



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Draft ETHICS BOARD

Thursday, December 19, 2013

4:30 PM

215 Martin Luther King, Jr. Blvd.
Room 313 (Madison Municipal Building)

1. CALL TO ORDER / ROLL CALL

Present: 4 -
Michael E. Verveer; William C. Keys; Mary Czyszczak-Lyne and Drew
Cochrane

Absent: 1 -
David Albino

Also present, Assistant City Attorney Steve Brist.

2. APPROVAL OF MINUTES

A motion was made by Bill Keys, seconded by Drew Cochrane, to Approve the Minutes of June 4, 2013 Minutes. The motion passed by voice vote/other.

3. PUBLIC COMMENT

There was no public comment.

4. DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

5. NEW BUSINESS

6. Election of Chairperson and Vice Chairperson.

Bill Keys nominated Mary Czyszczak-Lyne as Chair. There were no other nominations. Keys moved that nominations be closed and a unanimous ballot be cast for Mary Czyszczak-Lyne. Drew Cochrane seconded the motion. Motion passed.

Bill Keys nominated Drew Cochrane as Vice Chair. There were no other nominations. Bill Keys moved that nominations be closed and a unanimous

ballot be cast for Mary Czyszczak-Lyne. Ald. Verveer seconded the motion.
Motion passed

7. [30416](#) Satya Rhodes-Conway Email Regarding Post-Employment/Appointment Restrictions MGO Sec. 3.35(5)(i)&(j). Dated April 3, 2013

Attachments: [RHODES-CONWAY.POST EMPLOYMENT EMAIL..pdf](#)

ACA Brist stated that item 7 was moot, because of the adoption by the Common Council of the ordinance change to the Ethics Code, Item # 30154, which was recommended by the Ethics Board at its last meeting.

Ald. Verveer moved that Item 7 be recommended to Place on File. Bill Keys seconded the motion. Motion passed on a voice vote. This item was placed on file without prejudice

8. [30889](#) Amending Sections 3.35(5)(i)1., 2., 3., and 4. of the Madison General Ordinances to clarify the 12-month prohibition on lobbying by former public officials.

ACA Brist stated that Ald. Verveer was the sponsor of Item #30889. Brist stated that this Item had been drafted in response to questions raised by Alder Verveer at the last meeting. The proposal clarifies that former public officials may not be registered as lobbyists during the 12 month period after they leave office.

A motion was made by Ald. Verveer, seconded by Drew Cochrane, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

9. [31253](#) Confirming and Ratifying Certain City Official and Employee Appointments to Outside Boards and Committees and Directing An Annual Update of Such Appointments

Attachments: [Exhibit A.pdf](#)

ACA Brist stated that Item #31253 was drafted by City Attorney Michael May, at the request of the Mayor. Brist said that Sec. 3.35(2) (a) of the Ethics Code, a person subject to the ethics code must report when they serve as a officer or board member of an organization with which they are "associated". An exemption to the "associated" definition is provided for elected officials who were appointed by the mayor and Council as an officer or board member of a private non-profit organization in their official capacity. Item #31253 relates to applying the same exemption to employees as is applied to elected officials. Item#31253 is a Council resolution to confirm and ratify the service of employees and elected officials on public boards or committees or the boards of nonprofit organizations, where the employee is serving in the position because it is directly related to their service to the city as employees. He stated that, for example, two assessors served on a statewide committee of the Wisconsin Association of Assessing Officers, and that the City Risk Manager served on the Board of Directors of the Wisconsin Mutual Municipal Insurance

Company. Verveer moved that Item #31253 be recommended for adoption. Keys seconded the motion, stating that he made the second for the purposes of discussion.

Discussion followed. Cochrane and Keys raised the concern that, by approving the resolution they were also approving the list attached to the resolution. Cochrane stated that he did not know, just from looking at the list, whether there was a nexus between the employee's position and their service on a board or committee. Cochrane stated that he did not just want to be a "rubber stamp" or give "carte blanche" approval that an employee should be exempt from the "associated" requirement. He said that 99 times out of one hundred there would be no problem, but he was concerned about the 1% of the time. He stated that without knowing the process of investigation that had been used to determine the relationship between the employment and the position, he was not comfortable approving the resolution at this time. It was suggested that perhaps some of the people who were on the list could come to a meeting and explain why the nonprofit was related to their city position. It was also asked, who makes the call that someone gets on the list?

A motion was made by Drew Cochrane, seconded by Bill Keys, to Refer to the ETHICS BOARD. The motion passed by voice vote/other.

10. [32354](#) Reminder that all members of City of Madison committees, commissions, or boards must file a Statement of Interests form with the City Clerk's Office by January 7, 2014.

ACA Brist stated that Item 10 required no Committee action, and that it was a reminder to Committee members to complete an online Statement of Interests by January 7, 2014.

11. ADJOURNMENT

A motion was made to Adjourn. The motion passed by voice vote/other.