



**City of Madison**  
**Meeting Minutes - Final**  
**Common Council Organizational Committee**  
**Subcommittee on Committee Creation and**  
**Committee Rules**

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

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Wednesday, December 19, 2007

4:00 p.m.

Room 414, City-County Building  
210 Martin Luther King, Jr. Blvd.

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**1. CALL TO ORDER**

The meeting was called to order at 4:05 p.m. A quorum was noted, and the meeting was properly noticed.

**2. ROLL CALL**

**Present:** 3 – Rhodes-Conway (chair), Konkell, Schumacher  
**Absent:** 1 – Clausius (notified)  
**Others:** 2 – City Attorney Michael May, Debbie Fields (staff to the subcommittee)

**3. PUBLIC COMMENT**

None.

**4. APPROVAL OF MINUTES**

Konkell moved approval of the December 6, 2007, minutes, seconded by Schumacher. The motion passed unanimously.

**5. DISCUSSION ITEMS**

**a. Approve work plan.**

Rhodes-Conway said the work plan looked good to her. She asked the members if they had any objection to it. There was none, and she said the subcommittee would use it as their working guide.

**b. Review proposed changes to Madison General Ordinances Sec. 33.01.**

Rhodes-Conway asked May to briefly review what he had done. May said he'd taken his notes from the December 6 meeting and begun to attack some of the issues they'd discussed, many of which correlate with the first part of the work plan:

- 31.01(1) makes a reference to the index. May said he gave Fields' list to his staff; they are going to cross-check it against the index to see what else needs to be added as a reference.
- 31.01(3) creates a set of definitions. May suggested that the subcommittee many want to spend some time thinking about these. Regarding the definition of authority or district, he said it should refer to a body that is a separate political entity, adding that it should be a signal that the entity has some limited authority. Regarding boards or commissions, he said that name should indicate some independent authority to make decisions on behalf of the City. He ran down the list of bodies currently called board or commission and whether or not it has independent authority:
  - o Pedestrian/Bicycle/Motor Vehicle Commission: Doesn't think so.
  - o Personnel Board: Thinks so, but would have to check.

- o Public Safety Review Board: Doesn't think so.
- o Administrative Review Board: Yes.
- o Affirmative Action Commission: Unsure.
- o Community Development Block Grant Commission: Technically not. They make recommendations on funding, but those are subject to Common Council approval.
- o Equal Opportunities Commission: Yes.
- o Commission on the Environment: Unsure.
- o Ethics Board: Some.
- o Landmarks Commission: Konkel said they issues certificates of appropriateness that don't go the Common Council for approval.
- o Board of Public Works: They can bring things to the Common Council without an alder having anything to do with it.
- o Board of Review: Yes.
- o Plan Commission: Yes.
- o Police and Fire Commission: Yes.
- o Board of Park Commissioners: Yes.
- o Monona Terrace Community and Convention Center Board: Yes.
- o Madison Public Library Board: Yes.
- o Madison Housing Authority: Does that still exist?
- o Madison Arts Commission: No.
- o Urban Design Commission: Don't think so. Konkel said maybe, where signs are concerned.
- o Zoning Board of Appeals: Yes.

Rhodes-Conway said she thinks it would be useful, when organizing the chapter, to know which bodies do and don't have independent authority. Schumacher asked if those with independent authority would operate similarly under the ground rules the subcommittee is setting up. Rhodes-Conway said she'd be inclined to let them make some of their own rules about how they operate.

Schumacher asked about May's use of the word "subunit." Konkel said she thinks it needs a hyphen (i.e., sub-unit). May said he used it for a couple of reasons: It's used in the open records law, and it's a term that replaces "board, committee or commission" in many places in Ch. 33, thereby reducing the overall length of the chapter.

- 3.01(4) covers how subunits are created. May pointed out that this subsection says that subcommittees are made up of members of the parent committee unless otherwise authorized by the Common Council. He suggested that the members might want to give that last clause some thought. Rhodes-Conway agreed, saying that, theoretically, the creation of subcommittees should be just by the parent committee, adding that there might be some need for grandfathering and/or renaming. Schumacher said he likes keeping the subcommittee structure this way.

May said the second part of this subsection draws a distinction between standing subunits, which the subcommittee wants created by ordinance, and ad hocs, which the subcommittee agreed can be created by other means.

- May said the rest of the changes to Sec. 33.01 are to substitute the word "subunit" for "board, committee and commission," and to add the words "resolution" and "order."

**c. Work plan #1: Creation and operation of committees, commissions, boards, authorities, work groups and task forces.**

Rhodes-Conway said that via the changes May had just presented, they had now addressed the methods of creation and the authority to create and suggested that the members move on to the issue of appointments. She said current practice for the appointment of both citizens and alders to boards, committees and commissions is for the Mayor to appoint and the Common Council to confirm. Schumacher said that some entities (e.g., non-profits) propose appointments and, if a supermajority approves, the appointments are confirmed. He said he would like to see the Common Council have the ability to assert itself in such a way on certain rare occasions.

May proposed the following language: "Except as otherwise provided by state law or these ordinances, appointments to City boards, committees and commissions shall be made by the mayor and confirmed by the Common Council pursuant to (insert Chapter 2 citation). Subunits created by order of the Mayor or President of the Common Council may or may not be made subject to Common Council approval depending on what the Mayor or the President of the Common Council say." Rhodes-Conway agreed regarding standing bodies with two exceptions: The Common Council Organizational Committee, which is appointed by the President of the Common Council, and the Board of Canvassers, which is appointed by the City Clerk. She reiterated that subcommittees should be appointed by the parent committee. May said there's a provision somewhere in the ordinances that says a subcommittee has to be made up of members of the parent committee and, if they want other people on the committee, they would have to get Common Council approval.

The members discussed Mayoral appointments to non-City committees (which are approved by the Common Council) and non-City appointments to City committees (i.e., not appointed by the Mayor). They decided that some provision is needed in the ordinances for this last situation. May suggested language to the effect of "These rules apply unless the resolution or ordinance sets up a different thing."

The members discussed Schumacher's idea of giving the Common Council the ability to make appointment in certain circumstances. They decided there were two instances in which this could happen:

- Vacancy existing for more than 90 days.
  - o Two alders may introduce an appointment, which would be referred to the next meeting and would require a 2/3 vote for confirmation.
- Rejection of Mayoral appointment.
  - o If the Common Council does not approve a Mayoral appointment, two alders may introduce an appointment at the next Common Council meeting. The appointment would be referred to the next Common Council meeting and would require a 2/3 vote for confirmation.

Konkel said she would like to see a 10-year term limit for members of boards, committees and commissions, adding that the Common Council could override that with a 2/3 vote. May suggested going stricter, creating a bright line rule stating that no one, other than alders, could serve on any City board committee or commission for more than 10 years.

The members discussed board, committee and commission officers, agreeing that elections should be held at least every two years. They stipulated that this was not to be construed as a term limit; officers would be eligible for re-election.

Schumacher questioned the chairperson restriction, asking why alders shouldn't chair committees. Rhodes-Conway said she feels very strongly that alders should not serve as the chair, citing time constraints as her primary reason. She said she thinks alders simply don't have the time to do the job justice. She agreed with Schumacher that there

are citizen chairs who don't do a good job for a variety of reasons (unfamiliar with Roberts Rules or City process, don't know how to run a meeting, etc.), but she thinks a better solution would be to provide more training in meeting facilitation and to build capacity. She also said she believes the balance of power is such that if an alder wants to be the chair, he or she will get it, regardless of what the other members really want.

Schumacher acknowledged those issues and suggested they could be eliminated or addressed through safeguards. He said he believes every committee member should be eligible to serve as chair, and it should be up to each committee to decide who it wants in that position. Rhodes-Conway reiterated her strong belief that alders should not serve as chair but said she would defer to the will of the subcommittee if it believed otherwise.

**d. Work plan item #2: Subcommittees.**

The subcommittee did not have time to discuss this item.

## **6. FUTURE AGENDA ITEMS**

- Schedule future meeting dates.
- Review changes to MGO Sec. 33.01 requested at this meeting.
- Continue with work plan, starting with item #1(d): Set-up of each body.

## **7. FUTURE MEETING DATES**

The members chose their next two meeting dates:

- Thursday, January 17, 2008  
4:00 p.m. – 5:00 p.m.  
Common Council Office large conference room  
Room 417, City-County Building  
210 Martin Luther King, Jr. Blvd.
- Thursday, January 31, 2008  
4:00 p.m. – 5:30 p.m.  
Common Council Office large conference room  
Room 417, City-County Building  
210 Martin Luther King, Jr. Blvd.

## **8. ADJOURNMENT**

A motion was made by Schumacher, seconded by Konkel, to adjourn. The motion passed by acclamation, and the meeting was adjourned at 5:40 p.m.