



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Amended EQUAL OPPORTUNITIES COMMISSION

Thursday, December 11, 2008

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room LL-120 (Madison Municipal Building)

The meeting was called to order at 5:00 p.m., Bert Zipperer presiding.

1. CALL TO ORDER / ROLL CALL

Present: 9 -

Coco Bustamante; Bert G. Zipperer; Erika H. Braunginn; Charles E. McDowell; Nia Enemuoh-Trammell; Brian Benford; Katherine Cramer Walsh; Megin H. McDonell and Steven H. Morrison

Absent: 1 -

Lauren M. Woods

Excused: 2 -

Brian L. Solomon and Carousel Andrea S. Bayrd

Staff: Ford, Studesville, and Wick

Guests: City Attorney Micheal May

2. APPROVAL OF MINUTES

A motion was made by Walsh, seconded by Morrison, to Approve the Minutes . The motion passed by voice vote/other. Under the President's Report on page 2, paragraph 1, line 3 was corrected to read: "However, the meeting had been cancelled."

3. PUBLIC COMMENT

None.

4. ANNOUNCEMENTS OF COMMUNITY EVENTS-- For information only. No action required.

None.

REPORTS

5. [08355](#) PRESIDENT'S REPORT--For information only. No action required.

Bert Zipperer, EOC President, will summarize meetings attended and other related activities on behalf of the Commission since the last Commission meeting. For information only. Any item raised for future discussion will be posted as "New Business" on the next agenda.

Zipperer reported that since the Affirmative Action Commission meeting had been cancelled on Tuesday evening, he had planned to attend the Public Safety Review Board meeting that evening to hear the discussion on the proposed amendments to the Chronic Nuisance Ordinance. The meeting was also cancelled due to weather. What he had not realized was that the meeting was rescheduled for the next evening.

6. [09307](#) INTERIM DIRECTOR'S REPORT--For information only. No action required.

Larry Studesville, DCR Interim Director, will report on the following:
a. His activities and meetings since the last meeting.
b. Update on staff activities.

No Report.

7. [08357](#) DIVISION MANAGER'S REPORT--For information only. No action required.

Ariel Ford, Equal Opportunities Division Manager, will report on the following:
a. Activities of the Division since the last meeting.
b. Update on staff activities.
c. Update on the EEOC Contract.

Ford reported that she had been called by Larry Pasha who told her that the PSRB had met yesterday. There were questions posted to Jennifer Zilavy, Assistant City Attorney. Pasha offered to come speak to the Commission.

The EOD staff has been working on Rule amendments for tonight's meeting.

Questions have been raised in the past about the City's legislative agenda. Ford received an email today from Mario Mendoza, the City's lobbyist, on formulating the City's legislative agenda for the next session of the State Legislature. She offered to share the email with interested Commissioners.

8. [12507](#) COMMON COUNCIL UPDATE--For information only. No action required.

Ald. Brian Solomon will provide an update on Common Council actions since the last Commission meeting.

No Report.

9. [08358](#) COMMITTEE REPORTS--For information only. No action required.

Reports summarizing discussions at meetings held since the last meeting. For information only. Any item raised for discussion appears under Unfinished Business or will be posted as "New Business" on the next agenda.

- a. EOC Executive Committee
- b. EOC Employment Committee

EOC Executive Committee

Enemuoh-Trammell reported that the Executive Committee had reviewed and revised proposed rule amendments, discussed future agenda items including Alienage Status and use of Social Security Number, and reviewed the agenda for tonight's meeting.

The Executive Committee is also concerned about safeguarding personal identification in case files. A notice to parties is being worked on allowing parties to redact personal identification numbers (such as Social Security Numbers and driver's license numbers) prior to submitting documents to the Commission.

EOC Employment Committee — No Report

UNFINISHED BUSINESS

10. [12065](#) Amending Section 25.09 of the Madison General Ordinances to change various provisions of the ordinance recommended by the Equal Opportunities Commission.

The Commission agreed that it would like to invite Larry Pasha to their next meeting executive committee meeting. Ford agreed to invite him on the Commission's behalf.

11. **NEW BUSINESS**

[12952](#) Proposed EOC Rules on Appeals

Attachments: [Proposed Commission Rules on Appeals.pdf](#)
[EOC Rule Amendments Adopted 121108.pdf](#)

The Commission reviewed and revised the proposed rules. A motion was made by Morrison, seconded by Benford, to Adopt the Rules on Appeals as amended (see attachment: Proposed Commission Rules on Appeals as Amended. The motion passed by voice vote/other.

12. CLOSED SESSION --The Commission will convene in closed session pursuant to sec. 19.85(1)(c) state stats. to consider cases on appeal.

A motion was made by Morrison, seconded by Walsh, to Convene into Closed Session pursuant to sec. 19.85(10)(c) state stats. to consider cases on appeal. The motion passed by the following vote:

Absent: 1 -

Lauren M. Woods

Excused: 2 -

Brian L. Solomon and Carousel Andrea S. Bayrd

Ayes: 9 -

Coco Bustamante; Bert G. Zipperer; Erika H. Braunginn; Charles E. McDowell; Nia Enemuoh-Trammell; Brian Benford; Katherine Cramer Walsh; Megin H. McDonell and Steven H. Morrison

Case No. 20082023 and 20052077, Fields v. Cash Express

A motion was made by Zipperer and seconded by Benford to affirm the decision of the Hearing Examiner. Motion passed by roll call vote Benford, Braunginn, Bustamante, Enemuoh-Trammell, McDonell, McDowell, Morrison, Walsh, and Zipperer; No: none; Excused: Bayrd and Solomon; Absent: Woods.

Case No. 20052134, Norris v. Cost Cutters

Morrison recused himself.

Present: Benford, Braunginn, Bustamante, Enemuoh-Trammell, McDonell, McDowell, Walsh, and Zipperer

Excused: Bayrd, Morrison and Solomon

Absent: Woods

A motion was made by Enemuoh-Trammell and seconded by Braunginn to vacate the decision of the Hearing Examiner on Default and to remand the case to the HEaring Examiner to apply the standard for sanctions imposed on a party for failure to adhere to an order of the Hearing Examiner. With respect to damages, after the Hearing Examiner makes his decision, he will then determine if he needs another hearing on damages. Motion passed by roll call vote Aye: Benford, Braunginn, Bustamante, Enemuoh-Trammell, McDonell, McDowell, Walsh, And Zipperer; No: none; Excused: Bayrd, Morrison and Solomon; Absent: Woods.

13. ADJOURNMENT

A motion was made by Benford, seconded by Enemuoh-Trammell, to Adjourn at 6:42 p.m. The motion passed by voice vote/other.

Minutes prepared by Cindy Wick, DCR Executive Assistant