

Topeka Human Relations Commission

Meeting Minutes

May 5, 2014

Commissioners met on May 5, 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
Ms. Darcella Goodman

Commissioners absent: Mr. Mike Padilla

Guest: Councilmember Chad Manspeaker
Chad Sublet, City Attorney
Ally – Topeka Capital Journal
Precious Porras

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. Approval of Agenda

Anthony requested that an update on the post office and I Matter program be added under Old Business. Bill made a motion to adopt the agenda as amended; Darcella seconded. No discussion. Motion carried

IV. Approval of Minutes

Darcella noted that she was absent for the April meeting and the minutes did not reflect her absence. Bill made a motion to adopt the minutes as amended; Margo seconded. No discussion. Motion carried.

V. Committee Reports

- *Town Hall Committee Meeting Update*
 - Margo does not have an update. Deferred to Stephanie who is still working on the workshop and could be a future THM.

- *Prejudice & Poverty Committee Update*
 - Stephanie reported that it is taking longer than expected to finalize the curriculum book. Guest Precious is the associate director of multicultural affairs at Kansas University (KU) said that the curriculum is ready to go. Stephanie proposes 1 or 2 persons from each group and 6-8 maximum. She will work to finalize everything and Angel is committed. She would like to hold the event at the Holliday conference room if it is available – looking at the end of June. She has Bill Beachy, Margo Rangel, Chad Manspeaker, Nathan Schmidt, 2 Washburn students and will get confirmation on others.
 - Discussion on the statistics – and the hope is to open eyes and could be a future town hall meeting. That there is not an equal opportunity for people of color but some believe you just have to work hard but the solution is not always that easy.
 - If anyone knows of a high school person that would be interested in participating have them contact Stephanie.
 - Make sure to display the partnership between HRC and KU. Continuing to utilize partnership throughout the community.
 - Suggested materials and can be downloaded from the web
 - Content provided in the notebook is basically what is being presented.
 - Provide names to Stephanie for this pilot group or others

- *Troy Scroggins Award Committee Update*
 - Received 1 nomination for an a group and not an individual
 - The press release did not get picked up by any of the media
 - The nomination received is for an organization and let them know that the award will be in December and could hold the nomination or they could resubmit it.
 - Darcella nominates Glen Smith w/ let's help he is about 80 years old
 - The committee has a person in mind Jeremy Beard active with kids working in summer schools. The Commission suggested Lover Chancellor
 - The committee would consider all 3 and get information on each of them. People need to get the background information for consideration. Stephanie has no objection to add the name of Mr. Beard. Lover volunteers at HPHS, past councilperson, and helps at the YWCA. Stephanie needs the information ASAP so that the committee can make a decision soon. Deadline is May 12 at 5pm

- Shawn will check on presentation available at council.

VI. Old Business

Domestic Partnership Registry

- Chad Manspeaker -the previously had reviewed the ordinance and Chad Sublet asked if there were any questions since it goes unchanged from the last meeting.
- Stephanie would like to point out that it is Topekafied document and has been vetted by time and there have not been any challenges - it is not new - we are basically doing the same that as Lawrence. Chad Sublet followed up with City Attorney from Lawrence and he agreed that there have not been any problems or challenges.
- Bill moved that the Commission endorse the ordinance of domestic partnership. Stephanie will abstain due to her positions on various boards that she believes could perceptually be a conflict of interest. Anthony seconded. Bill has good intention but he does not see why you should abstain and you do good work and it is your decision but he disagrees that you should have to abstain. She appreciated but will abstain. Motion passed - Stephanie abstained.

Unlawful Employment Practices

- Chad Sublet brought a spreadsheet that outlines different cities about how they define terms and what they do in relations.
- Last meeting discussion on terms and definitions - it is 3 page document and is more difficult - in writing the legislation it gets difficult - the attorney's continued to discuss. He is willing to get discussion and go through the document.
- Newline 14 – new language is underlined –
- Line 19 - defines the added the sexual orientation and gender identity
- 22 - Defined gender identity -this comes directly from Lawrence as their gender identity which they got from other cities. What that means is that we are defining as what a person identifies them and not based on birth or surgeries. The issue definition is such a broad concept becomes difficult.
- 24 - There is perception and it is based on how that individual sees themselves or their own perception. Bill asked for clarification on why by another person. It is really helping with discrimination. No one has the ability to assign a gender to another person.
- 26 - Sexual orientation - he put something in there for discussion - Stephanie - the sexual orientation is covered with the city without having the definition included. If we do have a definition – I would add sexual orientation - actual or perceived heterosexuality... Stephanie explained about perceived employment decision based on someone's thought. Manspeaker - clarified that is was based on act based on the perception. Grigsby inquired can you ask when hiring. And you can't if this was passed.
- Anthony - this particular policy only applies to the city of Topeka employer - Sublet only for city employees. It does not apply to other businesses.
- Stephanie - if we decide to include SO - don't need to - would like to see lien 27 taken out ...shall not mean conduct which is prohibited by law. It is not an act it is

not a conduct it is who you are and only has to do who you are attracted to and not an action. This section frightens me.

- Sublet – whether you keep the sentence - legally it doesn't matter. Under the rule of preemption if we have an ordinance that is in conflict with state and federal law it will not hold up. Other cities have the language. What if someone made the statement that they are attracted to children they could claim they are protected. It would up to the commission on whether or not to keep it. There is language
- Manspeaker - would support striking the language of the prohibition of law since it is included in the other sections. He understands why legal put it in there but due to the other sections providing the safe guards. He understands
- Anthony - if we strike does something speak to the language is that the savings language and how the law works. If someone suggests that they say their attraction is illegal then it doesn't matter what city has language the state law covers the illegal action. Margo wanted to make sure that Sublet didn't feel there was a specific reason since other cities had the same language - he said it is easier to strike language rather than add. Manspeaker – there is language that is very specific so that people can bring up illegal relations or ones it lessens the challenge and no room for interpretation.
- Bill - motion to strike the second sentence and ADD actual or perceived heterosexuality...Margo seconded motion. (Strike line 27) additions and subtractions line Stephanie - abstained. Motion carried.
- Page 1/2 line 26- 33 – deals with domestic partnership registry. We should already extend the benefits to everyone - to be specific so line 28-33 the word includes section d) to include people the city would make a good faith effort for domestic partners and their children.
- Why strike - we already offer benefits there is an issue with insurance contractors - city has a contract with BCBS we currently do not allow partners w/ registry - we just put out a new RFP to add the domestic partners and their children - that is why the language put in the "good faith effort" - could still move forward with the language since it is putting a good faith effort or could wait til January when the city gets the RFP.
- Manspeaker would like to move forward on the ordinances but hold off on the insurance fiscal note and it would need to be considered during the budget process this summer based on the costs associated with the inclusion. This is similar to the city's domestic violence issue. He doesn't want anyone to go against. It would be the effective date would be January 2, 2015.
- Stephanie – the good faith effort to contract - the language does not say we are going to do it. It is her understanding that employees pay the same amount.
- Sublet stated that Some ins pool may charge more the inclusion of domestic partners and children we will know more in 30 days as to whether or not they will accept the changes in the RFP and what it costs.
- Margo - not everyone know what an RFP – at least we are addressing it - but it could make others upset that the rates will increase - doesn't make it right.
- Stephanie - she disagrees that there should not be a fiscal note to this- the money comes in and - the reality you can't change it to January 1 2015 anyway and it is the discriminatory clause becomes into effect then anyway by the insurance - there is going to be a point in time the constitution amendments is going to go away - it is a good decision that we are moving in this direction - idea that we can live in a city that we allow businesses to treat others based on their - this is civil rights

decision - it is not right to fire someone based on their sexual orientation - this is the future and we can deny it is going to happen people are human beings no matter of their.

- Manspeaker - it is politics and to get them to pass we need to make sure that that we consider the fiscal notes and provide a comfort time for other councilmembers and the financial concerns can be addressed during the budget cycle.
- Sublet - you always need to determine what the financial costs are even if you believe they are minimal if at all.
- Stephanie - basically the ordinance empowers the city manager too enter into a contract with an insurance company. If there was a significant costs increase – there are not requirements that the cm has to enter into a contract – he allows him to be empowered to seek and can evaluate whether or not it is in the best interest of the city.

Bill made a motion to extend meeting to 7:30 – Anthony second - motion carried. Darcella abstained.

- Bill move to endorse the affirmative action ordinance as amended including correction by Sublet Joyce seconded – no discussion. Motion carried to adopt the proposal from Councilmember Manspeaker for city employees – with corrections. Stephanie abstained.

VII. New Business

Update on Post Office

- Anthony will take the lead - pursuant to the commissioners asked him to get a letter drafted to Lorean. He did get the letter to Lorean and it re-enforced their support.
- He did reach out to the BvB and they were conceptually supportive of the Commissions efforts for the historical preservation. The mayor received the letter that they were going to close the post office but importantly the letter stated that the VP of the facilities division that the historical integrity of the courtroom has to take place so. He believes that they have to follow the historical preservation act and preserve the integrity of the building in regards to BvB. The city made the point that the city will work with various groups to make sure the historical preservation has to happen. We have gotten what we wanted to achieve. He does believe that he has gotten in front of the city leadership to make sure the community is involved. He will be a point of contact he is happy to do unless someone else wants to - he knew that he could not stop the sale but wanted to make sure they knew about the historical integrity in relationship to BvB.
- Stephanie thanked Antony for writing and the mission of the commission to understand and education the importance in relationship to equality and BvB in the country. She applauds his efforts.
- Bill - passed the public comment.
- Anthony - HRC request the city to ensure that it preserves the bvb education. Bill recommended that people visit the room.
- Margo - procedures need to be put into place so that we know the process and things don't get dropped so that as we move forward. She likes consistency and makes

decisions so that we are clear so that we don't make assumptions. If Anthony writes something up it will need to be typed up. It can always be given to Shawn to be typed up so that we don't miss an opportunity. She understands that she does not want any issues in regards to the commission.

- Stephanie made a motion - Anthony/Lorean to get letter to Shawn to type to be mailed from the commission. Reason is so that the commission makes a public statement and stand. Bill seconded. Cc - governing body - letter to preserving the courtrooms to preserve the historic values. Motion carried.

I Matter Program

8 students graduated city staff was there - Greg Bailey was speaker about direction and being position. He would encourage people to attend next year. Monique Glaude - is doing the program. Anthony has already agreed to speak next year. It happened last Friday.

VIII. Public Comments

Precious - no comments - she is civically inspired

IX. Commissioner Comments

Commissioner Mott

- Graduates May 17 with a Bachelor of Social Work.

Commissioner Goodman

- Talked about gender identification – she thinks all citizens should have right - her problem with the voting in California - that the judicial system said no - and thought they pushed it down their throats. She does not like it when the people vote a certain way and the courts go against the people in relationship to the same sex marriages. That is her problem with what is going on in the county - voice of the people is poopoo.

Commissioner Grigsby

- Holocaust program in town was very tearing jerking - mention the 6M people that got executed that 1M was children was upsetting. Several survivors in attendance and shared their experience. She has been asked to speak at the 16th at the bvb site and speaking behind the governor – her life growing up in Kansas as a black person

Commissioner Beachy

- good meeting - it is making Topeka a better place and thanks for Councilmember Manspeaker and sublet attending the meeting

Commissioner Rangel

- Nothing to add – meeting says it all.

Commissioner Williams

- Can't stop working - it may not be you today but can be you tomorrow. Thanks for ALL THE volunteer hours. Bill and Lorean are up for reappointment and they turned in their paperwork.

Thanks to everyone attending. Bill is impressed with the process from the mayor's office.

X. Adjournment

Commission meeting adjourned.

The next meeting will be June 2, 2014 at 5:30 p.m.

Respectfully submitted by Shawn Maisberger.