



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA**  
**BELOIT EQUAL OPPORTUNITIES COMMISSION**

**Wednesday, February 19, 2014 at 5:30 PM**  
**The Forum, First Floor**  
**Beloit City Hall, 100 State Street**

**1. Call to Order and Roll Call:**

The meeting was called to order at 5:30 pm by Chairman Sloniker 2<sup>nd</sup> by Vice-Chair Valdez.

Present: Commissioner Marylin Sloniker, Commissioner Rick Valdez, Commissioner Joseph Hansen, Commissioner Matthew Finnegan, Charles Kincaid, Commissioner Steve Howland, Deputy City Attorney Elizabeth Krueger, and Staff Representative Teri Downing. Commissioner Michael Zoril arrived at 5:37 pm

**2. Approval of Minutes of the January 15, 2014 Meeting:**

Commissioner Valdez made a motion to approve the January 15, 2014 meeting minutes

Commissioner Howland 2<sup>nd</sup> the motion.

Commissioner Howland said there is a minor typo on page 6 line 3 of the minutes that states "parties living there now", which should state that "no parties living there now". Ms. Downing will correct minutes for the record. Motion carried.

**3. Public Participation:**

No public in attendance

**4. Update on Fair Housing Month Activities**

- a) Fair Housing Poster Contest: Ms. Downing explained that the Merrill Community Center is interested in participating. She explained that in the past there has not been an interest by the high school regarding the essay contest, but that she had spoken Principal Tom Johnson of the high school who requested that she email information directly to him.

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

- b) Mock Hearing: Staff explained that the fact patterns items were sent to the UW Law School Professor, the items have been approved, and the mock hearing move forward. Staff has secured actors to play the parts of the Complainant and Respondent and will continue to work on finding the other key actors. The mock hearing is scheduled for April 5, 2014.

Commissioner Hansen asked if the Commission will we receive a script of the mock hearing. Staff explained that the EOC member cannot receive information about the case until the case comes before them in the hearing. Scripts were given to each of the law students and to each of the actors.

Deputy City Attorney Elizabeth Krueger explained that the Commission is essentially acting as judge and having prior knowledge is usually forbidden. Each party will argue their case to the Commission and the Commission will determine if there is any discrimination or not. Attorney Krueger said that she has looked over the fact pattern and it will be a nice middle of the road case where the EOC will actually have decent arguments on both sides.

## **5. Review and Approval of EOC Rules of Procedure:**

Staff explained that the Analysis of impediments to Fair Housing identified inconsistent administration of the Fair Housing code as an impediment to Fair Housing choice. The EOC decided that creating bylaws or Rules of Procedure would assist with this impediment. Throughout 2013 the EOC has worked on bylaws in which final draft EOC "Rules of Procedure" is attached for the Commission to review and approve. Staff noted that the name was changed from bylaws to Rules of Procedure and explained that Deputy City Attorney Elizabeth Krueger is in attendance to address any questions Commissioners may have.

Commissioner Zoril made a motion to layover approval of the Rules of Procedure until the next meeting. He stated that it would be beneficial if the Commission had a little more time to review them in the finished form and because he had not had a chance to review them until this morning because he was traveling over the weekend.

Commissioner Howland asked Attorney Krueger if there was any down side to not passing the Rules of Procedure at this meeting.

Attorney Krueger explained that the Law School students have a copy of the final draft to use for their mock hearing preparation. She pointed out that the Commission has already reviewed Sections 1 thru 8. She said only an additional 4 pages have been drafted since the last meeting, in which staff took into consideration the comments, motions, and corrections made by the EOC during the last meeting. She said there

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

would be no detriment to moving it over to April's meeting, but that the law students would not have the final version for the mock hearing on April 5<sup>th</sup>.

Staff explained that the only other change was in the formatting, because numbering format was getting confusing. It was changed to alternating number-letter subparts to make it easier to reference.

Commissioner Zoril explained that he thinks there is a major benefit to delaying the approval of Rules in that the EOC can move forward with the draft version of the Rules of Procedure for the Mock Hearing to test them out and see how it goes. He said that during the Mock Hearing if something comes up that doesn't make sense or the Commission should tweak the Commission has the opportunity to do so before they have been approved. Commissioner Finnegan agreed.

Commissioner Zoril made a motion to lay the Rules of Procedure over until after the Mock Hearing. Commissioner Hansen seconded. Discussion followed.

Commissioner Sloniker asked Deputy City Attorney Krueger if she would be available to come to the April EOC Meeting. Attorney Krueger said she was not certain.

Commissioner Finnegan asked whether any of the Commissioners that were able to review the Rules, had any questions or saw anything that seemed "out of whack".

Attorney Krueger explained that the Rules of Procedure were modeled after the City of Madison's Rules then modified suit the needs of Beloit and its ordinances. She explained that this kind of document will be something that grows with experience and that things will come up that the Commission will want to change. She said that after the Mock Hearing the Commission may want to make some suggestions, and may even want to change some things after any real hearings.

Commissioner Zoril asked Attorney Krueger whether Section 1.5 which talks about committees would be something this Commission would actually use. Attorney Krueger said that the Commission would absolutely use this section to create committees. She explained that this Commission used to deal with employment as well as housing and they had task forces and committees all the time. She said there was a point in time when this Commission was very active and had study circles and similar activities; that the level of activity "ebbs and flows". She said she believes it is essential to have this in the EOC Rules of Procedure. She then pointed out that it is actually the ordinance itself; the Rules of Procedure just further explains how the EOC would handle the makeup of the committees and what the committees will do.

Staff gave an example that the EOC could have had a bylaws committee with just 2 or 3 members that might meet a little more often than every other month. Or a Committee

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

for when the EOC worked on the Analysis of Impediments to Fair Housing, instead of having these projects brought before the Commission at each meeting.

Commissioner Howland explained that with committees and subcommittees; at the County level there is a little hassle unless they are named specific committees you cannot break into sub-committees. He asked Attorney Krueger if the Rules of Procedure would empower this Commission and Staff to name individuals to serve on the committee, and wouldn't need to be approved by any other body.

Attorney Krueger indicated that was correct. She said the Rules of Procedure are approved by Council, then after that the Commission can make committees under the parameters of the Rules of Procedure. She explained that the EOC would set their memberships, agendas, and the like within those Rules and they would be governed by this Board. Any issues would be dealt with this Board and if there are any other issues extenuating from that, it could go to City Council or the EOC could deal with issues internally with the City Attorney's Office. She noted any committee would be subject to the open meetings laws just as the EOC is, but that committees provide a way to do more intensive work. She said in her opinion committees are a benefit depending on the type of topic that comes before this Commission.

Staff gave an example that committees can be made up of members of the committee and of the public. For example the Commission could have a committee with 2 members from this EOC and 2 members from public.

Attorney Krueger pointed out in the section on committees and subcommittees there are regular and ad-hoc committees under 1.5(a). There is also 1.5(b) which talks about special committees. The regular and ad-hoc committees are members of this body. The special committees can be made up of interested parties and the like. She said the EOC could have an outreach group or ask different organizations be part of those special committees for different topics and then the sub-committees would be just members of this body. Commissioner Howland commented that it would be a good thing to have the ability to draw on the expertise and experience in the community.

Commissioner Valdez said that given the work the Commission has already done, questions we've already had answered, he sees no reason to table the Rules and suggests the Commission move forward. He said the Commission has put in a lot of time and effort into the Rules already and have had ample time to discuss them over the last 18 months or more.

Commissioner Hansen said he believes that the Commission had changed Section 10.2 regarding service by mail to service by certified mail.

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Attorney Krueger said that most notices of hearings and the like, even in Circuit Court are done by regular mail. She said that especially with the extensive re-opening ability the EOC has for someone missing a hearing, that they would come back to this body and request it be re-opened, certified mail is a possibility but just adds some expense.

Commissioner Valdez said that the change is listed in the meeting minutes from the previous month or month before.

Chairperson Sloniker asked if there was any other discussion, and reminded the Commission that they had a motion that has been seconded; the motion was to table the approval for the EOC Rules of Procedures until our next meeting. Ms. Sloniker called for a vote.

Commissioner Sloniker – aye  
Commissioner Valdez - nay  
Commissioner Howland – nay  
Commissioner Hansen – aye  
Commissioner Finnegan – nay  
Commissioner Zoril – aye

Motion fails.

Commissioner Howland said that since the EOC can modify the Rules at any meeting in the future, he suggests the Commission pass them tonight with a proviso that there is an understanding that should there be corrections we make them as they come up and deal with it. Commissioner Finnegan said the Rules are a living document the Commission has the ability to change the Rules as time goes on.

Commissioner Zoril commented that the he believes that even knowing the Commission can always come back and adjust the Rules he believes it is not the best way to do business. He said he understands that the Commission has gone through in detail Sections 1 through 8, that Sections 9 through 11 have not been deeply discussed. He said that if the Commission calls a vote on approving this Rules of Procedures tonight he would be voting no on it. He said that the Commission could pass the Rules of Procedure feedback from the mock hearing. He suggested the Commission wait until after that hearing to test these Rules of Procedure.

Commissioner Sloniker asked Attorney Krueger to explain a little further the purpose of the Rules and if it were not voted on tonight, can they be changed at any point.

Attorney Krueger explained that the Commission is setting their own Rules of Procedure so procedures are done in a more systematic way when dealing with certain issues. She said that it certainly is something that can wait until April or it can be passed today. She explained that the one downside to passing them today and

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

having some changes right away in April is that the Commission is going to need to have them approved by the City Counsel, so it's a little bit of a process when you approve and then want to change.

Commissioner Hansen asked whether all changes would have to go to the City Council if approved it tonight.

Attorney Krueger said that is correct. She explained that simple formatting things and the like where you are not changing the substance of it, for example if you wanted to move forward tonight that Certified Mail was the issue and missed; a change like that because it has been approved by the body and just not reflected in the document can be changed without going to the City Council. The original document, the City Council has never approved one of these before, so it is going to be an experience for them. She said if the EOC is going to have any substantive changes to the document, then it needs to go back to the City Council.

Commissioner Zoril said in an effort to make sure the City Council is using their time effectively and not having to come back every time we have to make a change, he believes it is better to wait until at least after the Mock Hearing in April to approve the Rules. Commissioner Finnegan agreed.

Commissioner Howland made a motion to reconsider the vote. Commissioner Valdez seconded.

Chairperson Sloniker called for a vote for reconsideration of the motion to lay over the approval of the EOC Rules of Procedure over to the April meeting. Motion carried.

## **6. Review and Approval of 2014 Annual Strategy to Address Impediments to Fair Housing**

Staff explained that the Strategies attached were updated on what the Commission talked about last time. The additions were H and I per the Commission's request.

Commissioner Finnegan asked if there is a difference on letter "D" Section 8 low payment standards versus FMRs. Staff explained that a Housing Authority can choose to use a payment standard or FMRs, but having either in the would capture what the AI said.

Commissioner Valdez made a motion to approve the Resolution as clarified and Commissioner Sloniker seconded.

Commissioner Zoril: On item "D" I know it's in our minutes, we mentioned that is kind of a topic that is controlled at the Federal level and not much to do at the local level. It

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

says we are looking at strategies to address the issue. What are some possible strategies we could use to address a low payment issue that we would have no ability to change in the first place?

Staff explained if there are other communities in Wisconsin that find the issue to be an impediment we can reach out to those communities and first of all see what they are doing. Maybe we can copy what they are doing or do something similar if it is effective. Secondly if there are enough communities that feel the same way maybe we can band together and bring it forward to see if there can be a change. Staff said she thinks we are limited in that sense; it is an impediment so we are required to do something there, at least attempt to do something.

Commissioner Hansen asked whether in letter "E" for recruiting a lender for a community, do they have to be a citizen of Beloit. Staff said they have to live within the city limits.

Commissioner Sloniker: Motion carried.

## **7. Commissioner Comments and Upcoming Events**

Commissioner Valdez stated that he wanted to make sure that by not approving the Rules of Procedure tonight, it is not a reflection of any poor work on the Deputy City Attorney. He wants the record to reflect that all the Commissioners and Deputy City Attorney have worked really hard at making sure these are all well written rules, we are doing something new that the city has never done with its commissions. He directed Staff to let the Deputy City Attorney know how much we appreciate the amount of work they do.

Commissioner Zoril asked for an update on the demographic information requested from last meeting. Staff said she gave the request to Director of the Housing Authority who said she would contact him. Staff said she would remind the Director.

Commissioner Howland said he received the Housing Authority budget.

Commissioner Zoril stated that he wanted to clarify that he never said that these Rules of Procedure are bad in any way. He just wanted to be clear on the record that he was only saying that if there were something objectionable, the EOC would have the time to fix it. He was not saying there was anything wrong with it.

Staff announced there is a new member named Mary Weaver who was just appointed on Monday, but has not taken her oath of office yet. She plans on being at the next meeting.

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

#### **8. Next Meeting Date: To Be Decided**

Staff said last time there was a Mock Hearing the Commission just moved our meeting date to the April because it was on a Saturday. It will be up to the Commission if you still want to have an April meeting and the Mock Hearing or if you want to just use that as your meeting. It is completely up to you. We could do both. One would be a workshop and one would be a meeting or you can combine them in the same day.

Commissioner Hansen said he thinks we will have to probably have it a little later due to us laying the rules over, so we are going to have a little bit of time to go over that and then be able to get that voted later on in April.

Commissioner Zoril said he thinks it would be a good idea to have the Mock Hearing, maybe have a little bit of discussion after the Mock Hearing, and then give us some time – maybe like 2 or 3 weeks later to the normal April meeting, so we can actually go through the Rules of Procedure and figure out what worked and what didn't because that would accomplish the goal of still being fresh in our minds and but would give us more time than just on that one day to make all the changes.

#### **9. Adjournment: 6:15 PM**

Commissioner Valdez moved for adjournment and Commissioner Howland seconded. Motion carried.

**Notice Mailed: February 14, 2014**

Approved: Teri Downing  
EOC Staff Liaison

---

**[Please Call 364-6650 before 3:00 p.m. on Monday, February 17, 2014 if you are unable to attend.](#)**

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511