

CITY OF WARRENSBURG

October 14, 2019

Honorable Mayor and
Members of the City Council
City of Warrensburg, Missouri

Dear Mayor and Council Members:

SUBJECT: An Ordinance Amending Chapter 12 of the Code of Ordinances of the
City of Warrensburg, Missouri Regarding Human Rights

BACKGROUND:

The attached amendment will correct the term limits of the Commission members from 2-year appointments to 3-year appointments and also repeals the violation provisions contained in Division 3.

ISSUE:

To consider an Ordinance amending Chapter 12 of the Code of Ordinances of the City of Warrensburg, Missouri.

STRATEGIC PLAN:

Under Focus II of the Fiscal Year 2020 Strategic Plan, this Ordinance will work to promote "Community Pride and Interaction" that enhance the quality of life for members and visitors of Warrensburg.

FISCAL IMPACT:

There is no impact on the budget at this time.

ECONOMIC BENEFITS/IMPACT:

There is no immediate economic impact or benefit.

RECOMMENDATION:

Staff recommends approval of this Ordinance.

Sincerely,



Matthew Lue
Finance Director

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI REGARDING HUMAN RIGHTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI, AS FOLLOWS:

Section 1. Chapter 12 is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 12-1. - Policy on discriminatory action.

In accord with state law, the city intends to provide nondiscriminatory fair housing opportunities, public accommodations and employment practices throughout the city for all persons, regardless of race, creed, color, religion, national origin, ancestry, sex or handicap.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. GENERALLY

Sec. 12-2 to 12-25 reserved.

DIVISION 2. DIVERSITY AND INCLUSION COMMISSION

Sec. 12-26. Established, purposes.

The Diversity and Inclusion Commission shall examine the community and provide feedback that will help foster mutual understanding and respect among all members of the city. The Commission will work through education and outreach to discourage prejudice and discrimination against any person, group, or any other status including race, creed, color; religion, national origin, ancestry, sex, sexual orientation, gender identity, gender presentation, or disability. For complaints of discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age (in employment only), and familial status (in housing only), the commission shall accept and refer these cases to the Missouri Human Rights Commission.

Sec. 12-27. Composition; terms; appointments.

The Diversity and Inclusion Commission shall consist of eleven (11) members appointed by the city council broadly representative of the racial, ethnic, and religious

groups in the community. Four (4) members will be designated as non-voting members of the Commission and must represent local armed forces, commercial, industrial, and/or educational segments of the community. One (1) of the city council members will be appointed to serve as an ex-officio member of the Commission, and will also be a non-voting member. Seven (7) additional members will be appointed as voting members who are citizens of the city. Members of the Commission shall be appointed by the mayor with the approval of the city council. The term of appointment shall be for three (3) years. No individual shall serve more than two (2) full consecutive terms on the commission.

Sec. 12-28. Meetings; organization; quorum; compensation.

The Diversity and Inclusion Commission shall meet at least four times per year, and more often as needed to handle complaints and shall elect a chair who shall be the presiding officer at such meetings. In the absence of the chair or their inability to be present at any meeting of such body, the duly elected vice-chair shall have the power to preside. The vice-chair shall also keep minutes of each meeting. Any four voting members shall constitute a quorum at a meeting or hearing and all members of the commission shall serve without compensation for their services.

Sec. 12-29. - Powers and duties.

The powers and duties of the Diversity and Inclusion Commission shall be to:

- (1) Foster, through community effort or otherwise, goodwill, cooperation and conciliation among community groups and elements of the inhabitants of the city;
- (2) Formulate and carry out educational programs that will aid in discouraging all types of prejudice and discrimination;
- (3) Support educational campaigns and programs devoted to eliminating group tensions, prejudices, intolerance, bigotry, and discrimination;
- (4) Recommend programs, policies, and procedures to the city council which will protect against discrimination, promote the health, safety, and welfare of community members.

Sec. 12-30 to 12-40 reserved.

DIVISION 3. COMPLAINT PROCEDURE

Sec. 12-41. Filing of complaints.

Any person claiming to have been subjected to any discrimination in housing practices, public accommodation or employment in violation of this Chapter may make, sign and file, or have his attorney make, sign and file, a written complaint with the city clerk. The complaint must be in writing and the Diversity and Inclusion Commission

shall not acknowledge an oral complaint. Any written complaint filed pursuant to this section must be filed with the commission within sixty (60) days of the date of the alleged incident.

Sec. 12-42. Contents of complaint

Any complaint filed with the Diversity and Inclusion Commission shall state the name and address of the person alleged to have committed the discriminatory practice complained of. The complaint shall also specifically describe the alleged discriminatory practice including what relief is sought or proposed. The complaint shall not consist merely of statements or charges phrased in the language of the statute or rule.

Sec. 12-43. Conference and conciliation.

If the Diversity and Inclusion Commission receives a written complaint, it shall notify in writing the person against whom the complaint is made and request all parties to meet, confer and conciliate within thirty (30) days. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. Any agreed upon conciliation to eliminate an alleged discriminatory practice shall be voluntary and shall be committed to writing by the parties.

Sec. 12-44—12-48. Reserved.

Sec. 12-49. Conciliation in writing; notice of conciliation.

Every conciliation in a case shall be in writing. If a conciliation is reached, the Diversity and Inclusion Commission shall give written notice of the conciliation by delivering or mailing such notice to each party, or his attorney of record, and shall upon request furnish him with a copy of the conciliation.

Sec. 12-50. Confidentiality of proceedings; exception.

The Diversity and Inclusion Commission shall not disclose the nature or contents of any proceeding, report or memorandum it may conduct or generate in its efforts to resolve any complaint of a violation of this chapter without legal action. If the commission is unable to eliminate an alleged discriminatory practice by conference and conciliation, it shall forward the complaint to the city attorney for determination as to whether or not to prosecute on the complaint.

Section 2. Sections 12-51 through 12-108 are hereby repealed and reserved for future use.

Section 3. The provisions of this ordinance are intended to be incorporated into the Code of Ordinances of the City of Warrensburg, Missouri.

Section 4. This ordinance shall be in full force and effect from and after its passage.

Passed in open session this ____ day of _____, 2019.

Casey Lund, Mayor

Attest:

Cindy Gabel, City Clerk