

MINUTES OF MURRAY HUMAN RIGHTS COMMISSION
May 6, 2013
5:00 P.M.

The Murray Human Rights Commission met in regular session on Monday, May 6, 2013, at 5 p.m. in City Hall's Council Chambers of City Hall with Chair Jody Cofer presiding.

Members Present: Chair Jody Cofer, Dr. Brian Clardy, Linda Cherry, Paula Compton, Dr. Peggy Pittman-Munke, and Jane Shoemaker

Members Absent: Connie Payne and Tung Dinh

Staff Present: Mayor Bill Wells, City Administrator Matt Mattingly, City Attorney Warren Hopkins, and City Clerk June Batts

Others in Attendance: Edward Marlowe, *Murray Ledger and Times*

Chair Cofer welcomed members, introductions were made, and the meeting began at 5:05 p.m.

Minutes of the Murray Human Rights Commission April 8, 2013 Meeting were presented for approval. Dr. Clardy moved to accept the minutes as presented; seconded by Dr. Pittman-Munke. Chair Cofer called for discussion. After no discussion, Chair Cofer called for a voice vote in which all members present were in favor of the motion.

Old Business: Chair Cofer presented a report on the commission's Bully Free Community Education Campaign. He presented a list of nine articles, written by Dr. Alan Beane and sent to local media for publication. Dr. Beane stated that he would be happy to help others interested in writing articles related to bullying. Chair Cofer is speaking with MSU's Theatre Department about partnering to produce a play of "Band Bang You're Dead." He stated they are currently reviewing a stage adaptation and would update the commission regarding a fall performance.

New Business: Chair Cofer recognized Warren Hopkins, City Attorney, and presented the City's Draft Human Rights Ordinance to the commission for discussion.

Ms. Shoemaker asked for an explanation of why sexual orientation was left out of Part B of the Draft Ordinance. Mr. Hopkins stated that the state statute did not identify sexual orientation as a protected area, and the city did not have anything in place to enforce the designation had it been included. Dr. Clardy stated that the federal supremacy clause included sexual orientation. Mr. Hopkins stated that enforcement of the city ordinance fell under state law and if the state changed its definition to include sexual orientation, so would the City. Chair Cofer asked what would keep an individual from seeking action on the basis of sexual orientation. Mr. Hopkins said nothing would prevent such an action in civil court. He stated that an unfunded mandate was undesirable because it could not be enforced and that if the City's Human Rights Ordinance included designations not recognized by the state, it would not be able to send any related actions to the state level for remedy. He stated that including the designation may even become a detriment to those seeking action in civil cases.

Chair Cofer recognized Matt Mattingly, City Administrator who presented changes to the current Human Rights Ordinance in Section 3, including terms, compensation, commissioner absenteeism, and forms and procedures regarding complaints to the commission.

Chair Cofer and the commission discussed other sections of the Draft Ordinance including the appointment of a secretary, election of the committee chair, bylaws, annual reports, and financial data. **Dr. Pittman-Munke moved** to table approval of the Draft Human Rights Ordinance in order for the commission to discuss the matter further. **Ms. Cherry seconded the motion.**

After discussion, Chair Cofer called for a voice vote in which all members present were in favor of the motion.

Dr. Clardy left the Council Chambers.

Chair Cofer stated that he would submit a letter to recommending the removal of a commission member who has been absent since May of 2012. He stated that the letter asked the Mayor to remove the individual and appoint a new member to the commission.

Ms. Cherry asked if the commission could address the issue of suitable housing in Murray. Mr. Hopkins stated that the commission could only address issues of housing as they relate to discrimination; housing conditions are under the Department of Health. Chair Cofer stated that the HRC could build an education program around housing. Mr. Mattingly stated that David Roberts, Chief Liles, and the Health Department would need to be included.

Dr. Pittman-Munke asked about a community education program on workplace bullying. The commission discussed workplace bullying and possible future activities/actions related to a Bully Campaign 2.0, including a roundtable of business owners and the inclusion of groups such as the Chamber and the Jaycees.

Chair Cofer reminded commission members of the upcoming visit from the Henderson Human Rights Commission and community leaders for the June 10th meeting. Commission members discussed the upcoming meeting, accommodations, and invitees. Members that are available are to meet with the Henderson delegation at 4:00 p.m. with the regular commission meeting immediately afterwards. The City will provide some type of food.

Chair Cofer thanked commissioners and Mr. Hopkins.

Dr. Pittman-Munke motioned to adjourn; seconded by Ms. Shoemaker. The meeting adjourned at 6:04.