

**For the Meeting of Mayor and Council
City of Zachary, LA
Council Chambers, 4700 Main Street
Tuesday, May 14, 2024, 6:30 P.M.**

A. CALL TO ORDER

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday May 14, 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 Sergeant Sims

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

D. READING OF THE MINUTES

1. Approval of Minutes of the April 23, 2024, regular meeting and approve them as written.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve the minutes of the April 23, 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. Proclamation establishing May 2024 as Brain Tumor Awareness Month
Mayor McDavid proclaimed May 2024 as Brain Tumor Awareness month.
Councilwoman Westmoreland read the proclamation to highlight awareness about the disease and paid tribute to those affected.

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 #003 – Zachary Youth Park Restrooms in the amount of \$68,149.32 to Strickland and Porter Construction, LLC.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a Pay Request #003 – Zachary Youth Park Restrooms in the amount of \$68,149.32 to Strickland and Porter Construction, LLC.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

b. Change Order Request #011 – Zachary Police Department & Training Center in the amount of \$87,943.30 to Stuart & Company General Contractor, LLC.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve a Change Order Request #011 – Zachary Police Department & Training Center in the amount of \$76,422.97 to Stuart & Company General Contractor, LLC.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

G. PRESENTATION OF DELEGATIONS

1. Requests to Speak

Ted James, candidate for Mayor President of East Baton Rouge Parish, was present to introduce himself to Mayor McDavid and council members. Stacey Paige, 3554 Cypress Park Drive, Zachary, was present to ask questions regarding a house and property located at 3780 Cypress Park Drive. Don Broussard, a non-resident of Zachary was present to express his interest in more restaurants coming to Zachary. Ty Stephens was present to speak to Mayor McDavid and council members regarding the TEXTMYGOV program.

2. Hardship Waivers

- 3. **Other Variances**
- 4. **Exceptions to Regulations**

H. ACTION MANDATED BY HOME RULE CHARTER

I. PLANNING & ZONING MATTERS

- 1. **Receive Minutes of the Regular meeting of May 06, 2024, of the Planning Commission and the Minutes of the Regular meeting of May 06, 2024, of the Zoning Commission.**

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To Receive Minutes of the Regular meeting of May 06, 2024, the Planning Commission and the Minutes of the Regular meeting of May 06, 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**
- 5. **Zoning Matters NOT Requiring Public Hearing**
 - a. **ZOI-SNC-1-24** – Proposing to change Port Hudson-Pride Road to Pride-Port Hudson Road from Old Scenic Highway to Liberty Road/Pride-Baywood Road.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a recommendation of no objection for a **ZOI-SNC-1-24** – Proposing to change Port Hudson-Pride Road to Pride-Port Hudson Road from Old Scenic Highway to Liberty Road/Pride-Baywood Road.

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

- b. **ZOI - 54733-S (Trivento Subdivision, Preliminary Plat)** – Proposed subdivision that consists of 3 commercial tracts and 1,218 residential tracts, on property located at the corner of Groom Road and Old Scenic Highway.

The motion was made by Councilman Graves

The motion was seconded by Councilwoman DeVirgilio

To approve a recommendation of objection for a **ZOI - 54733-S (Trivento Subdivision, Preliminary Plat)** – Proposed subdivision that consists of 3 commercial tracts and 1,218 residential tracts, on property located at the corner of Groom Road and Old Scenic Highway.

YEAS: LeBlanc, DeVirgilio, Graves, Boyd, Westmoreland

NAYS:
ABSENT: None
ABSTAINED: None

- c. **ZOI-54754-EOP (Springfield Plantation)** – Proposed exchange of property for a 100-acre tract and Tract M-2 into Tract M-2-A and Tract AB-1, located near Springfield Road and Samuels Road.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve a recommendation of no objection for a **ZOI-54754-EOP (Springfield Plantation)** – Proposed exchange of property for a 100-acre tract and Tract M-2 into Tract M-2-A and Tract AB-1, located near Springfield Road and Samuels Road.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

6. Other Matters

J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE

- 1. Receive accounts payable for April 2024 and the natural gas bill when it is received.

The motion was made by Councilman Graves

The motion was seconded by Councilman DeVirgilio

To Receive accounts payable for April 2024 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. 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**

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To defer the items for sixty days if code compliance/code enforcement deems them

as a continued issue. If deemed not an issue the items will be removed from the agenda.

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

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)

Mayor McDavid opened the PUBLIC HEARING at 7:48 p.m. Darrin Ryland, 22075 Tucker Road was present to speak in favor of the adoption. There being no one else to speak in favor of against the adoption Mayor McDavid closed the PUBLIC HEARING at 7:55 p.m.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman Boyd

To approve the ordinance. At this time Councilwoman Westmoreland withdrew her motion to add revisions to the ordinance.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilman Graves

To approve the **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 with revisions as follows:

§2 Occupational license required.

(g) Massage establishment proprietors shall provide the business license department with the dates and hours of operation for the business. ~~Massage establishments proprietors must notify the business license office of any changes to their dates or hours of operation before the changed hours take effect.~~

(k) A massage establishment shall ~~apply to the city's business license department to~~ amend its registration certificate within 30 days after any change in the registration information, ~~including, but not limited to, the hiring and termination of certified massage practitioners,~~ a change in the business's address, or changes in the owner's addresses and/or telephone numbers.

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

ABSTAINED: None

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)

Mayor McDavid opened the PUBLIC HEARING at 8:31 p.m. There being no one to speak in favor or against the adoption Mayor McDavid closed the PUBLIC HEARING at 8:31 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Boyd

To approve the **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.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Boyd

NAYS: Graves

ABSENT: None

ABSTAINED: None

3. **Introduction Of Ordinance 2024-11** 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 In Place.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve the **Introduction Of Ordinance 2024-11** 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 In Place.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

4. Request to go into Executive Session of the Council and of the Mayor
pursuant to LSA- R.S. 42:17 (A)(2) with regard to specific civil litigation
matters:

- Jackson, Alvin adv CoZ et al- 19th JDC # 649, 447 §22, and
- Sassano, LLC adv CoZ 19th JDC # 588,378 “§D”

And LSA- R.S. 42:17 (A)(4) with regard to a specific investigative proceeding
discussion matter:

- A discussion regarding investigative proceeding regarding suggested allegations of potential misconduct.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve Council members to recess the regular meeting and enter into an executive Session at 8:37 p.m.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

Note: A super majority was met to enter into executive session.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To reconvene the regular meeting at 9:34 p.m.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve to allow Mayor McDavid to enter into mediation regarding the Alvin Jackson vs City of Zachary litigation.

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. Review/Reports relative to Proposed/Active Condemnations

2. Minutes of the April 23, 2024, Condemnation Meeting

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To receive the minutes of the April 23, 2024, Condemnation Meeting.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

P. REPORTS FROM DEPARTMENT HEADS

1. Building report for the month of April 2024.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To receive the building report for the month of April 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)**

Councilwoman Westmoreland thanked council members for their support for awareness to Brain Cancer month.

R. ADJOURNMENT

The meeting was adjourned at 9:37 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, May 14, 2024, a proper quorum being there and then present.

Dana LeJeune, Clerk of the City Council