

BILL 10066

ORDINANCE 9938

AN ORDINANCE AMENDING THE KIRKWOOD CODE OF ORDINANCES BY DELETING CHAPTER 12 “HUMAN RELATIONS”, ARTICLE II. “HUMAN RIGHTS ADVISORY AND AWARENESS COMMISSION” IN ITS ENTIRETY AND INSERTING A NEW ARTICLE II. ENTITLED “HUMAN RIGHTS COMMISSION.”

WHEREAS, with the assistance of the United States Department of Justice, Community Relations Service, representatives of the community and Kirkwood city government did meet for over a year discussing issues of concern expressed by members of the Meacham Park neighborhood, and

WHEREAS, on January 21, 2010 representatives of the City of Kirkwood and representatives of the Meacham Park neighborhood and the larger Kirkwood community entered into a mutual agreement to implement various programs to improve relationships with minorities and others in the community that may be subject to bias or discrimination, and

WHEREAS, on January 21, 2010 the City Council did by the passage of resolution 4-2010 endorse the agreement, and

WHEREAS, one of the several terms of the agreement is the revitalization of the City’s Human Rights Commission, and

WHEREAS, subsequent to said resolution the members of the two representative groups jointly prepared a proposed ordinance defining and creating a revitalized Human Rights Commission, and

Whereas, the City Council will by the passage of this ordinance honor a term of the agreement by creating a new and restructured Human Rights Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The Kirkwood Code of Ordinances is hereby amended by deleting Chapter 12 “Human Relations”, Article II. “Human Rights Advisory and Awareness Commission” in its entirety and the following inserted in lieu thereof:

Chapter 12

HUMAN RELATIONS

- Art. I. In General, §§ 12-1—12-30
- Art. II. Human Rights Commission, §§ 12-31—12-58
- Art. III. Fair Housing Code, §§ 12-59—12-69

ARTICLE I. IN GENERAL

Secs. 12-1—12-30. Reserved.

ARTICLE II. HUMAN RIGHTS COMMISSION

Sec. 12-31. Created; composition; appointment, qualification of members.

HUMAN RELATIONS

A Human Rights Commission "Commission" is hereby created and established which shall consist of nine (9) persons. The Commission members shall be residents of the City of Kirkwood. Members, to the extent possible, broadly representative of economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation or familial status. The Commission shall be appointed by the City Council based upon their interest, and an expressed commitment. Commission members shall serve without compensation. (Gen. Ords. 1959, § 4.24(a); Ord. No. 4860, § 1, 12-5-63; Ord. No. 7313, § 1, 2-21-85; Ord. No. 7332, § 1, 3-21-85)

Sec. 12-32. Purpose.

The Commission shall review and advise the council on ways to:

- (a) Promote community awareness and education on the value of diversity to the community.
- (b) Work to eliminate discrimination based on economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation or familial status.
- (c) Develop tools necessary to establish the Commission as an active servant and leader that is a transparent service to the community, including periodic review of this enabling ordinance.
- (d) Promote responsiveness of government to concerns of all minority groups and others in the community that may be subject to bias or discrimination.
- (e) Encourage the creation of community programs and activities that are available and accessible to all Kirkwood residents.
- (f) Provide an open and inviting forum for Kirkwood residents who believe they are facing discriminatory practices or acts so that residents can share those experiences with the Commission for advice and counsel.

(Gen. Ords. 1959, § 4.24(e); Ord. No. 4860, § 1, 2-5-63; Ord. No. 7313, § 2, 2-21-85)

Sec. 12-33. Terms of members; removal; vacancies. *(assumes all appointments are new)*

In the original appointment of members to the Commission one-third (1/3) of those appointed shall be appointed for a term of one (1) year; one-third (1/3) of those appointed shall be appointed for a term of two (2) years and one-third (1/3) of those appointed shall be appointed for a term of three (3) years, thereafter all appointments shall be for a three (3) year term. The council may remove any member of the Commission at any time without cause.

A member's absence may be excused by the Chair or the Vice-Chair in the absence of the Chair upon request provided such request is made prior to the meeting. Any member who is absent, without being excused from three (3) consecutive meetings or 25% of the regular meetings within a calendar year shall be considered to have resigned. Such resignation shall be presented in writing as a recommendation to the City Council by the Chair through the City Clerk.

Each member of the Commission shall serve until a successor is duly qualified and appointed. In the event of the death, resignation, or removal of any member, a successor shall be appointed to serve the unexpired term for which such member had been appointed.

(Gen. Ords. 1959, § 4.24 (b); Ord. No. 4860, § 1, 12-5-63)

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Sec. 12-34. Organization.

The officers of the Commission shall consist of a Chairperson and a Vice-Chairperson who shall be elected by the members of the commission; such officers shall serve in their respective offices for a term of one year, or until their successors shall be elected, unless re-elected to such office. (Gen. Ords. 1959, § 4.24(c); Ord. No. 4860, § 1, 12-5-63)

Sec. 12-35. Rules of procedure; meetings; records.

- (a) The Commission shall make such rules and regulations as it deems necessary for the conduct of its affairs. Such rules and any subsequent amendments shall be filed with the City Clerk and subject to Council approval.
- (b) The Commission shall meet monthly at a fixed time place and day of the week. Special meetings may be called by the Chairperson. Notice of all meetings shall be posted in accordance with State law.
- (c) All meetings shall essentially be conducted in conformity with Robert's Rules of Order.
- (d) The Commission shall keep a complete record of its activities and a journal of all of its meetings and proceedings.

(Gen. Ords. 1959, § 4.24(d); Ord. No. 4860, § 1, 12-563)

Sec. 12-36. Powers and duties generally

The Commission shall have the powers and duties to:

- (a) Formulate and conduct educational programs designed to minimize or eliminate discriminatory acts.
- (b) Provide a forum for individuals who believe they have been victims of discrimination
- (c) Gather and maintain a list of referral agencies and organizations best capable of providing assistance for the purpose of aggressively obtaining a resolution of the issue.
- (d) Cooperate with other organizations and private and public educational institutions to seek ways to eliminate discrimination.
- (e) Advise the City Council on human rights issues.
- (f) Hold forums on the state of human rights and relations in the city and on general human rights issues.
- (g) Recommend that staff create new process(es) for placing matters of concern or service requests before the Commission and other areas of city government, which shall be periodically evaluated for effectiveness.
- (h) Accept comments and concerns of citizens given at Commission meetings,
- (i) Sponsor or initiate focused workshops and ongoing programs to improve human relations and foster understanding and acceptance of each other.

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- (j) To present, upon request, informational programs and literature on human rights to schools, businesses, and other organizations.
- (k) To conduct an annual human rights symposium on such issues facing the community and society at large.
- (l) To develop a strategic plan for accomplishing the goals and responsibilities outlined in this ordinance, to be re-evaluated every three (3) years.
- (m) To prepare and publish a written annual report describing the activities of the prior twelve months by December 31 of each year.
- (n) To recommend the creation, expansion and/or focus on specific Kirkwood Police programs and joint programs administered by the Kirkwood Police and specified community members.

(Gen. Ords. 1959, § 4.24(f); Ord. No. 4860, § 1, 12-5-63; Ord. No. 6782, § 1, 8-6-81; Ord. No. 7313, § 3, 2-21-85)

Sec. 12-37. Facilities and personnel; assistance by the staff and city attorney.

The City, through the office of the chief administrative officer, shall assign to the Commission such office space and facilities and such necessary clerical help as shall be necessary for the fulfillment of its duties. The city attorney shall render such legal services as shall be necessary. (Gen. Ords. 1959, § 4.24(g); Ord. No. 4860, § 1, 12-5-63)

Secs. 12-38—12-58. Reserved.

(Ord. No. 8721, § 1, 5-7-98)

SECTION 2. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 15TH DAY OF JULY 2010.

Mayor, City of Kirkwood

ATTEST:

City Clerk
1st Reading: July 1, 2010
2nd Reading: July 15, 2010