



## City of Ypsilanti

Office of the City Clerk

---

### MEMORANDUM

To: Members of Ypsilanti City Council

From: Kat Layton, Chairperson  
Human Relations Commission

Subject: Human Relations Commission 2024 Annual Report

Date: December 30, 2024

As required by the Human Relations Ordinance, the Human Relations Commission (HRC) is required to submit an annual report on its activities for the year.

This report will cover the activities for the period of 2024. The 2024 HRC Annual Report includes summary information on the work pertaining to the Human Relations Commission and support needed in the future to continue working toward the mission of the commission.

In addition to the annual report, our regularly scheduled meetings for 2025 will be:

- Thursday, January 16th, 6:00 pm
- Thursday, February 20th, 6:00 pm
- Thursday, March 20th, 6:00 pm
- Thursday, April 17th, 6:00 pm
- Thursday, May 15th, 6:00 pm
- Thursday, June 12th, 6:00 pm
- Thursday, July 17th, 6:00 pm
- Thursday, August 21st, 6:00 pm
- Thursday, September 18th, 6:00 pm
- Thursday, October 16th, 6:00 pm
- Thursday, November 20th, 6:00 pm

**Human Relations Commission**  
**2024 Annual Report**  
City of Ypsilanti

## **Table of Contents**

Background of Commission.....	5
2024 Commission Makeup and Attendance .....	6
Overview of 2024 Commission Meetings.....	7
2024 Commission Meetings Key Summaries .....	7
January 31, 2024, Regular HRC Meeting .....	7
February 28, 2024, Regular HRC Meeting .....	8
April 18, 2024, Regular HRC Meeting .....	8
May 16, 2024, Special Joint HRC and Police Advisory Commission (YPAC) Meeting .....	9
June 27, 2024, Special HRC Meeting .....	9
June 27, 2024, Special Joint HRC and YPAC Meeting .....	9
July 10, 2024, Special Joint HRC and YPAC Meeting.....	10
July 18, 2024, Regular HRC Meeting .....	10
August 15, 2024, Special HRC Meeting .....	11
September 19, 2024, Regular HRC Meeting .....	11
October 17, 2024, Regular HRC Meeting.....	12
November 14, 2024, Regular HRC Meeting.....	13
2024 Commission Accomplishments.....	13
2025 Commission Goals and Projects.....	14
2025 Commission Requests to City Council .....	15
Attachments.....	16
Attachment 1: Memo from City Attorney John Barr dated February 29, 2024 RE: Ypsilanti Human Relations Commission.....	17
Attachment 2: Resolution 2024-150 on June 18, 2024 City Council Meeting Agenda.....	21
Attachment 3: Email and Memo from City Attorney John Barr dated July 20, 2024 RE: Definitions.....	25
Attachment 4: Letter of Support for Drug Checking Services from HRC dated August 15, 2024.....	29
Attachment 5: Working Committees for the Human Relations Commission.....	31
Attachment 6: Memo from City Attorney John Barr dated September 13, 2024 RE: Request to review resolutions of HRC.....	33

Attachment 7: Memo from City Attorney John Barr dated August 8, 2024 RE: Complaint against Ypsilanti Human Relations Commission Open Meetings Act and Robert’s Rules of Order ..... 36

Attachment 8: Resolution 2024-229 on October 1, 2024 City Council Meeting Agenda .... 40

Attachment 9: Memo from City Attorney John Barr dated October 23, 2024 RE: Subject Discrimination Complaint, Our File No. 131 HRC, Discrimination Complaint No. 26..... 42

## **Background of Commission**

The Human Relations Commission supports efforts to enhance mutual understanding among the City's culturally diverse residents.

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 (Sec. 58-31).

Sec. 58-35 states 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.

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 (Sec. 58-36).

### **2024 Commission Makeup and Attendance**

Sec. 58-32 states the creation and composition of the Human Relations Commission below:

- a. There is hereby created a "human relations commission" to be appointed by the mayor with the approval of the city council. The human relations commission shall be composed of nine members, all city residents, one of whom shall be designated as chair to be selected by the mayor to serve until a new chair is elected by a majority of the human relations commission. Term of chair shall be one year. The term of members shall be three years. The first members shall be appointed in groups of three for terms of one, two and three years, and thereafter the terms of three members shall expire each year. Two additional, youth non-voting-members may also be appointed, in addition to the nine regular voting members. The terms of the youth non-voting-members shall be one year.
- b. A quorum for conduct of the lawful business of the human relations commission shall be a majority of the current members.
- c. Except as otherwise stated in this article, all actions and decisions of the human relations commission shall be by simple majority vote of those members present at a lawful meeting of the human relations commission.
- d. The human relations commission shall in so far as possible reflect the diversity of the community.

<u>Member</u>	<u>Term Length</u>	<u>Attendance</u>
Kat Layton, Chairperson	01/21/2024 – 07/01/2027	Attended 11 of 12 meetings
Juanita House, Vice-chairperson	09/05/2023 – 07/01/2026	Attended 9 of 12 meetings
Britney Doulos	06/07/2022 – 07/01/2025	Attended 11 of 12 meetings
Justin Harper	01/11/2022 – 07/01/2025	Attended 11 of 12 meetings

Jennifer St. John	05/14/2024 – 07/01/2027	Attended 6 of 9 meetings
Daniel Jackson	05/14/2024 – 07/01/2027	Attended 8 of 9 meetings
Jane Munro	09/03/2024 – 07/01/2027	Attended 2 of 3 meetings
John Paul Myers	09/03/2024 – 07/01/2027	Attended 2 of 3 meetings

*Adult Member Vacancy*

*Youth Member Vacancy*

*Youth Member Vacancy*

## **Overview of 2024 Commission Meetings**

As required by the Human Relations Ordinance, the commission meets on a quarterly basis or more as needed. The meetings are usually on the third Thursday of the month of each quarter. The meetings meet all the requirements of the State of Michigan Open Meetings Act. Minutes of each meeting are taken and approved at the following meetings. These minutes are available through the City Clerk’s Office and publicly online the city’s website.

Meeting dates and type in 2024:

- January 31<sup>st</sup> Regular HRC Meeting
- February 28<sup>th</sup> Regular HRC Meeting
- April 18<sup>th</sup> Regular HRC Meeting
- May 16<sup>th</sup> Special Joint HRC and Police Advisory Commission Meeting
- June 27<sup>th</sup> Special HRC Meeting
- June 27<sup>th</sup> Special Joint HRC and Police Advisory Commission Meeting
- July 10<sup>th</sup> Special Joint HRC and Police Advisory Commission Meeting
- July 18<sup>th</sup> Regular HRC Meeting
- August 15<sup>th</sup> Special HRC Meeting
- September 19<sup>th</sup> Regular HRC Meeting
- October 17<sup>th</sup> Regular HRC Meeting (*NO QUORUM*)
- November 14<sup>th</sup> Regular HRC Meeting

## **2024 Commission Meetings Key Summaries**

### **January 31, 2024, Regular HRC Meeting**

- Commission held first meeting since 2021.
- Commission discussed a joint town hall with the Ypsilanti Police Advisory Commission (YPAC) to discuss mental health, housing, and public safety; voted to request a joint meeting with YPAC.
- Commission members decided to postpone electing a chair and vice-chair.
- Commission members discussed **City Ordinance Chapter 58**, regarding definitions of “direct relationship” and “unreasonable risk” as it relates to the Non-Discrimination Ordinance, which finds felony and misdemeanor convictions as protected classes *“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”* (emphasis added).

- Commission members discussed **City Ordinance Chapter 78**, regarding public parks and public spaces, to think about ways discrimination can be mitigated in these areas too for individuals who are more vulnerable.
- Commission members discussed a potential complaint process to file a discrimination complaint formally in the City.

(Source: 1/31/24 HRC Meeting Minutes)

### **February 28, 2024, Regular HRC Meeting**

- Commission voted to make member **Kat Layton** represent the HRC to connect with YPAC for a joint special meeting with the two commissions.
- Commission voted to have **Nation Outside** present to the HRC at another meeting with “with more information on the definitions of felony and misdemeanor language used in the city ordinance at the March meeting.”
- Commission requested information from **City Attorney John Barr** on how many complaints for discrimination have been filed since 2018 in the City of Ypsilanti.
- Commission members discussed **City Ordinance Chapter 78**, as it relates to the city’s unhoused population, where it is lawful for people to camp tents or their cars in public spaces, and whether parks could be a space for them.
- Commission discussed the complaint form or process again, with attention to possibly amending how the process works and make recommendations for changes.
- 2024 HRC meeting schedule was approved.

(Source: 2/28/24 HRC Meeting Minutes)

### **April 18, 2024, Regular HRC Meeting**

- **Nation Outside** presented to the Commission about Fair Chance Access to Housing and provided information related to felony and misdemeanor conviction barriers to housing or other resources.
- Commission voted to amend **Ordinance No. 58-31** of the Human Relations Commission to remove everything after “conviction through welfare” as follows:
  - *“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.... ”* (emphasis added).
- Commission voted to pass a motion to adopt a **Fair Chance Access to Housing Ordinance** to give previously incarcerated individuals or individuals with a criminal history the opportunity to compete for rental housing or reside with family members and others.
- Commission decided to still wait on determining a Chair and Vice-chair when more members join.

- Commission voted to remove a member from the Commission who missed three consecutive meetings.
- Commission voted to invite YPAC to the next **May 16, 2024** HRC meeting.
- Commission received information from **Memo from City Attorney John Barr dated February 29, 2024 RE: Ypsilanti Human Relations Commission (see Attachment 1 for Memo from City Attorney on pages 16 - 19)** that the city does not have a complaint tracking system, so the number of complaints is unknown.
- Commission continued to discuss spaces where unhoused populations can camp and whether parks could be places where camping is allowed.
- Commission requested information on **Social Equity Funds** from marijuana recreational licenses, *but no information was provided back to the commission regarding this request.*

(Source: 4/18/24 HRC Meeting Minutes)

#### **May 16, 2024, Special Joint HRC and Police Advisory Commission (YPAC) Meeting**

- Joint commission meeting to discuss the concept of a **Community Forum Series** to discuss mental health, housing, and public safety.

(Source: 5/16/24 Joint HRC and YPAC Meeting Minutes)

#### **June 27, 2024, Special HRC Meeting**

- Commission voted to **table** the review and discussion of the **Memo from City Attorney John Barr**, since it was not included in the agenda packet for review prior to this meeting, and the Commission **requested** the **City Attorney** and **City Manager** attend a regularly scheduled meeting to discuss bureaucratic process.
- Commission nominated and elected **Kat Layton** as **Chairperson**.
- Commission nominated and elected **Juanita House** as **Vice-chairperson**.
- Commission discussed **Resolution 2024-150**, regarding support drug checking services as it relates to discrimination issues, which was discussed during **June 18, 2024 City Council** meeting (**see Attachment 2 for Resolution 2024-150 on pages 20 - 23**).
- Commission discussed facilitators for **Joint HRC/YPAC Community Forum Series**.

(Source: 6/27/24 HRC Meeting Minutes)

#### **June 27, 2024, Special Joint HRC and YPAC Meeting**

- Commissioners discussed the goals for the joint **Community Forum Series** to include mental health, housing, and public safety.
- Commissioners discussed other logistics pertaining to the joint **Community Forum Series**, including mediator/facilitator selection and format.

(Source: 6/27/24 Joint HRC and YPAC Meeting Minutes)

### **July 10, 2024, Special Joint HRC and YPAC Meeting**

- Corn Williams with **LEAF Harm Reduction** presented to the Commissions about drug checking services in Ypsilanti and provided information related to barriers to lifesaving resources and access to treatment of all modalities.
- Commissions discussed three-part joint **Community Forum Series**, including logistics, budget, location, facilitators, and goals.

(Source: 7/10/24 Joint HRC and YPAC Meeting Minutes)

### **July 18, 2024, Regular HRC Meeting**

- **City Attorney John Barr** and **City Manager Andrew Hellenga** presented to the Commission an Overview of Board and Commission Bureaucratic Process: From Idea to Action
  - Commission discussed **bylaws** after receiving information from City Staff indicating that the recent Chair election was not in accordance with the bylaws due to **Commissioner Kat Layton** not being a member for a year before election, as required in the bylaws.
  - Commission voted to suspend the bylaws for the election of the Chairperson for the 2024 year.
  - Commission voted to elect **Kat Layton** as the **Chairperson** of the Human Relations Commission for a second time.
  - Commission approved a special meeting for **August 15, 2024**.
  - Commission discussed **Ordinance No. 1433**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, being Section 58-67, to enhance transparency, impartiality, and effectiveness in addressing complaints of discriminatory practices within the city.
    - **City Attorney Barr** reported to the commission on the legalities and potential issues with the ordinance changes brought to the city council (Ordinances 1433, 1434, and 1435).
    - **City Attorney Barr** indicated that he would coordinate with his staff to begin a tracking process for HRC complaints so that the commission can review the complaints and track how many occur. The commission will get the information if it is not prohibited by law, but no detailed information was provided back to the commission regarding this request.
  - Commission discussed **Ordinance No. 1434**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, Section 58-61, to eliminate ambiguous language that inadvertently permits discrimination against individuals with felony and misdemeanor criminal records.
    - Commission voted on a motion requesting **City Attorney John Barr** define “direct relationship” and “unreasonable risk.”
  - Commission discussed **Ordinance No. 1435**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, by adding a Fair Chance Housing section and discussed City Council feedback from **June 18** and **July 16, 2024**
- #### **Regular Council Meetings.**
- **Chairperson Layton** informed commission of inviting the Fair Housing Center to **August 15, 2024** HRC meeting to obtain more information about

the **Fair Chance Access to Housing Ordinance**, including legalities, before it goes back to City Council.

- Commission discussed **Resolution No. 2024-150**, regarding the lowest law enforcement priority for the City of Ypsilanti and the specifics for investigation and arrest of persons in possession of a controlled substance.
  - Commission voted to move discussing this resolution to **August 15, 2024** HRC meeting.
- **Council Liaison for HRC, Councilmember Me’Chelle King**, reported the financial request process for boards and commissions, and she reported that City Council approved \$400 for the first **Joint Community Forum Series** event.

(Source: 7/18/24 HRC Meeting Minutes)

### **August 15, 2024, Special HRC Meeting**

- **Fair Chance Housing** provided the commission information and support letters for a Fair Chance Access to Housing Ordinance
- Commission discussed the newly developed discrimination complaint tracking system for the City of Ypsilanti and the city attorney’s office (**note that Commissioners haven’t see the actual system or list of complaints**).
- Commission reviewed **Memo from City Attorney John Barr dated July 20, 2024 RE: Definitions (see Attachment 3 for Memo from City Attorney on pages 24 - 27)** regarding legal definition of “direct relationship” and “unreasonable risk.”
- Commission discussed **Resolution No. 2024-150**, which had failed at the **June 18, 2024**, City Council meeting, and voted to send a letter of support to Council in favor of **Resolution 2024-150**. The letter of support was sent on **August 16, 2024**, to the City Clerk’s Office to be given to City Council (**see Attachment 4 for Letter of Support from HRC on pages 28 – 29**).
- Commission voted to **table** discussing bylaws to next meeting.
- Commission voted to **table** discussing working subcommittees at next meeting.
- Commission voted to **cancel the first day** scheduled for Community Forum Series due to lack of logistics and support clearly established.
- Commissioners requested **body cam footage** of incident that occurred in Depot Town around the primary election night, which involved an alleged self-inflicted gun wound by the individual involved in the incident.

(Source: 8/15/24 HRC Meeting Minutes)

### **September 19, 2024, Regular HRC Meeting**

- Commission discussed adding **agenda approval** and **parking lot** to the bylaws for agenda format
  - Commission voted to **table** the discussion on bylaws to the next meeting.
- Commission voted to approve **three working committees** for HRC (**see Attachment 5 for Working Committees for the Human Relations Commission on pages 30 – 31**):
  - (1) Policy and Systems Change Subcommittee,
  - (2) Community Engagement and Education Subcommittee, and

(3) Equity and Access Subcommittee.

- Commission voted to move the **Fair Chance Access to Housing Ordinance (Ordinance No. 1435)** to the **Policy and Systems Change Subcommittee** for further workshopping and amendments.
- Commission voted to move the **Definitions for Non-Discrimination Ordinance (Ordinance No. 1434)** to the **Policy and Systems Change Subcommittee** for further workshopping and amendments after reviewing the Memo from **City Attorney John Barr** with suggested legal definitions.
- **City Attorney John Barr** reported that, as of the date of this HRC meeting, there have been **zero (0)** confirmed housing complaints made in the past 21 years, including since the inception of the new HRC tracking system by the City Attorney's office. The tracking system details include:
  - (1) Case number,
  - (2) File number,
  - (3) Subject matter,
  - (4) Year,
  - (5) Outcome, and
  - (6) Venue.
- Commission **tabled** the agenda item to solidify the scope of joint **HRC/YPAC Community Forum Series** until next meeting to allow time to review **Memo from City Attorney John Barr dated September 13, 2024 RE: Request to review resolutions of HRC (see Attachment 6 for Memo from City Attorney on pages 32 - 34)**.
- Newly appointed **Commissioner John Paul Myers** inquired about the difference between **equality** and **equity** during a discussion, which was added to the next meeting agenda item for discussion.
- **Chair Layton** requested that the **Nation Outside presentation** be added to the **April 18, 2024 agenda packet** after citizen complaint that the presentation was not publicly available, despite commission being informed it was by staff.
  - Commissioners were informed via email on August 20, 2024 from Deputy Clerk Lorrie Thomas about a **Memo from City Attorney John Barr dated August 8, 2024 RE: Complaint against Ypsilanti Human Relations Commission Open Meetings Act and Robert's Rules of Order (see Attachment 7 for Memo from City Attorney on pages 35 - 38)**.
  - Note that **Commissioners** were not informed of this citizen complaint prior to the **August 15, 2024** HRC meeting despite complaint being responded to on August 8, 2024.

(Source: 9/19/24 HRC Meeting Minutes)

#### **October 17, 2024, Regular HRC Meeting**

- **CANCELED DUE TO LACK OF QUORUM**

(Source: 10/17/24 HRC Meeting Minutes)

### **November 14, 2024, Regular HRC Meeting**

- Commission voted to **amend the meeting minutes** from **October 17, 2024, Regular HRC Meeting** to accurately depict attendance, marking **Vice-chair House** as the only commissioner at the meeting, both in-person and virtually.
- Commission voted to **amend the meeting minutes** from **October 17, 2024, Regular HRC Meeting** to remove the agenda item added by **Commissioner Jane Munro** titled “Equity: The Thief of Human Potential - by Thomas Sowell” for discussion, as the commission had not met to formally remove this agenda item from the agenda that meeting day, and it contradicts the mission and purpose of the HRC.
- Commission discussed discriminatory language in **Resolution 2024-229**, which was presented during **October 1, 2024 City Council** meeting and tabled indefinitely (see Attachment 8 for Resolution 2024-229 on pages 39 - 40).
- Commission **tabled** the discussion on the **discrimination complaint** the commission was informed via email on October 23, 2024 from Deputy Clerk Lorrie Thomas through a **Memo from City Attorney John Barr dated October 23, 2024 RE: Subject Discrimination Complaint, Our File No. 131 HRC, Discrimination Complaint No. 26** (see Attachment 9 for Memo from City Attorney on pages 41 – 44) in response to a discrimination complaint from a resident in response to **Resolution 2024-229** to next HRC meeting in **2025**.
- Commission voted to request updated information from **City Attorney John Barr** on how many total complaints for discrimination have been filed since 2021 in the City of Ypsilanti.
- Commission discussed the **2024 annual report** and **goals for next year** to include in the report, along with **requests from City Council**.

(Source: 11/14/24 HRC Meeting Video; MINUTES NOT YET POSTED AS OF 12/29/24)

### **2024 Commission Accomplishments**

After being inactive for nearly three years, the **Human Relations Commission** accomplished significant milestones in its first year of operations. Key accomplishments include:

1. **Discrimination Complaint Tracking System**: The Commission voted to approve **Ordinance No. 1433** to establish a more effective tracking process for discrimination complaints. However, **City Attorney John Barr** informed the Commission that a new system would be created within the attorney’s office to track these complaints. This development addressed the underlying concerns of the proposed amendment, negating the need for further ordinance revisions at this time.
2. **Community Forum Series Collaboration with YPAC**: The Commission partnered with the **Ypsilanti Police Advisory Commission (YPAC)** to lay the groundwork for a **Community Forum Series** focused on mental health, housing, and public safety. After careful consideration and discussion, it is being determined that the series would be more effective if led by the **Human Relations Commission**

alone, with a focused discussion on discrimination and prejudice within these areas. Planning for the forum's logistics will continue in the **Community Engagement and Education Subcommittee in 2025**.

3. **Non-Discrimination Ordinance Amendment:** The Commission voted to strengthen the **Non-Discrimination Ordinance (Ordinance No. 1434)** by clarifying ambiguous language that could create barriers for individuals with criminal conviction histories to access housing, employment or other public benefits. This amendment aims to remove any unnecessary obstacles for those with conviction histories. Further discussions on the ordinance will take place in the **Policy and Systems Change Subcommittee in 2025**.
4. **Fair Chance Access to Housing Ordinance:** The Commission voted to create a **Fair Chance Access to Housing Ordinance (Ordinance No. 1435)**, aimed at providing individuals with criminal histories a fair opportunity to secure housing. The Commission plans to continue refining this ordinance and educating the public about its goals, while also addressing any misinformation regarding its background and housing process. These efforts will be continued in the **Policy and Systems Change Subcommittee in 2025**.
5. **Letter of Support for Resolution No. 2024-150:** The Commission provided a letter of support to the **Ypsilanti City Council** for **Resolution No. 2024-150**, which advocates for the **lowest law enforcement priority** in cases involving the possession of controlled substances, with specific guidelines for investigations and arrests.
6. **Creation of Working Subcommittees:** The Commission established three working subcommittees to support its initiative –
  - (1) **Policy and Systems Change Subcommittee,**
  - (2) **Community Engagement and Education Subcommittee, and**
  - (3) **Equity and Access Subcommittee.**

## **2025 Commission Goals and Projects**

The Human Relations Commission voted and agreed upon the following goals and projects for 2025:

1. **Housing:** Advocate for resources and partnerships to support individuals who are unhoused or experiencing housing insecurities, including the sustainable establishment of warming and cooling centers in the city, as there are currently no emergency shelters with readily accessible options, especially during the winter season. Continue advancing the **Fair Chance Access to Housing Ordinance** to remove barriers for individuals with criminal histories in securing housing. Furthermore, work towards passing a resolution to support drug checking services, as a means of providing public health and safety while mitigating discrimination and prejudice.
2. **Mental Health and Public Safety:** Capitalize on the county's **Public Safety and Mental Health millage reimbursements** to the city to increase funding streams to mental health and public safety initiatives, specifically through a resolution to allocate funds designated for the millage (Public Safety Fund 205) towards

unarmed, non-police crisis response programs and other mental health-related services that address public safety needs.

3. **Community Forum Series**: Continue developing a **Community Forum Series** focused on mental health, housing and public safety within the **Community Engagement and Education Subcommittee**, ensuring meaningful public dialogue and action on these critical issues as they relate to discrimination, equity and accessibility.

### **2025 Commission Requests to City Council**

The **Human Relations Commission** voted and agreed upon the following requests for **2025** to support its ongoing work and strengthen collaboration with **City Council**:

1. **Enhanced Support and Guidance**: Requesting additional support and guidance from **City Council** on the Commission's ongoing initiatives and overall direction, to ensure alignment with the city's goals.
2. **Commissioner Training and Development**: Seeking further training opportunities for Commissioners and staff to streamline operations, reduce duplicative efforts, and minimize delays in progressing key initiatives.
3. **Creation of a Community Resource Pool**: Requesting assistance from **City Council** in creating a centralized resource pool that compiles information on local community resources and ways to support organizations engaged in social service and anti-discriminatory work.
4. **Optimizing Commission's Role**: Requesting more effective utilization of the **Human Relations Commission** to actively support **City Council** in advancing its goals, particularly those related to equity, discrimination, and community development.

# **Attachments**

**Attachment 1: Memo from City Attorney John Barr dated February 29, 2024 RE:  
Ypsilanti Human Relations Commission**



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipski ~ Of Counsel  
Randolph T. Barkler ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

## MEMORANDUM

**To: Michelle King, Ypsilanti City Councilmember**  
**From: John M. Barr, Ypsilanti City Attorney**  
**Date: February 29, 2024**  
**Re: Ypsilanti Human Relations Commission**

This memo is in response to your request from the Ypsilanti Human Relations Commission. The Commission asks: 1) How soon does the HRC get information referring to the complaints? 2) How many formal complaints have we received since 2018 for the protected classes?

The Human Relations Commission (HRC) was created pursuant to Section 9.02 of the City Charter of 1994.

"A Human Relations Commission consisting of nine members shall be established within six (6) months of the effective date of this Charter. The Commission as a whole shall be representative of the diversity of the entire community. The Commission shall endeavor to increase mutual understanding among the residents of the community and eliminate discrimination, and shall be assigned, by ordinance, such powers and responsibilities as will enable it to carry out these tasks. The City shall make an annual appropriation for the effective operation of the Commission, and the City Manager shall designate a staff person to assist the Commission."

Section 9.03 of the City Charter sets out the powers of City boards and commissions and limits the power to advisory functions.

"The Council may create or discontinue, by ordinance, boards and commissions as the Council deems necessary or of benefit to the City of Ypsilanti. Council will provide for the duties and functions of boards and commissions, subject to law. The boards and commissions shall not administer any activity, department, or agency of the City government unless specifically required to do so by State statute, but shall serve solely



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com)

---

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipski ~ Of Counsel  
Randolph T. Barkler ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

in an advisory capacity or in the capacity of a quasi-judicial appeal board.<sup>1</sup> (emphasis supplied)

Chapter 58 of the Ypsilanti City Code creates the Human Relations Commission and sets out its powers. Section 58-35 provides in (10):<sup>2</sup>

"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." (Emphasis supplied)

Because the HRC was set up as an advisory body pursuant to the charter there was no original language for dealing with complaints. Later, section 58-67 was added to the City Code that provided the HRC would be available to mediate disputes.

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.

After the filing of a verified complaint, a true copy shall be served within ten days by certified mail on the person against whom the complaint [is] filed, by the complainant.

The city attorney shall refer this complaint to appropriate city departmental units and agencies for investigation as to the basis of the complaint.

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.

For an investigation, a person may be required to produce books, papers, records or other documents that may be relevant to a violation or alleged violations of this

---

<sup>1</sup> Quasi-judicial appeal boards include the ZBA and Board of Review.

<sup>2</sup> Section numbers have been omitted for ease of reading



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com)

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipski ~ Of Counsel  
Randolph T. Barkler ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

article. If such person does not comply with such request, the city attorney may apply to county circuit court for an order requiring production of such materials.

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.

All complaints received by the human relations commission shall retained for three years.

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. (Emphasis supplied) 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.

Mediation sessions are not open to the public, but any resolution of the dispute reached through mediation shall not be final until released by the human relations commission. Violations of such agreements shall be violations of this article.

So, you can see that the HRC is not set up for hearing complaints. If a complaint is made involving the HRC the Commission would receive the complaint if cause was determined and the parties agreed to mediation.

There have been several complaints alleging discrimination over the years. These complaints have been for the most part Michigan Civil Rights Commission complaints, labor disputes subject to the grievance procedure, or law suits. None of these cases are subject to mediation but are determined by the Civil Rights Commission, grievance procedures or the courts.

Our computer system does not have an application for keeping track of HRC type cases, but I cannot think of any complaint filed that went to the HRC since the ordinance in 1994.

**Attachment 2: Resolution 2024-150 on June 18, 2024 City Council Meeting Agenda**



Resolution No. 2024-150  
June 18, 2024

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

RESOLUTION DECLARING THAT THE INVESTIGATION AND ARREST OF INDIVIDUALS IN POSSESSION OF A CONTROLLED SUBSTANCE, "IN AN AMOUNT SUFFICIENT ONLY FOR PERSONAL USE", IF EVIDENCE IS PRESENT THAT A CONTROLLED SUBSTANCE WAS OBTAINED AS A RESULT OF PARTICIPATION IN, OR THE INDIVIDUAL IN POSSESSION OF A CONTROLLED SUBSTANCE IS A PARTICIPANT, STAFF MEMBER, OR VOLUNTEER OF A QUANTITATIVE DRUG-CHECKING PROGRAM; OR INDIVIDUALS IN POSSESSION OF DRUG PARAPHERNALIA, IF EVIDENCE IS PRESENT THAT PARAPHERNALIA WAS OBTAINED AS A RESULT OF PARTICIPATION IN, OR THE INDIVIDUAL IN POSSESSION OF PARAPHERNALIA IS A PARTICIPANT, STAFF MEMBER OR VOLUNTEER OF, A SYRINGE SERVICE PROGRAM , BE THE LOWEST PRIORITY FOR THE CITY OF YPSILANTI

WHEREAS, For decades, America has been in the throes of a devastating opioid epidemic. Opioid overdoses have claimed the lives of over a million Americans since 1999. Tragically, drug overdose deaths nationally have continued to rise on an annualized basis. No community has been spared from the opioid epidemic's devastation; and WHEREAS, between 60 - 80 people Washtenaw County residents have lost their lives each year due to opioid overdoses. The most recent year's preliminary data suggests a minuscule decrease, with 56 Washtenaw residents losing their life to an opioid overdose in 2023. But even one overdose death is too many, and this decrease is likely a "wobble" like previous ones that were met with exponentially high curves afterwards. It is imperative that government actors do all they can to save lives; and

WHEREAS, with the prevalence of drug contamination, there has never been a more critical moment to know precisely what compounds (and how much) are present in drug supplies. Those who use drugs should be able to avoid unwittingly taking drugs that could lead to overdose; and

WHEREAS, quantitative drug-checking programs can work only if people feel comfortable bringing a sample for testing. If people fear that providing samples for testing could subject them to criminal consequences, they will be extraordinarily unlikely to provide such samples for testing. That could lead to more overdoses, more deaths, and delayed (or incomplete) information about the community's drug supply; and

WHEREAS, the Washtenaw County Prosecutor's Office has released an initial draft of a policy committing to forgo prosecution of "possession of (1) trace amounts of drugs that were (2) provided for quantitative drug-checking and consistent with the statutory

standard for “good Samaritans” seeking overdose attention, the Prosecutor’s Office also will not prosecute possession of a controlled substance “in an amount sufficient only for personal use” if the evidence that a person possessed a controlled substance was obtained as a result of participation in a quantitative drug-checking program.”; and

WHEREAS, the City of Ypsilanti consistently ranks within the highest number of non-fatal and fatal overdoses reported within municipalities in Wayne and Washtenaw County; and

WHEREAS, drug-checking tools such as Fourier-transform infrared spectroscopy (FTIR) and gas chromatography mass spectroscopy (GC-MS) —generally known as “quantitative drug checking”—can identify multiple substances in a drug sample and determine the relative concentration of those substances giving people lifesaving information about the dangers that might be posed by sample adulteration; and

WHEREAS, advanced drug-checking services can prevent a person from unwittingly taking a substance they may otherwise have believed was safe; and

WHEREAS, effective deployment of FTIR and/or GC-MS drug-checking can also alert public-health and law-enforcement personnel as to emerging trends regarding the drug supply in a community. For example: Advanced drug-checking technology can provide early alerts that drug samples in a given community are starting to be contaminated with Xylazine; and

WHEREAS, fatal overdose rates continue to rise disproportionately within BIPOC communities in Michigan; and

WHEREAS, the Governor's Office and MDHHS have forwarded directives to reduce fatal overdoses in Michigan and ultimately eliminate racial disparities in fatal overdoses throughout the state; therefore BE IT

RESOLVED: That the Mayor and City Council hereby declare that it shall be the policy of the City of Ypsilanti that the investigation and arrest of persons in possession of a controlled substance, “in an amount sufficient only for personal use”, if evidence is present that a controlled substance was obtained as a result of participation in, or the individual in possession of a controlled substance is a participant, staff member, or volunteer of a quantitative drug-checking program; or individuals in possession of drug paraphernalia, if evidence is present that paraphernalia was obtained as a result of participation in, or the individual in possession of paraphernalia is a participant, staff member or volunteer of, a syringe service program, shall be the lowest law enforcement priority for the City of Ypsilanti; and city funds or resources shall not be used in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding individuals in possession of a controlled substance, “in an amount sufficient only for personal use”, if evidence is present that a controlled substance was obtained as a result of participation in, or the individual in possession of a controlled substance is a participant, staff member, or volunteer of a quantitative drug-checking program; or individuals in possession of drug paraphernalia, if evidence is present that paraphernalia was obtained as a result of participation in, or

the individual in possession of paraphernalia is a participant, staff member or volunteer of, a syringe service program; be it further

RESOLVED, that this resolution does not provide protection from arrest or prosecution, if (1) charges are sought by law-enforcement for possession of a controlled substance "sufficient only for personal use," and (2) there is sufficient evidence to authorize that charge that does not stem from participation in a quantitative drug-checking program, APAs should authorize that charge, assuming charges are in the interest of justice. That is true even if the would-be defendant separately participated in a quantitative drug-checking program; be it further

RESOLVED, That if any provision of this resolution is declared by a court of competent jurisdiction to be contrary to any statute, regulation, or judicial decision, so that its applicability to any agency, person, or circumstance is held invalid, the validity of the remainder of this resolution and its applicability to any other agency, person, or circumstance shall not be affected.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

**Attachment 3: Email and Memo from City Attorney John Barr dated July 20, 2024 RE:  
Definitions**

---

## FW: HRC definitions

---

Katie Jones <kjones@cityofypsilanti.com> Wed, Jul 24, 2024 at 3:54 PM  
To: Katherine Layton <[REDACTED]>, "Doulos, Britney" <[REDACTED]>, Juanita House  
<[REDACTED]>, Justin Harper <[REDACTED]>, Michelle King <mking@cityofypsilanti.com>,  
"danieljackson" <[REDACTED]>, "jennife" <[REDACTED]>

Hi all, please see the email below from John Barr as well as the attached definitions.

Thanks!  
Katie

---

**From:** John Barr <[JBarr@barrlawfirm.com](mailto:JBarr@barrlawfirm.com)>  
**Sent:** Saturday, July 20, 2024 4:44 PM  
**To:** Katie Jones <[kjones@cityofypsilanti.com](mailto:kjones@cityofypsilanti.com)>  
**Cc:** Hellenga, Andrew <[ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)>  
**Subject:** HRC definitions

**Attention:** This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Hi Katie,

1. The HRC asked for a tracking record of complaint. I have asked Jennifer to start a list, similar to the list we keep for FOIA.
2. The HRC also asked for definitions. Attached is a draft. Please share with the HRC.

Thanks.

John

JOHN M. BARR

BARR, ANHUT & ASSOCIATES, P.C.

Attorneys at Law

[105 Pearl Street, Ypsilanti MI 48197](https://www.barrlawfirm.com)

(734) 481-1234; fax 483-3871

[jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com)

SEE: <http://www.barrlawfirm.com/> FAQs - Disclaimer



**Direct relationship draft definition Chapter 58 JMB and TM.docx**

13K

## Definitions

Direct relationship. Direct relationship means a similarity in the nature of the criminal offense and the job, housing or other consideration. For instance, the crime of embezzlement would have a direct relationship to a job of handling money. A crime of arson would have a direct relationship to the job of fire fighter. The crime of fraud would have a direct relationship to the job of stock broker or other fiduciary relationship. The crime of first degree criminal sexual conduct would have a direct relationship on the job of elementary grade school teacher, mental hospital attendant.

Unreasonable risk to property or safety means a **higher** risk that would not occur but for the fact of the criminal conviction. For instance, the risk of hiring a person with a criminal history of 25 years ago might be reasonable, but unreasonable if the criminal conviction was more recent, **say within the last** 1 or two years. An unreasonable risk might include the factor of force, violence, weapons use, multiple offenses, torture, depravity, mutilation, age and condition of victim, unrepentance.

**Attachment 4: Letter of Support for Drug Checking Services from HRC dated August 15, 2024**

August 15, 2024

Dear Ypsilanti City Council and Mayor,

On behalf of the Ypsilanti Human Relations Commission, I am writing to express our strong support for the implementation of a drug checking program in Ypsilanti, Michigan. As a community dedicated to promoting the health, safety, and well-being of all residents, we recognize the critical importance of harm reduction strategies in addressing the ongoing public health crisis related to substance use.

Harm reduction programs, such as syringe service programs (SSPs), have been proven to significantly reduce the transmission of infectious diseases like HIV and Hepatitis C, provide essential healthcare services, and connect individuals to treatment and social support. Drug checking services, an essential component of comprehensive harm reduction programs, offer individuals the opportunity to test their substances in real-time, improving their ability to make safer decisions regarding their use. The lack of access to this information has been a significant contributor to the rising number of overdose deaths in our community.

The ongoing surge in overdose deaths, primarily driven by the unpredictability of the drug supply, underscores the urgent need for drug checking services. These services not only provide life-saving information to individuals but also foster trust and engagement with harm reduction programs, facilitating access to additional support and resources.

By implementing drug checking services in Ypsilanti, we can:

1. **Prevent Overdoses and Save Lives:** By identifying the presence of harmful substances, individuals can make informed decisions, reducing the risk of fatal overdoses.
2. **Enhance Public Health Outcomes:** Drug checking services serve as an entry point for broader health interventions, connecting individuals to treatment, counseling, and other support services.
3. **Promote Community Safety:** Reducing the prevalence of dangerous substances in the community contributes to overall public safety and well-being.
4. **Empower Individuals:** Providing access to accurate information empowers individuals to take control of their health and safety, fostering a sense of agency and responsibility.

The Ypsilanti Human Relations Commission is fully committed to supporting the establishment and expansion of these critical services in our community. We believe that by working together, we can create a safer, healthier environment for all residents. We strongly urge the adoption of policies that will facilitate the implementation of drug checking programs in Ypsilanti.

Thank you for your attention to this important matter. We look forward to collaborating with you and other stakeholders to make this vision a reality.

Sincerely,

Kat Layton, Chair  
On behalf of the Ypsilanti Human Relations Commission

**Attachment 5: Working Committees for the Human Relations Commission**

# WORKING COMMITTEES FOR THE HUMAN RELATIONS COMMISSION

## 1. Policy and Systems Change Subcommittee

Focus: Addressing and influencing local policies, systems, and institutional practices. This subcommittee would encompass advocacy, legislative review, and working with HRC to support city staff and council on policy recommendations, with a focus on systemic change to combat discrimination and promote equity.

- **Activities:** Analyzing local and state policies, proposing legislative changes, drafting resolutions, partnering with legal or policy experts, and advising on governance reform.
- **Combined Work Areas:** Anti-Discrimination Policy Advocacy, Housing Policy Reform, Local Governance Accountability, Data Collection for Policy Initiatives.

## 2. Community Engagement and Education Subcommittee

Focus: Building relationships within the community, educating the public, and promoting awareness of key issues related to human rights and equality. This subcommittee would foster collaboration across diverse groups, organize public forums, and lead educational initiatives on relevant topics.

- **Activities:** Organizing events, public forums, workshops, educational programs, and facilitating dialogue among marginalized communities and government bodies.
- **Combined Work Areas:** Community Outreach, Public Education, Event Planning, Public Safety Education, Media and Communication Campaigns.

## 3. Equity and Access Subcommittee

Focus: Ensuring marginalized communities have equitable access to resources, services, and opportunities. This subcommittee would address barriers faced by historically underserved groups, advocate for expanded access to housing, mental health services, employment opportunities, and more.

- **Activities:** Assessing gaps in access, working with service providers, conducting outreach to underserved communities, and advocating for equitable distribution of resources.
- **Combined Work Areas:** Economic Equity, Mental Health and Wellness, Crisis Response and Public Safety Access, Equal Opportunity and Anti-Bias Initiatives.

**Attachment 6: Memo from City Attorney John Barr dated September 13, 2024 RE:  
Request to review resolutions of HRC**



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com)

---

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipski ~ Of Counsel  
Randolph T. Barker ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

## **MEMORANDUM**

**To: Tracey Bourdeau, Ypsilanti City Clerk**  
**From: John M. Barr, Ypsilanti City Attorney**  
**Date: September 13, 2024**  
**Re: Request for review of resolutions of HRC**

---

Pursuant to your email request I have reviewed the draft of a resolution from the Human Relations Commission (HRC) for a Community Wellness Community Forum Series.

The mission of the HRC as set out in ordinance is:

"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."

Discrimination is defined in the ordinance as: "*Discriminate* means to subject anyone to different or separate treatment, based in whole or in part, on the person's actual or perceived 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)."

The Community Wellness Community website indicates the forums are directed at education, healthcare, employment, housing and transportation.



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com)

---

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipski ~ Of Counsel  
Randolph T. Barker ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

The issues addressed by the Community Wellness Community (health) are different than the mission and issues of the HRC ordinance (discrimination) . The HRC ordinance does not charge the HRC with investigating health issue.

Therefore, in my opinion, the proposed resolution of the HRC for Community Wellness Community Forums goes beyond the authority granted the commission in the HRC ordinance.

**Attachment 7: Memo from City Attorney John Barr dated August 8, 2024 RE: Complaint against Ypsilanti Human Relations Commission Open Meetings Act and Robert's Rules of Order**



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipsky ~ Of Counsel  
Randolph T. Barker ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

August 8, 2024

Mr. Alexander Munro

[REDACTED]  
Ypsilanti, MI 48197

Via email [REDACTED]

Dear Mr. Munro:

RE: Complaint against Ypsilanti Human Relations Commission  
Open Meetings Act and Robert's Rules of Order

You filed a complaint against the Ypsilanti Human Relations Commission as follows:

*During the human relations committee meeting held 07/18/2024, a flyer was presented and discussed by the commissioners but never included in the agenda materials for the public to see and review.*

*The flyer in question had a black background with white text overlaid on it. The meeting's minutes and/or recordings contain references to the flyer. As the commission's materials which are part of their deliberation and recommendations were not provided to the public, I found it difficult to participate as a concerned member of the public and a local business owner. I am writing to report this as an Open Meetings Act violation by Chair Layton and Commissioner Doulos.*

*Additionally, the Roberts rules of order were not followed during this meeting; commissioners were argumentatively cutting off participants (including during public commentary), and interjecting themselves into one others' commentary during the meeting.*



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

August 8, 2024  
Page 2

---

Your complaint is denied for the following reasons.

1. The Michigan Open Meetings Act (OMA) only applies to “public bodies” and the Ypsilanti Human Relations Commission (HRC) is not a public body defined by the Act. The Act defines “public bodies”:

(a) "Public body" means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function;" (Emphasis supplied)

The OMA does not apply to merely advisory boards or committees.<sup>1</sup> The Ypsilanti City Charter in §9.03 limits the authority of city boards and commissions and provides:

The boards and commissions shall not administer any activity, department, or agency of the City government unless specifically required to do so by State statute, but shall serve solely in an advisory capacity or in the capacity of a quasi-judicial appeal board. (Emphasis supplied)

2. Robert's Rules of order was adopted by the HRC bylaws. However, Robert's 10<sup>th</sup> Edition (adopted by City) in §61 *Disciplinary Proceedings*, pages 625,628 states that "...*nonmembers have no rights with reference to the proceedings...*"

---

<sup>1</sup> This is so even though the City of Ypsilanti Boards and Commission Handbook suggests that Boards and Commissions are subject to the OMA. The state law may not be changed by a city administrative handbook. City Council would have the power by ordinance to require Boards and Commissions to adhere to the requirements of the OMA, but would have to provide by ordinance for any remedies or penalties for violation behavior. I do recommend, however, that City Boards and Commission, so far as possible, act in accordance with the OMA for the City goal of transparency.



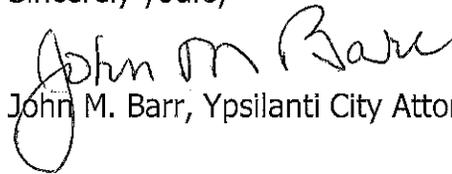
**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

August 8, 2024  
Page 3

---

Therefore, only a HRC member may object to an alleged Robert's Rules violation of the rules for a procedural matter.<sup>2</sup>

Sincerely yours,

  
John M. Barr, Ypsilanti City Attorney

---

<sup>2</sup> I further recommend that Board and Commission members and the public act with respect and civility toward each other and not talk over or interrupt speakers with the floor and not disrupt meetings with whistling, shouting, clapping, stamping or any other disruptive behavior.

**Attachment 8: Resolution 2024-229 on October 1, 2024 City Council Meeting Agenda**



Resolution No. 2024-229  
October 1, 2024

**Whereas, it is in the interest of the entire Ypsilanti community to have a safe and welcoming downtown for all Ypsilanti residents, business owners, and visitors; and**

**Whereas, the downtown currently has areas where safety is a significant concern for many of Ypsilanti's residents, visitors and business owners; and**

**Whereas, it is inappropriate to focus on the safety concerns of a subsection of the population without addressing the safety concerns of the entire downtown population; and**

**Whereas, the effort to concentrate services for a vulnerable population in the downtown core has had significant negative collateral impacts, including open air drug dealing, violence and threats to public safety and health; and**

**Whereas, business owners and property owners have a right to expect the city to take measures to ensure the safety of all in the interest of promoting a safe and vibrant downtown that serves a diverse clientele; now therefore be it**

**RESOLVED, that the city manager is hereby directed to use all appropriate resources, including police resources and police presence, to ensure a safe downtown for all residents, visitors and business owners; be it further**

**RESOLVED, that these resources shall be used in a manner consistent with respect for the civil rights of all residents, visitors and business owners.**

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

**Attachment 9: Memo from City Attorney John Barr dated October 23, 2024 RE: Subject  
Discrimination Complaint, Our File No. 131 HRC, Discrimination Complaint No. 26**



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

105 Pearl Street  
Ypsilanti, MI 48197  
(734) 481-1234  
Fax (734) 483-3871  
www.barrlawfirm.com  
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel  
Tobias J. Lipsky ~ Of Counsel  
Randolph T. Barker ~ Of Counsel  
Jennifer A. Merritt ~ Legal Assistant

October 23, 2024

Nicole Wimer  


Dear Nicole Wimer:

RE: Subject Discrimination Complaint  
Our File No. 131 HRC  
Discrimination complaint No. 26

This letter is in response to your recent Formal Grievance regarding alleged Discriminatory Language in Resolution 2024-229 and resolution author, City Councilmember Patric McLean (Ward 2), sent to me by email. Councilmember McLean drafted resolution 2024-229 and presented it to City Council for consideration in his capacity as a Ypsilanti Councilmember.

Your Grievance and Complaint alleges:

***Discriminatory Language:***

*The resolution targets a "subsection of the population," which includes individuals who are members of protected classes under the City's ordinance, such as those based on race, disability, income status, and more. The City's Human Relations Ordinance defines discrimination...*

***Violation of Civil Rights:***

*The language used in the resolution risks justifying civil rights violations by blaming individuals from protected classes, including people experiencing homelessness, those with mental health conditions, and individuals who rely on harm reduction services for known systemic failures. By unfairly associating these populations with crime and safety issues, the resolution may lead to discriminatory practices that disproportionately target marginalized people, rather than addressing the root causes of systemic issues like housing insecurity, lack of mental health resources, and problematic substance use patterns.*



***Council Members' Accountability and Fitness for Office:***

*The Council Members who introduced this resolution should be held accountable for promoting language that is harmful, discriminatory, and at odds with the values of equity and inclusion. I am formally requesting that the City conduct an investigation into the Council Members responsible for drafting and introducing this resolution, assessing their actions and whether they are fit to continue holding public office. Their willingness to promote and support such harmful language raises concerns about their ability to represent the diverse interests of Ypsilanti's residents fairly, particularly those of vulnerable and marginalized populations.*

***Request for Investigation:***

- I request that the City of Ypsilanti task the Human Relations Commission to investigate the discriminatory nature of Resolution 229 and determine whether it violates any laws, ordinances, or civil rights protections.*
- I request that the city examine whether the council member(s) who authored this resolution, published on behalf of the city, acted in violation of their duties to uphold the civil rights and protections of all Ypsilanti residents.*
- I request that the fitness of this council member(s) for public office be reviewed, based on their involvement in introducing and supporting a resolution that could lead to discrimination and harm against protected class residents.*

Your Grievance and Complaint is denied for the following reasons:

Resolution 2024-229 was drafted and presented to Ypsilanti City Council by Councilmember McLean in response to alleged criminal and disruptive behavior occurring in the downtown business area of Ypsilanti. Home owners, residents and business owners complained of a group of allegedly underserved people dealing drugs in the open, defecating and urination in public, open sex acts, litter of condoms and needles on the streets, stealing from shop owners and harassing and threatening of pedestrians.

Your Grievance and Complaint were not verified as required by the ordinance.

Resolution 2024-229 does not single out any protected class but refers to a "subsection of the population" and a "vulnerable population in the downtown core." The fact that a group may (or may not) have a protected class within it does not exempt it from good behavior, following state laws and city ordinances by claiming discrimination.



**Barr,  
Anhut &  
Associates, P.C.**  
ATTORNEYS AT LAW

October 23, 2024  
Page 3

---

Being in a protected class does not exempt one from facing the consequences for one's actions or from criminal behavior.

A call to action aimed at addressing criminal activity and disruptive behavior, even if it intersects with civil rights issues, does not constitute discrimination.

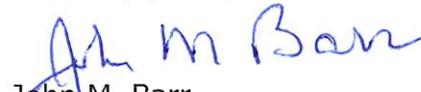
Federal law and the Ypsilanti discrimination ordinance expressly exempts and grants immunity for claims such as this claim to the mayor and council members.

The United States Supreme Court held in *Bogan et al. v. Scott-Harris*, 523 U.S. 44, 118 S.Ct. 966, 140 L.Ed.2d 79 (1998) that local legislators (i.e. members of a city council and the city mayor) have absolute immunity from personal liability under 42 U.S.C. §1983 ("§1983" actions) for actions taken in their official capacity.

The Ypsilanti discrimination ordinance 58-77 grants absolute immunity concerning the actions of the mayor and council members for the performance of their duties under the ordinance.

The Grievance and Complaint do not present probable cause or a prima facie case; therefore, it must be dismissed without requiring further investigation or action.

Sincerely yours,

  
John M. Barr  
Ypsilanti City Attorney