena 3426 Roosevelt Street Zachary, La 70791, JOHN HENRY DIXON, Junk property.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To remove to subpoena 3426 Roosevelt Street Zachary, La 70791, JOHN HENRY DIXON, Junk property.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

5. Introduction of Ordinance 2023-09 ORDINANCE PERTAINING TO THE INCREASE OF AND MANNER OF CALCULATION OF RATES AND CHARGES FOR CITY OF ZACHARY UTILITY SYSTEM SERVICES PROVIDED BY THE CITY OF ZACHARY TO USERS OF UTILITY SYSTEM SERVICES.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Graves

To approve the **Introduction of Ordinance 2023-09** ORDINANCE PERTAINING TO THE INCREASE OF AND MANNER OF CALCULATION OF RATES AND CHARGES FOR CITY OF ZACHARY UTILITY SYSTEM SERVICES PROVIDED BY THE CITY OF ZACHARY TO USERS OF UTILITY SYSTEM SERVICES.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

6. Status update regarding the noise ordinance enforcement/revision proposal. Mr. Hopewell, City Attorney, spoke to council members and said that there is an ordinance in place and that it will continue to be worked on. Police Chief Lawrence was present to speak to council members and proposed that the prosecutor speak to the council to see if they will prosecute the violations.

7. Special Event permit to sell alcohol at the Zachary's Really Hot Air Balloon Festival hosted by Downtown Live on August 12, 2023.

The motion was made by Councilman Graves

The motion was seconded by Councilman LeBlanc

To approve a Special Event permit to sell alcohol at the Zachary's Really Hot Air Balloon Festival hosted by Downtown Live on August 12, 2023.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves

NAYS: None

ABSENT: None

ABSTAINED: Boyd

8. **Introduction of Ordinance 2023-08** City of Zachary's current *minimum lowest floor elevation requirements for properties section* 46-51.3 and 4.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the **Introduction of Ordinance 2023-08** City of Zachary's current *minimum lowest floor elevation requirements for properties section* 46-51.3 and 4.

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 minutes of the June 22, 2023, meeting.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To Receive minutes of the June 22, 2023, 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)

R. ADJOURNMENT

The meeting was adjourned at 8:02 p.m.

CERTIFICATION

Dana LeJeune, LMMC
Clerk of 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, June 27, 2023, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council