



Legislation Details (With Text)

File #: 67061 **Version:** 2 **Name:** Clarify Process for Designating Location and Means of Council Meetings

Type: Ordinance **Status:** Passed

File created: 8/20/2021 **In control:** Attorney's Office

On agenda: 10/5/2021 **Final action:** 10/5/2021

Enactment date: 10/19/2021 **Enactment #:** ORD-21-00066

Title: SUBSTITUTE - Amending Sections 2.01 and 2.15 of the Madison General Ordinances to clarify the process for designating a location and the means of conducting individual Common Council meetings.

Sponsors: Keith Furman, Yannette Figueroa Cole, Juliana R. Bennett, Grant Foster

Indexes:

Code sections:

Attachments: 1. 67061 version 1.pdf, 2. 67061 version 2 Substitute.pdf

Date	Ver.	Action By	Action	Result
10/5/2021	2	COMMON COUNCIL	Adopt Substitute	Pass
9/28/2021	1	COMMON COUNCIL EXECUTIVE COMMITTEE	RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER	Fail
9/21/2021	1	COMMON COUNCIL	Re-refer	Pass
9/21/2021	1	COMMON COUNCIL EXECUTIVE COMMITTEE	Refer	Pass
8/31/2021	1	COMMON COUNCIL	Referred	
8/20/2021	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE - Amending Sections 2.01 and 2.15 of the Madison General Ordinances to clarify the process for designating a location and the means of conducting individual Common Council meetings.

Body

These ordinance amendments allow Common Council meetings to be held in-person or telephonically or electronically based upon a determination of the Mayor and Council President, subject to a vote of the Common Council.

DRAFTER'S ANALYSIS: These ordinance amendments allow Common Council meetings to be held in-person or telephonically or electronically based upon a determination of the Mayor and Council President, subject to a vote of the Common Council.

This substitute ordinance requires the location and means of conducting Common Council meetings to be designated on the annual meeting schedule, subject to Council decisions to change the location and means by specific deadlines. The substitute also authorizes the Mayor and Council President to alter the location of a meeting in the event of exigent circumstances, such as inclement weather or the unavailability of a meeting location.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 2.01 entitled "Meetings" of the Madison General Ordinances is amended as follows:

"2.01 - MEETINGS.

- (1) The stated meeting of the Common Council shall be held in the Council Chambers, or at a location or by a means determined pursuant to Section 2.15 of the Madison General Ordinances, on the first and third Tuesdays of every month at 6:30 p.m., except in August and December the Common Council will meet only on the first Tuesday. A special November meeting or meetings will be held for the Capital and Operating Budgets. Following a regular City of Madison election, the newly elected Common Council also shall hold an organizational meeting on the third Tuesday of April. The Council will establish the meeting dates for all meetings by resolution and post the schedule at least annually, and may modify meeting dates for holidays and elections."

2. Section 2.15 entitled "Presence Required at Meetings; Electronic Communications" of the Madison General Ordinances is amended as follows:

"2.15 - PRESENCE REQUIRED AT MEETINGS; ELECTRONIC COMMUNICATIONS.

- (1)
 - (a) No member shall be allowed to vote by proxy.
 - (b) Meetings ~~shall not~~ may be conducted in person or telephonically or electronically ~~unless a special or emergency meeting is held, or as detailed in~~ determined pursuant to (c). If the Mayor and the Common Council President do not designate a location and means of conducting a meeting, and if the Council does not otherwise determine, the meeting shall be conducted in person.
 - (c) ~~Notwithstanding (b), when there is an officially declared city, county, state or federal emergency and necessary members of the Council are unable to attend a meeting in person; or when the Director of Public Health Madison and Dane County determines it is reasonable and necessary for the prevention or suppression of disease, regularly scheduled meetings may be held telephonically or via the internet. The Mayor and the Common Council President shall determine if a regularly-scheduled meeting of the Council is to be held in person, telephonically or via the internet. The Mayor and the Common Council President shall designate the location and means of conducting individual Council meetings on the annual schedule to be considered by the Common Council. The agenda for each Common Council meeting shall include an opportunity for the Common Council to change, by a vote of the majority of its members, the location and/or means of conducting subsequent meetings. Such action shall not be considered later than the second Council meeting prior to the meeting being considered, except that the Common Council may, by a vote of the majority of its members, determine to conduct a meeting virtually up to the immediately-preceding meeting. Notwithstanding a determination of the Council under this subsection, in the event of inclement weather or other exigent circumstances affecting the ability of the Council and the public to attend a meeting in person, the Mayor and the Common Council President may direct that the meeting be held at a different location or telephonically or via the internet. Such decision shall be communicated to all members of the Council and to the public no later than noon on the day prior to the meeting.~~
 - (d) If a meeting is conducted telephonically or via the internet, the meeting notice shall so state. The Mayor shall direct appropriate staff to ensure that all technical preparations are made for such a meeting, including ensuring said meeting is compliant with the open

meetings laws, Wis. Stats. §§ 19.81-19.98.

- (2) No member of the Council shall communicate electronically with another member of the Council during a meeting on any matter on the meeting agenda, unless the electronic communication is saved and available under the Public Records Law and unless such communication in no way violates the Open Meetings Law.”