



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft ETHICS BOARD

Wednesday, October 1, 2014

4:30 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (City-County Building)

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 4:37 PM by Vice Chair Drew Cochrane. Vice Chair Cochrane noted that a quorum was present. Assistant City Attorney Steve Brist informed the Board that the meeting notice had been properly posted and noticed.

Present: 4 - Michael E. Verveer; William C. Keys; Samuel L. Owens and Drew Cochrane

Excused: 3 - Mary Czyszczak-Lyne; David Albino and James D. Cobb

Others Present: Assistant City Attorney Steve Brist.

2. APPROVAL OF MINUTES

A motion was made by Samuel Owens, seconded by Bill Keys, to approve the minutes of July 30, 2014 meeting. The motion passed by a voice vote.

3. PUBLIC COMMENT

There was no public comment.

4. DISCLOSURES AND RECUSALS

Bill Keys indicated that he was the campaign treasurer of Alder Mark Clear's opponent in the past primary for the Assembly. Because that race was concluded, Bill Keys indicated that he would disclose this information but would not recuse himself at this meeting, because the primary election was over.

ADVISORY OPINION REQUEST

5. [34942](#) Request of Alder Mark Clear for Advisory Opinion regarding disclosures or recusals related to Alder Clear's ownership of Clear Solutions, LLC, which consults for Accelerate Madison, Inc, ("Accelerate") a program of the Greater Madison Chamber of Commerce ("Chamber").

Attachments: [Alder Mark Clear's Request for Advisory Opinion. Dated 6-2-14.pdf](#)
[STEVE BRIST MEMO RE Alder Mark Clear's Request for an Advisory Opinion](#)
[Advisory Opinion City of Madison Ethics Board.pdf](#)
[ADVISORY OPINION ALDER MARK CLEAR changes by Ethics Board.10-3](#)

The Board discussed the draft opinion that was prepared by ACA Brist at the Board's request at the last meeting. Samuel Owens and Bill Keys indicated that they felt that the draft reflected the directions the Board had given at the last meeting. Alder Mike Verveer indicated that although he had not been present at the last meeting that he had policy concerns about the last four or five lines of the draft. Alder Verveer noted that several of his colleagues would abstain on matters before the Common Council that related to their employers and that 30 to 40% of the revenues of Clear Solutions was a significant amount. He also stated that the Chamber often lobbied on issues but rarely did those issues involve the direct financial interest of the Chamber. He stated that an example was a pending proposal to change the City's sign ordinance. Drew Cochrane stated that he was concerned that the draft created a "de minimis" exception in the Ethics Code that did not exist in the ordinance. He also stated that Alder Mark Clear had requested an answer to the question as to whether he should recuse himself from a matter before the council on which the Chamber had lobbied. He felt that the opinion should respond directly to that question.

The Board, by consensus, directed ACA Brist to make non substantive changes, including striking the word "four" in several places, changing the tense to the present tense and adding ellipses where necessary. Samuel Owens moved that on the last page, the language beginning with the word "However" continuing through the end of the text of the draft, be stricken. Bill Keyes seconded the motion. The motion passed on a voice vote.

Samuel Owens moved that in questions 2 and 3 the language "relating to the Chamber" be stricken and replaced by the language "matters that come before the Common Council on which the Chamber has lobbied" Bill Keys seconded the motion. The motion passed on a voice vote.

Samuel Owens moved to adopt the draft as amended. Bill Keys seconded the motion. The motion passed on a voice vote.

There being no further business on the agenda, Samuel Owens moved to adjourn. Alder Verveer seconded the motion. The motion passed on a voice vote. Vice Chair Cochrane declared the meeting adjourned at 5:27 p.m.

6. ADJOURNMENT

There being no further business on the agenda, Samuel Owens moved to adjourn. Alder Verveer seconded the motion. The motion passed on a voice vote. Vice Chair Cochrane declared the meeting adjourned at 5:27 p.m.