

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON FEBRUARY 12, 2018, 5:30 P.M. AT CITY HALL, 120 S. IRMA BLVD.

MEMBERS PRESENT:

Mayor Barney Arceneaux	Councilman Tyler Turner
Councilman David Guitreau	Councilman Neal Bourque
Councilman Harold Stewart	

MEMBERS ABSENT: Councilman Kirk Boudreaux

ALSO PRESENT:

Lisa Babin, Administrative Secretary	Erin Lanoux, City Attorney
Sherman Jackson, Chief of Police	Jackie Baumann, City Engineer

Motion by Councilman Neal Bourque, seconded by Councilman Tyler Turner to approve the recommendation of the Planning & Zoning commission to grant a Special Use Permit to Danielle Bergeron to allow her to prepare and distribute healthy snacks from her residence at 405 N. Francis St.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE
ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Neal Bourque, seconded by Councilman Tyler Turner to approve the Council Meeting Minutes taken, January22, 2018.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE
ABSENT: Councilman Kirk Boudreaux

Final vote on Ordinance No. 4046:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CHAPTER 2 – ADMINISTRATION, ARTICLE V. - PERSONNEL
RULES AND PROCEDURES, (DELETE) IN ITS ENTIRITY
DIVISION 10 – SEXUAL HARASSMENT POLICY, AND (CHANGE)
TO (ADD), IN ITS ENTIRETY, DIVISION 10. DISCRIMINATORY
PRACTICES PROHIBITED.

BE IT ORDAINED, by the Mayor and City Council of the City of Gonzales:

That the Code of Ordinances, Chapter 2 – Administration, Article V – Personnel Rules and Procedures, Division 10 – Sexual Harassment Policy be hereby amended as follows:

(DELETE) the following in its entirety:

DIVISION 10. SEXUAL HARASSMENT POLICY

(CHANGE) to (ADD) in its entirety.

DIVISION 10. DISCRIMINATORY PRACTICES PROHIBITED.

Sec. 2-289.1. Statement of Policy:

The City of Gonzales is committed to providing a work environment that is free from unlawful discrimination and harassment in any form. It is the policy of the City of Gonzales to comply with all applicable laws that provide

equal opportunity in employment for all persons and to prohibit unlawful discrimination in employment. The policy of the City of Gonzales is not to discriminate by reason of race, color, religion, sex/gender, pregnancy, genetic information, citizenship status, national origin, age, disability or veteran status. The City of Gonzales will comply with all applicable laws prohibiting employment discrimination based on any other factor. This policy applies to all terms and conditions of employment, including, but not limited to; hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Sec. 2-289.2 - Policy Against Unlawful Discrimination/Harassment and Other Inappropriate or Unprofessional Conduct:

(1) Work Environment

The City of Gonzales insists that all individuals be treated with respect and dignity. The City of Gonzales expressly prohibits any form of unlawful discrimination or harassment, and will not tolerate, condone, or allow such conduct by fellow employees, supervisors, managers, customers, vendors, contractors, visitors, or others who conduct business with the City of Gonzales. The City of Gonzales' "work environment" extends to all City of Gonzales facilities and any setting outside the workplace where individuals who work with or for the City of Gonzales are gathered, such as business trips, meetings, conferences, and social events.

(2) Sexual Harassment

The purpose of this policy statement on sexual harassment is to establish clearly and unequivocally that the City of Gonzales prohibits sexual harassment by and of its employees. No employee, either male or female, should be subjected to unsolicited or unwelcome verbal or physical sexual advances or conduct.

"Sexual harassment" has been defined by government agencies and the courts as conduct which includes all unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
- (b) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (c) Such conduct is sufficiently severe or pervasive to alter the conditions of employment and to create a hostile or abusive working environment.

Sexual harassment may take many forms, including, but not limited to: verbal teasing or abuse of a sexual nature; inquiries about sexual activities, sexual orientation and gender identity; subtle pressure or abuse of a sexual nature; inappropriate, unwelcome and unnecessary touching of an individual, for example, grabbing, patting, pinching, hugging, repeatedly brushing against another employee's body or impeding the movement of another person; offensive sexual flirtation, advances, or propositioning, including suggestive looks or gestures; sexually graphic verbal commentaries or jokes made in any medium; sexually degrading words used to describe an individual; or the offensive display in the workplace of sexual or pornographic objects, pictures or writings.

(3) Racial/Ethnic Discrimination and Harassment

The purpose of this policy statement on racial/ethnic discrimination and harassment is to establish clearly and unequivocally that the City of Gonzales prohibits racial and ethnic discrimination, including racial/ethnic harassment, by and of its employees. No employee, regardless of race or ethnicity, should be subjected to racially or ethnically offensive, hostile, or intimidating conduct either verbal or physical.

Conduct with racial or ethnic content or overtones, which is severe, pervasive or persistent, may be considered racial/ethnic harassment. Racial/ethnic harassment may take many forms, including, but not limited to: menacing behavior, words, or symbols directed at persons of a particular race or ethnicity; displaying, distributing or otherwise communicating anything offensive in any medium which focuses on race or ethnicity; making critical or mocking comments about racial or ethnic characteristics, such as voice, accent, physical features, hair texture, or manner of dress; perpetuating or promoting racial/ethnic stereotypes, such as assumptions about likes and dislikes based on race or ethnicity; assigning persons to an isolated or separate work area based on their race or ethnicity; basing overtime assignments on race or ethnicity.

(4) Other Illegal Harassment

In addition to sexual, racial, and ethnic harassment, the City of Gonzales recognizes that other forms of unlawful harassment exist. Such unlawful harassment may target persons because of their color, religion, gender, marital status, pregnancy, genetic information, citizenship status, national origin, age, disability, veteran status, or other factors. The City of Gonzales will not tolerate such conduct.

Sec. 2-289.3. - Complaint Procedure Relating to Any Unlawful Discrimination or Harassment.

Each employee of the City of Gonzales is responsible for maintaining a work atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees of the City of Gonzales are responsible for respecting the rights of their coworkers. It is the City's policy to thoroughly investigate and remedy any known incidence of unlawful discrimination or harassment. The City is equally committed to respond to complaints of inappropriate or unprofessional behavior. In order to accomplish this policy, unlawful discrimination or harassment, as well as any other inappropriate or unprofessional behavior by or toward any City of Gonzales employee, supervisor, manager, customer, vendor, contractor, visitor, or other person, must be reported in the manner and procedure set forth below to the extent possible.

Accordingly, if you experience any harassment based on your gender, race, ethnicity, religion, or other "protected classification", and/or you believe that you have been treated in an unlawful, discriminatory manner, do not ignore it. Although the City of Gonzales encourages you to express your concerns directly to the offending person in a reasonable and safe manner, if, in your judgment, informal, direct communications between individuals is ineffective or impossible, you should immediately or as soon as possible communicate your problem to your direct supervisor. If you

feel that you are unable to report the problem to your direct supervisor for any reason, then you should report the problem to the Director of Human Resources for the City of Gonzales, who will document the matter and inform the City Clerk/Chief Administrative Officer or Mayor, Assistant Chief or Police Chief, or Fire Chief or Assistant Fire Chief, as appropriate, who will then take appropriate action.

If you have a complaint involving the Mayor, Police Chief, or Fire Chief, then you should report the problem to the City Attorney. The City of Gonzales will endeavor to protect the privacy of both the complainant and the accused and to keep the investigation confidential to the extent practical and appropriate under the circumstances.

Sec. 2-289.4. - No Retaliation

The City of Gonzales prohibits any form of retaliation against any employee for making a bona fide complaint in good faith under this policy or for assisting in a complaint investigation. Retaliation of any kind will be considered a violation of this policy.

Sec. 2-289.5 - False complaints

The City of Gonzales will not tolerate the reporting of false complaints. If, through the course of an investigation, a complaint is found to be false, the person who knowingly reported a false complaint will be the subject of disciplinary action up to and including termination and may be held liable for the resources expended in investigating a false complaint.

Sec. 2-289.6 - Remedial Measures

If unlawful discrimination, harassment, inappropriate or unprofessional conduct is found to have occurred, appropriate remedial action will be taken. If the employee is found to have violated this policy, such employee will be subject to disciplinary action up to and including immediate termination.

Sec. 2-289.7 - Employee Responsibility

Employees have important responsibilities with respect to the policy against unlawful discrimination and harassment. City of Gonzales employees are responsible for knowing and understanding this policy and promoting a workplace free of unlawful discrimination and harassment by conducting themselves in a manner consistent with this policy. Employees also have a responsibility to report any unlawful discrimination or harassing conduct they are subjected to or they observe taking place toward another employee immediately or as soon as possible in accordance with the complaint procedure set forth above.

Sec. 2-289.8 - Contractors and Vendors

Contractors, vendors and others who have a business or contractual relationship with the City of Gonzales are expected to abide by rules of conduct expressed in the Policy while doing business at or on behalf of the City of Gonzales. If you believe there has been a violation of policy by a contractor or vendor, you should immediately, or as soon as possible after the event, report any violation of policy by contractors and vendors in accordance with the complaint procedure set forth above.

Sec. 2-289.9 - Policy regarding disability accommodations.

The City of Gonzales will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. If you believe you have a disability requiring accommodation, you should immediately or as soon as possible communicate your circumstances to your direct supervisor. If you feel that you are unable to report the issue to your direct supervisor for any reason, then you should report to the Director of Human Resources for the City of Gonzales, who will document the matter and inform the City Clerk/Chief Administrative Officer or Mayor, Assistant Chief or Police Chief, or Assistant Fire Chief or Fire Chief, who will then take appropriate action.

Sec. 2-289.10 - Investigation

If a complaint is warranted, the City of Gonzales will designate an investigator and assign the case for a prompt and impartial fact-finding investigation of the complaint. The specific fact-finding steps may vary depending on the facts and circumstances of the complaint. Generally speaking, the designated investigator will:

- (1) Inform the complainant and respondent of the start of the investigation.
- (2) Initiate a formal fact-finding investigation of the complaint.
- (3) Collect and review relevant documentation.
- (4) Interview complainant, respondent, and witnesses to the reported event or events.
- (5) Provide respondent with ample opportunity to respond to the complaint.

Sec. 2-289.11. - Acknowledgement

All current employees shall sign acknowledgement of receipt of the hereinbefore-stated policy and all future employees shall sign acknowledgement of same upon employment.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Final vote on Ordinance No. 4047:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CHAPTER 2. ADMINISTRATION* ARTICLE V. PERSONNEL
RULES AND PROCEDURES (ADD) DIVISION 11. EMPLOYEE
HANDBOOK. TO READ:

BE IT ORDAINED, by the Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance of the City of Gonzales be hereby amended to read:

CHAPTER 2. ADMINISTRATION*

ARTICLE V. PERSONNEL RULES AND PROCEDURES

(ADD)

DIVISION 11. EMPLOYEE HANDBOOK

Section 1. Adoption.

The City of Gonzales Employee Policies and Procedures Manual, hereafter called the Employee Handbook, together with any revisions thereof, is hereby adopted as the official policies and procedures manual of the town.

Section 2. Revision.

The policies and procedures manual is intended to be a flexible document, to serve as a guide to the all town personnel. It is understood that the manual will necessarily require revision and updating from time to time in order to remain effective in assisting town personnel in answering daily operating questions and in making routine management decisions. Changes and revisions in the manual shall be made as required and approved by the mayor subject to notification, or approval if required, of the city council.

Section 3. Priority.

To the extent that any of the policies or procedures in the manual are inconsistent with ordinances of the City of Gonzales adopted prior to January 11, 2016, the manual shall prevail.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Tyler Turner, seconded by Councilman Harold Stewart to approve a Special Event Permit request of Jeanette Cox with Each Day A New Beginning for use of Jambalaya Park Amphitheater to hold a Leadership Ascension Project Fundraising Event on April 21, 2018 from 10:00 A.M. -6:00 P.M. benefiting the local Sober Living Home.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman David Guitreau, seconded by Councilman Neal Bourque to approve a Special Event Permit request of East Ascension Ducks Unlimited to hold a fundraising event at Cabela's on March 2, 2018 from 5:00- 9:00 P.M..

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman David Guitreau, seconded by Councilman Harold Stewart to approve the LADEQ's Project with Wharton-Smith, Inc. as Substantially Complete for the Pump Stations and Force Main Project.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Neal Bourque, seconded by Councilman Tyler Turner to approve Change Order No. 1 a decrease in the Contract in the amount of (\$59,869.39) resulting in a new contract amount of \$3,593,488.61 for the Pump Station and Force Main Project of Wharton-Smith, Inc.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman David Guitreau, seconded by Councilman Harold Stewart to adopt a Cooperative Endeavor Agreement between the City of Gonzales and The Parish of Ascension transferring full ownership, and a clear title of certain adjudicated property Lot 19 of Valentine Woods Subdivision, allowing the USDA-LNRC to purchase said property from the City of Gonzales for the Floodplain Easement Program.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Neal Bourque, seconded by Councilman Tyler Turner to Introduce Ordinance No. 4048: An Ordinance declaring the intention of the City of Gonzales to acquire a full ownership of a certain adjudicated property pursuant to LA R.S. 47:2236, namely Lot number Nineteen (19) of Valentine Woods Subdivision to authorize such actions as necessary to acquire such ownership, and to otherwise provide with respect thereto.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting to be held on February 26, 2018.

Motion by Councilman Harold Stewart, seconded by Councilman David Guitreau to approve as Substantially Complete the 2017 Gonzales Road Maintenance Project.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

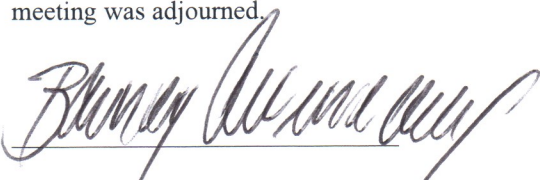
Motion by Councilman Neal Bourque, seconded by Councilman David Guitreau to approve Change Order No. 1 from R. J. Daigle and Sons contractor, Inc. an increase in the amount of \$75,445.09 to the contract resulting in a new contract amount of \$754,234.13 and by adding 33 additional days to the contract for the 2017 Gonzales Road Maintenance Project.

YEAS: Councilman David Guitreau, Councilman Harold Stewart, Councilman Tyler Turner
Councilman Neal Bourque

NAYS: NONE

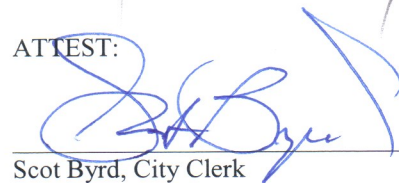
ABSENT: Councilman Kirk Boudreaux

There being no further business to come before the City Council and upon a motion duly made and seconded, the meeting was adjourned.



Barney Arceneaux, Mayor

ATTEST:



Scot Byrd, City Clerk