



City of Madison

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

Meeting Minutes - Approved EQUAL OPPORTUNITIES COMMISSION

Thursday, August 14, 2008

5:00 PM

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

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 5:03 p.m., Bert Zipperer presiding.

Present: 7 -

Bert Zipperer; Erika H. Braunginn; Brian Benford; Lauren M. Woods;
Carousel Andrea S. Bayrd; Steven H. Morrison and Victoria S. Selkove

Absent: 3 -

Brian L. Solomon; Nia Enemuoh-Trammell and Megin H. McDonell

Excused: 1 -

Katherine Cramer Walsh

Staff: Larry Studesville, Claudia Catota, and Cindy Wick.

Commissioner Enemuoh-Trammell arrived at 5:07 p.m.

Present: 8 -

Bert Zipperer; Erika H. Braunginn; Nia Enemuoh-Trammell; Brian Benford;
Lauren M. Woods; Carousel Andrea S. Bayrd; Steven H. Morrison and
Victoria S. Selkove

Absent: 2 -

Brian L. Solomon and Megin H. McDonell

Excused: 1 -

Katherine Cramer Walsh

2. APPROVAL OF MINUTES

On a motion made by Selkove and seconded by Woods, the minutes of the June meeting were approved with the following corrections: Page 3, Item 7b, paragraph 3, Selkove's name is misspelled; and Page 4, Item 12, the motion was to refer the Appeal in Case No. 20051011 to the next meeting. Motion passed.

Absent: 2 -

Brian L. Solomon and Megin H. McDonell

Excused: 1 -

Katherine Cramer Walsh

Ayes: 7 -

Bert Zipperer; Erika H. Braunginn; Nia Enemuoh-Trammell; Brian Benford;
Lauren M. Woods; Steven H. Morrison and Victoria S. Selkove

Abstentions: 1 -

Carousel Andrea S. Bayrd

3. PUBLIC COMMENT

None.

Commissioner McDonell arrived at 5:10 p.m.

Present: 9 -

Bert Zipperer; Erika H. Braunginn; Nia Enemuoh-Trammell; Brian Benford;
Lauren M. Woods; Carousel Andrea S. Bayrd; Megin H. McDonell; Steven
H. Morrison and Victoria S. Selkove

Absent: 1 -

Brian L. Solomon

Excused: 1 -

Katherine Cramer Walsh

4. ANNOUNCEMENT OF COMMUNITY EVENTS

Zipperer welcomed new Commissioner Erika Braunginn. Those present introduced themselves.

Zipperer reminded Commissioners that Africa Fest and the Triangle Ethnic Fest would be held this weekend. He encouraged Commissioners to attend.

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 the EOC Executive Committee is examining the process used by the Commission in considering cases on appeal. McDonell will provide additional detail under the EOC Executive Committee Report.

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.

Studesville provided an update on the backlog of cases at the No Probable Cause review state in the complaint process. An action plan is in place and

progress is being made.

Studesville stated that Hearing Examiner Clifford Blackwell will have completed four aged decisions by the end of August and all aged cases will be completed by the end of December, 2008. Studesville will continue to provide updates monthly.

Commissioner Solomon arrived at 5:27 p.m.

Present: 10 -

Bert Zipperer; Erika H. Braunginn; Brian L. Solomon; Nia Enemuoh-Trammell; Brian Benford; Lauren M. Woods; Carousel Andrea S. Bayrd; Megin H. McDonell; Steven H. Morrison and Victoria S. Selkowe

Excused: 1 -

Katherine Cramer Walsh

7. [08359](#)

LIAISON REPORTS--For information only. No action required.

Reports summarizing discussions at meetings attended for information only. Any item raised for future discussion will be posted as "New Business" on the next agenda.

- a. Common Council--Ald. Solomon
- b. Affirmative Action Commission--Selkowe and Zipperer
- c. Commission on People with Disabilities--Studesville

a. **Common Council:** Solomon reported that the 2009 budget would be the major issue of concern in coming months. The Mayor has asked departments to submit two budgets this year: a "goal" budget and a budget 5 percent less than the goal. This step is an effort to attempt to identify possible reductions in spending to keep the tax increase to less than 4 percent and the tax levy to 5.5 percent. This could mean as much as a \$16 million reduction. This is really bad news.

In response to a question, Studesville stated that the DCR was able to come up with a workable plan for the 5 percent reduction. However, it would affect the agency's level of service.

b. **Affirmative Action Commission:** Selkowe reported that the Commission's last meeting was cancelled due to lack of quorum. The Commission is working on an implementation plan for the two reports it prepared for the Common Council. There is also an ordinance amendment before the Commission allowing contractors who are disqualified from a bid to appeal that decision to the Commission. The Commission is looking into setting up appropriate rules and procedures for such hearings should one ever be filed.

c. **Commission on People with Disabilities:** Studesville reported that the Commission is moving ahead with the services of a volunteer to compile information on accessible housing in Madison. It is anticipated that with our aging population there will be an increased need.

8. [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--Bayrd

a. EOC Executive Committee: Bayrd reported that the Committee spent most of its last meeting discussing its frustration over not receiving requested amendments to the Chronic Nuisance Ordinance.

Since that meeting, Zipperer has met with Joel Plant of the Mayor's office who agreed after discussion to see what could be done to expedite the process. An Ordinance is on tonight's agenda for discussion.

The final report of the Committee on Check Cashing is expected to be ready for the Committee to review in January. Discussion of prohibiting genetic testing as a form of discrimination under the Equal Opportunities Ordinance will continue in January.

The Committee will continue to examine the Commission's appeal process on complaints of discrimination. A memo from Assistant City Attorney Roger Allen and EOC Hearing Examiner Clifford Blackwell was distributed at the last meeting. Commissioner Enemuoh-Trammell was able to join the Committee to express her concerns with the current appeal process. Discussion will continue at the next meeting. All Commissioners were invited to attend.

9. UNFINISHED BUSINESS

[11587](#)

Chronic Nuisance Ordinance Amendments

Attachments: [CNP EOC changes.pdf](#)

a. Revisions to the Chronic Nuisance Ordinance

Commissioners identified an error in the drafting of the ordinance based on their action from January 2008: Section 25.09(3)(b)3.b. reads, "Premises owners shall be counseled regarding nuisance abatement methods and strategies and shall be encouraged to submit a comprehensive nuisance abatement plan that ..." The words "be encouraged to" should be omitted so that the statement reads, "Premises owners shall be counseled regarding nuisance abatement methods and strategies and shall submit a comprehensive nuisance abatement plan that ..."

Solomon apologized to the Commission for the long delay in getting the amendments drafted. He wanted to meet with original sponsor Ald. Tim Bruer and drafter Assistant City Attorney Jennifer Zilavy to obtain their reactions to the Commission's proposals so that the Commission may see where there are objections and decide whether it wishes to make modifications to its proposal before it is introduced. It took an extended period of time before this meeting

took place. Solomon distributed a draft ordinance with remarks from Zilavy and cautioned that without their support it will be difficult to obtain the necessary votes for passage of the EOC proposal. He stated his willingness to proceed as the Commission wishes.

A motion was made by Benford and seconded by Solomon to refer this proposal to the EOC Executive Committee for a recommendation at the next Commission meeting. After lengthy discussion, the motion passed by voice vote/other.

10. NEW BUSINESS

[11116](#)

Report of the EOC Nominating Committee and Election of Members of the EOC Executive Committee

Benford reported the slate of officers recommended by the Nomination Committee (composed of Commissioners Benford, McDonell, and Morrison).

President: Bert Zipperer

Vice President: Nia Enemuoh-Trammell

Secretary: Steven Morrison

Members at Large: Carousel Bayrd; Megin McDonell

Alternate: Katherine Cramer Walsh

A motion was made by Benford and seconded by Selkove to adopt the slate of officers as presented. Motion passed by voice vote/other.

It was noted that one position of Alternate was left vacant until vacancies on the Commission have been filled. At that time, the President may reconvene the Nominating Committee to recommend a second Alternate.

11. [00997](#)

CLOSED SESSION

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

[09790](#)

Appeal in Case No. 20051011, Terry v. YWCA, Appeal of Ruling on Damages--Commissioners Woods and Enemuoh-Trammell

A motion was made by Enemuoh-Trammell and seconded by Benford to refer review of the Appeal in Case No. 20051011, Terry v. YWCA, to the next meeting when a representative of the City Attorney's office can be available to provide counsel.

Dissatisfaction was expressed with the failure of the City Attorney's office to have a representative present. Studesville stated that he would communicate with City Attorney Michael May relative to the Commission's concerns.

Motion passed by voice vote/other.

ADJOURNMENT

Commissioners unable to attend should contact Rachel Campbell at 267-1133 or
rlcampbell@cityofmadison.com

A motion was made by McDonnell and seconded by Braunginn to adjourn.
Motion passed by voice vote/other.