



CITY OF CHARLESTON WEST VIRGINIA



Council Member – Ward 5

Jeanine Faegre
501 Virginia St. E.
Charleston, WV 25301
Telephone: 304-545-8018
jfaegre@hotmail.com

Ordinance and Rules Committee, Chair
Parks and Recreation Committee

TO: Ordinance and Rules Committee
FROM: Jeanine Faegre, Chair
RE: Committee Meeting

THE MEETINGS WILL BE MADE AVAILABLE TO THE PUBLIC VIA ZOOM

There will be a Committee meeting of Ordinance and Rules on September 1, 2021 at 5:30 PM

***Join via internet:**

<https://us02web.zoom.us/j/82074938310?pwd=TnkwdmpvaVN5MkNxMW5odDIUd3pIdz09>

Passcode: 091885

***Join via Telephone: (312) 626-6799 or (929) 436-2866**

Webinar ID: 820 7493 8310

Agenda

APPROVAL OF PREVIOUS MINUTES

1. 7-27-2021

RESOLUTIONS

1. Resolution No. 529-21 - Amending Rules No. 3 and No. 13 of the Rules of Council to require that appointment recommendations from the Mayor to City Council be filed with the clerk by 12:00 noon on Friday immediately preceding the day of the meeting considering the recommendation; that each recommendation be made individually and voted on individually; and that each recommendation state whether the person has a familial relationship with the Mayor, any Member of Council, and any member of the Mayor's Administration.

ADJOURN

JF/ns

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

5:30 P. M., JULY 27, 2021

THE MEETING WAS MADE AVAILABLE TO THE PUBLIC AND AS A LIVE STREAM VIA ZOOM (PER THE AGENDA).

Jeanine Faegre, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 5:30p.m., JULY 27, 2021.

Committee Members Present:

Jeanine Faegre, Chair
Bobby Reishman, Vice Chair
John Kennedy Bailey (via Zoom)
Bobby Haas
Courtney Persinger (via Zoom)
Robert Sheets
Keeley Steele

Absent:

None

Councilmembers also Present:

Caitlin Cook
Pat Jones (via Zoom)
Bruce King
Adam Knauff
Chuck Overstreet (via Zoom)
Shannon Snodgrass (via Zoom)

1. Approval of Previous Minutes – Councilmember Reishman moved to approve the minutes of the previous meeting on 5-27-2021. Councilmember Sheets seconded. There was no objection, and the minutes were approved.

2. Bill No. 7919 – A BILL to amend the Municipal Code of the City of Charleston, by adding thereto four new sections, designated Section 58-51, 58-52, 58-53, and 58-54, all relating to protecting the safety and health of Charleston residents—and promoting the public safety, health, welfare and good order of said residents—by prohibiting conversion therapy; defining terms; setting forth enforcement provisions, and stating penalties association with violation.

Councilmember Faegre asked Councilmember Cook to speak about the bill since she introduced it. Councilmember Cook stated that the bill does not impact religious entities, it maintains separation of church and state and only pertains to minors. The bill is about protecting and valuing the LGBTQ+ youth community. Councilmember Cook added that the practice of conversion therapy has detrimental short- and long-term effects. Youth that undergo this dangerous practice are more likely to experience depression, self-harm and suicide. Conversion therapy is the intent to make a person that is an “A” (whatever that may mean) into a “C.” She added that it does not concern talking about feelings regarding sexual orientation or identity. Councilmember Cook gave an example of conversion therapy to be if her parents had sent her to a therapist with the intent to make her straight. The bill would not prohibit families from seeking counseling or therapy for their children or as a family to discuss sexual orientation or gender identity. Councilmember Cook reiterated that conversion therapy is the expressed intent to change someone’s sexual orientation or identity. Every major medical association in the country agree that no minor should be subjected to conversion therapy. Bills such as the one proposed are currently enacted in more than twenty states and ninety municipalities. Councilmember Cook added that the proposed bill is not in contradiction to State law. The bill protects the youth, maintains religious liberties and acts on what the medical community has asked to be done.

Carling McManus was invited to speak to the Committee. The letter also presented to the Committee is reproduced at the end of the minutes.

Councilmember Reishman added that he had spoken to a close friend who is the head of a psychiatric hospital, and was told that the bill covered all of his concerns. This medical professional was happy with the bill as written, and was pleased that it was happening.

Councilmember Steele added that they speak often about how progressive Charleston is compared to the rest of the State. She stated that she wants to make Charleston a friendly place for people to move, and this bill will help to do that.

Councilmember Faegre stated that she had not been aware of conversion therapy until contacted by Councilmember Cook. Since there is so much to learn about it, she would like to hear more from both sides, especially since the subject also addresses the safety of children. Councilmember Faegre suggested that they not vote on the at the meeting, and have another meeting to hear from all sides.

Councilmember Persinger added that he doubted that the Committee was in favor of conversion therapy. His issue is that they would be making it a law when he could not find any evidence that conversion therapy was being practiced within the City. Councilmember Persinger suggested that that a resolution opposing conversion therapy be written instead. City Attorney, Kevin Baker, advised that the bill could not be materially amended into a resolution, however, a resolution could be written and submitted separately.

With no further discussion, Councilmember Reishman made a motion to approve the bill. Councilmember Steele seconded.

A roll call was taken:

Yeas: Faegre, Reishman, Bailey, Haas, Sheets, Steele

Nays: Persinger

With the Yeas being in the majority, Bill No. 7919 was approved.

Councilmember Reishman motioned to adjourn the meeting. Councilmember Steele seconded. Meeting adjourned.

My name is Carling McManus, I am a property and business owner in Charleston, WV.

The following is a summary of my experience surviving conversion therapy which I am sharing with members of Charleston's City Council so that a deeper understanding of this issue may be reached and so that Charleston may take action to better protect its young people and their families.

I would also like the members of Charleston's City Council to know that I am willing to meet individually in case there are questions that may be difficult to ask in such a public setting. My phone number is 617-240-7311 for those who would like to continue the conversation.

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When I was 13 years old in 1997, I told my parents that I thought I may be gay. They expressed disappointment and said I must be confused. They set up appointments with a therapist who they felt would be more qualified to "help" me than they were.

The therapy lasted about a year. The therapy consisted of treatments using shame, guilt, and humiliation in order to change my sexual orientation.

The therapist repeatedly forced me to describe sexual content in detail. My visible discomfort with these experiences was used as evidence that my sexual orientation was a problem that needed to be treated. The more discomfort I felt, the more therapy was required for treatment.

Some sessions lasted 2+ hours. Some sessions included my parents, who were asked to tell me how my sexual orientation was hurtful to them and disappointed them, they were also present while I was forced to describe my attraction to women in detail. I was often taken out of school for hours at a time for these appointments. This brought attention from other students and teachers, who treated me like I was sick.

The therapist made claims that if I were gay, I would never be able to get a job, I would never be happy, I would spend my life suffering, that my choice to be gay would only cause my family pain, and that if my grandparents found out, their shock and disapproval would cause them so much stress, it could potentially kill them.

I asked repeatedly to stop the treatment, but my asking to stop was also understood to be proof the therapy was working. These traumatic experiences caused me a lot of anxiety, intense trepidation and fear.

I experienced feelings of hopelessness and began to believe that the sessions would never stop. It was already difficult knowing that I was different than my peers and the prevailing culture, but knowing that my parents and their trusted therapist rejected me was devastating. The hopelessness caused me to wish I were dead instead of continuing to live through the humiliation and shame.

As a last resort I begged to apply to boarding school and was able to prove to the therapist that I was ready and able to go by telling her that I had a boyfriend. The relationship was disingenuous, the boy was a friend, but the therapist believed she had successfully converted me and I went back into the closet at age 14 in 1998.

Resolution No. 529-21

Introduced in Council:

August 16, 2021

Introduced by:

Adam Knauff

Adopted by Council:

Referred to:

Ordinance and Rules

Resolution No. 529-21 - Amending Rules No. 3 and No. 13 of the Rules of Council to require that appointment recommendations from the Mayor to City Council be filed with the clerk by 12:00 noon on Friday immediately preceding the day of the meeting considering the recommendation; that each recommendation be made individually and voted on individually; and that each recommendation state whether the person has a familial relationship with the Mayor, any Member of Council, and any member of the Mayor's Administration.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That Rules No. 3 and No. 13 of the Rules of Council be amended, all to read as follows:

Rule No. 3. - Filing of papers to be introduced at city council meetings, and action thereon by clerk of council.

In order to promote the orderly conduct of the business of the city council and the timely preparation of an accurate agenda, the following rules are hereby established:

(a) All bills, resolutions, petitions, committee reports, communications, appointments, and other documents for consideration by the city council must be filed in the office of the clerk of the council not later than 12:00 noon on Friday immediately preceding the day of the meeting at which it is intended they be considered; provided that this restriction shall not apply to the mayor or the mayor's designated deputy; provided, however, that any written mayoral recommendation or communication for the appointment of any individual to a position, board, or seat that requires the consent of Council may not contain more than one individual appointee and shall be filed by 12:00 noon on Friday immediately preceding the day of the meeting and such recommendation or communication shall include a statement disclosing any familial relationships the recommended appointee has to the Mayor, any Member of Council, and any member of the Mayor's Administration. For the purposes of this rule, "Mayor's Administration" means any employee of the City of Charleston who holds a position of influence, including but not limited to the City Manager, City Solicitor, Department Directors, or assistants to the Mayor.

1 (b) Nothing herein shall be construed to prohibit any member of the city council,
2 at the proper order of business, from introducing or submitting any bill, resolution,
3 petition, committee report or communication during any regular meeting.

4 (c) The clerk of the council shall assign a serial number to each bill and
5 resolution introduced and shall have authority to edit and correct them as to form.

6 (d) No bill or resolution shall be filed with the clerk of the council or introduced
7 from the floor unless it bears the signature of at least one member of the city council as
8 sponsor. Any member of the city council, for this purpose, may verbally authorize the
9 clerk of the council or any of the clerk's deputies to sign the member's name thereto.

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11 **Rule No. 13. - Call for a division of a question.**
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13 Any member of the city council may call for a division of any question before a
14 vote is taken thereon if it comprehends propositions in substance so distinct that, if one
15 proposition be taken away, another substantive proposition remains for decision by the
16 city council; but a member of the city council calling for a division of a question shall
17 state in what manner the question shall be divided. Notwithstanding the foregoing,
18 every vote regarding the appointment of a person to any position, board, or seat shall
19 be taken individually, identifying each proposed appointment for its own separate vote,
20 and under no circumstances may multiple proposed appointments be combined for a
21 single vote.