

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, April 23, 2024, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday April 23, 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 Ty Stephens

C. OPENING PROCEDURES

1. ROLL CALL

MAYOR

David McDavid

COUNCIL MEMBERS

Brandy 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 move item N8 to E3 on the agenda.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

ALTER AGENDA

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

1. Copper Mill Lady Colts for winning the CSAA Girls Middle School Division Championship.

Mayor McDavid and council members presented members of the Colts team certificates of recognition for the Championship win of the CSAA Middle School Division.

D. READING OF THE MINUTES

1. Approval of Minutes of April 09, 2024, regular meeting and the April 09, 2024, Council Workshop and approve them as written.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman DeVirgilio

To approve the Minutes of April 09, 2024, regular meeting, and the April 09, 2024, Council Workshop and approve them as written.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

E. HONORS, RECOGNITIONS, AND INTRODUCTIONS

2. Proclamation to recognize the 56th Anniversary of the National Fair Housing Law
Mayor McDavid read a proclamation to recognize the 56th Anniversary of the National Fair Housing Law.

NEW BUSINESS

8. Council approval of a special event permit to TeQuilas on May 05, 2024, Cinco De Mayo.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman DeVirgilio

To approve a special event permit to TeQuilas on May 05, 2024, Cinco De Mayo.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

RETURN TO REGULAR ORDER

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. Pay Request -Stuart & Company – Pay Request #15 – Zachary police Station.

The motion was made by Councilman Graves

The motion was seconded by Councilman LeBlanc

To approve a Pay Request -Stuart & Company – Pay Request #15 – Zachary police Station in the amount of \$564,904.22.

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/Waivers

- a. Waiver Request – Michael Williams - 6630 Woodland Drive – to build an accessory building before residence.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman Boyd

To approve a Waiver Request – Michael Williams - 6630 Woodland Drive – to build an accessory building before residence.

YEAS: Graves, Boyd

NAYS: Westmoreland, LeBlanc, DeVirgilio

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 April 01, 2024, the Planning Commission, and the Minutes of the Regular meeting of April 01, 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 April 01, 2024, the Planning Commission and the Minutes of the Regular meeting of April 01, 2024, of the Zoning Commission.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

2. Planning Matters REQUIRING a Public Hearing

- a. **SP-2-24 (Afton Oaks Preliminary Plat Revision)** - Proposed revision of Afton Oaks preliminary plat to remove 21 townhomes from the development on property located at 5703, 5637 Emmie Drive, 4850 Bob

Odom Drive, 5330, 5630, 5440, and 5702 Montegudo Boulevard, on Lots 2-A-2, 4-5, and 9-12, Zachary, La 70791.

Mayor McDavid opened the PUBLIC HEARING at 7:05 p.m. Mickie Robertson, MR Engineering was present to speak in favor of the Preliminary Plat Revisions. There being no one else to speak in favor or against Mayor McDavid closed the PUBLIC HEARING at 7:07 p.m.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve a **SP-2-24 (Afton Oaks Preliminary Plat Revision)** – Proposed revision of Afton Oaks preliminary plat to remove 21 townhomes from the development on property located at 5703, 5637 Emmie Drive, 4850 Bob Odom Drive, 5330, 5630, 5440, and 5702 Montegudo Boulevard, on Lots 2-A-2, 4-5, and 9-12, Zachary, La 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- b. **SP-3-24 (Afton Oaks Final Plat)** - Proposed final plat of Afton Oaks, a 65-townhome development on property located at 5703, 5637 Emmie Drive, 4850 Bob Odom Drive, 5330, 5630, 5440, and 5702 Montegudo Boulevard, on Lots 2-A-2, 4-5, and 9-12, Zachary, La 70791

Mayor McDavid opened the PUBLIC HEARING at 7:09 p.m. Mickie Robertson, MR Engineering was present to speak in favor of the Preliminary Plat Revisions. There being no one else to speak in favor or against Mayor McDavid closed the PUBLIC HEARING at 7:11 p.m.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Boyd

To approve a **SP-3-24 (Afton Oaks Final Plat)** - Proposed final plat of Afton Oaks, a 65-townhome development on property located at 5703, 5637 Emmie Drive, 4850 Bob Odom Drive, 5330, 5630, 5440, and 5702 Montegudo Boulevard, on Lots 2-A-2, 4-5, and 9-12, Zachary, La 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

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

- a. **Parking Waiver - 4524 Virginia Street - McHugh House**
No action was taken on this item at the April 09, 2024, meeting.

The motion was made by Councilwoman DeVirgilio
The motion was seconded by Councilman LeBlanc
To remove a Parking Waiver - 4524 Virginia Street - McHugh House from the agenda.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

K. BUDGET AND FINANCIAL MATTERS

1. Receive the Balance Sheet and Income statement as of March 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 March 2024.
YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd
NAYS: None
ABSENT: None
ABSTAINED: None

L. OLD BUSINESS PENDING FOR FINAL ACTION

M. OLD BUSINESS PENDING

1. Discussion and approval of issuance of a City Council ordered subpoena for enforcement action to adhere to local ordinances regarding the following:
(Deferred until the May 14, 2024, meeting)
- Illegal sign at property located at **4524 Virginia Street**
 - Junk property located at **4735 Avenue G**
 - Junk property located at **4633 Avenue C**
 - Junk property located at **5236 E Mae Street**

N. NEW BUSINESS

1. **PUBLIC HEARING and Re-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
(Tabled until the May 14, 2024) (John Hopewell)
2. **PUBLIC HEARING and ADOPTION OF ORDINANCE 2024-06**
ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND 38-86
OF THE CODE OF ORDINANCES FOR THE CITY OF ZACHARY
RELATING TO JUNKED AND ABANDONED VEHICLES CONSIDERED TO

BE PUBLIC NUISANCES AND PROVIDING FOR THEIR IMPOUNDMENT AND DISPOSITION AND FOR OTHER MATTER IS FURTHERANCE THEREOF (Tabled until the May 14, 2024) (John Hopewell)

3. **INTRODUCTION OF ORDINANCE 2024-07** ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2024 AND TO ESTABLISH THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF 5.18 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2024 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the **INTRODUCTION OF ORDINANCE 2024-07** ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2024 AND TO ESTABLISH THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF 5.18 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2024 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

4. **INTRODUCTION OF ORDINANCE 2024-08** ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2024 AND TO ESTABLISH AND TO ROLL FORWARD THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF MAXIMUM MILLAGE RATE OF 5.48 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2024 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION THEREWITH.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman LeBlanc

To approve the **INTRODUCTION OF ORDINANCE 2024-08** ORDINANCE TO FIX THE ANNUAL PROPERTY MILLAGE RATE FOR 2024 AND TO ESTABLISH AND TO ROLL FORWARD THE RATE OF TAXATION AND LEVY A TAX IN THE AMOUNT OF MAXIMUM MILLAGE RATE OF 5.48 MILS TO DEFRAY EXPENSES OF OPERATION OF THE CITY GOVERNMENT FOR ALL GENERAL PURPOSES FOR THE YEAR 2024 ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ZACHARY AND TO PROVIDE THE COLLECTION OF THE SAME AND FOR OTHER MATTERS IN CONNECTION

THEREWITH.

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

5. **INTRODUCTION OF ORDINANCE 2024-09** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the **INTRODUCTION OF ORDINANCE 2024-09** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND AND CORRECT CERTAIN DEPARTMENTAL BUDGETS IN THE GENERAL FUND UTILITY FUND AND SPECIAL REVENUE FUND FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024.

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

6. **INTRODUCTION OF ORDINANCE 2024-10** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve the **INTRODUCTION OF ORDINANCE 2024-10** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO IMPLEMENT THE GENERAL FUND, UTILITY FUND, SPECIAL REVENUE FUND AND CAPITAL IMPROVEMENT FUND BUDGETS FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025.

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

7. Council approval of the Re-appointment of Todd McKey to the Board of Commissioners of Gas Utility District 1 of East Baton Rouge Parish.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve the Re-appointment of Todd McKey to the Board of Commissioners of Gas Utility District 1 of East Baton Rouge Parish.

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

9. Discussion concerning compensation of the Council Clerk and delegation of authority to negotiate same to Mayor Pro Tempore.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman Graves

To approve the delegation of authority to negotiate Discussion concerning compensation of the Council Clerk to Mayor Pro Tempore.

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

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

Mayor McDavid spoke regarding Ordinance 2023-04 and Ordinance 2024-06. Bryant Dixon explained the Master Plan update process to council members. Councilwoman DeVirgilio asked if the commercial zoning can be looked at during the revision. Aron Riley, Medi-Sage was present to hear discussion regarding Ordinance 2023-04 but the ordinance was tabled until the May 14, 2024 council meeting.

R. ADJOURNMENT

The motion was made by Councilwoman Boyd

The motion was seconded by Councilwoman Westmoreland

To adjourn the meeting at 7:50 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, April 23, 2024, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council