

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, December 12, 2023, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday, December 12, 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 Councilman Graves

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David McDavid

COUNCIL MEMBERS

John LeBlanc– District 2

Ambre DeVirgilio – District 3

James Graves – District 4

Jennifer Boyd – District 5

ABSENT

Brandy Westmoreland – District 1

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 Councilman LeBlanc

The motion was seconded by Councilwoman DeVirgilio

To approve to amend the agenda to add the addendum.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of the November 28, 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 November 28, 2023, regular meeting, and approve them as written.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

- a. 2023 Road Project Pay Request #4.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman DeVirgilio

To approve the 2023 Road Project Pay Request #4 in the amount of \$617,397.74 to M-Trak, LLC.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

2. Sewer

3. Subdivision Inspections

4. Water and Gas Projects

- a. LCDBG Water Well Project Pay Request #2.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the LCDBG Water Well Project Pay Request #2 in the amount of \$398,689.16 to Griner Drilling Service, Inc.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

5. Other Projects

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 December 04, 2023, of the Planning Commission and the Minutes of the Regular meeting of December 04, 2023, of the Zoning Commission.

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilman LeBlanc

To Receive Minutes of the Regular meeting of December 04, 2023, of the Planning Commission and the Minutes of the Regular meeting of December 04, 2023, of the Zoning Commission.

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

2. Planning Matters REQUIRING a Public Hearing

- a. **ANNEXATION-1-23 (6330 Port Hudson-Pride Road)** - Proposed petition of annexation Tract A-1 of the Charles C. McCoy Tract, on property located at 6330 Port Hudson-Pride Road, Slaughter, LA 70777.

Mayor McDavid opened the PUBLIC HEARING at 6:36 p.m. Larry Powenski, 26929 Hagan Drive, was present to speak in favor of the annexation. There being no one else to speak in favor or against the annexation Mayor McDavid closed the PUBLIC HEARING at 6:39 p.,m.

The motion was made by Councilman LeBlanc
The motion was seconded by Councilwoman Boyd

To approve an ANNEXATION-1-23 (6330 Port Hudson-Pride Road) - Proposed petition of annexation Tract A-1 of the Charles C. McCoy Tract, on property located at 6330 Port Hudson-Pride Road, Slaughter, LA 70777.

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

ALTER AGENDA

The motion was made by councilwoman DeVirgilio
The motion was seconded by councilman LeBlanc

To approve to amend the agenda to add the Introduction of Ordinance 2023-18.

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

The motion was made by councilwoman DeVirgilio
The motion was seconded by councilman LeBlanc

To approve the Introduction of Ordinance 2023-18.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

3. Planning Matters NOT requiring a Public Meeting

4. Zoning Matters REQUIRING a Public Hearing

- a. **RZ-5-23 (9981 Main Street)** - To rezone Lot 2 from Neighborhood Commercial (CN) to Business Park (BP), on property located at 9981 Main Street, Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:43 p.m. Mike Dees, 14149 Hwy. 19, Clinton, La, was present to speak in favor of the rezone. There being no one else to speak in favor or against the rezone Mayor McDavid closed the PUBLIC HEARING at 6:44 p.m.

The motion was made by Councilman

The motion was seconded by Councilman

To approve a **RZ-5-23 (9981 Main Street)** - To rezone Lot 2 from Neighborhood Commercial (CN) to Business Park (BP), on property located at 9981 Main Street, Zachary, LA 70791.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

- b. **CUPAB-3-23 (Zachary Stop LLC)** - Rehabilitation of gas station/cafe for the sale of liquor, on property located at 20191 Plank Road Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:46 p.m. There being no one to speak in favor or against the CUPAB-3-23 Mayor McDavid closed the PUBLIC HEARING at 6:44 p.m.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilman Graves

To approve a **CUPAB-3-23 (Zachary Stop LLC)** - Rehabilitation of gas station/cafe for the sale of liquor, on property located at 20191 Plank Road Zachary, LA 70791.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

- c. **CUPAB-4-23 (Cafe 94 Pizza N More)** - Proposed restaurant to serve alcoholic beverages, on property located at 4760 Old Scenic Highway, Zachary, LA 70791.

Mayor McDavid opened the PUBLIC HEARING at 6:48 p.m. There being no one to speak in favor or against the CUPAB-4-23 Mayor McDavid closed the PUBLIC HEARING at 6:48 p.m.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman DeVirgilio

To approve a **CUPAB-4-23 (Cafe 94 Pizza N More)** - Proposed restaurant to serve alcoholic beverages, on property located at 4760 Old Scenic Highway, Zachary, LA 70791.

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

5. Zoning Matters NOT Requiring Public Hearing

- a. **ZOI - 54514-SP (Gerry Lane Zachary)** - Proposed Gerry Lane car dealership, on property located at the corner of Samuels Road and Mount Pleasant-Zachary Road, Zachary, LA 70791.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman Graves

To approve a recommendation of no objection for a **ZOI - 54514-SP (Gerry Lane Zachary)** - Proposed Gerry Lane car dealership, on property located at the corner of Samuels Road and Mount Pleasant-Zachary Road, Zachary, LA 70791.

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

6. Other Matters

- a. Discussion regarding Zoning Verification Fees

ALTER AGENDA

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman Graves

To approve to amend the agenda to add the Introduction of Ordinance 2023-19.

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

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman DeVirgilio

To approve the Introduction of Ordinance 2023-19.

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

- b. Updates to the CONSTRUCTION BEST MANAGEMENT PRACTICES ENFORCEMENT PROCEDURES (Bryant Dixon)

ALTER AGENDA

The motion was made by Councilwoman DeVirgilio
 The motion was seconded by Councilman Graves
 To approve to amend the agenda to add the Introduction of Ordinance 2023-20.
 YEAS: LeBlanc, DeVirgilio, Graves, Boyd
 NAYS: None
 ABSENT: Westmoreland
 ABSTAINED: None

The motion was made by Councilman Graves
 The motion was seconded by Councilwoman DeVirgilio
 To approve the Introduction of Ordinance 2023-20.
 YEAS: LeBlanc, DeVirgilio, Graves, Boyd
 NAYS: None
 ABSENT: Westmoreland
 ABSTAINED: None

- c. Updates to the ILLICIT DISCHARGE ENFORCEMENT PROCEDURES (Bryant Dixon)

ALTER AGENDA

ADDENDUM

Issuance of subpoena to 5417 Joan Street, Zachary, La 70791, Kristen Cherico, junk vehicles & property.

The motion was made by Councilman LeBlanc
 The motion was seconded by Councilwoman DeVirgilio
 To approve to defer this item until the next council meeting.
 YEAS: LeBlanc, DeVirgilio, Graves, Boyd
 NAYS: None
 ABSENT: Westmoreland
 ABSTAINED: None

- d. **Sign Waiver - Munson Hills** - Munson Hills subdivision for a 52-sf wall sign. (Tabled until January 2024)

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

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

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman DeVirgilio

To Receive accounts payable for November 2023 and the natural gas bill when it is received.

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

- K. BUDGET AND FINANCIAL MATTERS**
- L. OLD BUSINESS PENDING FOR FINAL ACTION**
- M. OLD BUSINESS PENDING**
- N. NEW BUSINESS**

1. **Public hearing and adoption of ORDINANCE 2023-15** ORDINANCE AUTHORIZING IMPLEMENTATION OF AN AMENDMENT TO THE STANDARD SPECIFICATIONS PURSUANT TO §2-13 OF THE HOME RULE CHARTER FOR THE CITY OF ZACHARY PERTAINING TO CODES OF TECHNICAL REGULATIONS BY AMENDMENT TO THE REVISED SUBDIVISION DEVELOPMENT CONSTRUCTION STANDARDS CODE RELATED TO COMPLETION OF THE INSTALLATION OF ALL UTILITIES INFRASTRUTURE PRIOR TO FINAL PLAT ACCEPTANCE ASSOCIATED WITH CONSTRUCTION, GENERAL DESIGN, REVIEW & INSPECTIONS AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION.

Mayor McDavid opened the PUBLIC HEARING at 7:07 p.m. Bia Hillhouse, PEC Engineering, was present to speak in favor of the adoption. There being no one else to speak in favor or against the adoption Mayor McDavid closed the PUBLIC HEARING at 7:10 p.m.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman LeBlanc

To approve the **adoption of ORDINANCE 2023-15** ORDINANCE AUTHORIZING IMPLEMENTATION OF AN AMENDMENT TO THE STANDARD SPECIFICATIONS PURSUANT TO §2-13 OF THE HOME RULE CHARTER FOR THE CITY OF ZACHARY PERTAINING TO CODES OF TECHNICAL REGULATIONS BY AMENDMENT TO THE REVISED SUBDIVISION DEVELOPMENT CONSTRUCTION STANDARDS CODE RELATED TO COMPLETION OF THE INSTALLATION OF ALL UTILITIES INFRASTRUTURE PRIOR TO FINAL PLAT ACCEPTANCE ASSOCIATED WITH CONSTRUCTION, GENERAL DESIGN, REVIEW & INSPECTIONS AND FOR OTHER MATTERS IN FUTHERANCE OF THIS PROVISION with the added verbiage of gas, water, and sanitary sewer.

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

2. **Public Hearing and Adoption of ORDINANCE 2023-16** 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 7:12 p.m. There being no one to speak in favor or against the adoption Mayor McDavid closed the PUBLIC HEARING at 7:12 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman Graves

To approve the **Adoption of ORDINANCE 2023-16** 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: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

3. Update regarding City of Zachary litigations

Mr. Hopewell, City Attorney, spoke regarding the State of Louisiana will help with the debt recovery of garbage fees and occupational licenses.

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

P. REPORTS FROM DEPARTMENT HEADS

1. Receive the November 2023 Inspection Report.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To Receive the November 2023 Inspection Report.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: Westmoreland

ABSTAINED: None

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

Bryant Dixon gave a brief update regarding DEQ and the stormwater policy. Council members asked the Plan and Zoning department to provide a record of all the subpoenas that have been addressed.

R. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

CERTIFICATION

Dana LeJeune, 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, December 12, 2023, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council