



# MINUTES

## Civil Rights Commission

6:00 PM - Wednesday, March 5, 2025  
Marion Public Library, 1101 6th Avenue

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*\*Minutes are in draft format until approved at the next meeting\**

The Civil Rights Commission of the City of Marion, Linn County, Iowa met virtually on Wednesday, March 5, 2025, at 6:00 PM, with the following members present:

PRESENT: Kathy Hagler, Cody Crawford, Renae Forsyth-Christy, Katie Tanner, Mary Beth O'Neill, Etherton Muchirahondo, Joseph Peterson, and Andrew Wixel

ABSENT: Denise Bridges

STAFF PRESENT: Kara Bullerman, Alicia Abernathey and Kim Downs

OTHERS PRESENT: Ana Clymer, Circe Stumbo, Jennifer Tibbetts, Rachel Bolender and Jenna Silver

Due to impending severe weather, this meeting was held electronically in accordance with Iowa Code 21.8 and 21.4.

### **CALL TO ORDER**

The meeting was called to order at 6 p.m.

### **ROLL CALL**

Roll call was taken.

Wixel and Peterson shared their backgrounds and were welcomed as new Commissioners.

### **PUBLIC FORUM**

No one from the public wished to speak.

### **REGULAR AGENDA**

#### **Motion to approve the January 8, 2025 minutes**

Moved by O'Neill, seconded by Crawford, to approve the January 8, 2025 minutes.  
Approved unanimously

#### **Motion to approve the February 26, 2025 minutes**

Moved by Wixel, seconded by Hagler, to approve the February 26, 2025 minutes.  
Approved unanimously

## **Training with Kara Bullerman, City Attorney**

- **Open Meetings and Open Records**
- **Code of Ethics Policy**
- **Meeting procedures**

Kara Bullerman, City Attorney, provided an overview of Iowa Open Meeting Law, the City's Public Records Request policy, the City's Code of Ethics policy and meeting procedures.

Key takeaways for open records include:

- There is a difference between open records and the Freedom of Information Act (FOIA).
- Commission agendas and minutes are published on the City's website and available for public access at any time.
- Any document provided at a Commission meeting would be subject to a record request.
- Any request for information should be passed along to Alicia Abernathey as the staff liaison to ensure the request is addressed and there is record it was addressed.
- Individuals can be fined for not following open records.
- Intakes filed with the Commission are confidential and not subject to open record requests.
- Commissioner emails pertaining to City business are subject to an open record requests, even if they do not include staff.
- It is recommended Commissioners not use a work email account for City business.
- There can be a cost associated with public record requests.

Key takeaways for open meetings include:

- Meeting agendas need to have enough information to determine what will be talked about and what potential actions will be taken.
- Discussions should not take place in response to comments and questions during public forums.
- Board and Commission Chairs and staff liaisons will enforce open meeting law and will cut off any discussion that is not listed on an agenda.
- Requests for items to be on the agenda can be sent to the staff liaison or the executive committee.
- Commissioner comments is on the agenda as a good time to share information, but discussion should not take place.
- When there is a quorum of the Commission outside of a meeting, including via email, City business should not be discussed.

Key takeaways for ethics include:

- This was signed by all Commissioners when applying to serve on a board or commission.
- If Commissioner actions are contrary to the commission when engaging in free speech it will be addressed by staff.
- If there is a vote that could involve a benefit to a Commissioner, their close family

- or their employer, they should abstain from voting.
- If a Commissioner receives a gift for their role on the Commission they should check with staff to verify if it is something they can or cannot accept.
- Commissioners shall respect confidential information, including the filing of complaints.
- Commissioners may participate in activities where they have an advocacy role. This should be done as an individual, and not as a Commissioner.
- Employees that assist the Commission are employees of the City of Marion, not the Commission.

Key takeaways for meeting procedures include:

- The Chair or Vice Chair is responsible for following the agenda and ensuring the meeting stays on topic.
- Members of the public are allowed to record public meetings.
- Members of the public cannot disrupt public meetings.
- The meeting room will be restructured going forward to have members of the public approach the podium to speak.
- Members of the public need to be treated the same.
- Members of the public cannot be cut off from speaking based on their speech.

### **Legislative Process Discussion**

Abernathey stated staff wanted to gather feedback from the Commission on how to move forward with legislative matters in future years. This is based on discussion at the special meeting last week and follow up emails received. Bullerman shared one option is for the Commission to continue what it is doing and prepare to have a special meeting every year to quickly address legislative matters. Bullerman shared another option is for the Commission to delegate authority to the executive committee in partnership with staff.

Commissioners expressed pros and cons with special meetings, as well as delegating authority to the executive committee. Abernathey indicated staff will bring potential modifications to the bylaws to the next meeting for consideration.

### **28E Agreement for Civil Rights Staffing Services**

Abernathey stated questions came up at a recent meeting and staff planned to walk through the 28E agreement, and the Commission's complaint process. Abernathey shared staff received notice on March 4 that the Cedar Rapids Civil Rights Commission (CRCRC) wished to terminate the agreement effective May 4, 2025.

Peterson asked if a reason was provided. Abernathey shared the CRCRC executive committee determined continuing a partnership would not be an effective use of their resources. Commissioner Hagler asked what that meant from practical terms. Abernathey explained the agreement allowed for CRCRC to provide investigative services for protected classes not covered by the Iowa Civil Rights Commission or the U.S. Department of Housing. Abernathey stated staff will reach out to other civil rights commissions that have the same protected classes to discuss them possibly covering that gap. Bullerman stated it has been several years since a case was referred to the CRCRC for investigation.

Commissioner Peterson asked what protected classes CRCRC covered. Abernathey read through the list. Tanner asked how the Commission can stay connected with our commissions to know what is going on. Abernathey stated she has rejoined the League of Human Rights Agencies. Tanner asked if there are ways the Commission can stay involved with the CRCRC. Abernathey indicated the goal is to focus on the Commission's outreach plan, but the Commission can certainly consider working with other entities, including the CRCRC, as they work through their initiatives. Abernathey indicated she signed up for legislative update newsletters and Commissioners are welcome to sign up for newsletters of other commissions.

Kim Downs, Deputy City Manager, stated Abernathey is trained to complete the intake portion of complaints and any agreement with another Commission would cover the investigation portion. Downs stated there are always opportunities to partner with groups for various purposes. Downs stated it is important the Commission stay focused on the newly adopted outreach plan.

### **Cedar Rapids Commission Liaison Discussion**

Forsyth-Christy shared the Commission used to have a commission liaison that attended all CRCRC meetings and would report back to the Marion Commission. Forsyth-Christy stated if any Commissioner is interested in serving in that role they can reach out to her to learn more.

### **Outreach Plan Discussion**

Forsyth-Christy shared the executive committee discussed an idea of working groups at the end of Commission meetings. Bullerman stated this is doable but the different groups would need to separate into different rooms. Additionally, individuals who are not Commissioners shall not participate in the discussion. The Commission reviewed each initiative and working group assignments. Wixel, Muchirahondo, and Peterson volunteered to serve on different working groups.

### **PUBLIC FORUM**

Abernathey read comments shared by Circe Stumbo through the Q&A chat.

Ana Clymer, resident, provided comments in support of the Commission in standing with neighbors of Marion.

### **COMMISSIONER COMMENTS**

No Commissioners wished to speak.

### **ADJOURN**

The meeting adjourned at 7:49 p.m.

Respectfully submitted by:  
Alicia Abernathey, Executive Assistant