

**For the Meeting of Mayor and Council  
City of Zachary, LA  
Council Chambers, 4700 Main Street  
Tuesday, August 13, 2024, 6:30 P.M.**

**A. CALL TO ORDER**

Mayor McDavid called the meeting to order at 6:30 p.m., on Tuesday July 09, 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 Police Chief Darryl Lawrence

**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 July 23, 2024, regular meeting and approve them as written.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve the Minutes of the July 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**

**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. Request for approval of ZYP Restroom Construction Pay Application #6.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve the ZYP Restroom Construction Pay Application #6 in the amount of \$54,667.58.

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

- b. Request for approval of Zachary Police Station pay application #18.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the Zachary Police Station pay application #18 in the amount of \$330,739.64.

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

**G. PRESENTATION OF DELEGATIONS**

**1. Requests to Speak**

- a. Presentation by Corey Wilson, BREC Superintendent

Corey Wilson, BREC Superintendent, spoke to Mayor McDavid and council members and gave insights on “The State of BREC, 2024”. Mr. Wilson recognized National Parks and Recreation Day and gave details about the planning process for the next ten years through the system master plan. Mr. Crozier, 21041 Leviticus, Zachary, spoke regarding issues of vehicles being parked in “No Parking Zones” in Oak Shadows subdivision.

- 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 August 05, 2024, of the Planning Commission and the Minutes of the Regular meeting of August 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 August 05, 2024, of the Planning Commission and the Minutes of the Regular meeting of August 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**

- a. SP-4-24 (Redwood Baptist Church)** – Proposed site plan for the addition of a fellowship hall at the rear of the existing building at Redwood Baptist Church, located at 20912 MacHost Road, Zachary, La 70791.

Mayor McDavid opened the PUBLIC HEARING at 7:11 p.m. Dale Flowers, Pastor of Redwood Baptist Church, was present to speak in favor of the site plan. There being no one else to speak in favor or against the site plan Mayor McDavid closed the PUBLIC HEARING at 7:12 p.m.

The motion was made by Councilwoman Boyd

The motion was seconded by Councilman LeBlanc

To approve the **SP-4-24 (Redwood Baptist Church)** – Proposed site plan for the addition of a fellowship hall at the rear of the existing building at Redwood Baptist Church, located at 20912 MacHost Road, 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**

- a. ZOI - 54836-SS Lavoide J Crochet Subdivision** – Proposed resubdivision of Tract 3-A into Lots 3-A-1 and 3-A-2 of the Lavoide J. Crochet Tract, on property located at 500-600 W. Port Hudson-Plains Road, Zachary, La 70791.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve a recommendation of no objection for **ZOI - 54836-SS Lavoide J Crochet Subdivision** – Proposed resubdivision of Tract 3-A into Lots 3-A-1 and 3-A-2 of the Lavoide J. Crochet Tract, on property located at 500-600 W. Port Hudson-Plains Road, Zachary, La 70791.

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

- b. **ZOI - 54838-EOP Harris B. Copenhaver, Jr. Property** – Proposed exchange of property of Lots A-1-B-4-A and A-1-B-5-A into Lots A-1-B-4-A-1 and A-1-B-5-A-1 of the Harris B. Copenhaver, Jr. Property, on property located at 8818 & 21020 Zachary-Slaughter Highway, Zachary, La 70777.

The motion was made by Councilman Graves

The motion was seconded by Councilman DeVirgilio

To approve a recommendation of no objection **ZOI - 54838-EOP Harris B.**

**Copenhaver, Jr. Property** – Proposed exchange of property of Lots A-1-B-4-A and A-1-B-5-A into Lots A-1-B-4-A-1 and A-1-B-5-A-1 of the Harris B. Copenhaver, Jr. Property, on property located at 8818 & 21020 Zachary-Slaughter Highway, Zachary, La 70777 .

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

- c. **ZOI - 54882-SS E.M. Treakle Tract** – Proposed resubdivision of Lot 35-A into Lots 2-C-1-A-1, 7-B-1-A-1, 10-B-1-A, 10-B-2-A, 10-A-1, 15-A-1, 18-C-1, 23-C-1-A, 23-A-1, 26-B-2, 26-B-3, 31-A-1, 31-B-1, 31-C-1 & 35-A of the E.M. Treakle Tract, on property located at 22900-23700 Sunnyside Lane, Zachary, La 70791.

The motion was made by Councilman LeBlanc

The motion was seconded by Councilwoman Westmoreland

To approve a recommendation of no objection **ZOI - 54882-SS E.M. Treakle Tract** – Proposed resubdivision of Lot 35-A into Lots 2-C-1-A-1, 7-B-1-A-1, 10-B-1-A, 10-B-2-A, 10-A-1, 15-A-1, 18-C-1, 23-C-1-A, 23-A-1, 26-B-2, 26-B-3, 31-A-1, 31-B-1, 31-C-1 & 35-A of the E.M. Treakle Tract, on property located at 22900-23700 Sunnyside Lane, Zachary, La 70791.

YEAS: Westmoreland, LeBlanc, DeVirgilio, Graves, Boyd

NAYS: None

ABSENT: None

ABSTAINED: None

## 6. Other Matters

- a. Discussion regarding the Zachary UDC – RE vs. RR

Councilwoman Westmoreland spoke to Mayor McDavid, council members, and the Zachary Planning and Zoning Director, Bryant Dixon regarding the difference between RE and RR zonings .Councilwoman Westmoreland expressed concern of the density of the zonings and encouraged the City to consider more restrictions to include larger lot sizes. Councilman Graves expressed concerns regarding what zoning a multifamily housing development can be constructed.

- b. Update on Unified Development Code

Councilwoman Westmoreland continued her discussion and continued to express concerns regarding density in the two zonings.

c. Discussion and update of commercial Zoning District uses  
Councilman Graves continued his discussion and continued to express his concerns regarding the CG zoning and what can be developed in that zoning district.

**J. RECEIVE RECORD OF PAYMENT OF ACCOUNTS PAYABLE**

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

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To Receive accounts payable for July 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 August 27, 2024, council meeting)**

- 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 Adoption of Ordinance 2024-12** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND § 38 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.

Mayor McDavid opened the PUBLIC HEARING at 7:52 p.m. There being no one to speak in favor or against the adoption of the ordinance, Mayor McDavid closed the PUBLIC HEARING at 7:52 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the **Adoption of Ordinance 2024-12** ORDINANCE AUTHORIZING THE CITY OF ZACHARY TO AMEND § 38 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, Graves, Boyd  
NAYS: None  
ABSENT: None  
ABSTAINED: None

2. **Introduction of Ordinance 2024-14** 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.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilman LeBlanc

To approve the **Introduction of Ordinance 2024-14** 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

3. Presentation of completed and proposed 2023-2024 Home Rule Charter by the Zachary Home Rule Charter Commission to the Mayor and City Council coupled with mandatory request for publication and eventual calling of election on approval or rejection of the same.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To table the Presentation of completed and proposed 2023-2024 Home Rule Charter by the Zachary Home Rule Charter Commission to the Mayor and City Council coupled with mandatory request for publication and eventual calling of election on approval or rejection of the same until the August 27, 2024, meeting.

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

4. **Introduction of Ordinance 2024-13** - To allow for amendments to the Home Rule Charter for the City of Zachary, calling for its publication and for the mandatory election to adopt or reject said amended and proposed charter pursuant to and under the provisions of LSA-R.S.18:402, and all in accordance with LSA-R.S. 33: 1395 et seq. and to provide for other matters in connection therewith.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To table the **Introduction of Ordinance 2024-13** - To allow for amendments to the Home Rule Charter for the City of Zachary, calling for its publication and for the mandatory election to adopt or reject said amended and proposed charter pursuant to and under the provisions of LSA-R.S.18:402, and all in accordance with LSA- R.S. 33: 1395 et seq. and to provide for other matters in connection therewith.

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

5. Request for approval of proposed classification of City of Zachary Emergency Manager.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To approve the proposed classification of City of Zachary Emergency Manager.

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

6. Receive the minutes of the Home Rule Charter Commission.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

To Receive the minutes of the Home Rule Charter Commission of the July 25, 2024 meeting.

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

7. Discussion of placement of No U-Turn signs along certain areas of Hwy. 64  
Councilman LeBlanc expressed concerns regarding “No U-Turn” signs to be placed along Hwy.64. Councilman LeBlanc read into the record a letter that was email to him by a constituent in his district. Councilman LeBlanc asked Planning and Zoning Assistant, Calesia Anderson to collect data regarding the U-Turns that are currently allowed on Hwy. 64 and report back by September 10, 2024.

8. Discussion of the Zachary Public Cemetery located at the corner of Hwy. 64 and Hwy. 964.

City of Zachary Attorney, John Hopewell, spoke to Mayor McDavid and council members regarding the public cemetery. Mr. Hopewell explained that Act 450 does not address aesthetics. It only addresses a municipal political subdivision’s use of labor & resources to abate a public health or safety risk of an abandoned cemetery when the cemetery is located within the jurisdiction of the municipality. It only allows the political subdivision to do so when a majority of governing authority finds that the conditions in the abandoned cemetery present a public health or safety risk and that such abatement constitutes a public purpose. Mr. Hopewell directs that "abandoned cemetery" shall have the meaning ascribed to it in LSA -R.S. 25:933, which means it is no longer being used for interments, not maintained in good condition, and has fallen into a state of disrepair. Act 450, upon the advice and consent of the City council cannot do much more than it has been doing.

9. 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 matter - CoZ adv RDF, LLC & The Gray Casualty Company (Capitol Construction, LLC) et al- 19<sup>th</sup> JDC # 742.254 §21.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To approve to recess the regular meeting and enter into executive session at 8:36 p.m.

A two-thirds vote must be met to enter into executive session.

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

To approve to reconvene the regular meeting at 8:47 p.m.

The motion was made by Councilwoman DeVirgilio

The motion was seconded by Councilwoman Westmoreland

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 Mayor McDavid to mediate and settle the suite of LSA- R.S. 42:17 (A)(2) with regard to specific civil litigation matter - CoZ adv RDF, LLC & The Gray Casualty Company (Capitol Construction, LLC) et al- 19<sup>th</sup> JDC # 742.254 §21.

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. Receive the minutes of the July 25, 2024, Condemnation board meeting.

The motion was made by Councilwoman Westmoreland

The motion was seconded by Councilwoman DeVirgilio

To Receive the minutes of the July 25, 2024, Condemnation board meeting.

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



ABSENT: None  
ABSTAINED: None

**P. REPORTS FROM DEPARTMENT HEADS**

**Q. DISCUSSION OF BUSINESS NOT ON AGENDA**

**(No Action May Be Taken Unless Declared an Emergency)**

Councilman LeBlanc announced the Zachary Back To School Day at the Rock Church. Scott Masterson spoke to Mayor McDavid and council members requesting an ordinance be put in place to force contractors to finish out garages before an occupancy permit is granted.

**R. ADJOURNMENT**

The meeting was adjourned at 9:05 p.m.

**CERTIFICATION**

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

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**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, August 13, 2024, a proper quorum being there and then present.

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**Dana LeJeune, Clerk of the City Council**