



City of Madison

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

Tuesday, November 29, 2016

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 108 (City-County Building)

1. CALL TO ORDER / ROLL CALL

Present: 5 - William C. Keys; Mary Czyszczak-Lyne; David Albino; Joseph B. Baring and Drew Cochrane

Absent: 2 - Michael E. Verveer and James D. Cobb

Others Present: City Attorney Michael P. May and Gregg McManners

Quorum present meeting properly noticed.

2. APPROVAL OF MINUTES

Motion by Bill Keys, seconded by Joseph Baring to approve the minutes of October 25, 2016. Passed on voice vote.

3. PUBLIC COMMENT

There was no public comment.

Alder Verveer arrived at 5:14 and was recused on Item 5

Present: 6 - Michael E. Verveer; William C. Keys; Mary Czyszczak-Lyne; David Albino; Joseph B. Baring and Drew Cochrane

Absent: 1 - James D. Cobb

4. DISCLOSURES AND RECUSALS

NEW BUSINESS

5. [45069](#) Approval of Ethics Board Formal Decision in: Katherine M. Hurtgen, Associate Director Monona Terrace, Complainant v. Gregg McManners, Executive Director Monona Terrace, Subject of Complaint

Attachments: [ETHICS BOARD FINAL DECISION Katherine Hurtgen v Gregg McManners . 11-30-16 Letter from Atty Elkins RE: Hurtgen v McManners Final Decision.pdf Ethic Board FINAL DECIISON RE Katherine M. Hurtgen v Gregg McManner](#)

The Board reviewed the draft decision prepared by City Attorney May. The Board received a letter from Attorney Leslie Elkins on behalf of Katherine Hurtgen, which will be placed in the file. The letter requested two changes in

the draft decision: one related to Ms. Hurgen's job title and one related to the description of Count 2 of the complaint. City Attorney May relayed that he had received a verbal request on behalf of Mr. McManners to add a statement to the effect that "there were no allegations or information that Mr. McManners obtained any personal benefit or had a conflict of interest."

The Board directed City Attorney May to only make the change related to Ms. Hurtgen's title. The Board determined that the draft decision's description of count 2 was adequate. The Board determined that the draft decision already stated that no part of the complaint alleged a violation of sec. 3.35(5), MGO, which was the essence of the change requested on behalf of Mr. McManners, and going further might imply that the Board heard evidence and made a finding.

Mr. McManners spoke to the Board and requested a change along the lines discussed earlier. The Board determined such a change was not needed.

With the one modification as to Ms. Hurtgen's title, Drew Cochrane moved and Joseph Baring seconded a motion to adopt the Final Decision. The motion passed on a voice vote, with Alder Verveer abstaining.

DISCUSSION ITEMS

6. [44445](#) SUBSTITUTE Amending Section 3.35(4) and creating Section 3.35(12)(d) of the Madison General Ordinances to limit the types of complaints that the Ethics Board may hear under Sec. 3.35(4) of the Ethics Code, and to require that any complaint filed against a managerial employee or a committee member be forwarded to the Mayor.

Attachments: [Version 2](#)
[Version 1](#)

Alder Verveer suggested some minor clarifying changes to the Title and Drafter's Analysis, which City Attorney May accepted. After further discussion, Alder Verveer moved to recommend adoption of the Substitute Ordinance, second by Joseph Baring, approved by a voice vote.

7. [45274](#) Statement of Interest Form Completion

The Board was reminded to file the Statement of Interest forms before January 3, 2017.

8. ADJOURNMENT

Motion by David Albino, second by Bill Keys to adjourn. Passed on a voice vote. Adjourn at 5:52 pm