The Common Council of the City of Kokomo, Indiana met Monday March 7th, 2016 at 6:00 P.M. in the Council Chambers of the City Building.

The meeting was called to order by President Hayes.

Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Whikehart, Sanders, Miklik

Absent: None

President Hayes states, I will call the meeting to order.

COMMUNICATIONS: Mike Phillips states, I have asked several people for some help about an apartment that I was renting from about the living issues and have had no response.

Councilman Wyant states, it was something to do with the water. I went out there immediately to address the problem. I went by there two days after that just to double check, and the problem was taking care of; so we are taking care of you.

ORDINANCE 6820: HUMAN RIGHTS COMMISSION
First reading
Ordinance 6820 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6820 on first reading, seconded by Councilwoman Young.

Councilman Whikehart states, before I begin I want to go thru and talk a little about the changes in this ordinance. It is important to recognize that 40% of Hoosiers are protected by some-what ordinances across the State. This ordinance has been on the books since 1994. It is not anything new. We are just adding a couple of things. The purpose changes a just and make –up a committee taken from 11 members to 7, four of which are appointed by the Mayor three of which is appointed by the Council. We have also up-dated the language to include disability and dis-able persons, instead of handicap.
Cont. Ordinance #6820.
The adds to the new protected classes Age, Marital status, Veteran status, Sexual orientation, and Gender identity. Per the Supreme Court, religious institutions, private religious schools, and non-profits that are (501c) are exempt from subscribing to the protection based on sexual orientation, and gender identity. We are one of around 25 Cities in Indiana who are extending civil rights to the LGBT Community. Many of the same concerns and rhetoric we’re hearing today were present when Indianapolis took on this issue over 11 years ago. Once passed in the law there were no frivolous, lawsuits, instead, they ended up attracting young professionals, conventions, and amateur sports teams just to name a few of the positive outcomes. Each of these 25 communities have been case studies for economic development. In a study done by Indiana Competes in March of 2015, 83% of new investment in the state went to the cities with human rights ordinances that extended to the LGBT community.

If we want to expand our tax base, we must grow our population; which means we have to appeal to all citizens. To the folks that say this is unnecessary because there are no reports of discrimination: 1.Prior to this ordinance, there was no mechanism or agency to report discrimination based on sexual orientation or gender identity, so of course no one filed a complaint. 2. Members of this council don’t want to sit and wait for bad things to happen. We would rather be proactive and try to stop in advance. As for use of bathrooms: this doesn’t change anything about the safety of children. According to report June of 2015, OSHA addressed the use of bath-rooms for employers that prescribed to their federal standards “The core principal is that all employees, including transgender employees, should have access to restrooms that correspond to their gender identity,” said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. “OSHA’s goal is to assure that employers provide a safe and healthful working environment for employees.

The core belief underlying these policies is that all employees should be permitted to use the facilities that correspond with their gender identify. For example, a person with identifies as a man should be permitted to use men’s restrooms, and a person who identifies as a woman should be permitted to use women’s restrooms.” Finally, these proposed changes have never been about politics or religion. These proposed changes are about preventing discrimination and providing equality.
Cont. Ordinance #6820.
Do to the large crowd there were several citizens who spoke for the Ordinance and against the Ordinance. The Council Meeting can be seen on Kgov2 for anyone to review the entire meeting. If you need any further information you can contact the City Clerk’s Office.

Councilman Kennedy states, I call the question, seconded by Councilman Haworth.

Vote for passage follows:
Aye: Young, Haworth, Kennedy, Whikehart, Hayes
Nay: Wyant, Cameron, Sanders, Miklik
The vote was 5 to 4 for passage on first reading.

ORDINANCE 6821:

AN ORDINANCE TO CREATE THE POSITION OF DEPUTY MAYOR
First reading

Ordinance 6821 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance 6821 on first reading, seconded by Councilman Haworth.

Councilman Whikehart states, this is a change in title only; so it actually changes the Director of Operations to Deputy Mayor. This is not a creation of a new job. It does not affect the budget or the job responsibilities or roles within the city’s current structure; by doing this provides a better and clearer understanding to outside developers, businesses, and organizations of the City’s internal structure; lends more credence to that individual’s authority to bind the city to commitments; demonstrates a clear intent of who will be tasked with ensuring the city continues to operate as efficiently and effectively as possible should the Mayor be unavailable for a period of time.
Cont. Ordinance #6821.
This is a step in the right direction of modernization and is in line with steps taken by other cities of similar size, including Fishers, Bloomington, Lawrence, Anderson, Westfield, Logansport, and Noblesville.

Councilman Miklik states I would like to ask our City Attorney a question. City Attorney would you please for the Council repeat what you shared with me earlier about the replacement of the Mayor in the event that we don’t pass this what happens to the Mayor’s office and how does that process work?

Beth Garrison Corporation Council states, If the Mayor becomes unavailable for some particular reason the City Controller would step in by Indiana Statue and serve as the acting Mayor in that capacity for 10 days. At that point the Democratic Party the Chairman would caucus and a person would be selected to serve the rest of his term.

Councilman Kennedy states, I might add State Statue is the guide-line that we go by, if the Mayor happens to be incapacitated for a period of time and is not able to fulfill his duties. That is a State Law; it has nothing to do with this particular ordinance as Councilman Whikehart mentioned. Merely a name change only and as budget chairman I can assure you is also a financial even net zero. We are not creating a new position, and we are not adding any money to a budget.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

President Hayes states, this marks the end of this Special Council Meeting.
Adjourned at 7:25 P.M.

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PRESIDING OFFICER

ATTEST:

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CITY CLERK