

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, September 26, 2023, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday, September 26, 2023, 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 Councilwoman DeVirgilio

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David McDavid

COUNCIL MEMBERS

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 recognize childhood cancer month.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the September 12, 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 September 12, 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

1. Recognition of the Zachary Back to School Family Day volunteers
Councilman LeBlanc recognized the organizers of the Zachary Back to School Family Day. Councilwoman DeVirgilio recognized September as childhood cancer month.

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. Approval and authorization to advertise for bids for the Zachary Youth Park restrooms.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve and give authorization to advertise for bids for the Zachary Youth Park Restrooms.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Nita Edwards spoke to council members and Mayor McDavid and announced that October 7, 2023, is the birthday event for the Farmers and Artisans Market. Ginger Lumkins spoke to council members and Mayor McDavid regarding the speed limit on Hwy 964.

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 August 2023.

The motion was made by Councilman Graves
The motion was seconded by Councilwoman DeVirgilio
To Receive the Balance Sheet and Income statement as of August 2023.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

J. PLANNING & ZONING MATTERS

1. **Receive Minutes of the Regular meeting of September 11, 2023, of the Planning Commission and the Minutes of the Regular meeting of September 11, 2023, of the Zoning Commission.**

The motion was made by Councilman Graves
The motion was seconded by Councilwoman DeVirgilio
To Receive Minutes of the Regular meeting of September 11, 2023, of the Planning Commission and the Minutes of the Regular meeting of September 11, 2023, of the Zoning Commission.

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

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**

K. BUDGET AND FINANCIAL MATTERS

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

1. Update of issuance of subpoena to 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.
No action was taken on this item.

N. NEW BUSINESS

1. Receive the preliminary minutes of the September 19, 2023, Home Rule Charter Commission meeting and receive update with regard to review and revisions.
The motion was made by Councilman Graves
The motion was seconded by Councilwoman Westmoreland

To Receive the preliminary minutes of the September 19, 2023, Home Rule Charter Commission meeting and receive update with regard to review and revisions.

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

2. Discussion and approval to rename West Park Drive to Veterans Park Drive.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman DeVirgilio

To remove this item from the agenda.

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

3. **Public Hearing and Adoption of Ordinance 2023-04** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND CHAPTER 18 - BUSINESS AND BUSINESS REGULATIONS TO IMPLEMENT ARTICLE 6 §1 THROUGH §8 TO ALLOW THE CITY TO ADOPT REGULATIONS DESIGNED TO REGULATE THE OPERATION OF MASSAGE THERAPY BUSINESSES WITHIN THE CITY LIMITS AND FOR ANY AND ALL RELATED MATTERS IN FURTHERANCE.

Mayor McDavid opened the PUBLIC HEARING at 7:03 p.m. There was discussion regarding the language that included nonviolent felony. There being no one to speak in favor or against the adoption of the ordinance, Mayor McDavid closed the PUBLIC HEARING at 7:13 p.m.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To approve the **Adoption of Ordinance 2023-04** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND CHAPTER 18 - BUSINESS AND BUSINESS REGULATIONS TO IMPLEMENT ARTICLE 6 §1 THROUGH §8 TO ALLOW THE CITY TO ADOPT REGULATIONS DESIGNED TO REGULATE THE OPERATION OF MASSAGE THERAPY BUSINESSES WITHIN THE CITY LIMITS AND FOR ANY AND ALL RELATED MATTERS IN FURTHERANCE.

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

4. **Public Hearing and Adoption of Ordinance 2023- 12** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL, DONATION OR ABANDONMENT.

Mayor McDavid opened the PUBLIC HEARING at 7:03 p.m. There being no one to speak in favor or against the adoption of the ordinance, Mayor McDavid closed the PUBLIC HEARING at 7:13 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman Graves

To approve the **Adoption of Ordinance 2023- 12** ORDINANCE PERTAINING TO THE DECLARATION OF INTENT BY THE CITY OF ZACHARY TO HAVE CERTAIN MOVABLE PROPERTY DECLARED TO BE SURPLUS AND ALLOWING FOR THE DISPOSAL, DONATION OR ABANDONMENT.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

5. Approval of a Cooperative Endeavor Agreement with East Baton Rouge Parish regarding Zachary Crosswalks.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman Boyd

To approve a Cooperative Endeavor Agreement with East Baton Rouge Parish regarding Zachary Crosswalks.

YEAS: Westmoreland, LeBlanc, DeVirgilio Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

6. Approval of a Cooperative Endeavor Agreement with East Baton Rouge Parish regarding repairs to WJ Wicker Road.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve a Cooperative Endeavor Agreement with East Baton Rouge Parish regarding repairs to WJ Wicker Road.

YEAS: Graves, Boyd

NAYS: Westmoreland, LeBlanc, DeVirgilio

ABSENT: None

ABSTAINED: None

7. Request for approval of Special Council Contract for Stidham and Crain, Attorneys at Law concerning the matter - *Amy Goodson, et al. vs. City of Zachary, et al-* #C 667,741 § 24 – 19th JDC, East Baton Rouge, State of Louisiana.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve a Special Council Contract for Stidham and Crain, Attorneys at Law concerning the matter - *Amy Goodson, et al. vs. City of Zachary, et al-* #C 667,741 § 24 – 19th JDC, East Baton Rouge, State of Louisiana.

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. Receive the minutes of the August 24, 2023, Zachary Condemnation Board meeting.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman DeVirgilio

To Receive the minutes of the August 24, 2023, Zachary Condemnation Board meeting.

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

P. REPORTS FROM DEPARTMENT HEADS

Bryant Dixon announced the Zachary Comprehensive Master Plan Update workshop that is to be held on October 3, 2023, from 6:00 p.m. until 8:00 p.m. at the Americana YMCA.

Q. DISCUSSION OF BUSINESS NOT ON AGENDA

(No Action May Be Taken Unless Declared an Emergency)

Councilwoman Westmoreland discussed the Districted 1 meeting that was held at the Zachary Library.

R. ADJOURNMENT

The meeting was adjourned at 7:31 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, September 26, 2023, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council