

Topeka Human Relations Commission

Meeting Minutes

April 7, 2014

Commissioners met on April 7, 2014 at 5:30 p.m. for the April monthly meeting
Holliday Building – Conference Room
620 SE Madison Street
Topeka, KS 66603

To request an ADA accommodation, please contact 368-3606 between the hours of 8:00 a.m. – 5:00 p.m. no later than 3 working days in advance of this meeting.

Mission Statement:

The mission of the Human Relations Commission is to conduct outreach and educational activities that promote justice and cultural understanding, and improve relationships among all citizens of the City of Topeka.

Commissioners present: Ms. Lorean Williams
Ms. Margo Rangel
Mr. Bill Beachy
Ms. Stephanie Mott
Mr. Anthony Fadale
Ms. Joyce Grigsby

Commissioners absent: Mr. Mike Padilla
Ms. Darcella Goodman

Guest: Councilmember Chad Manspeaker
Stella Manspeaker
Councilmember Nathan Schmidt
Chad Sublet, City Attorney
Brad Reiff, Housing & Neighborhood Development (HND)
Warren Woodruff, Housing & Neighborhood Development
Ally – Topeka Capital Journal
Edie Matthews, SC Health Agency
Mary Cuevas

City Present: Ms. Shawn Maisberger

- I. Call to order – Commissioner**
Noting a quorum, Lorean Williams, Chair, called the meeting at order at 5:30 p.m.
- II. Pledge of Allegiance followed by a Moment of Silence**
- III. Presentation**

Town Hall Meeting – City Home Purchase and Repair Programs

Brad Reiff and Warren Woodruff provided an overview on the upcoming Town Hall Meeting on Fair Housing and Tenant Housing scheduled for Wednesday, April 8. The event was being sponsored by HRC and HCCI with HND staff being the presenters. The program will focus on TOTO, Infill housing, Emergency Accessibility Program, and other programs available. Information on home ownership and local lending institutions available as well as maps showing areas of that assisted with rehabilitation to homes and down payment assistance.

HND program provides assistance for repair, new projects, and sidewalks. SORT program and what that includes and how neighborhoods are selected. Concern was expressed with the number of applications received. Staff believes that some people just don't want to get out and apply, others may owe the city and you are not eligible if you owe the city, or families that exceed the funding limit. Lorean inquired if the funds can be rolled over from year to year and Brad stated that they must abide by the HUD regulations on the allocation or distribution of the funds. Stephanie inquired about the individual who owes the city money – what kind of assistance is provided or guidance. If they owe less than \$100 their options. Brad stated that they have been researching on the subject. Stephanie said she would like to explore how we can enable them to get caught up so that they become eligible to apply. Brad stated that the first SORT area the city collected over \$100,000 because homeowners paid up their past debts so that they could apply for the assistance.

Lorean expressed concerns that due to the requirements that the program has not been helping a lot of people that need it the most. Anthony stated that there are possibilities to assist people to become eligible and there are avenues of exploration of the ideas/concerns presented to make sure that regulations are adhered to and help people that need it. Lorean inquired about the funding and if HND does not use all of the funding does it carry over. Staff reported that HND does not pay back HUD because they spend the funds.

Equality Ordinances

Councilmember Manspeaker and City Attorney Chad Sublet presented the proposed ordinances and reviewed them with Commissioners. City Attorney Sublet went over the documents highlighting areas that needed clarification or areas to make sure the information was understood and not overlooked.

Unlawful Employment/Affirmative Action

- The city already offers partner benefits and the city has never had anyone apply. Gender identify and partners were added to the benefits section. He believes it provides those benefits and it is good that goal has been accomplished.
- They are working on the language for defining long-term relationship and what defines a relationship. Sexual orientation does not define a relationship it is more difficult to define. Kansas recognizes common law marriages and while you need to provide some type of proof of the long-term relationship. There is proof of a marriage so there will need to be some type of proof provided that a registry could provide for other long-term relationships.
- Discussion about gender identity and that a person's identifying about themselves and not always the same as their birth identity.

- They want HRC input on the proposed language. There is no set timeline as soon as the Commissioners are comfortable with the language. Manspeaker offered to visit with Commissioners or be available to answer questions.
- Stephanie stated that this is exactly what they had been working on and thought the proposals were the right direction.

Domestic Partnership Registry

- They were concerned with the privacy issues and thought it would be challenged by the courts so they will not move forward with it being private. The language is similar to Lawrence and in Kansas the only private records are for children, sex crimes, and domestic battery. If challenged Sublet believed the city would lose and it would be made to be an open record.
- Sublet hit the highlights of the ordinance on the definitions and what the sections were to cover and protect. Commissioners requested clarification on specific language about what “filed” implies – meaning it is a legal copy. They wanted to make sure it did not change the legal rights of anyone. Sublet explained that the registry will show proof of the relationship which can then be used for benefits, medical reasons, etc. Stephanie noted that it will be helpful with medical reasons to show if a person becomes incapacitated that they are in the relationship and allowed to make decisions on behalf of their partner. Margo asked if the local hospitals would accept the registry. Stephanie was unsure what circumstances that they would not accept it.
- This will make Topeka seen as equality friendly city and it may not seem like a lot but is necessary and it will make a difference to the persons it affects. He talked about the application process and what it takes to get on and off the registry. Anthony inquired about how to not get into the legal ramifications. It would provide the couple with a document stating that they are in a long-term relationship and committed to one-another. It is not legally binding document. Anyone could apply. It is similar to a marriage and that the license is only the document but it’s not the relationship.

Lorean – Bill made a motion to extend the meeting to 7:30 pm, Margo seconded. No discussion. Motion carried.

- Councilmember Manspeaker discussed working on extended protections and the working needed to amend state statutes. The problem is that there are enforcement clauses in the statutes but funding issues. He does plan to move forward and but wants to get this accomplished and look to the bigger issues in the future.
- He is happy to come back to the meeting. It is a process and they are seeking the same outcome. If there are questions, contact the City Attorney or Shawn and they can get the answers or clarification. He has talked about resurrecting the HRC department but not like it was before. He believed that model wasn’t good and they should follow the Lawrence model because they have had very few cases. The primarily focus on mediation. Stephanie like the idea and supports that mission.
- Councilmember Schmidt thanked the commissioners for their involvement in the process and dialogue. He asked if the language or term used could be changed to gender self-identification and Sublet said he would look into it.

- Being no more questions the guests were thanked for being there and having the open dialogue with Commissioners.

IV. Approval of Agenda

Bill made a motion to adopt the agenda as amended; Margo seconded. No discussion. Motion carried

V. Approval of Minutes

Bill noted that under B. Fair Housing Month it should state City's Diversity Committee and not Human Resources. Anthony made a motion to adopt the minutes as amended; Stephanie seconded. No discussion. Motion carried.

VI. Staff Report

- No report.

VII. Committee Reports

- *Town Hall Committee Meeting Update*
 - Bill and Lorean discussed housekeeping items for the THM. Lorean is the MC for the event should last an hour and a half.
 - Margo is continuing to explore future meeting topics.
- *Troy Scroggins Award Committee Update*
 - Press release went out seeking nominations. The committee has ideas but want to see what nominations they get. It has been added to the city's website.
 - Deadline is April 30
 - Stephanie will follow up with the Topeka Capital Journal if information is not in the newspaper.
- *Prejudice & Poverty Committee Update*
 - Stephanie suggested that the first group consist of 10 people – 2 city council, 2 HRC, 2 representative from civic organizations such as NAACP, LULAC, YWCA, etc., 2 from general public, and 2 students either from Washburn University or local high schools.
 - Planning for April 21 and the location is unknown.

Stephanie made a motion to extend the meeting to 7:45 pm, Margo seconded. No discussion. Motion carried.

- Shawn can help get information to the City Council. Stephanie will work on getting participants.
- Send suggestions to Stephanie.

VIII. New Business

A. Draft Annual Report

Commissioners should send information about committee reports, meeting, conferences, etc. to Shawn so that it can be included in the report.

IX. Public Comments

Mary Cueves – shared she was retired from the State and clarified that the body does not have any powers and it is kind of sad in a city. She doesn't believe the city supports diversity and people don't get protection.

Stephanie stated that the stance on diversity has changed over the years and it is a process and the city should have jurisdiction. City is more receptive to the change and the make-up of the council is different than previously with Councilmember Manspeaker assistance.

Edith Matthews – with Shawnee County Health Agency. No comments.

X. Commissioner Comments

Commissioner Grigsby

- She is working under NAACP and a project with law enforcement and parents in East Topeka. She hopes to improve the relationship between law enforcement, parents and students. She cannot discuss at this time.

Commissioner Beachy

- No comment

Commissioner Mott

- She is being recognized at the Emily Taylor Center for Women and Gender Equity – women's recognition banquet at the Net Reach Center. They recognize three individuals for their transgender education.

Commissioner Rangel

- GR said he misses Stephanie at their meetings. She thanked the public for coming to the meeting. Jay Oyler called her and thanked the Commissioners for allowing him to speak and believes the Commission can help get the information out on future meetings.

Commissioner Williams

- Great meeting. She asked Bill to be responsible for getting out notecards and letters to speakers on behalf of the Commissioners. Shawn will get stamps and cards for Bill to have on hand. Bill agreed. Encouraged Commissioners to attend the Town Hall meeting.

XI. Adjournment

Commission meeting adjourned.

The next meeting will be May 5, 2014 at 5:30 p.m.

Respectfully submitted by Shawn Maisberger.