

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, APRIL 8, 2019 AT 5:30 P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana on Monday, April 8, 2019 at 5:30 p.m.

There were present:

Mayor Lee Posey
Councilman Dale Nielsen
Councilwoman Sylvia Morrow
Councilman Lawrence Batiste

Guests: None

Absent: Councilman At Large Don Mims, Jr.

Mayor Lee Posey called the meeting to order and welcomed everyone for coming. Michael Braxton was asked to lead the invocation and Councilman Lawrence Batiste led the Pledge of Allegiance.

Mayor Posey then called for the reading and approval of the minutes for the March 25, 2019 meeting. Mr. Harrington moved that we dispense with the reading of the minutes and approval of same. Seconded by Ms. Morrow, a roll call vote was as follows:

Ayes:	Batiste, Nielsen, Harrington, Morrow
Nays:	None
Absent:	Mims
Abstain:	None

The following Resolution was introduced by Mr. Harrington and Seconded by Mr. Mims as follows, to –wit:

**RESOLUTION NO. 018 OF 2019
PROCLAMATION DECLARING MAY 18, 2019 AS KIDS TO PARKS DAY IN THE
CITY OF NATCHITOCHES**

WHEREAS, May 18, 2019 is the ninth Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks, public lands and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day will broaden children’s appreciation for nature and the outdoors; and

NOW, THEREFORE, I, Lee Posey, Mayor, and the Natchitoches City Council, do hereby proclaim May 18, 2019 as:

KIDS TO PARKS DAY

in Natchitoches, and urge residents of Natchitoches to make time May 18, 2019 to take the children in their lives to a neighborhood, State or National Park.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 8th day of April, 2019.

LEE POSEY, MAYOR

Councilman Harrington presented DeAndrea Sanders with the City's Community Programs with the proclamation. Mayor Posey thank DeAndrea for her efforts within this department planning events at the parks for in our community.

The following Resolution was introduced by Mr. Mims and Seconded by Mr. Nielsen as follows, to –wit:

RESOLUTION NO. 019 OF 2019

PROCLAMATION DECLARING APRIL 21 -27, 2019 AS “DRIVE THE JEFFERSON HIGHWAY” IN THE CITY OF NATCHITOCHEES

WHEREAS, the Jefferson Highway Association founded in 1915, and as a need for more awareness of the Jefferson Highway, a major early highway that reached from Winnipeg, Canada to New Orleans and travelled through Natchitoches, making it the first international highway traversing the United States from north to south through the Mississippi Valley and Louisiana Purchase Territory; and

WHEREAS, the Jefferson Highway is known as the ‘Pine to Palm ‘highway, the Jefferson Highway Association also promoted it as the vacation pipeline and was the original road that brought vacationers to their rustic lakes up north; and warm tropical getaways to the south; and

WHEREAS, Natchitoches and other communities on the Jefferson Highway route in Louisiana (which approximates or coincides with much of US 171, LA 175, LA 120, LA 6, US 71, LA 1225 through Natchitoches Parish) currently are availing themselves of the tourism that a greater awareness of the Jefferson Highway would bring; and

WHEREAS, a special week recognizing the Jefferson Highway would help to bring a greater awareness of this historically important highway in Natchitoches, the state of Louisiana, and the nation; and

WHEREAS, the Jefferson Highway Association will bring its 2019 International Conference to Natchitoches, Louisiana's oldest settlement in the Louisiana Purchase Territory in which the Jefferson Highway traverses April 21-27, 2019,

NOW, THEREFORE, I, Lee Posey, Mayor, and the Natchitoches City Council, do hereby proclaim the week of April 21 – 27, 2019 as:

“Drive the Jefferson Highway”

in Natchitoches Louisiana, and call upon the people of Natchitoches to explore this historic highway with an adventurous spirit and to begin to learn more about it and its importance in our local, state, and national history.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to

0 Nays on this 8th day of April, 2019.

LEE POSEY, MAYOR

Councilman Don Mims presented Kelli West with the Natchitoches CVB with the proclamation for “Drive the Jefferson Highway”. Kelli stated the CVB is excited to have everyone here in Natchitoches as they are coming from all over the United States to attend this event.

The following Resolution was introduced by Mr. Batiste and Seconded by Mr. Mims as follows, to –wit:

RESOLUTION NO. 022 OF 2019

**PROCLAMATION DECLARING APRIL 2019 AS
FAIR HOUSING MONTH IN THE CITY OF NATCHITOCHES**

WHEREAS, the 51th Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans - individually and collectively - to rededicate themselves to the principle of freedom from housing discrimination whenever it exists; and

WHEREAS, this law guarantees for each citizen the critical, personal element of freely choosing a home; and

WHEREAS, a fair housing law has been passed by the State of Louisiana, and implementation of the law requires the positive commitment, involvement, and support of each of our citizens; and

WHEREAS, the department and agencies of the state of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen to freely choose a home will ultimately diminish the rights and limit the options of all.

NOW, THEREFORE, BE IT RESOLVED I, Lee Posey, Mayor, and the Natchitoches City Council, hereby proclaim the month of April 2019, as

FAIR HOUSING MONTH

in the City of Natchitoches.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 8th day of April, 2019.

LEE POSEY, MAYOR

The following Ordinance was introduced by Ms. Morrow at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 010 OF 2019

AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:

TO REZONE THE FOLLOWING Lot Northeast Corner Boyd Street and College Avenue and Tract "1" On Plat by Glen L. Cannon, P.L.S. In Conveyance Book 549, Page 146, Less Tract "2" To Wesley Foundation and Lot 74 Feet Front North Side College Avenue by Depth of 150 Feet, Bound North and West by Coca Cola Bottling Company, And East by Methodist Church Property

(536 University Parkway)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of **April 21, 2019** that the application of John Abraham d/b/a Magee's Patio Café to rezone the property described above from B-2 Neighborhood Business District to B-3 Community & Central Business District to extend the hours of operation to 6 a.m., be **APPROVED**.

The following Ordinance was introduced by Ms. Morrow at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 011 OF 2019

**AN ORDINANCE ADOPTING THE BUDGET FOR THE
CITY OF NATCHITOCHEES FOR THE FISCAL YEAR
JUNE 1, 2019 THROUGH MAY 31, 2020**

WHEREAS, the fiscal year of the City of Natchitoches is from June 1 through May 31 of each year; and

WHEREAS, a budget has been prepared by the Finance Director, Debbie Miley, and has been submitted by the Mayor, Lee Posey, to the City Council for review and consideration;

NOW, THEREFORE, be it ordained that the Natchitoches City Council does hereby adopt the budget for the fiscal year June 1, 2019 through May 31, 2020.

CITY OF NATCHITOCHEES 2019 - 20 FY

General Fund	\$ 16,777,666
Proprietary Fund (Utility)	\$ 36,496,852
Special and Capital Project Funds	\$ 35,783,824

BE IT FURTHER ORDAINED, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority:

The Home Rule Charter of the City of Natchitoches states in part "... at any time during the fiscal year the Mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the Mayor, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another..." (Section 5.05 D) Supplemental, emergency, and reductions of appropriations must be submitted to the Council for approval by Ordinance. (Section 5.05 A-C)

The following Ordinance was introduced by Ms. Morrow at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 012 OF 2019

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs, LEE POSEY, TO EXECUTE A LEASE IN FAVOR OF MED-TRANS CORPORATION, OF A PORTION OF LOT 1A OF THE NATCHITOCHEs REGIONAL AIRPORT AS SHOWN ON THE AIRPORT LAYOUT PLAN OF APRIL 27, 2001, BY ALLIANCE INCORPORATED AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE.

WHEREAS, the City of Natchitoches is the owner of those lots shown on the Airport Layout Plan of April 27, 2001, which said lots are available for lease, and more particularly is the owner of Lot 1A as shown and depicted on the Layout Plan, said Lot 1A being approximately a 11,737 square foot area; and

WHEREAS, the Airport Manager, has negotiated the terms of a lease to Med-Trans Corporation, of a portion of that property shown and depicted as Lot 1A on the Layout Plan as well as access to the associated asphalt apron and parking area; and

WHEREAS FURTHER, the terms of the lease are for a one (1) year period, and a one (1) year option, with consideration of One Thousand Five Hundred and no/100 (\$1,500.00) Dollars per month, all as set forth in the attached Lease Agreement by and between the City of Natchitoches, and Med-Trans Corporation; and

WHEREAS FURTHER, the lease will include the front office area on the southern end of the hanger as well as the southern end of the hanger bay, being a 36 foot by 82.5 foot area, as is shown and depicted on the sketch attached to the Lease Agreement; and

WHEREAS FURTHER, the lease further provides that Med-Trans Corporation shall have access to and use of the Classroom (being that 26 foot by 19 foot area in the office area on the eastern side of the hanger) or the conference room in the airport terminal at the rate of One Hundred and no/100 (\$100.00) Dollars per day; and

WHEREAS FURTHER, the City desires to lease a portion of Lot 1A of the Layout Plan, as identified on the sketch as well as access to and use of the associated asphalt apron and parking area, under the terms set forth above and more particularly set forth in the lease attached hereto.

NOW THEREFORE, BE IT ORDAINED by the City Council in legal session convened as follows:

(1) That after due proceedings and advertisement, the said City does lease that property shown and described on the attached sketch, being a portion of that 11,737 square foot area, more fully shown and depicted as Lot 1A on the Airport Layout Plan of April 27, 2001, together access to associated asphalt apron and parking area, to Med-Trans Corporation, for the term of

one (1) year, with a monthly rental of One Thousand Five Hundred and no/100 (\$1,500.00) Dollars.

(2) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

(3) That any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

(4) That the Mayor, Lee Posey, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute a lease in favor of Med-Trans Corporation, leasing that property shown and described on the attached sketch, being a portion of Lot 1A on the Airport Layout Plan of April 27, 2001, together with access to the associated asphalt apron and parking area, for the term of one (1) year, with the monthly rental of One Thousand Five Hundred and no/100 (\$1,500.00) Dollars.

(5) That the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

(6) That the City takes cognizance of the fact that the property described above is not needed for public purposes by the City.

The following Ordinance was introduced by Mr. Batiste at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 013 OF 2019

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY
OF NATCHITOCHEs TO AWARD
THE BID FOR THE ELECTRIC DISTRIBUTION REHABILITATION FOR THE
QUIDA AND JACKSON STREET PROJECT**

(BID NO. 0617)

WHEREAS, Resolution No.008 of 2019 was passed by the Natchitoches City Council on February 25, 2019 authorizing the Mayor to advertise for bids for the Electric Distribution Rehabilitation for the Quida and Jackson Street Project (Bid No. 0617); and

WHEREAS, this bid was advertised in the *Natchitoches Times* on, February 28, March 7, and March 14, 2019 in accordance with law; and

WHEREAS, three bid proposals were received and opened as follows:

- | | |
|--|--------------|
| (1) Sunstream Inc.,
Natchitoches, LA | \$76,398.70 |
| (2) CDG Energy, LLC
Alexandria, LA | \$80,053.56 |
| (3) Preferred Electric Inc.,
New Iberia, LA | \$128,565.00 |

WHEREAS, on April 2, 2019 the appointed committee of Edd Lee, Director of Purchasing; Charles Brossette, Utility Director, Debbie Miley, Finance Director and Eddie Harrington, Councilman, reviewed the bid proposals for the Electric Distribution Rehabilitation for Quida and Jackson Street Project (Bid No. 0617); and

WHEREAS, the above appointed committee members unanimously recommend the City award the bid to the lowest bidder **Sunstream, Inc.**, in the amount of **\$76,398.70**.

NOW, THEREFORE, BE IT ORDAINED, that the Honorable Lee Posey, Mayor, is hereby authorized, empowered and directed to sign any and all documents necessary for acceptance of this bid.

The following Ordinance was introduced by Mr. Harrington at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 014 OF 2019

AN ORDINANCE APPROVING A CONVEYANCE OF A 5.39 ACRE TRACT OF LAND IN SECTION 74, TOWNSHIP 9 NORTH, RANGE 7 WEST, TO ARCHIE'S TOWING SERVICE, L.L.C., FOR THE SUM AND PRICE OF \$260,000.00, AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE A DEED AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSFER ON BEHALF OF THE CITY OF NATCHITOCHEES, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as "City") is the owner of property situated in what is commonly referred to as the Natchitoches Industrial Park, including a tract of ground being 5.39 acres, more or less, (sometimes hereinafter "Subject Tract") which tract is situated on the South right of way of Daniel Street, in Section 74, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, and is shown and depicted as Lot 25A on a survey by Davis Surveying, dated February 11, 2019, a copy of which is attached hereto and which is more fully described as follows, to-wit:

That certain parcel, lot or tract of land, together with all buildings and improvements thereon situated, located in Sections 75 and 76, Township 9 North, Range 7 West, situated in the Natchitoches Air Industrial Park, and being more particularly described as Lot 25A on a survey by Davis Surveying, dated February 11, 2019, said survey entitled "A Resubdivision of Lots 3, 25 and 26 of Natchitoches Air Industrial Park", a copy of which is attached hereto.

Being a portion of the same property acquired by the City of Natchitoches from Stacy Properties, LLC, by deed dated April 23, 2014, and recorded at Conveyance Book 683, page 231, and by the City of Natchitoches from Daniel Joseph Roque, Jr., by deed dated March 30, 2016, and recorded at Conveyance Book 701, page 199, all of the records of Natchitoches Parish, Louisiana.

Subject to the Restrictive Covenants affecting the property known as Natchitoches Air Industrial Park, dated August 1, 1995, recorded in Conveyance Book 508, page 52 and dated August 15, 1995, recorded in Conveyance Book 505, page 52, as amended by instrument dated January 21, 1999, and recorded at Conveyance Book 536, page 594, all of the Records of Natchitoches Parish, Louisiana.

Further subject to a deed restriction that modifies Section 14 of the Restrictive Covenants to provide as follows:

Outside storage or temporary placement of any materials, supplies or products, to specifically include automobiles and automobile parts, shall not be permitted except on the rear one-third of the property, and unless the storage is properly screened by a fence and shrubbery or a masonry wall.

; and

WHEREAS FURTHER, the City has negotiated with Archie's Towing Service, L.L.C.,(sometimes hereinafter "Archie's") for the sale and purchase of the Subject Tract for the sum and price of \$260,000.00; and

WHEREAS FURTHER, the Subject Property has been appraised by Dranguet's Appraisal Service which said appraisal reflects that the sales price is in excess of the appraised value; and

WHEREAS FURTHER, a copy of the Agreement to Buy and Sell and Deed are attached hereto, and have been reviewed and approved by the City Council; and

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be sold or leased to any person after due advertisement and compliance with the law; and

WHEREAS FURTHER, the City Council is of the opinion that the Subject Property is not currently needed by the City for any public purpose, and that its conveyance to Archie's is in the interest to the City; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the terms set forth in the proposed Deed attached hereto are approved; and

BE IT FURTHER ORDAINED that the Agreement to Buy and Sell is approved and ratified, and that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to execute the Deed on behalf of the City of Natchitoches and any other documents that may be necessary to complete the conveyance of the property to Archie's Towing Service, L.L.C.

BE IT FURTHER ORDAINED that notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

BE IT FURTHER ORDAINED that any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

BE IT FURTHER ORDAINED that the City Clerk be authorized to advertise this proposed conveyance in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the Subject Property is not currently needed for public purposes by the City.

The following Ordinance was introduced by Mr. Nielsen at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NUMBER 015 OF 2019

AN ORDINANCE RESTATING THE POLICY OF THE CITY OF NATCHITOCHEs REGARDING HARASSMENT AND TO AMEND AND REENACT THE PERSONNEL POLICIES MANUAL OF THE CITY OF NATCHITOCHEs TO AMEND THE SECTION ENTITLED “HARASSMENT”, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS pursuant to Sections 1.05 and 1.06 of the Charter of the City of Natchitoches the City may exercise such power and authority not inconsistent with the City Charter or general law; and

WHEREAS FURTHER, the City has the right, power and authority to promote, protect and preserve the general welfare, safety, health, peace and good order of the City; and

WHEREAS, the City of Natchitoches has adopted a “Personnel Policies Manual” the latest version dated June 1, 2018, revised September 1, 2006, revised June 1, 2010, revised June 1, 2013 and revised August 1, 2015; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to amend the Personnel Policies Manual to amend that section dealing with benefits to amend and replace that subsection which is entitled “Harassment”; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to amend the Personnel Policies Manual to amend the Section which is entitled “Harassment” which said section shall henceforth read as follows:

HARASSMENT

It is the policy of the City to promote and support the individual human dignity of all of its employees, as well as to provide a work environment free from all verbal, physical, and visual forms of harassment. All employees are expected to be sensitive to and respectful of their co-workers and others

with whom they come into contact while representing the City, including, but not limited to, outside vendors or contractors.

The City prohibits all forms of harassment, regardless of whether due to race, religion, color, national origin, sex, marital status, age, the presence of a physical, mental, or sensory impairment, or any other protected status or characteristic. Harassment of any employee by another employee, supervisor, contractor, or customer is a serious violation of the City's policy and will not be tolerated or permitted.

Harassment, particularly sexual harassment, can be difficult to define. Misconceptions abound. Harassment can take many forms and can include but are not limited to, the following: slurs, comments, jokes, innuendos, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct, which is based on a person's protected status or characteristic; i.e., race, religion, color, national origin, sex, marital status, age of the presence of a mental or physical impairment.

Harassment based upon a person's protected status is prohibited by federal and state anti-discrimination laws and statutes and violates the City's policy, where the harassment:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise unreasonably affects an individual's employment opportunity.

1. Sexual Harassment

Sexual harassment is a type of harassment, which occurs when the verbal and/or physical conduct described above is sexual in nature and/or is gender-based; that is, directed at a person because of the person's gender. Sexual harassment does not refer to casual, polite, welcome conversation or compliments of a socially-acceptable nature.

Sexual harassment exists in the workplace, when:

- Submission to the conduct is either explicitly or implicitly a term or condition of employment;
- Submission or rejection of the conduct is used as a basis for an employment decision affecting an individual; or
- The conduct unreasonably interferes with the individual's job performance or creates a work environment, which is intimidating, hostile, or offensive.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome verbal behavior, such as comments, suggestions, jokes, or derogatory remarks based on sex or gender;
- Physical behavior, such as touching, patting, squeezing, repeatedly brushing against another's body, or impeding or blocking normal work or movement;
- Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's workstation; and
- Unwanted sexual advances, pressure for sexual favors and/or basing employment decisions upon the employee's consent to sexually harassing behavior in the workplace, such as an employee's performance evaluation, work assignments, or promotion).

A. Unwelcome Behavior

Unwelcome behavior includes, but is not limited to, inappropriate or offensive conduct, which is unwelcome, unsolicited, and disrespectful of the individual, is prohibited by the City. Examples of workplace, unwelcome misconduct could be touching, joking, teasing, spreading rumors, gossip, yelling, cursing, or threatening.

B. Sexual Harassment Complaint Procedure

The City desires to prevent any type of sexual harassment and will take necessary disciplinary action, if warranted. Importantly, if an employee experiences any job-related harassment or sexual harassment or believes he/she has been treated in an unlawful, discriminatory manner, the employee **must promptly** report the incident to their Supervisor or Department Head, who will inform the Human Resource Director of the allegation. The Human Resources Director will begin an investigation into the allegations of sexual harassment, immediately and take appropriate remedial action, if necessary. If, an employee believes, it would be inappropriate to discuss the matter with the employee’s department head, or, if the department head is the alleged harasser, the employee may bypass the department head and report the incident to the Director of Human Resources. Each complaint will be kept confidential to the maximum extent possible.

Any supervisor or manager, who personally witnesses or otherwise becomes aware of possible sexual harassment or any other type of unlawful harassment shall immediately inform the Human Resources Director.

Any person, who has been found to engage in sexual harassment or other unlawful harassment will be subject to disciplinary action, up to, and including, discharge from employment.

2. Preventing Sexual Harassment: Mandatory Training

In compliance with La. Rev. Stat. 42:343, each public servant shall receive a minimum of one (1) hour of education and training on preventing sexual harassment during each full calendar year of his/her public employment or term of office, as the case may be.

A written request shall be made to the Director of Human Resources by the affected employee’s Department Head for approval. Approved requests will be forwarded to the Payroll Department for proper adjustment to the sick leave accruals to both of the affected employees.”

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, as follows:

SECTION 1. The Personnel Policies Manual of the City of Natchitoches shall be amended and reenacted to amend the section that is entitled “Harassment”, which said section shall read as follows:

“HARASSMENT

It is the policy of the City to promote and support the individual human dignity of all of its employees, as well as to provide a work environment free from all verbal, physical, and visual forms of harassment. All employees are expected to be sensitive to and respectful of their co-workers and others with whom they come into contact while representing the City, including, but not limited to, outside vendors or contractors.

The City prohibits all forms of harassment, regardless of whether due to race, religion, color, national origin, sex, marital status, age, the presence of a physical, mental, or sensory impairment, or any other protected status or characteristic. Harassment of any employee by another employee, supervisor, contractor, or customer is a serious violation of the City's policy and will not be tolerated or permitted.

Harassment, particularly sexual harassment, can be difficult to define. Misconceptions abound. Harassment can take many forms and can include but are not limited to, the following: slurs, comments, jokes, innuendos, unwelcome compliments, pictures, cartoons, pranks or other verbal or physical conduct, which is based on a person's protected status or characteristic; i.e., race, religion, color, national origin, sex, marital status, age of the presence of a mental or physical impairment.

Harassment based upon a person's protected status is prohibited by federal and state anti-discrimination laws and statutes and violates the City's policy, where the harassment:

Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
Has the purpose or effect of unreasonably interfering with an individual's work performance; or
Otherwise unreasonably affects an individual's employment opportunity.

1. Sexual Harassment

Sexual harassment is a type of harassment, which occurs when the verbal and/or physical conduct described above is sexual in nature and/or is gender-based; that is, directed at a person because of the person's gender. Sexual harassment does not refer to casual, polite, welcome conversation or compliments of a socially-acceptable nature.

Sexual harassment exists in the workplace, when:

Submission to the conduct is either explicitly or implicitly a term or condition of employment;
Submission or rejection of the conduct is used as a basis for an employment decision affecting an individual; or
The conduct unreasonably interferes with the individual's job performance or creates a work environment, which is intimidating, hostile, or offensive.

Sexual harassment includes, but is not limited to, the following:

Unwelcome verbal behavior, such as comments, suggestions, jokes, or derogatory remarks based on sex or gender;
Physical behavior, such as touching, patting, squeezing, repeatedly brushing against another's body, or impeding or blocking normal work or movement;
Posting of sexually suggestive or derogatory pictures, cartoons, or drawings, even at one's workstation; and
Unwanted sexual advances, pressure for sexual favors and/or basing employment decisions upon the employee's consent to sexually harassing behavior in the workplace, such as an employee's performance evaluation, work assignments, or promotion).

A. Unwelcome Behavior

Unwelcome behavior includes, but is not limited to, inappropriate or offensive conduct, which is unwelcome, unsolicited, and disrespectful of the individual, is prohibited by the City. Examples of workplace, unwelcome misconduct could be touching, joking, teasing, spreading rumors, gossip, yelling, cursing, or threatening.

B. Sexual Harassment Complaint Procedure

The City desires to prevent any type of sexual harassment and will take necessary disciplinary action, if warranted. Importantly, if an employee experiences any job-related harassment or sexual harassment or believes he/she has been treated in an unlawful, discriminatory manner, the employee **must promptly** report the incident to their Supervisor or Department Head, who will inform the Human Resources Director of the allegation. The Human Resources Director will begin an investigation into the allegations of sexual harassment, immediately and take appropriate remedial action, if necessary. If, an employee believes, it would be inappropriate to discuss the matter with the employee's department head, or, if the department head is the alleged harasser, the employee may bypass the department head and

report the incident to the Director of Human Resources. Each complaint will be kept confidential to the maximum extent possible.

Any supervisor or manager, who personally witnesses or otherwise becomes aware of possible sexual harassment or any other type of unlawful harassment shall immediately inform the Human Resources Director.

Any person, who has been found to engage in sexual harassment or other unlawful harassment will be subject to disciplinary action, up to, and including, discharge from employment.

2. Preventing Sexual Harassment: Mandatory Training

In compliance with La. Rev. Stat. 42:343, each public servant shall receive a minimum of one (1) hour of education and training on preventing sexual harassment during each full calendar year of his/her public employment or term of office, as the case may be.”

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

SECTION 6. This Ordinance shall go into effect upon publication and in accordance with law.

The following Ordinance was introduced by Mr. Harrington at the Natchitoches City Council meeting held on April 8, 2019 as follows:

ORDINANCE NO. 016 OF 2019

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHE, LOUISIANA, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NATCHITOCHE COMMUNITY ALLIANCE FOUNDATION, INC., WHICH SAID MEMORANDUM PROVIDES FOR THE CERTIFICATION OF SITES OWNED BY THE CITY OF NATCHITOCHE LOCATED IN THE INDUSTRIAL PARK SITUATED IN SECTIONS 72, 73 AND 74, TOWNSHIP 9 NORTH, RANGE 7 WEST, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as the “City”) is a Municipality located in the State of Louisiana, Parish of Natchitoches governed under a Home Rule Charter and a Code of Ordinances adopted by Ordinance No. 5 of 1977; and

WHEREAS FURTHER, the City of Natchitoches is specifically authorized under Section 1.06 of the Charter of the City of Natchitoches to provide for the general welfare, safety, health, peace and good order of the City, and further authorized under Section 1.07 of the Charter of the City of Natchitoches to enter into Joint Service Agreements or Cooperative Efforts with other governmental agencies; and

WHEREAS FURTHER, the City is the owner of a certain tract of land being 18.51 acres, more or less, situated in Sections 72, 73 and 74 of Township 9 North, Range 7 West, in the City and Parish of Natchitoches Louisiana (sometimes hereinafter “Subject Property”); and

WHEREAS FURTHER, the Subject Property fronts on Industrial Drive and Public Safety Boulevard and is located in the Natchitoches Industrial Park; and

WHEREAS FURTHER, in an effort to assist the City to attract a purchaser or purchasers for the Subject Property who will develop the Subject Property, the North Louisiana Economic Partnership (sometimes hereinafter “NLEP”) has proposed to assist the City in pursuing a certification from the Louisiana Economic Development; and

WHEREAS FURTHER, the City acknowledges that having the Subject Property accepted as a Certified Site will help attract a purchaser who will develop and use the site for purposes that will encourage economic development; and

WHEREAS FURTHER, the Agreement is for a two year period with no monetary obligation from the City; and

WHEREAS FURTHER, under the general law and the Home Rule Charter of the City of Natchitoches, the City has the right, power, and authority to promote, protect, and preserve the general welfare, safety, health, peace and good order of the City; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the proposed Memorandum of Understanding, LED Certified Sites Program, attached hereto, and is of the opinion that the Memorandum of Understanding, LED Certified Sites Program with the

North Louisiana Economic Partnership will promote the health, safety and welfare of the citizens of the City and Parish of Natchitoches, Louisiana and the City Council desires to authorize the Mayor of the City of Natchitoches to execute same; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to enter into the Memorandum of Understanding, LED Certified Sites Program to help encourage and promote economic development in the City and Parish of Natchitoches; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, that the Mayor of the City of Natchitoches, Lee Posey is hereby authorized to execute the attached Memorandum of Understanding, LED Certified Sites Program, between City of Natchitoches and the North Louisiana Economic Partnership.

BE IT FURTHER ORDAINED that the terms of the Memorandum of Understanding, LED Certified Sites Program Between City of Natchitoches and the North Louisiana Economic Partnership, attached hereto, are approved and accepted by the City Council of the City of Natchitoches, Louisiana.

The following Ordinance was Introduced by Mr. Batiste and Seconded by Mr. Nielsen as follows, to-wit:

ORDINANCE NO. 007 OF 2019

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY
OF NATCHITOCHES TO AWARD
THE BID FOR CHRISTMAS LIGHTING SUPPLIES**

(BID NO. 0615)

WHEREAS, Resolution No.007 of 2019 was passed by the Natchitoches City Council on February 11, 2019 authorizing the Mayor to advertise for bids for Christmas Lighting Supplies (Bid No. 0615); and

WHEREAS, this bid was advertised in the *Natchitoches Times* on, February 14, February 21, and February 28, 2019 in accordance with law; and

WHEREAS, four bid proposals were received and opened as follows:

- (1) Stine's
Sulphur, LA.....\$21,505.00
- (2) Dean Nida & Associates, LLC
Sarasota, FL\$24,930.00
- (3) Christmas Lights Inc.,
Edmund, OK\$26,375.00
- (4) Winterland, Inc.,
Marion, IN.....\$40,625.00

WHEREAS, on March 12, 2019 the appointed committee of Edd Lee, Director of Purchasing; Charles Brossette, Utility Director, Jill Raynes, Controller and Sylvia Morrow, Councilwoman, reviewed the bid proposals for Christmas Lighting Supplies (Bid No. 0615); and

WHEREAS, the above appointed committee members unanimously recommend the City award the bid to the lowest bidder **Stine's** in the amount of **\$21,505.00**.

NOW, THEREFORE, BE IT ORDAINED, that the Honorable Lee Posey, Mayor, is hereby authorized, empowered and directed to sign any and all documents necessary for acceptance of this bid.

THIS ORDINANCE was introduced on March 25, 2018 and published in the *Natchitoches Times* on April 4, 2019.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 8th day of April, 2019.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 9th day of April, 2019 at 10:00 A.M.

The following Resolution was introduced by Mr. Batiste and Seconded by Mr. Nielsen as follows, to –wit:

RESOLUTION NO. 020 OF 2019

A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE.

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes;

WHEREAS, there are several constitutional amendments and bills introduced in the 2019 Regular Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application of local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary Revenue being an appointee of the Governor of the state, uncertainty exist as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration,

NOW THEREFORE, be it resolved that the City of Natchitoches as a local taxing authority and /or governing body, that each member of the legislative delegation for the Parish of Natchitoches is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue; and

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to

0 Nays on this 8th day of April, 2019.

LEE POSEY, MAYOR

The following Resolution was introduced by Mr. Mims and Seconded by Mr. Harrington as follows, to –wit:

RESOLUTION NO. 021 OF 2019

**A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE
AND ACCEPT BIDS FOR THE NATCHITOCHEES EVENT CENTER ROOF
REPLACEMENT PROJECT**

(BID NO. 0616)

WHEREAS, the City wishes to advertise for the Natchitoches Event Center Roof Replacement Project (Bid No. 0616).

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, P. O. Box 37, Natchitoches, Louisiana 71458 or received at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 pm on Tuesday, May 7, 2019 at the Office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at 2:00 pm, on Tuesday, May 7, 2019 held at the above mentioned Office of the Director of Purchasing; and

WHEREAS, upon receipt of proposals, the committee members consisting of Debbie Miley, Finance Director; Edd Lee, Director of Purchasing; Randy LaCaze, Community Development Director; and Don Mims, Councilman at Large, are to review and make a recommendation of the bids received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to order the publication of the above bid.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 8th day of April, 2019.

LEE POSEY, MAYOR

The next scheduled City Council meeting will be **April 22, 2019.**

The offices of the City of Natchitoches will be closed **Friday, April 19, 2019** for Good Friday.

With no further discussion, Mayor Posey made a motion for adjournment and all were in favor.

The meeting was adjourned at 6:05 p.m.

 /s/Lee Posey
LEE POSEY, MAYOR

 /s/ Don Mims
DON MIMS, MAYOR PRO-TEMPORE