

May 1, 2023

COUNCIL WORK SESSION
Harold E. Getty Council Chambers
4:50 p.m.

Roll Call.

Members present: Mayor Pro-Tem in the Chair, Boesen, Creighton-Smith, Chiles, Grieder, Wilder and Feuss. Mr. Nichols arrived at 5:20 p.m.

Agenda, as proposed or amended.

Grieder/Wilder
that the agenda, as proposed or amended, be approved. Voice vote-Ayes: Six. Motion carried.

Approval of Minutes of April 17, 2023, as proposed.

Grieder/Wilder
that the minutes of the April 17, 2023 Council Work Session, as proposed, be approved. Voice vote-Ayes: Six. Motion carried.

Discussion of an ordinance amending Article C, Unfair Practices-Conversion Therapy, of Chapter 3, Human Rights, Title 5, Police Regulations.

that "Discussion of an ordinance amending Article C, Unfair Practices-Conversion Therapy, of Chapter 3, Human Rights, Title 5, Police Regulations.", be . Voice vote-Ayes: Seven. Motion .Mr. Grieder explained that during the period of time the initial ordinance was tabled, he had conversations with council members and the ordinance and resolution proposed is a product of that compromise. He then provided an overview of the proposed ordinance and resolution.

Mr. Boesen questioned the number of documented conversion therapy cases in Waterloo.

Mr. Grieder explained that some of that data is privacy protected, but that Iowa Safe Schools and other LGBT organizations have reported that it is happening in the area.

Mr. Boesen questioned if there had been any conversation with Director Funchess regarding the proposed ordinance, since this would increase the work load to his department if people begin to file complaints.

Mr. Grieder explained that he worked two council members and the city attorney to come up with a compromise that would work.

Mr. Boesen requested that Abraham Funchess, Human Rights Director, address how this ordinance would pertain to his work load.

Abraham Funchess, Human Rights Director, commented that he and his department are in favor of the ordinance as a protective measure. He explained that each case would take approximately eighteen months to investigate. However, he does not expect the ordinance to burden the work load for his department because of the built-in mechanism of sending out a

letter then following up with an ethical violation sent to the state.

Ms. Wilder thanked Mr. Grieder for trying to find a compromise and shared thanked Mr. Funchess for being willing to take on the work load.

Mr. Chiles commented that he supports the idea but cannot vote for it if it creates a liability to the city.

Mr. Grieder explained that the city's role is to notify the violation by letter, but the enforcement is from the licensing body. Therefore, there would be no liability on the city for it's role in the process.

Mr. Chiles questioned what would happen if it was being carried out by someone that is not licensed.

Mr. Grieder clarified that the ordinance only applies to licensed individuals.

Mr. Feuss thanked Mr. Grieder for his work on the proposed ordinance.

Mr. Boesen questioned the time frame for licensing bodies to do investigations.

Mr. Grieder commented that it could be a few weeks or a few months, it is just dependent on workload for the licensing body, time of year, etc.

Mr. Nichols questioned the typical time line for infractions we are involved with to be investigated.

Martin Petersen, City Attorney, commented that it would depend on the citation in reference to code enforcement. In the case of this, if a referral came to his office, he would want to investigate it, so with interviews, etc., he estimated that it could take about a month.

Mr. Boesen commented that the ordinance does not state that the city attorney's office would investigate and questioned how an investigation would take place with the HIPAA laws as they are.

Martin Petersen explained how the process would work.

Mr. Feuss commented that the ordinance does not preclude any other enforcement power, so it could include the city attorney, not just the commission.

Mr. Chiles questioned if this could already be investigated by Mr. Funchess's office if someone reported an issue today.

Mr. Grieder clarified that this specific practice cannot be investigated at this time as it would need to be included in their ordinance.

Mr. Chiles questioned if Mr. Funchess would feel comfortable acting on a case if it was filed today.

Mr. Funchess commented he would not, and would encourage the complainant to look at the

child abuse law through the Department of Human Services.

ADJOURNMENT

Grieder/Wilder

that the meeting adjourn at 5:09 p.m., be approved. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk