



**MINUTES
BELOIT EQUAL OPPORTUNITIES
AND HUMAN RELATIONS COMMISSION
Wednesday, April 14, 2009**

1. Call to Order and Roll Call

Meeting was called to order at 5:30PM by chair Alex Brower.

Present: Commissioners Alex Brower, Katherine Kemnitz, Carolyn Lawrence, Marian Griffin, Emma Harrell, Martin Densch, and Teri Downing, Staff Representative. Absent: Lynda Owens

2. Approval of Minutes of the March 18, 2009 Meeting

Commissioner Lawrence moved for approval of minutes of the regular meeting held on March 18, 2009 with the following revisions:

- Item 4: Nomination of Alex Brower as chairperson was by Commissioner Griffin and seconded by Commissioner Lawrence.
- Item 7: Commissioner Kemnitz mentioned Fair Housing Month back in January.

Commissioner Griffin seconded the motion. Motion carried.

3. Public Participation

No one from the public spoke during public participation.

4. Review of Complaint Process by City Attorney

Commissioner Kemnitz asked all Commissioners to review a copy of the most recent Beloit Municipal Fair Housing Code 20.05 (8). She also reviewed the MEMO from Tom Cippert to Tom Casper regarding questions the EOHRC had about the complaint process. Teri Downing explained that the the Tom Casper, the City Attorney, reviewed the ordinance, and compared it to the Step-by-Step Complaint Process put together by the Commission. Teri Downing reviewed a Memo from the City Attorney, which responds to the questions from EOHRC and clarifies the complaint process. Teri explained that the City Attorney would like the Commissioners to review the Memo and bring any questions to the next meeting because he would be present at the next meeting.

The Commissioners asked why Tom Casper was not at the meeting.

Commissioner Harrell asked why those who prepared the procedures did not use the ordinance as a guideline. Some of the Commissioners who were on the Commission when the procedures were developed said that the ordinance was used. Ms. Downing explained that Mr. Casper said some parts of the ordinance were just unclear. The Commissioners discussed that the issue with the contract was clarifying who determines probable cause and at what point of the process.

Marian Griffin explained that her opinion is that Markley should do the investigation and the Commission should determine probable cause.

Commissioner Kemnitz suggested that the Commission wait to discuss the procedures and contract with Tom Casper at the next meeting. She explained that the contract listed that the consultant determines whether there is merit, whether further investigation is warranted, negotiates a settlement between the complainant and the party, and he refers the parties to a qualified mediator approved by the City, which she said is far too inclusive for a consultant.

Staff explained that Mr. Casper says that the duties listed in the contract are correct. Commissioner Kemnitz said she would like to discuss that with the City Attorney. Commissioner Kemnitz requested that each Commissioner read the contract to prepare for the next meeting when the City Attorney will be there.

Chairman Brower suggested that the Commission review the contract and get any questions for the City Attorney to Teri by Wednesday, 4-22-2009 so Teri can forward them to Mr. Casper.

5. Review and Consideration of the Extension of the Markley Investigation, Inc. Contract for Fair Housing Investigations

Commissioner Griffin moved to consider the extension of the Markley Investigations Contract and Commissioner Harrell seconded it.

There was discussion by the members that the contract does not match the ordinance and whose responsibility is it to revise the contract, the City or the Consultant.

Commissioner Kemnitz suggested that staff notify Mr. Markley that the contract needs to be revised so Mr. Markley can prepare any modifications that he would like to see in the contract.

There was discussion by the members if there is a bid process that needs to be followed.

Commissioner Harrell explained that if the contract came from the City Attorney's office originally, the contract should be drafted by the City Attorney. Commissioner Griffin suggested that Markley and the City Attorney meet with each other.

Commissioner Kemnitz asked Teri to ask Tom Casper to have a draft of a new contract for the next EOHRM Meeting.

Commissioner Lawrence explained that the Commissioners have been asking for training from the City Attorney ever since the Commission was meeting at the Housing Authority.

Commissioner Harrell expressed concern that the contract should not have been submitted to the EOHRM. She explained that the City Attorney deals with contracts in order to make sure committees are not doing something that is not good for the City.

She expressed concern that if the EOHRC approves a contract that does not match the ordinance, then it would not only look bad for the Commission and the City but there may be some liability for the members and the City. She asked Teri to check with the City Attorney about whether or not Commission members are covered under insurance if the Commission or City is sued.

Motion failed 1-5 on roll call vote.

6. Review and Consideration of the Partnership for Working Towards Inclusive Communities Proclamation

Commissioner Kemnitz asked if all members had a chance to review the Resolution for the Partnership for Working Towards Inclusive Communities. Commissioner Kemnitz moved to recommend the Resolution to the City Council for their next meeting. Commissioner Griffin seconded the motion. Motion carried. Commissioner Kemnitz said she will forward the Resolution to City Clerk, Carol Alexander.

7. Update on Study Circles and Review of CDA Decision on Reallocation of CDBG Funds

Commissioner Griffin passed around the updated brochure for study circles. The Commissioners discussed having the brochures printed professionally. Commissioner Griffin said that she will get estimates for 500 brochures and give them to Teri Downing.

8. Commissioner Announcements/Next Meeting Agenda Items

Commissioner Kemnitz asked to have available at the next meeting, the form that goes with the Partnership for Working Towards Inclusive Communities Proclamation, and the Press Release for Commissioners to review.

Commissioners also decided that they will discuss distribution of the new Study Circles brochures.

Commissioner Lawrence announced the Back to Beloit event scheduled for July.

9. Adjournment

Commissioner Kemnitz moved for adjournment, and Commissioner Harrell seconded. Motion carried. The meeting was adjourned at 7:02 PM by Chair Alex Brower.