

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, November 14, 2023, 6:30 P.M.**

A. CALL TO ORDER

Mayor Pro Temp DeVirgilio called the meeting to order at 6:30 p.m., on Tuesday, November 14, 2023, at the Zachary City Hall located at 4700 Main Street, Zachary, LA

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilwoman Westmoreland

Pledge of Allegiance by Councilman LeBlanc

C. OPENING PROCEDURES

1. ROLL CALL

COUNCIL MEMBERS

Brandy Westmoreland – District 1

John LeBlanc– District 2

Ambre DeVirgilio – District 3

James Graves – District 4

Jennifer Boyd – District 5

ABSENT

David McDavid

2. READING OF CITY POLICY RELATIVE TO OPEN MEETINGS

Before proceeding with the meeting, Mayor Pro Temp 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

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To approve to amend the agenda to add the addendum as item N12.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the October 24, 2023, regular meeting, and approve them as written.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the Minutes of the October 24, 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

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. 2023 Road Rehabilitation – Pay Request No. 3.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Boyd

To approve a 2023 Road Rehabilitation – Pay Request No. 3 in the amount of \$533,107.13 to MTrak, LLC.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

- a. LCDBG Water Distribution (Contract 1) – Final Change Order No. 1.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the LCDBG Water Distribution (Contract 1) – Final Change Order No. 1.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- b. LCDBG Water Distribution (Contract 1) – Certificate of Substantial Completion.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To approve the LCDBG Water Distribution (Contract 1) – Certificate of Substantial Completion.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **LCDBG Water Well (Contract 2) – Change Order No. 2.**

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the **LCDBG Water Well (Contract 2) – Change Order No. 2.** In the amount of \$49,520.00.

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

- d. **LCDBG Water Well (Contract 2) – Pay Request No. 1.**

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the **LCDBG Water Well (Contract 2) – Pay Request No. 1** in the amount of \$74,307.74 to Griner Drilling Services, Inc.

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

5. Other Projects

- a. **Law Enforcement Complex Project - RFC 013 – Changes in ASI 004** in the amount of \$904.49.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To approve the **Law Enforcement Complex Project - RFC 013 – Changes in ASI 004** in the amount of \$904.49.

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

- b. **Law Enforcement Complex Project - RFC 014 – Time Extension due to Concrete Slab Deficiencies.**

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve the **Law Enforcement Complex Project - RFC 014 – Time Extension due to Concrete Slab Deficiencies.**

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

- c. **Approval and acceptance of bid recommendation for the Zachary Youth Park Bathrooms.**

The motion was made by Councilman LeBlanc
The motion was seconded by Councilman Graves
To approve acceptance of bid recommendation for the Zachary Youth Park Bathrooms.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves,
NAYS: Boyd
ABSENT: None
ABSTAINED: None

G. PRESENTATION OF DELEGATIONS

1. **Requests to Speak**
2. **Hardship Waivers**
3. **Exceptions to Regulations**

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

1. **Receive Minutes of the Regular meeting of November 06, 2023, of the Planning Commission and the Minutes of the Regular meeting of November 06, 2023, of the Zoning Commission.**

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Boyd

To Receive Minutes of the Regular meeting of November 06, 2023, of the Planning Commission and the Minutes of the Regular meeting of November 06, 2023, of the Zoning Commission.

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

2. **Planning Matters REQUIRING a Public Hearing**
3. **Planning Matters NOT requiring a Public Meeting**
4. **Zoning Matters REQUIRING a Public Hearing**
5. **Zoning Matters NOT Requiring Public Hearing**

- a. **ZOI - 54532-SS - George Lormand Property Management - Resubdivision of the George Lormand Property into Lots TL-1 & TL-2.**

The motion was made by Councilman Graves

The motion was seconded by Councilwoman Boyd

To approve a recommendation of no objection for a ZOI - 54532-SS - George Lormand Property Management - Resubdivision of the George Lormand Property into Lots TL-1 & TL-2.

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

- b. **Discussion of Zoning Verification Fees.**

Mr. Dixon was present to explain to council members the necessity of the Zoning verification fees.

6. Other Matters

- a. **Sign Waiver - Munson Hills** - Munson Hills subdivision for a 52-sf wall sign.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To table a **Sign Waiver - Munson Hills** - Munson Hills subdivision for a 52-sf monument sign until January 2024.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

7. Consent Agenda

- a. CUPMV-3-23 (4746 Main Street) - Proposed mobile vendor for Street Food Munchies LLC, on property located at 4746 Main Street, Zachary, La 70791.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To approve a CUPMV-3-23 (4746 Main Street) - Proposed mobile vendor for Street Food Munchies LLC, on property located at 4746 Main Street, Zachary, La 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

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

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To Receive accounts payable for October 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

1. Update regarding the hearing on Rule via Subpoena Request (8/4/23) to Joshua O’Neal – RE: 2301 Munson Dr. -Non-permitted commercial/business activities on site.

The motion was made by Councilman Westmoreland
The motion was seconded by Councilwoman DeVirgilio
To remove the Subpoena Request (8/4/23) to Joshua O’Neal – RE: 2301 Munson Dr.
Non-permitted commercial/business activities on site from the agenda.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

N. NEW BUSINESS

1. Request to move the 2nd Council meeting in December 2023 from 12/26 to 12/19 and with a change of time to 5:30.

The motion was made by Councilwoman Westmoreland
The motion was seconded by Councilman LeBlanc
To approve to move the 2nd Council meeting in December 2023 from 12/26 to 12/19 and with a change of time to 5:30.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

2. Discussion and approval of the 2024 Council meeting schedule.

The motion was made by Councilwoman Westmoreland
The motion was seconded by Councilman LeBlanc
To approve the 2024 Council meeting schedule.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

3. Approval of the 2024 City of Zachary Holiday schedule.

The motion was made by Councilwoman Westmoreland
The motion was seconded by Councilman LeBlanc
To approve the 2024 City of Zachary Holiday schedule.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

4. Discussion and Approval of Resolution 2023-08 in support by the City of Zachary at the request of the developer regarding Americana North Annexation and PUD.

The motion was made by Councilwoman Westmoreland
The motion was seconded by Councilwoman DeVirgilio
To approve a Resolution 2023-08 in support by the City of Zachary at the request of the developer regarding Americana North Annexation and PUD.

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

5. **Adoption of Ordinance 2023-13** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND PORTIONS OF CHAPTER 2 – ADMINISTRATION - FOR THE PURPOSE OF UPDATING TRAVEL POLICY AND PROCEDURES FOR THE VARIOUS EMPLOYEES AND ELECTED OFFICIALS OF THE CITY OF ZACHARY AND FOR OTHER RELATED MATTERS.

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

To approve the **Adoption of Ordinance 2023-13** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND PORTIONS OF CHAPTER 2 – ADMINISTRATION - FOR THE PURPOSE OF UPDATING TRAVEL POLICY AND PROCEDURES FOR THE VARIOUS EMPLOYEES AND ELECTED OFFICIALS OF THE CITY OF ZACHARY AND FOR OTHER RELATED MATTERS.

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

6. **Public Hearing and Adoption of Ordinance 2023-14** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND REQUIRED RATES & CHARGES FOR THE PROVISION OF GARBAGE COLLECTION SERVICES AND FOR ALL RELATED MATTERS IN FURTHERANCE.

Mayor Pro Tempore DeVirgilio opened the PUBLIC HEARING at 7:46 p.m. City of Zachary CFO, Deanna Mankins, was present to explain the increase to council members. There being no one else to speak in favor or against the adoption of the ordinance Mayor Pro Tempore DeVirgilio closed the PUBLIC HEARING at 7:48 p.m.

The motion was made by Councilman LeBlanc
The motion was seconded by Councilman Graves

To approve the **Adoption of Ordinance 2023-14** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND REQUIRED RATES & CHARGES FOR THE PROVISION OF GARBAGE COLLECTION SERVICES AND FOR ALL RELATED MATTERS IN FURTHERANCE.

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

7. Request for Council direction to the Mayor for the issuance of a subpoena to SUPREME CAR CARE & TIRE CENTER, 20140 Plank Road, to

appear before the City Council at a regular meeting to show cause why it should not be reprimanded and damages assessed against it for the violation of feather flags after due notice of the same.

The motion was made by Councilman Graves

The motion was seconded by Councilman LeBlanc

To approve Council direction to the Mayor for the issuance of a subpoena to SUPREME CAR CARE & TIRE CENTER, 20140 Plank Road, to appear before the City Council at a regular meeting to show cause why it should not be reprimanded and damages assessed against it for the violation of feather flags after due notice of the same.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

8. Discussion of enforcement action to MURPHY USA, 5523 Main Street, for illegal signage and landscaping concerns.

Councilwoman Boyd explained that a work order has been issued to management to trim the shrubs on the property. No action was taken on this item.

9. Update of status of Occupational Licensing compliance collections efforts and ensuing individual litigation efforts in support.

A brief update was given on the status of the occupational licenses. No action was taken on this item.

10. Update of status of collections of delinquent charges for utility (garbage) services and ensuing individual litigation efforts in support.

A brief update was given to council members on the process of the delinquent services. No action was taken on this item.

11. Receive the preliminary minutes of the October 17, 2023, Home Rule Charter Commission meeting and receive update with regard to review and revisions.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman DeVirgilio

To Receive the preliminary minutes of the October 17, 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

ALTER AGENDA

N12

Discussion of partial amendment to **RESOLUTION NO. 2023-02** authorizing part time elected officials to receive health benefits.

There was discussion regarding the **RESOLUTION NO. 2023-02** authorizing part time elected officials to receive health benefits. No action was taken on this item.

Councilwoman Westmoreland asked about the property located on HWY 19 owned by Strickland and Porter. Scott Masterson explained that he would get an update.

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

1. Receive the preliminary minutes of the October 26, 2023, meeting of the Zachary Condemnation Board and update from City Attorney regarding meeting status.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To Receive the preliminary minutes of the October 26, 2023, meeting of the Zachary Condemnation Board and update from City Attorney regarding meeting status.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

P. REPORTS FROM DEPARTMENT HEADS

Bryant Dixon gave council members an update on market analysis and economic development.

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

Councilman LeBlanc asked for an update on all the subpoenas that were listed on the September 14, 2023 agenda. Councilwoman DeVirgilio expressed concerns of issues on Rosewood Drive. Mr. Dixon gave an update on the item on March Street.

R. ADJOURNMENT

The meeting was adjourned at 8:49 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, November 14, 2023, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council