

**CITY OF NEWARK
DELAWARE
DIVERSITY AND INCLUSION COMMISSION MINUTES**

March 25, 2025

MEETING CONVENED: 7:07 p.m. Microsoft Teams

MEMBERS PRESENT: Joel Murphy (Chair - Presiding), Richard Gaskins, Tamesha Garnett, C. Linwood Jackson, Sasha Aber, Patrick McCloskey

STAFF: Diana Reed, Deputy City Secretary
Tara Schiano, City Secretary
Devan Hardin, Assistant City Manager – Personnel (Virtual)

1. CALL TO ORDER:

The meeting was called to order by Mr. Murphy, at 7:07 p.m.

2. MOMENT OF SILENCE:

Mr. Murphy offered a moment of silence.

3. ROLL CALL:

- In attendance were Joel Murphy, C. Linwood Jackson, Sasha Aber, Tamesha Garnett, Richard Gaskins, and Patrick McCloskey.

4. PUBLIC COMMENT:

- Glenn Schmalhofer, District 2, noted the recent executive order signed by the president and questioned why the commission remained in operation. He believed diversity, equity, and inclusion (DEI) practices are “Marxist anti-white discrimination,” communist, and oppose that all men are created equal. He claimed that the United States of America is supposed to be a meritocracy, where things are awarded to individuals based on merit, not skin color. It was also his opinion that Newark is not an inclusive city due to the student home ordinance and that landlords and students are excluded from the considerations of City Council. Ms. Aber responded to his comment by stating that Newark is a city that welcomes every person and will continue to embrace that. Ms. Schiano provided clarification that the City is aware of the constant changes and modifications, and any decision to rename or change a board or commission will be addressed publicly. She added that there has been no discussion or information given regarding a change to this commission at this time.
- Opal Palmer, District 2, stated that she has listened to multiple Diversity & Inclusion Commission meetings and did not understand the commission's goal. She did not believe this group was viable and was concerned that DEI assemblies were a form of racism toward white people. She was concerned DEI is creating a group of people that will consider themselves disenfranchised if they cannot work under DEI. She believed the USA is the most inclusive country and stated her pleasure that the president declared DEI should no longer be a focus in American culture. She did not understand what the commission was trying to achieve. She stated she felt insulted by this group. She expressed her concern and belief that this group needs to be revisited. She noted that the previous meeting mentioned a letter received from a Councilwoman, who stated that the City of

Newark stands behind the D&I Commission. She questioned the authority of this Councilwoman to make such a statement. She believed such a letter went against the federal government's decision.

- Mr. Murphy appreciated both comments and stated this group's goal is to provide clarity and ensure every voice is heard, no matter if they agree or disagree.

5. APPROVAL OF FEBRUARY 25, 2025 MEETING MINUTES:

- Mr. Gaskins stated that, under the section of New Business, during his discussion on how to strengthen the commission's efficiency, the word "inclusive" was used. He offered a correction that this should be changed to "conclusive."

MOTION BY MR. JACKSON, SECONDED BY MS. ABER: TO APPROVE THE FEBRUARY 25, 2025 MEETING MINUTES WITH THE STATED CORRECTIONS.

MOTION PASSED. VOTE 6 to 0.

Aye – Aber, Gaskins, McCloskey, Murphy, Jackson, Garnett.

Nay – 0.

Absent – 0.

6. DISCUSSION REGARDING RELIGIOUS HOLIDAY DISPLAYS ON ACADEMY LAWN:

- Ms. Reed noted she had included a news article from Dewey Beach, which was the only municipality that responded to her all-call email who stated they had a multi-religious holiday display.
- Ms. Aber had sent out an article containing a court ruling in Alleghany County, PA, that ruled a nativity scene was considered religious and not permissible, but a menorah was considered non-religious and permissible due to being referred to as a general symbol of peace – like a Christmas tree.
- Ms. Reed noted that the article contained discussion which she believed did not provide clarity. Staff wish to ask the City Solicitor to review the article and provide a synopsis on that decision. The commission agreed to table this discussion until receiving a response from the City Solicitor.
- Ms. Aber stated she noted that she had reached out to Rabbi Vogel about a menorah and would report his response as old business at the next meeting, should she receive it by then.

MOTION BY MR. JACKSON, SECONDED BY MR. MCCLOSKEY: TO TABLE ITEM 6 UNTIL MAY WHEN WE GET FURTHER INFORMATION TO COMMENT ON IT.

MOTION PASSED. VOTE: 6 TO 0.

Aye – Aber, Jackson, Gaskins, McCloskey, Murphy, Garnett.

Nay – 0.

Absent – 0.

- Glenn Schmalhofer, District 2, believed it was unfair to remove a nativity scene from a holiday display. It was his opinion that this act would be an attack on Christianity.
- Opal Palmer, District 2, asked for clarification on the expansion of religious displays, and Mr. Schmalhofer misunderstood the previous comments as to say the City Solicitor disapproved of

including a nativity scene in a holiday display. Ms. Reed clarified this was a ruling in Alleghany County, PA, and the commission inquired as to whether that ruling would apply in Newark. The City Solicitor has not yet provided an opinion on this matter.

7. DISCUSSION REGARDING COUNCIL CONCERNS REGARDING CAMPS AND ACTIVITIES:

- Mr. Murphy stated he had a discussion with both District 2 Councilwoman Corinth Ford and District 4 Councilwoman Dwendolyn Creecy, who both had personal experiences they could not involve their children in the available camps or after-school activities due to being limited to a very specific time. Ms. Creecy appreciated the commission's research, efforts, and inquiry with Parks & Recreation Director Paula Ennis to obtain more information about this initiative. Mr. Murphy believed that this exercise resurfaced more information than what was previously known to the commission and the Councilwomen. If the commission wanted to provide a recommendation for a tool to help staff with this effort, he believed it was worthwhile based on the information received. It was concluded that the Councilwomen are satisfied with the commission's inquiry. There was a consensus among the commission to close this item and remove it from their priorities.
- No public comment on this item.

8. DIVERSITY & INCLUSION COMMISSION PROCESSES AND EFFICIENCY:

- Mr. Gaskins explained he has observed that every member of the commission is committed and working hard to pursue the commission's vision and strategies, but he believed they should take a strategy-oriented approach rather than a task-oriented approach. It was his opinion that the commission should consider taking on work assignments and become a working committee; investigate what practices other D&I commissions around the State are doing; potentially network and link with other organizations; involve themselves with memberships in other organizations; and improve their self-management such as ensuring a quorum and adhering to agenda timelines. He suggested that the commission receive training in its roles and responsibilities, as well as pursue potential intercultural training for City staff. He believed there should be an attendee at each commission meeting who is well-informed on Robert's Rules of Order. He noted that he had spoken to every commission member, many of whom had expressed their frustration with how the commission operates, and there were multiple members who were unsure or had decided they would not extend their terms. He believed the D&I Commission should primarily focus on membership and strengthening the commission, which can be done by two subcommittees – one dedicated to studying and bringing ideas for commission replacements and another to do the same about ideas for strengthening the commission. The commission members can return in April for their feedback. Mr. Jackson wished to note in the record that all these statements reflect only Mr. Gaskins's opinion.
- Mr. Murphy clarified that each member of the commission is appointed by a City Council member, but the commission members are not required to recruit or find replacements to fill their seats. Mr. Gaskins agreed but believed it would be beneficial to consider this as the commission could provide suggestions or recommendations to Council. Ms. Aber thanked Mr. Gaskins for the time he has worked on this and agreed the group still needs more direction.
- Ms. Schiano affirmed that Mr. Murphy was correct, but the commission can reach out to their Council Members and notify them of any individuals interested in serving. Additionally, she and Diana are both Legislative Services staff members who are well-versed in Robert's Rules, but there are some occasions where new items arise, they may not be familiar with or have experienced before. If the commission has a question of this nature, they can ask the Legislative Services staff,

and the staff will research the answer and provide feedback if they do not know it themselves. She noted staff members will sometimes bend the rules in how the meetings are operated so as not to be disruptive of the commission's activities. Ms. Reed clarified following the last meeting where all members abstained from a vote, staff researched the proper procedure and determined if that occurs, the motion is not considered to be either passed or failed and it is the discretion of the body on how to proceed.

- Mr. Murphy believed the commission should either follow Robert's Rules or elect not to follow them, and that should be stated upon the recruitment of a commission member. Mr. Jackson understood that Robert's Rules is more of a guide rather than concrete procedures that a public body is required to follow. He believed it would be understandable for the commission to follow some, but not all, of Robert's Rules if it were their choice. Mr. Murphy elected to move this discussion of Robert's Rules to a separate topic as he believed this conversation deviated from the original topic.
- Opal Palmer noted Mr. Gaskins' suggestions and observed they were of his own opinion and volition. She did not believe there was any cohesiveness, direction, or guidance with the commission and understood Mr. Gaskins's concerns. She wished to see the D&I Commission pursue Item 8 in future meetings. Mr. Murphy replied that the commission has a vision and mission statement that defines the activities, goals, and strategic positions to be taken each year. This is also outlined in its annual report. While he appreciated Mr. Gaskins' suggestions, opinions, and observations, he did not believe they were properly informed specific to the design of the commission.

9. **OLD/NEW BUSINESS:**

- ***Old business:***
 - Veteran Banners – *asked by Mr. Schmalhofer, answered by Mr. Murphy.* Mr. Murphy shared that a recommendation was made by the commission following a presentation from Newark National Association for the Advancement of Colored People (NAACP) President Dr. Freeman Williams regarding the project's positions. Ms. Palmer provided public comment, expressing concern about how it would appear to see only one group of people on New London Road and another on Main Street. Mr. Murphy explained that the commission's goal is to increase inclusivity and create a broader view of diversity and inclusion within the City of Newark. They want to ensure the unrecognized heroes on Main Street receive the acknowledgment that they deserve.
- ***New business:***
 - Strengthening the commission — *by Mr. Gaskins.* Mr. Gaskins wanted to discuss how to strengthen the commission and how to find new members to fill the commission seats. He wanted this item to be on their April agenda.
 - Ms. Aber's departure from the commission – *by Ms. Aber.* Ms. Aber noted her term is expired and she has requested not to be reappointed due to her health. She has also been asked to serve on another commission. Her last meeting on the commission will be in May 2025. She spoke with the current Mayor, who had appointed her, and he stated that his successor will choose who will fill her seat.

10. **ADJOURNMENT:**

Mr. Jackson motioned to adjourn.

Mr. Murphy adjourned the meeting at 9:03 p.m.

Jordan L. Herring
Administrative Professional I

/jlh