

TOWN OF MANY
May 13, 2020
Special Called Session

The Mayor and Aldermen of the Town of Many met in special session via teleconference due to the COVID-19 outbreak, on Wednesday, May 13, 2020 at 2:00 P.M. which was conducted from Town Hall. Present were Mayor Ken Freeman, Town Clerk Amie Brown and HR Manager Karla Williams. Present by teleconference where roll call was announced one member at a time, were Mayor Pro-Tem James Kennedy and council members Gay Corley, Anita Darwin and Mary Brocato. Absent was council member Bobbie Jackson

Mayor Ken Freeman called the meeting to order at 2:00 P.M. and the prayer was offered by Alderwoman Corley.

Open to Public Comments relating to items on agenda: No one from the public was available

The purpose of the meeting:

- 1. To accept Bid for Alabama Street Drainage:** Motion to accept the lowest responsible bid by Cross Keys Construction for \$69,720.50 was made by Alderman Kennedy and seconded by Alderwoman Brocato. Vote was unanimous as each council member was called by name one at a time.
- 2. Ethics Boarding Ruling:** Each council member was emailed a copy of a letter from Mayor Freeman dated May 13, 2020 providing information that was received by him after talking to LaToya Jordan with the Ethics Board in reference to the hiring of Kyle Cook as Assistant Chief of Police and also stating that he has hired "an attorney in Shreveport who has no preconceived opinion or emotion about the issue" and lastly that he is "not trying to retaliate against the police department"; but "trying to prevent future embarrassment and/or cost to this council and the citizens of Many". In addition, the council was also emailed a copy of the letter received from attorney Allison Jones, which is addressed to the Alderman of the Town of Many and dated May 12, 2020, stating her recommendation to "reconsider its May 7, 2020 action" where the motion was made, and approved by unanimous vote, to hire Kyle Cook as the Assistant Chief of Police; and a copy of the email from town attorney Billy Pickett dated May 5, 2020 stating that it is his "opinion that the Town defer the hiring until the Louisiana Board of Ethics takes a definitive position, after reviewing all correct information available, and clearly absolves the Town of any potential violations for such employment". Further discussion was made by Alderwoman Brocato asking what the mayor meant by other costs to the citizens of Many and what those costs would be to which Mayor Freeman replied lawsuits for discrimination in the future by one of the other officers because we waived our policy to accommodate the police department with this hiring leaving us open for future discrimination suits and the cost associated with defending those. Alderman Kennedy stated that the council does not have the right to change rules for the police department to which Mayor Freeman replied that under the Lawrason Act the Chief of Police has the right to manage his department but however it specifically gives the responsibility of hiring, firing and promoting to the city council so the policies and job descriptions are the responsibility of the city council. Mayor Freeman went on to explain that the policies and job descriptions were written by the police department and approved by the council. Alderwoman Brocato asked does the policy regarding nepotism say that you cannot supervise a member of your family to which Mayor Freeman replied that it is very clear and each member was given a copy of the policy and job description which states the Assistant Chief cannot manage any family member. Alderwoman Brocato asked if we would need to change the policy in order to legitimately promote Kyle Cook to the Assistant Chief of Police and approved by the council to which Mayor Freeman said yes. Alderman Kennedy replied to Alderwoman Brocato that the Ethics Board said it was okay and "if the Ethics Board said it's okay it's okay" to which Mayor Freeman replied that the Ethics Board said they could only comment on the state law which says that nepotism was only in reference to the Police Chief and that he could not hire a family member. Alderman Kennedy stated that Mr. Thibodeaux with the Ethics Board told him they already made their ruling and asked what problem the Mayor had with their ruling and he told him he was not getting into it to which Mayor Freeman stated to Alderman Kennedy that the problem is it violates our policy and job description. Mayor Freeman went on to say that the Ethics Board said as far as our policy and job description they will not and cannot comment on it and we would have to go to our attorney for an opinion on those two issues which we did and the council ignored it so he got another opinion from the other attorney which basically says the same thing asking the board to rescind its May 7th action. Alderwoman Brocato asked not to be liable would they have to re-write the policy or rescind their vote of Kyle's promotion to which Mayor Freeman replied that first the vote from May 7th would have to be rescinded

then re-write the policy to be voted on by the council then the Chief would have to bring Kyle back to the council again for a vote. Alderwoman Brocato then stated that she was all for Kyle she just does not want to go against the policy because of future concern of a discrimination lawsuit and Mayor Freeman said he was all for Kyle also and thinks he would make a great Assistant Chief but as long as the policy and job description prohibits it he has an obligation to the council and citizens to let them know they are making a mistake but they can ignore it but it leaves the citizens of Many open for future liability to which Alderman Kennedy said he does not think we will be left open for liability because the Ethics Board made the decision, we did not make it, and we should accept their decision then he went on to say that "we have done made our decision and if it comes down to a lawsuit I will take full responsibility for it that's just who I am and if I made a mistake in life I will own up to it" to which Mayor Freeman reminded him that the decision was made on knowledge that is wrong and that we are within the state law but violating the town policy. Mayor Freeman went on to say that he has gone to the extreme in trying to do his responsibility of due diligence to provide the council with the information needed as recommended by the Ethics Board to consult our attorney on our policy and job description and also hired another attorney. Mayor Freeman asked the Town Clerk to include a copy of the letters in the records.

- 3. COVID 19 Update:** A copy of a letter from Mayor Freeman dated May 12, 2020 was provided to the council stating that as of Friday, May 15th the proclamation will expire. Motion to accept the letter was made by Alderwoman Brocato and seconded by Alderwoman Darwin. Vote was unanimous as each council member was called by name one at a time.

Further Discussion: Mayor Freeman reported that we will have our regular face-to-face council meeting in June and Alderman Kennedy asked would they be spaced out to which Mayor Freeman said yes.

Alderwoman Darwin reported that in the last meeting Officer Hughes was hired and asked did anybody go through his application because she did and he has not had a job in a year; which Mayor Freeman replied yes Human Resources did.

Alderman Kennedy asked would we open up cautiously or wide open; Mayor Freeman said the Governor is supposed to issue a new proclamation tomorrow and if the public wants to adhere to it they can or they run the risk of the Governor enforcing it but he has not so far. Alderman Kennedy asked since we were opening up could we have someone set at the front door of City Hall to take temperatures when the customers walk in and Mayor Freeman said he is keeping the lobby closed and the parks closed at least through the end of May and also reported that we are taking the employees temperatures every day and will continue to.

Alderwoman Brocato reported that all shows at the theater for April and May was cancelled; the Juneteenth Festival in June was postponed for a year but we had a grant for it and we are going to go ahead and give the \$300.00 that was set aside for the Festival and that can be used next year to hire a Motown group. In July we hope to open with the Willie Stewart annual God Bless America patriotic concert on July 4th.

Next scheduled Regular Council Meeting is on Tuesday, June 16, 2020.

Motion to adjourn meeting at 2:28 PM was made by Alderman Kennedy and seconded by Alderwoman Brocato. Vote was unanimous as Mayor Freeman called for a vote one member at a time.

KENNETH FREEMAN, MAYOR

AMIE BROWN, TOWN CLERK