

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, February 27, 2024, 6:30 P.M.**

A. CALL TO ORDER

Councilman Graves called the meeting to order at 6:30 p.m., on Tuesday February 27, 2024, 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 Scott Masterson, City Building Official

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

Mayor McDavid

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 Boyd

The motion was seconded by Councilman LeBlanc

To approve to amend the agenda to move item N3, N4, N5, N6 to be heard before item F6.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

D. READING OF THE MINUTES

1. Approval of Minutes of February 06, 2024, 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 of February 06, 2024, 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 employee service.

Councilwoman Westmoreland presented certificates of recognition of service to employees.

F. CONTRACT ITEMS/CONTRACTS OR ITEMS RELATING TO PROJECTS

1. Street/Road Projects

a. 2023 Road Project Substantial Completion Certificate

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve 2023 Road Project Substantial Completion Certificate.

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 Well - Contract 2 - Pay Request #4

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve / deny LCDBG Water Well - Contract 2 - Pay Request #4 to Griner Drilling Services, Inc. in the amount of \$455,533.74.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

5. Other Projects

a. Request for payment – Strickland and Porter Construction, payment #1 for the Zachary Youth Park Restrooms.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve a Request for payment – Strickland and Porter Construction, payment #1 for the Zachary Youth Park Restrooms in the amount of \$33,855.13.

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

ALTER AGENDA

3. Council approval for a special event permit to sell alcohol at the Lane Foundation Chili Cook Off to be held on Saturday, March 09, 2024, on City premises.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a special event permit to sell alcohol at the Lane Foundation Chili Cook Off to be held on Saturday, March 09, 2024, on City premises.

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

4. Council approval for a special event permit to sell alcohol at Cinco De Mayo to be held on May 5, 2024, at 1185 Americana Blvd. suite 1180 between Lit Pizza and Agave Blue.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a special event permit to sell alcohol at Cinco De Mayo to be held on May 5, 2024, at 1185 Americana Blvd. suite 1180 between Lit Pizza and Agave Blue.

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

5. Council approval to sell alcohol/liquor located at Walk-On's, 1100 Americana Blvd., Zachary.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve to sell alcohol/liquor located at Walk-On's, 1100 Americana Blvd., Zachary.

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

6. Council approval to sell alcohol/liquor located at T & T Liquor store Hwy 19, Zachary.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman LeBlanc

To approve to sell alcohol/liquor located at T & T Liquor store Hwy 19, Zachary.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

RETURN TO REGULAR ORDER

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Mr. Pete Charlet was present to speak to council members regarding the Home Rule Charter revisions.

2. Hardship Waivers

3. Other Variances

- a. Waiver Request – Leroy Williams – 21233 Hwy 964, Zachary – request for electricity, water, and sewer for an accessory building.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To approve a Waiver Request – Leroy Williams – 21233 Hwy 964, Zachary – request for electricity, water, and sewer for an accessory building.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

4. Exceptions to Regulations

H. ACTION MANDATED BY HOME RULE CHARTER

I. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

J. PLANNING & ZONING MATTERS

1. **Receive Minutes of the Regular meeting of February 05, 2024, of the Planning Commission and the Minutes of the Regular meeting of February 05, 2024, 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 February 05, 2024, of the Planning Commission and the Minutes of the Regular meeting of February 05, 2024, 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

- a. RZ-3-24 (21000-21100 Old Scenic Highway)** - To rezone Lot A from Estate Residential (RE) to Neighborhood Commercial (CN), on property located at 21000-21100 Old Scenic Highway, Zachary, LA 70791.

Councilman Graves opened the PUBLIC HEARING at 7:09 p.m. Representatives of C.D. Air, LLC were present to speak in favor of the rezone. There being no one to speak in favor or against the rezone Councilman Graves closed the PUBLIC HEARING at 7:11 P.M.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman Graves

To approve **RZ-3-24 (21000-21100 Old Scenic Highway)** - To rezone Lot A from Estate Residential (RE) to Neighborhood Commercial (CN), on property located at 21000-21100 Old Scenic Highway, Zachary, LA 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- b. RZ-4-24 (3969 Lee Street)** - To rezone Lot 1-A from Suburban Residential (RS) to Urban Residential (RU), on property located at 3969 Lee Street, Zachary, LA 70791.

Councilman Graves opened the PUBLIC HEARING at 7:15 p.m. Mr. Higgins was present to speak in favor of the rezone. There being no one to speak in favor or against the rezone Councilman Graves closed the PUBLIC HEARING at 7:17 P.M.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve **RZ-4-24 (3969 Lee Street)** - To rezone Lot 1-A from Suburban Residential (RS) to Urban Residential (RU), on property located at 3969 Lee Street, Zachary, LA 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

5. Zoning Matters NOT Requiring Public Hearing

6. Other Matters

- a.** Discussion of code enforcement of the Unified Development Code updates.

Councilwoman DeVirgilio asked for an update to be given within 60 days.

K. BUDGET AND FINANCIAL MATTERS

- 1.** Receive the Balance Sheet and Income statement as of January 2024.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To receive the Balance Sheet and Income statement as of January 2024.

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

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

N. NEW BUSINESS

1. **Approval of Resolution 2024-03** A RESOLUTION AUTHORIZING THE CITY OF ZACHARY CITY COUNCIL TO ADOPT THE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN PREPARED BY MEMBERS OF THE COMMUNITY RATING SYSTEM USER GROUP CAPITAL REGION AREA FLOODPLAIN TASK FORCE (CRAFT)

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve **Resolution 2024-03** A RESOLUTION AUTHORIZING THE CITY OF ZACHARY CITY COUNCIL TO ADOPT THE MULTI JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN PREPARED BY MEMBERS OF THE COMMUNITY RATING SYSTEM USER GROUP CAPITAL REGION AREA FLOODPLAIN TASK FORCE (CRAFT)

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

2. **PUBLIC HEARING and ADOPTION OF ORDINANCE 2024-03**
ORDINANCE PERTAINING TO THE INTENT BY THE CITY OF ZACHARY TO CREATE AND TO ESTABLISH §58-40 OF CHAPTER 58 OF THE CODE OF ORDINANCES FOR THE CITY ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS AND FOR ACTIONS IN FURTHERANCE OF THE SAME TO ADDRESS INSTANCES OF PUBLIC CONDUCT DEEMED TO BE LEWD IN NATURE AND FOR ENFORCEMENT IN ACCORDANCE THEREWITH.

Councilman Graves opened the PUBLIC HEARING at 7:22 p.m. John Hopewell, representative of Police Chief Darryl Lawrence spoke in favor of the adoption. Ty Stephens was also present to speak in favor of the adoption. There being no one to speak in favor or against the adoption Councilman Graves closed the PUBLIC HEARING at 7:22 P.M.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve the **ADOPTION OF ORDINANCE 2024-03**
ORDINANCE PERTAINING TO THE INTENT BY THE CITY OF ZACHARY TO CREATE AND TO ESTABLISH §58-40 OF CHAPTER 58 OF THE CODE OF ORDINANCES FOR THE CITY ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS AND FOR ACTIONS IN FURTHERANCE OF THE SAME TO ADDRESS INSTANCES OF PUBLIC CONDUCT DEEMED TO BE LEWD IN

NATURE AND FOR ENFORCEMENT IN ACCORDANCE THEREWITH.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

ALTER AGENDA

7. Discussion regarding Millage rate for upcoming year.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve to roll forward to 5.48 mills for the upcoming year regarding the millage rate.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

8. Discussion and approval of the council condemnation board appointee

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve Councilman Graves as the new condemnation board member for 2024.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

9. Discussion and approval of the council Chamber of Commerce appointee.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve Councilman LeBlanc as the new Chamber of Commerce Economic Development board member for 2024.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

10. Receive minutes of the Home Rule Charter Commission meeting held on February 20, 2024.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To Receive minutes of the Home Rule Charter Commission meeting held on February 20, 2024.

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

P. REPORTS FROM DEPARTMENT HEADS

1. Receive Building Permit Report for the month of January 2024.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To Receive Building Permit Report for the month of January 2024.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

Q. DISCUSSION OF BUSINESS NOT ON AGENDA

(No Action May Be Taken Unless Declared an Emergency)

Councilman LeBlanc spoke regarding the activity report given to councilmembers by Retail Strategies. Perry Williams, 4902 St. Louis Street, was present to speak to council members regarding an incident that happened on St. Louis Street.

R. ADJOURNMENT

The meeting was adjourned at 8:31 p.m.

CERTIFICATION

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

Councilman Graves, Mayor Pro Temp

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 Pro Temp and Council of the City of Zachary, Louisiana, held on Thursday, February 27, 2024, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council