DOVER HUMAN RELATIONS COMMISSION
MINUTES OF MAY 25, 2011
CITY HALL COUNCIL CHAMBERS

Present: Chair Roy Sudler, Jr. Vice Chair Willie Jones, Thomas Steele, Ellen Wasfi, Maisha Britt. Dawn Allen-Pyne arrived late.

Call to Order: Meeting was called to order at 7:00 p.m. and there was a moment of silence.

Agenda: Maisha Britt wanted to add City Solicitor Mr. Nicholas H. Rodriguez to the agenda, and he stepped forward and began his presentation.

Mr. Rodriguez reviewed chapter 58-32 section a. and d. and chapter 58-33 section c. of Article II and reminded the Commission that it was established as an advisory board for the Dover City Council, and its jurisdiction is confined to the City of Dover. DHRC may hear complaints, and take notes, but cannot rule, only make recommendations to the City Council. DHRC may refer the complainants to the appropriate body for help. The City Council has a public forum to hear matters and complaints from the citizens. DHRC is not to support any political issues or candidates. DHRC must comply with FOIA, Freedom of Information Act, and use Roberts Rules of Order. Mr. Rodriguez also assured the commissioners that DHRC has a very important function in the City of Dover.
Commissioner Wasfi asked about chapter 58-32 section d. removal of officers and term of office. The Solicitor replied that commissioners are appointed for a specific term, and when that term is up, the City Council appoints new commissioners or renews the terms of the commissioner. The Council President can renew a term or not, at his discretion. Commissioner Wasfi also asked about absenteeism, where if a commissioner misses more that 3 consecutive meetings without an excuse, that they be dismissed. The Solicitor told DHRC to inform the City Council and recommend the dismissal of such a commissioner.
Mr. Rodriguez also advised the Commission not to hold "hearings" as it is not a function of the DHRC to hold a hearing for a specific person because DHRC cannot make any decisions for a person. Such persons should be referred to the Dept. Of Labor, or Public Housing or whatever agency is appropriate.
Commissioner Steele asked if the DHRC has the authority to call upon State agencies for help and direction, and how would DHRC go about asking for this help.
Mr. Rodriguez replied that if DHRC wants information on any subject, they are free to contact City or State agencies to get that information or set up time for them to come in and address the DHRC at a meeting.
Commissioner Pyne asked if we have to use the word "hearing", and the Solicitor advised not to use that word because it gives the impression that DHRC is making a decision on a particular issue or complaint, and DHRC can only gather information and make recommendations.

Commissioner Britt commented that the DHRC intake forms and by-laws were made up using the State model, and Chair Sudler said that the intake forms were developed so that people would have some way to fill out a complaint. He thought that it now seems to be watered down and the DHRC is moving away from having hearings and mediating complaints. The Solicitor said that it would be unwise to have "Hearings". If a person comes in and DHRC hears his complaint, all that DHRC can do is make recommendations. The City Council did not give DHRC the power to decide cases.

Agenda: Maisha Britt now made a motion to accept the agenda. Dawn Allen-Pyne seconded and the motion carried.

Adoption of Minutes: The minutes from April 27, 2011 were corrected and amended, and then adopted.

Chair's Report: Chair Sudler read his report (attachment # 1 –(2 pages) Included is a letter that he drafted to send to the City Council on the reappointment of DHRC commissioners to service. (attachment # 2 (1 page)

Committee Reports: Intake and Screening Commissioner Britt reported that the City Clerk's Office handled some correspondence for DHRC concerning an intake matter. The City Clerk's Office forwarded the complaint to the City Solicitor, Mr. Rodriguez. He decided that the matter was not within the jurisdiction of DHRC and sent a letter to the complaint stating such. It is not known if the complainant was referred to another agency, because the complaint was never forwarded to the DHRC for review. Dr. Britt stated that the intake form was addressed to the DHRC and should have been screened by the Commission, even as a matter of protocol and stated responsibilities. Commissioner Wasfi made a motion to put a disclaimer on the DHRC intake forms that indicate DHRC has the authority to make recommendations to the City Council and Mayor's Office, and to change the word "hearing" to Fact-Finding Session. The motion was seconded by Willie Jones, and all voted in favor.

School Programs: Ellen Wasfi contacted Terisha Collins, Director of Community & Schools at Dover High School, and gave her materials for review. They will have a meeting to discuss how to set up the program for the fall semester. The possibility of adding it to a sociology class was mentioned.

Unfinished Business: Mental Health Forum Update Letter: (attachment # 3) The letter will be ready for the next meeting of DHRC.
Annual Report: Chair Sudler circulated a rough draft of the Annual Report, (attachment # 4 (4 pages) and invited all commissioners to review it and add

comments or suggestions. He will e-mail the draft to all commissioners, and needs their input for the final draft in 2 weeks.

Review of By-Laws, Articles I-III: Commissioner Wasfi made a motion to change Article 3 section 7 line 3 and insert: during any calendar year shall "be considered in violation of 58-32 d of city code 1981 ord of 2-11-2002 in substantial neglect of duty." And to the end of the paragraph add, "and recommend termination of that individual" The motion was made by Ellen Wasfi, and seconded by Dawn Allen-Pyne, all voted in favor.

Suggestions for Agenda Items for June 22, 2011 Meeting: Commissioner Wasfi wants to discuss Native American Indian topics at the next meeting, and possibly invite some of them to come to a meeting and speak to DHRC. She has information that she will e-mail commissioners so they can be ready to discuss at the next meeting.

Announcements: Ellen Wasfi's daughter was married April 16th.
Willie Jones' granddaughter just graduated from Spellman College in Atlanta, and first lady Obama spoke at the commencement. Dawn Allen-Pyne's son just graduated also!

Chair Sudler took an opportunity to thank all the commissioners for serving on DHRC.

Adjournment: The meeting was adjourned at 9:00p.m.

Minutes taken & submitted by Mary Walson

Attachment # 1 (2 pages)

Chair's Report

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May 25, 2011

CITIZENS CONCERNS & ISSUES:

On March 2, 2011, @ approximately 9:30 a.m., I was contacted by the Delaware State Housing Authority - Liberty Court Management Office in regards to a grievance hearing. Mrs. Deborah Walker Housing Manager III. @ 1289 Walker Road Dover Delaware 19904 asked if I would assist them by serving as a non-interested party in a landlord tenant dispute hearing, my immediate response was yes! After the grievance hearing was over, Mrs. Walker asked me if I could extend the offer to other commissioners to be a future hearing officer for the Delaware State Housing Authority – Liberty Court Site and again my response was yes! Please submit your name to me, so that I may forward it to Mrs. Deborah Walker Housing Manager III - DSHA.

On April 29, 2011, @ approximately 2:37 p.m. I received a phone call from a concern resident who lives in Walker – Woods Housing Development where the young 5 year old African American boy was struck by a vehicle and soon died later that day. The individuals concerns consisted of adequate speed and children signs in their community. I referred their concerns to newly elected 4th District Council Person David Anderson and he immediately responded to the residents concern. Councilman Anderson and I went to the site where the young boy was killed and searched for ways to decrease the probability of that incident occurring again. Councilman Anderson talked to a few residents and took pictures of areas where he felt could be improved in their community. The residents who spoke with him were pleased that he listen and took time to listen to their concerns.

On May 8, 2011 @ approximately 10:30 p.m., I received a phone call from one of the individuals charged in the Reed & New Street Brawl. Mrs. Gloria – expressed to me her

desire to tell her side of the story to the Dover Humans Relations Commission. As she shared her version of the incident with me, I explained to her the intake procedure and that she would have to contact the City Clerks Office to inquire about being on the agenda for May or June's scheduled meeting. Her response was okay and that she would give the city clerks office a call.

On May 12, 2011, @ approximately 6:00 p.m., I attended the Delaware State Education Association's Celebration of Diversity through Art, which High School Students received the Human & Civil Rights Award. Emeritus Councilman Reuben Salters was honored for his leadership in the City of Dover.

On May 18, 2011, @ approximately 12:30 p.m. Jeremy Kopp stopped by my office to thank the Dover Human Relations Commission for having the City Manager discuss various programs and services that are offered to the citizens of Dover Delaware. Mr. Kopp was very satisfied with the professionalism and eagerness displayed by the City Manger Tony Deprima. Mr. Kopp was very glad that he attended the DHRC meeting and feels that the City Manager provided top notch customers service when addressing his dilemma.

Attachment # 2 (1 page)

May 25, 2011

Mayor Carlton Carey & City Council of Dover Delaware
15 North Plaza City Hall
Dover, DE 19904

RE: Reappointment Policy - Suggestion

On April 27, 2011, the Dover Human Relations Commission held its monthly meeting in the City Hall Chambers between the hours of **7 – 9 p.m**. During our meeting we reviewed our bylaws and discussed the need for a smoother transition in the event of an officer or Commissioner of the DHRC not being reappointed.

In our discussion a motion was made and unanimously carried that the Commission would suggest to the Mayor and City Council to consider an automatic reappointment policy if a Commissioner's term has expired and they are still serving on the Commission 60 days after their term has expired. The purpose for this request is to ensure a smooth transition for future operations and functioning of the DHRC in order to serve the community of Dover pursuant to the powers and duties granted under **Chapter 2- Administration, Article I. Division 6, and Section 2-21 of the Dover Code.**

Thank you,

Attachment # 3 (1 page)

Mental Health Forum Recommendations:

1. Establish a committee that has been trained to assess quality healthcare services and proper code of conduct for treating and providing care to mentally challenged patients by interviews and or on-site observation.

2. Provide city programs and workshops that help to educate non-mentally challenged persons about living with a mental illness in an effort to promote tolerance and respect for one another in spite of each others differences at least 6 to 8 months out of the calendar year.

3. Provide some incentive for landlords to offer housing to mentally challenged persons.

Simon Circle Boys & Girls Club Meeting – Recommendations:

1. Provide a fixed cost of no more then $100 utility deposit for individuals who's household income is less then 20,000 annually

2. Establish a committee that reviews, and monitors the City of Dover's Customer's Service Division to ensure dealing business between the City and Dover Citizens is dealt in good faith free from duress and retaliatory acts prohibited.

3. To have the City of Dover's Police Department orchestrate a workshop or seminar in the community and school system that focus on educating citizens of Dover about gang activity, formation, and graffiti signs in the city of Dover at least 6 to 8 months out of the calendar year. [**How to become part of the solution to stopping gang formation**]

4. Continue to reach out to Hispanic Community Leaders to voice the concerns and possible remedy for addressing their concerns and increasing the quality of living in their community.

Reed & New Street Brawl Recommendations:

1. Ensure an even application of the law for all parties involved in the Reed & New Street Brawl Incident as it applies to the Delaware Criminal And Traffic Law; **Title 11 Code # 1301** Disorderly Conduct; Unclassified Misdemeanor, title **11 Code # 1302.** Riot; Class F Felony and **Title 11 Code # 1315** Public Intoxication; Unclassified Misdemeanor; Violation.

2. Establish an incentive for landlords to become more proactive in maintaining a climate that is desirable and conducive for housing all citizens of Dover.

3. Implement new ordinance that allows landlords to process undesirable residents out of their unit a lot sooner then 7 days.

Attachment # 4 (4 pages)

ANNUAL REPORT 2010

The Dover Human Relation Commission [**DHRC**] is an advisory body created by the Mayor and City Council in the year 2001. The commission's charge is to focus on helping to decrease racial tension and discrimination throughout the City of Dover.

Pursuant to Chapter 2 – Administrative, Article I, Division 6, Section 2 – 21 of the Dover Code; The Commission has been granted the powers and duties to investigate claims of unfair treatment and develop ways to monitor intergroup conflict among all segments of the City of Dover.

The purpose of the Dover Human Relations Commission is to serve as the focal point for monitoring amicable relations between diverse ethnic groups throughout Dover Delaware.

The goal of the commission is to increase the quality of living in the Dover community by reviewing city programs, activities, functions and ordinance, which would encourage enhanced communication and cooperation among residents of Dover.

The Commission consists of residents that reside in the Dover community that are either appointed by the Mayor or selected by the City Council for a three year term, which commissioners receive no monetary compensation.

The current members of the commission include Samul B. Hoff – Chairman Gregory Bunkley Vice-Chair, Ellen Wasfi, Dr. Phyllis Edamatsu, Paul Fleming, Mark Monroe, Ivan Finney, Dawn Allen-Pyne, and Catherine Gregory.

All Commission Members have experienced the long term demands often requiring considerable time, extended periods and dedication to addressing multi – faceted unfair treatment claims in the City of Dover. The commission efforts are aimed at those who are suffering from discrimination and racial tension in the city of Dover.

Each commissioner has a duty to be non-biased in resolving case disputes and to suggest alternative dispute resolutions between all parties. All commissioners have unique professional and personal characteristics that allow the commission to properly carry out and accomplish effectively the objectives, functions, and services contemplated by **Division 6, Section 2-21 of the Dover Code.**

The Commission has five active committees;

1. Intake Screening Committee Chair [Gregory Bunkley]
2. School Programs Chair [Ellen Wasfi]
3. Assessment Chair [Dr. Phyllis Edamatsu]
4. Election Committee Chair [Mark Monroe]
5. Community Programs Chair [Roy Sudler, Jr.]

In January 2010, the commission heard from members of the audience in regards to the Apology for Slavery Resolution proposed in 2007 by the Dover Human Relations Commission to the Mayor and City Council. Audience members were not only Dover citizens, but Camden and Magnolia as well. The majority of the audience was in agreement with the Apology for Slavery Resolution and thanked the DHRC for initiating the resolution.

In February 2010, the Apology for Slavery Resolution was voted on by the Dover City Council members and the Mayor. The Apology for Slavery Resolution was passed by the council with a vote count of 5 to 3.

In March 2010, the commission voted and approved an Earth Day Proclamation for the 40th Anniversary of Earth Day also; a Proclamation for Mental Health Awareness was voted on and passed by the commission for the month of May.

In April 2010, two intake forms were submitted to the commission. The first intake form involved a wrongful termination claim submitted by Mr. Maurice Parker, which was referred to the State Human Relations Commission for investigation. The second intake form involved an unfair treatment claim against the City of Dover's Planning and Inspections Code Enforcement Officer Mr. Edward Graves, Jr.

In the month of May 2010, the commission held a public form at the Dover Police Department. The forum provided an array of mental health agencies that discussed their unique services and programs for individuals who are faced with diverse mental challenges on a daily basis.

In June 2010, the hearing scheduled for Mr. Andile Ntozake of 777 Slaughter Street Dover, DE 19904 and the City of Dover's Code Enforcement Officer – Edward Graves, Jr. was postponed until July 2010.

The meeting for July 2010 was cancelled.

In August 2010, the State Human Relations Commission was present at the DHRC meeting to discuss the future of the DHRC and the powers, duties, bylaws and mission statement of the State Human Relations Commission. Also, three new members were appointed and welcomed to the commission. Dr. Maisha Britt, Leigh MaCcallum and Willie Jones. After the presentation of the new commission members, the City Council President Ken Hogan and Mayor Carlton Carey, explained to the commissioners why Chairman Samuel B. Hoff and Vice – Chairman Gregory Bunkley were not reappointed to the commission. After Mayor Carey and City Council President Ken Hogan expressed their expectations for the Dover Human Relations Commission, a vote was taken to elect Mark Monroe as the Chair and Willie Jones as the Vice – Chair of the DHRC. By the end of the meeting, Commissioner Paul Fleming resigned and by the end of the month, Mark Monroe stepped down as the Chairman of the DHRC because he was not a resident of Dover Delaware and therefore was not eligible to be on the commission.
In September 2010, the commission did not have a quorum. In spite of not having a quorum for Septembers meeting, Roy Sudler, Jr. – Chair of Community Programs was asked by acting chairman – Willie Jones if commissioner Sudler would accept the nomination for Chairman of the Dover Human Relations Commission. Mr. Sudler's Response was yes!

In October 2010, the Commission took a vote to elect a new chairman of the DHRC. Commissioner Roy Sudler, Jr. was nominated and ran unopposed for the position of Chairman. Commissioner Ivan Finney opposed Mr. Roy Sudler, Jr's leadership as Chairman and resigned immediately after commissioner Sudler was elected Chairman of the DHRC.

In November 2010, Chairman Roy Sudler, Jr. stepped down as Community Programs Chair and Dawn Allen Pyne accepted the position as Community Chair. Also, Dr. Maisha Britt accepted the Intake Chair position that was recently held by Vice Chairman Gregory Bunkley.

On 11 / 3 / 2010 @ 2:30 p.m., an intake form was filled out by a citizen of Dover involving an alleged wrongful termination of employment claim by a handicapped individual. The intake form along with notations was submitted to the new Chair of Intake / Screening for the DHRC – the City Solicitor found no merit in the claim of wrongful termination and therefore, the City Clerks Office informed the intake applicant that no hearing would be conducted by the DHRC at this time.

On 11 / 8 / 2010 @ 8:45 a.m., Chairman Sudler was contacted by the **Delaware State Human Relations Commission** [**Mr. Raymond Paylor**] in reference to the status of Mr. Ntosake's hearing \ appeal. Chair Sudler advised Mr. Paylor that the DHRC encouraged Mr. Ntosake to file an appeal with the city of Dover's Board of Appeals. Mr. Paylor asked that we keep the State Humans Relations Commission updated with the results of Mr. Ntosake's case.

On 11 / 11 / 2010, @ 2:30 p.m. Chairman Sudler was contacted by Mr. Ntosake to discuss the nature of his concerns and his overview of the dilemma. After reviewing his evidence and listening to his concerns, Chair Sudler advised him to continue to work with the Code Enforcement Division and follow the City of Dover's Appeal Process according to the Planning & Inspection Code. Mr. Ntosake expressed that he was eager to resolve the housing violations but had limited financial resources and not enough time to be in compliance with the code enforcement officer's summons.

In closing the 2 hour meeting with Mr. Ntosake, he said that by **11 / 1 9 / 2010**, he would call Mrs. Ann Marie Townsend to request an appeal of the summons and citations issued to him by Mr. Edward Graves, Jr.- Code Enforcement Officer instead of seeking legal action against the City of Dover.

The December 2010 meeting was cancelled and in conclusion of the year 2010, the Dover Human Relations Commission continues to promote amicable relations among all citizens of Dover and aim efforts towards helping to eliminate racial tension and unfair treatment throughout the City of Dover.

Attachment # 5 to May Minutes

Alisha Parker
1289 Walker Rd.
Dover, DE 19904

RE: Grievance Code **V**. Section (**A**)

Dear Ms. Parker:

On **April 13, 2011 @ approximately 9:00 a.m.,** a formal hearing was held in the conference room of Liberty Court Management pursuant to **Code V. Section (a)** of the Delaware State Housing Authority's Grievance Procedures.

According to Code V. Section (a), you were granted a formal hearing between the DSHA Site Manager of Liberty Court Management – Deborah Walker and Chairman of the Dover Human Relations Commission – Roy Sudler, Jr. [non-partial person]

In the formal meeting, Ms. Walker presented three Late Payment Notices that exemplifies
a Breach of Contract in adhering to **Section 14 (a)** of your Lease Agreement, which states, "Three late payments within a twelve month period is just cause for eviction".

After reviewing the facts presented by Ms. Walker and taking into consideration your presentation of defense, unfortunately, it is my recommendation that the decision to terminate your rental agreement under Section 14 (a) of the Delaware State Housing Authority's Rules & Regulations is valid and constitutes grounds for terminating your rental agreement.

- If you have any further questions concerning this matter, then please don't hesitate to contact Ms. Deborah Walker – Housing Manager II – DSHA @ (302) 739.7416

Respectfully,

Roy Sudler, Jr. Chairman – DHRC

Cc: Deborah Walker, Housing Manager II