



CITY OF YPSILANTI
REGULAR HUMAN RELATIONS MEETING
Thursday, February 20, 2025 @ 6:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[Launch Meeting - Zoom](#)

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

IV. APPROVAL OF MINUTES

- A. January 16, 2025 Human Relations Commission Meeting Action Minutes

V. PUBLIC COMMENT

VI. OLD BUSINESS

- B. Discrimination Complaint Tracking System - provided by City Attorney - reported to HRC by Clerk's Office
- C. Response from Randolph T. Barker, Ypsilanti City Attorney, regarding the request for opinion and/or additional information regarding the following subjects posed by the HRC at their January 16, 2025, meeting:
1. Is there an appeal process in response to the City Attorney's determination regarding whether probable cause exists to substantiate a complaint of discrimination? Relatedly, can forms and information related to filing of discrimination claims be included on websites and social media accounts?
 2. May boards and commissions established by the City Charter establish subcommittees and appoint non-members to those subcommittees?
 3. Administration of Washtenaw County's Public Safety and Mental Health Preservation Millage.

VII. NEW BUSINESS

- D. Resolution Request brought by Chair Layton: A Resolution Requesting that Millage Funds be spent on Mental Health and Nontraditional Forms of Public Safety
Note: Resolution requests will need to be supported by another Commissioner to be discussed. If supported, the resolution can be discussed. Sections can also be

amended by vote of all Commissioners. Lastly, it would be voted on for possible Pass/Fail of resolution by vote of all Commissioners to be sent to City Council.

- E. Resolution Request brought by Chair Layton: A Resolution titled, "Inaction is Discriminatory."

Note: Resolution request will need to be supported by another Commissioner to be discussed. If supported, the resolution can be discussed. Sections can also be amended by vote of all Commissioners. Lastly, it would be voted on for possible Pass/Fail of resolution by vote of all Commissioners to be sent to City Council.

VIII. PUBLIC COMMENT

IX. PROPOSED BUSINESS FOR NEXT MEETING

X. COMMISSIONER COMMENTS

XI. ADJOURNMENT

- F. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



CITY OF YPSILANTI
REGULAR HUMAN RELATIONS MEETING
Thursday, January 16, 2025 @ 6:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[Launch Meeting - Zoom](#)

I. CALL TO ORDER

The meeting was called to order in the City Council Chambers at 6:00 PM.

II. ROLL CALL

Present:

Commissioner Harper (Vice-Chair)

Commissioner Jackson

Commissioner Layton (Chair)

Commissioner House

Commissioner Munro

Commissioner Myers (arrived at 6:41 PM)

Commissioner St. John

Absent:

Commissioner Doulos

III. AGENDA APPROVAL

IV. APPROVAL OF MINUTES

A. November 14, 2024 Human Relations Commission Meeting Action Minutes

Harper moved to AMEND the November 14, 2024 minutes by removing Commissioner Jackson's arrival time. St. John seconded the motion.

Yes: (6) Harper, House, Layton, St. John, Munro, Jackson

No: (0) None

Absent: (2) Doulos, Myers

PASSED

Harper moved to APPROVE as amended the November 14, 2024 minutes. St. John seconded the motion.

Yes: (6) House, Layton, St. John, Munro, Jackson, Harper

No: (0) None

Absent: (2) Doulos, Myers

PASSED

V. PUBLIC COMMENT

One member of the public made comment.

VI. OLD BUSINESS

B. Discrimination Complaints Process - Ordinance Chapter 58, Article II, Section 58 - 67
[Ordinance can be found here](#)

1. Nicole Wilmer Complaint - Response from City Attorney Barr
2. Resident Complaint Form
3. Discrimination Complaint Tracking System - Administered by City Attorney - reported to HRC Commission by Clerk's Office

Legal Opinion Request:

Commissioners are seeking the legal opinion of the city attorney regarding:

What is the Appeal process for residents that file a Discrimination complaint with the city attorney?

Can the appeal's form be added to the HRC website?

Can the information on the process of filing a discrimination complaint be advertised on the City of Ypsilanti's social media accounts?

C. Working Subcommittee Meeting Structure

Legal Opinion Request:

Commissioners are seeking the legal opinion of the city attorney regarding:

If HRC elected to have subcommittees, can Commissioner's invite non-HRC residents to participate in subcommittees. Can they ask non-Ypsi residents to participate? If so, to what degree? Is city council approval needed? How would these subcommittees work in regards to meetings, zoom, OMA, and non-commissioner participation.

1. Discuss top priorities of:
 - Fair Chance Housing - for those who have a history of interaction with the criminal justice system
 - Discrimination and Inequality Community Forum Series - Focused on (1) Mental Health, (2) Housing and (3) Public Safety in regard to Discrimination
 - Language around Protected Classes in Discrimination Ordinance, [Chapter 58, Article III. - DISCRIMINATION](#)

D. Tabled Discussion Re: Amending Human Relations Commission Bylaws Article V, Sec. 2

VII. NEW BUSINESS

- E. Election of Commission Chair
Layton nominated as Chair.
Yes: (7) Harper, House, Layton, St. John, Munro, Jackson, Myers
No: (0) None
Absent: (1) Doulos
PASSED
- F. Election of Commission Vice Chair
Harper nominated as Vice Chair.
Yes: (7) House, Layton, St. John, Munro, Jackson, Myers, Harper
No: (0) None
Absent: (1) Doulos
PASSED
- G. Adopt/Readopt Rules & Regulations and Bylaws
Jackson moved to READOPT the HRC Rules & Regulations and Bylaws. Myers seconded the motion.
Yes: (7) Layton, St. John, Munro, Jackson, Harper, Myers, House
No: (0) None
Absent: (1) Doulos
PASSED
- Harper moved to EXTEND the meeting to 8:15 PM. Myers seconded the motion.
Yes: (7) St. John, Munro, Jackson, Harper, Myers, House, Layton
No: (0) None
Absent: (1) Doulos
PASSED
- H. Discussion of Washtenaw County's Public Safety and Mental Health Preservation Millage to create local restrictions on funds use for mental health and non-traditional forms of public safety

[Millage information can be found here](#)

Legal Opinion Request:

Commissioners are seeking the legal opinion of the city attorney regarding:

The Washtenaw County's Public Safety and Mental Health Preservation Millage:

- o What happens with any remaining special revenue funds at the end of each fiscal year for Public Safety Fund 205?
 - o How much money is in Public Safety Fund 205 currently?
 - o How has the city transferred money from the special revenue fund Public Safety Fund 205 to capital improvement project funds (414)?
1. Resolution Requesting that Millage Funds be spent on Mental Health and Non-traditional Forms of Public Safety - Brought forth by Chair Layton

Jackson moved to APPROVE the motion that a resolution be drafted by Layton, Requesting that Millage Funds be spent on Mental Health and Non-traditional Forms of Public Safety - Brought forth by Chair Layton, and brought back to the next meeting. Harper seconded the motion.

Yes: (6) Layton, St. John, Munro, Jackson, Harper, House
No: (1) Myers
Absent: (1) Doulos
PASSED

I. Discussion of Chapter 58 Discrimination Ordinance: Regarding Personal Liability for Staff/Council/Commissioners

[Ordinance can be found here](#)

1. Resolution that Inaction is Discriminatory - Brought forth by Chair Layton

Harper moved to TABLE the discussion that a Resolution be drafted that Inaction is Discriminatory - Brought forth by Chair Layton. Jackson seconded the motion.

Yes: (7) St. John, Munro, Jackson, Harper, House, Layton, Myers
No: (0) None
Absent: (1) Doulos
PASSED

VIII. PUBLIC COMMENT

One member of the public made comments.

IX. PROPOSED BUSINESS FOR NEXT MEETING

1. Resolution that Inaction is Discriminatory - Brought forth by Chair Layton
1. All Legal Opinion Requests:

Legal Opinion Request:

Commissioners are seeking the legal opinion of the city attorney regarding:

What is the Appeal process for residents that file a Discrimination complaint with the city attorney?

Can the appeal's form be added to the HRC website?

Can the information on the process of filing a discrimination complaint be advertised on the City of Ypsilanti's social media accounts?

Legal Opinion Request:

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If HRC elected to have subcommittees, can Commissioner's invite non-HRC residents to participate in subcommittees. Can they ask non-Ypsi residents to participate? If so, to what degree? Is city council approval needed? How would these subcommittees work in regards to meetings, zoom, OMA, and non-commissioner participation.

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- o What happens with any remaining special revenue funds at the end of each fiscal year for Public Safety Fund 205?
- o How much money is in Public Safety Fund 205 currently?
- o How has the city transferred money from the special revenue fund Public Safety Fund 205 to capital improvement project funds (414)?

X. COMMISSIONER COMMENTS

XI. ADJOURNMENT

The meeting was adjourned at 8:15 PM.

- J. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.

ALLEN J. PHILBRICK
JAMES A. SCHRIEMER
MARJORIE M. DIXON
DENNIS R. VALENTI
RICHARD P. PETERSON, II
W. DANIEL TROYKA
JOY M. GLOVICK
ANDREW D. SUGERMAN
ERIK DUENAS
MATTHEW C. RETTIG
MICHAEL C. CROWLEY
ROBERT M. O'REILLY
ARMINIA DUENAS
CHRISTOPHER J. WALLAKER
CURTISS D. FLEXTER
ERIN K. MENDEZ
ERICA R. NEFF
RANDOLPH T. BARKER
ALBERT L. BALEWSKI
CLYDE R. WOODS
CODY D. BLACK
SARAH S. TAYTER
NICOLE M. AJAMI

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Admitted in Michigan and Ohio

February 18, 2025

VIA EMAIL:

Ms. Lorrie L. Thomas
Deputy City Clerk, HRC Liaison
One South Huron Street
Ypsilanti, Michigan 48197

RE: Human Relations Commission Report
2025-02

Dear Ms. Thomas:

Section 58-67 of the Ypsilanti Code of Ordinance provides in relevant part:

(a) All persons claiming to be aggrieved by a discriminatory or unfair practice may, by themselves or by counsel, file with the city attorney a verified, written complaint which shall state the details, name and address of the person or entity alleged to have committed the discriminatory or unfair practice.

...

(d) After sufficient review and determination, the city attorney shall issue a written opinion to the human relations commission whether probable cause exists to believe a discriminatory practice or practices occurred as alleged by the complainant.

Consistent with the foregoing ordinance provisions:

The City Attorney's Office has not received any complaints alleging discriminatory or unfair practices since its last report to the Commission on January 16, 2025.

Please feel free to contact me with any questions.

CONLIN, MCKENNEY & PHILBRICK, P.C.

February 18, 2025

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Very truly yours,



Randolph T. Barker
City of Ypsilanti Attorney

RTB/jam

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*****ATTORNEY-CLIENT PRIVILEGED COMMUNICATION*****
EXEMPT FROM DISCLOSURE UNDER MCL 15.243(g)

MEMORANDUM

To: Tracey Boudreau, Ypsilanti City Clerk
Lorrie L. Thomas, Ypsilanti Deputy City Clerk
Human Relations Commission Staff Liaison
From: Randolph T. Barker, Ypsilanti City Attorney
Date: January 21, 2025
Re: Inquiries of Members of the Human Rights Commission (HRC) after 1/16/2025 Meeting

You have requested my opinion and/or additional information regarding the following subjects posed by the HRC at their January 16, 2025 meeting:

1. Is there an appeal process in response to the City Attorney's determination regarding whether probable cause exists to substantiate a complaint of discrimination? Relatedly, can forms and information related to filing of discrimination claims be included on websites and social media accounts?
2. May boards and commissions established by the City Charter establish subcommittees and appoint non-members to those subcommittees?
3. Administration of Washtenaw County's Public Safety and Mental Health Preservation Millage.

Complaints of Discrimination Under Code of Ordinances Section 58-67

Regarding the first inquiry, Section 58-67 of the Ypsilanti Code of Ordinance provides in relevant part:

- (a) *All persons claiming to be aggrieved by a discriminatory or unfair practice may, by themselves or by counsel, file with the city attorney a verified, written complaint which shall state the details, name and address of the person or entity alleged to have*

January 21, 2025

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committed the discriminatory or unfair practice.

...

(d) After sufficient review and determination, the city attorney shall issue a written opinion to the human relations commission whether probable cause exists to believe a discriminatory practice or practices occurred as alleged by the complainant.

...

(f) If it is determined that no probable cause exists, the city attorney shall notify the complainant and respondent in writing of the dismissal of the complaint.

Should the City Attorney determine probable cause exists for a claim of discrimination, the HRC's sole function is to facilitate scheduling of a confidential/non-public mediation conference among a selected mediator and the parties involved in the complaint. Section 58-68 provides:

(a) If probable cause has been determined, the human relations commission shall notify the complainant and respondent of mediation. Participation in mediation is voluntary, and either party may reject the offer to mediate. If the mediation request is accepted, the notice shall inform the parties of the identity of the mediator and shall request a time for the mediation to occur, no later than 45 days from the date probable cause was determined. Mediation shall be an informal process conducted by the human relations commission in accordance with the procedures established by the city council.

Preliminarily, the above provisions establish a voluntary process by which a complainant files a complaint with the City Attorney, who investigates the complaint as set forth in the ordinance, and thereafter makes a finding regarding probable cause. The ordinance then directs the City Attorney to communicate that determination to the HRC, and in the case of finding probable cause not to exist, also to the complainant and respondent. Only upon a finding of probable cause must the HRC facilitate the mediation process according to procedures established by City Council. Whether the parties choose to participate in mediation, and in so doing reach a settlement, remains entirely voluntary.

To that end, the HRC has no decision-making authority affecting individual complaints of discrimination. Thus, to the first portion of the question, the process established by the ordinances does not afford any party – complainant or respondent – a right to appeal the City Attorney's determination to another person or body. Because availing oneself of the process is voluntary, an aggrieved person remains free to seek relief in civil court. See Code of Ordinances, Section 58-69. Since there is no appeal process, regarding your separate question, no appeal form may be created or disseminated.

Regarding the final portion of your inquiry, the City's website for the HRC provides information regarding the complaint process, including the required substance of a complaint and how such complaints should be submitted. Whether to further advertise this process on

January 21, 2025

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social media is a question within the purview of the City Manager and City Clerk's authority.

The HRC's Authority to Establish Subcommittees

Regarding the second inquiry, the HRC is established under Chapter 58 of the Code of Ordinances under authority granted to City Council under Section 9.03 of the City Charter. By its nature, the HRC is permitted to establish subcommittees to perform within the scope of its functions under chapter 58, but has no authority to appoint persons to subcommittees who are not commissioners appointed by City Council. As the same provision of the City Charter reflects:

All members of the City boards and commissions established under this Charter, by statute or otherwise, may be nominated for office by the Mayor, or by two Council Members, subject to the approval and confirmation by a majority vote of the City Council.

In sum, no board or commission established by the City Council may establish subcommittees with members who are not commissioners appointed by the City Council. Nor may such non-members be delegated any authority, duty, or function vested in an appointed commissioner. Furthermore, the work of the subcommittee must be open, consistent with the resolution establishing it, and act strictly within the expressed purposes established for the commission by the City Council.

Washtenaw County's Public Safety and Mental Health Preservation Millage

Your third inquiry relates to the Washtenaw County Public Safety and Mental Health Preservation Millage, which was approved by County voters in the recent election. Before I may opine, additional clarification of your inquiry is necessary to determine whether the subject matter of the request falls within the scope of the HRC's advisory purposes established by the City Council. Separately, it appears that portions of the request should be pursued through submissions under the Freedom of Information Act and directed the appropriate County department administering the millage program, or the City.

Thank you,

Very truly yours,



Randolph T. Barker

RTB/dmw

A RESOLUTION REQUESTING THE CITY OF YPSILANTI TO ESTABLISH LOCAL RESTRICTIONS ON THE USE OF REIMBURSEMENT FUNDS FROM THE WASHTENAW COUNTY PUBLIC SAFETY AND MENTAL HEALTH PRESERVATION MILLAGE TO ENSURE ALLOCATION TOWARD MENTAL HEALTH SERVICES AND NON-TRADITIONAL FORMS OF PUBLIC SAFETY

WHEREAS, in November 2017, Washtenaw County voters approved an eight-year Public Safety and Mental Health Preservation Millage to generate \$12 to \$15 million annually for mental health services and public safety, with a renewal approved on November 5, 2024; and

WHEREAS, the millage allocates 38% of funds to Washtenaw County Community Mental Health, 38% to the Washtenaw County Sheriff's Office, and 24% to cities and townships with their own police force, including Ypsilanti, based on proportional taxable values; and

WHEREAS, the stated purposes of the millage funds include crisis services, stabilization, mental health treatment, prevention programs, jail services, and public safety infrastructure improvements; and

WHEREAS, since Fiscal Year 2018-2019, the City of Ypsilanti has received approximately \$375,000 annually in millage reimbursement funds, accumulating over \$2.4 million; and

WHEREAS, the City of Ypsilanti has allocated significant portions of these funds to police-related expenditures, including police salaries, equipment, operational costs, and capital improvement projects, rather than prioritizing mental health services and alternative forms of public safety; and

WHEREAS, the City of Ypsilanti's Annual Comprehensive Financial Report states that special revenue funds, such as the Public Safety Fund (205), must be restricted to specific programs and projects, and should not be transferred to debt service or capital improvement projects; and

WHEREAS, Black residents in Washtenaw County are disproportionately impacted by the criminal legal system, being five times more likely to be arrested, three times more likely to die from an overdose, and comprising over 50% of those experiencing houselessness despite only making up 12% of the county's population; and

WHEREAS, the Ypsilanti City Council has passed resolutions requesting Washtenaw County allocate funds for an unarmed crisis response program (Resolution No. 2025-008) and toward the establishment of a permanent shelter for individuals experiencing homelessness (Resolution No. 2025-007); and

WHEREAS, the Human Relations Commission (HRC), per Section 58-35 of the Ypsilanti Code of Ordinances, serves as an advisory body to the City Council to study discrimination and

RESOLUTION NO. [XXXX]

make recommendations to promote equity and mutual understanding within the community; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Ypsilanti Human Relations Commission urges the City Council to enact local restrictions on the use of Washtenaw County Public Safety and Mental Health Preservation Millage reimbursement funds to ensure they are directed toward mental health services, non-police crisis response programs, and other non-traditional public safety initiatives; and

BE IT FURTHER RESOLVED, that the Human Relations Commission recommends that these funds be allocated toward implementing an unarmed crisis response program, supporting the unhoused population, and expanding community-based mental health services in alignment with the original intent and spirit of the millage; and

BE IT FURTHER RESOLVED, that the City of Ypsilanti shall provide full transparency in the allocation and expenditure of these funds, including an annual report detailing their use, to ensure alignment with voter-approved purposes and the needs of the most impacted communities; and

BE IT FINALLY RESOLVED, that the City of Ypsilanti Human Relations Commission calls on the City Council to take immediate action to correct past misallocations of millage reimbursement funds and prioritize their use for mental health services and alternative public safety measures in support of racial and social justice for Ypsilanti residents.

Adopted this [XX] day of [Month], 2025.

A RESOLUTION DECLARING CITY COUNCIL INACTION AS DISCRIMINATORY

WHEREAS, the City of Ypsilanti recognizes that prejudice and discrimination on the basis of race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height, weight, and criminal conviction history pose significant threats to peace and public welfare, as affirmed in Section 58-31 of the Ypsilanti Code of Ordinances; and

WHEREAS, the Human Relations Ordinance mandates that the City Council and the Human Relations Commission proactively address discrimination through patterns of action or nonaction that cause social tensions, disparities, or harm, as outlined in Section 58-36; and

WHEREAS, the City Council has failed to act on pressing issues impacting marginalized communities, including but not limited to:

- The removal of the Planning Commission subcommittee Housing Affordability and Accessibility Report and Recommendations from the City Plan in 2020;
- The delayed passage of the Driving Equality Ordinance, which would address discriminatory traffic enforcement practices;
- The failure to advance a resolution in support of drug-checking services and other harm reduction efforts, which are critical to public health and safety;
- The introduction of language referring to people with disabilities and unhoused individuals as a "subsection of the population," which is contrary to the principles of equity and inclusion established in the Human Relations Ordinance; and
- The refusal to allocate over \$2.4 million from the Public Safety and Mental Health Millage reimbursement funds toward mental health and social services, despite the ordinance's recognition that systemic discrimination affects access to resources; and

WHEREAS, per Section 58-70, no governmental body may adopt, enforce, or allow policies that result in discriminatory effects, including those that create unequal opportunities for marginalized groups in housing, employment, or public accommodations; and

WHEREAS, per Section 58-35, the City's Human Relations Commission is tasked with recommending policies that prevent and rectify patterns of discrimination, including those perpetuated by inaction; and

WHEREAS, inaction by the City Council on these critical matters constitutes de facto discrimination by failing to remedy systemic inequities and by disproportionately harming vulnerable communities in Ypsilanti;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Ypsilanti recognizes its failure to act on these matters as a form of institutional discrimination; and

BE IT FURTHER RESOLVED that the City Council commits to immediate and measurable action, including:

1. The expedited passage of the Driving Equality Ordinance;
2. The introduction and passage of a resolution supporting drug-checking services and other harm reduction efforts;
3. The removal of language that dehumanizes people with disabilities and unhoused individuals from all city documents and resolutions; and
4. The commitment of Public Safety and Mental Health Millage funds to mental health and social services as part of an equitable approach to public safety; and
5. A request to amend Sections 58-76 and 58-77 of the Ypsilanti Code of Ordinances to hold public officials, city staff, and commission members accountable for discriminatory actions and to remove existing protections that shield them from personal liability in cases of discrimination.

BE IT FINALLY RESOLVED that the City of Ypsilanti affirms its duty to uphold the Human Relations Ordinance by actively working to eliminate systemic discrimination and by ensuring that public policy reflects the principles of equity, justice, and inclusion.

DRAFT

Sec. 58-31. - Findings.

The city council finds that prejudice and the practice of discrimination because of race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height or weight, felony or misdemeanor conviction (unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety) menaces peace and public welfare; that to eliminate such prejudice and discrimination an instrumentality of the city should be established to help the citizens of this city ameliorate practices of discrimination to keep peace and good order, and to encourage citizens to promote tolerance and goodwill toward all people.

(Ord. No. 820, 5-31-1995; Ord. No. 1368, 10-20-2020)

Sec. 58-35. - General purposes and functions.

The general purposes and functions of the human relations commission shall be:

- (1) To serve as an advisory body to the city council and the city manager.
- (2) To study problems in the city relating to prejudice and discrimination and to make recommendations to the city council and city manager for the elimination of prejudice and discrimination within the community.
- (3) To invite and enlist the cooperation of all racial, religious, national origin, sexual, sexual orientation and ethnic groups as well as all persons representing various economic, educational, and social groups including groups concerned with age and/or disability in all areas of the city and to act as a coordinating agency among these and other groups in the community in the establishment and maintenance of educational programs in the community designed to bring about better human relations.
- (4) To cooperate with interested citizens and all state, federal and local agencies whenever such cooperation is appropriate in furtherance with the purpose of this article.
- (5) To promote mutual understanding and foster equality and respect among all racial, religious, sexual, national and ethnic groups, among persons of all economic and educational status, and generally throughout the entire city so as to prevent discrimination and discriminatory practices.
- (6) To issue publications, studies, or reports to effectuate the purposes of this article and to promote good will in the community as a whole. Such reports shall not include names of parties or other facts which might clearly identify parties without their consent.
- (7) To conduct public forums, town meetings, educational and other programs to promote the equal rights and opportunities of all persons.

- (8) To accept grants and donations on behalf of the city from foundations and others for the purpose of carrying out the purposes of this article, subject to the approval of the city council.
- (9) To study problems which may result in patterns of tension, discrimination or prejudice within the city, and offer assistance and attempt conciliation or mediation.
- (10) Any citizen of the city may propose a matter for inquiry and study by the human relations commission concerning matters that result in patterns of tensions, discrimination or prejudice. The human relations commission shall not receive or deal with complaints between individuals, but may refer persons with complaints concerning individuals to appropriate agencies.

(Ord. No. 820, § 4, 5-31-1995; Ord. No. 1368, 10-20-2020)

Sec. 58-36. - Advisory responsibilities and powers.

In addition to the general purposes and functions specified above, the human relations commission is charged with the responsibility of advising the city council and the city manager on all matters relating to anti-discrimination. The human relations commission is specifically charged with the responsibility of attempting to resolve problems caused by patterns of action or nonaction causing tensions, discrimination or prejudice by means of conciliation and mediation. The human relations commission shall make recommendations to the city manager and to the city council for amendments, either in substance or procedure, as may be found necessary in connection with city ordinances.

(Ord. No. 820, § 5, 5-31-1995; Ord. No. 1368, 10-20-2020)

Sec. 58-70. - Discriminatory effects.

No person shall adopt, enforce or employ any policy or requirement which has the effect of creating unequal opportunities according to race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height or weight, felony or misdemeanor conviction (unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety), for a person to obtain housing, employment or public accommodation, except for a bona fide business necessity. Such a necessity does not arise due to a mere inconvenience or because of suspected or actual objection to such a person by neighbors, customers, or other persons.

(Ord. No. 865, § X, 12-16-1997; Ord. No. 1279, § 1, 1-24-2017; Ord. No. 1368, 10-20-2020)

Sec. 58-76. - Immunity concerning performance of city duties.

This article shall not apply to the following persons concerning the performance of their official city duties:

- (1) Mayor.
- (2) Mayor pro tem.
- (3) City council members.
- (4) City attorney and all assistants.
- (5) All employees and staff of the city attorney.
- (6) All members of the human relations commission and the clerk and secretary thereof.

(Ord. No. 947, 9-18-2001; Ord. No. 1279, § 1, 1-24-2017; Ord. No. 1368, 10-20-2020)

Sec. 58-77. - Immunity concerning actions or non-actions concerning performance of city duties.

The following persons shall have absolute immunity concerning their actions or non-actions for the performance of their duties concerning this article:

- (1) Mayor.
- (2) Mayor pro tem.
- (3) City council members.
- (4) City attorney and all assistants.
- (5) All employees and staff of the city attorney.
- (6) All members of the human relations commission and the clerk and secretary thereof.

(Ord. No. 947, 9-18-2001; Ord. No. 1279, § 1, 1-24-2017; Ord. No. 1368, 10-20-2020)