



WHERE COMMUNITY AND SPIRIT MEET®

WORK SESSION MINUTES

A work session of the Kirkwood City Council was held on July 9, 2015, at 7:00 a.m. Present were Mayor McDonnell, Council Members Griffin, Jaksetic, Sears, and Ward. Also in attendance were Chief Administrative Officer Russell Hawes, Assistant Chief Administrative Officer Georgia Ragland, City Clerk Betty Montano, Public Information Officer Beth von Behren, and City Attorney John Hessel. Council Members Biedenstein and Luetzow were absent and excused.

APPROVAL OF WORK SESSION MINUTES

Motion was made by Council Member Griffin and seconded by Council Member Sears to approve the meeting minutes of July 2, 2015. The motion was unanimously approved.

LGBT LEGISLATION DISCUSSION

City Attorney John Hessel addressed the council regarding the previously presented and discussed LGBT proposed legislation. The flow chart that was previously discussed was distributed to the council. Some of the issues discussed are as follows:

- The flow chart has been revised and helps identify a process so that some of the provisions for discriminatory practices could be enforced.
- Currently discrimination complaints made at the State and Federal levels are referred to the Missouri Commission on Human Rights or the EEOC.
- Council Member Ward joined the meeting.
- LGBT currently is not a protected class at the State and Federal levels, but is at the local level.
- Draft verbiage of Chapter 12, Article V. Enforcement procedures was discussed.
- When this issue was previously discussed there was concern regarding the involvement of the Kirkwood Human Rights Commission. Any kind of reference to the Kirkwood Human Rights Commission involvement, besides referring the complainant to a mediator, was removed from the verbiage and will be from the flow chart.
- The only city in the State of Missouri to have legislation similar to what is being proposed to the City Council is the City of Columbia. It is unknown if the City of Columbia has received any complaints, but they have reported that they have not had to utilize the court.
- The range for a penalty for an offense is up to a \$1,000 fine or 6 months in jail. A respondent could file an appeal if found guilty.
- Question was raised regarding the cost for mediation. There would be no cost to the City of Kirkwood, as the City would not be involved in mediation and would only refer complaint to a mediator, such as Washington University.
- Question was raised regarding if a church could be charged with discrimination if they refuse to marry a same sex couple? City Attorney John Hessel will check with Attorney Curt Calloway and let the council know.
- Legislation will be drafted for council consideration. If legislation is adopted Section 12-66 of the Housing Code would then need to be repealed.

REVISED RECORDS MANAGEMENT POLICY PROGRAM

City Clerk Betty Montano addressed the council regarding the revised Records Management Policy Program. Some of the issues discussed are as follows:



WHERE COMMUNITY AND SPIRIT MEET®

- The Records Management Policy Program was revised to include records being stored in electronic format, such as Laserfiche.
- If there is a department head that does not wish to participate in the Laserfiche program it must be approved by the Chief Administrative Officer and City Clerk.
- Question was raised regarding the comment in Chapter 3 of the Records Management Policy Program that states, “All departments will retain and manage its records through the Laserfiche program”, and if there would be a comment added regarding a department head not participating in the program? This section of Chapter 3 will be revised to add some verbiage regarding such.
- Staff discussed the record retention for e-mails and some concerns were raised. Currently there is no record retention policy for e-mails and it is recommended that one be put in place.
- Legislation will be drafted for council consideration.

MOTION TO CLOSE THE MEETING

Motion was made by Council Member Sears and seconded by Council Member Griffin to close the meeting pursuant to RSMo Chapter 610.021 (1) Discussion with the City Attorney.

Roll Call Vote as Follows:

Council Member Biedenstein	Absent
Council Member Griffin	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	Absent
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	“Yes”

The meeting was closed. Council Member Ward excused himself from the meeting.

MOTION TO OPEN THE MEETING

Motion was made by Council Member Griffin and seconded by Council Member Jaksetic to open the meeting.

Roll Call Vote as Follows:

Council Member Biedenstein	Absent
Council Member Griffin	“Yes”
Council Member Jaksetic	“Yes”
Council Member Luetzow	Absent
Mayor McDonnell	“Yes”
Council Member Sears	“Yes”
Council Member Ward	Absent

The meeting was opened.



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SCHEDULE FOR AUGUST COUNCIL MEETINGS

Mayor McDonnell addressed the council regarding the council meeting dates in August. He will not be able to attend the August 6th meeting and requested that the meeting be moved to August 13th. A discussion took place. It was the consensus of the council that the meeting dates in August will remain the same and any larger items that would have possibly been scheduled for the August 6th meeting be held until August 20th.

There being no further issues to come before the council, the meeting was adjourned.

Betty Montaña, MMC/MPCC
City Clerk