



Legislation Details (With Text)

File #: 59956 **Version:** 1 **Name:** Allowing members of the Common Council to appear at meetings telephonically in a declared emergency

Type: Ordinance **Status:** Mayoral Business

File created: 3/10/2020 **In control:** Attorney's Office

On agenda: 3/17/2020 **Final action:**

Enactment date: **Enactment #:**

Title: Amending Section 2.15(1) of the Madison General Ordinances allowing members of the Common Council, unable to attend a meeting in person, the ability to attend telephonically or via the internet when authorized by the mayor and common council president, in an officially declared emergency or at the direction of the Director of Public Health Madison and Dane County.

Sponsors: Shiva Bidar, Keith Furman, Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments: 1. Mayor and Council Leadership Memo re Council and BCC Meetings 3 15 20.pdf

Date	Ver.	Action By	Action	Result
3/10/2020	1	Attorney's Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

Costs associated with facilitating meetings electronically will funded through the Information Technology budget. At this time implementation costs are unknown and may be addressed with a future budget appropriation.

Amending Section 2.15(1) of the Madison General Ordinances allowing members of the Common Council, unable to attend a meeting in person, the ability to attend telephonically or via the internet when authorized by the mayor and common council president, in an officially declared emergency or at the direction of the Director of Public Health Madison and Dane County.

DRAFTER'S ANALYSIS: This ordinance amendment deals with meetings during an officially declared emergency or when the Director of Public Health Madison and Dane County determines it is necessary for the prevention and suppression of disease to limit public gatherings, as authorized by Wis. Stats. Sec. 252.03(2). The amendment allows members of the Council, unable to attend a meeting in person, the ability to attend telephonically or via the internet in a declared emergency or when the Director of Public Health Madison and Dane County has determined the need to limit public gatherings to prevent the potential spread of disease. The ordinance further permits council members to appear telephonically or via the internet at regularly scheduled meetings when an officially declared city, county, state, or federal emergency has been declared or when the Director of Public Health Madison and Dane County determines it is necessary for the prevention or suppression of disease and when it has been approved by the Mayor and Common Council President. The Mayor shall direct appropriate staff to see that the technical preparations are made for such a meeting, including compliance with the open meetings statutes. The amendment also clarifies that proxies are never allowed. Current law already allows boards, commissions and committees to meet telephonically.

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

1. Subsection (1) of Section 2.15 entitled "Presence Required at Meetings; Electronic Communications" of the Madison General Ordinances is amended to read as follows:

“(1)(a) No member shall be allowed to vote by proxy; ~~nor shall m~~

(b) Meetings shall not be conducted telephonically or electronically unless a special or emergency meeting is held, or as detailed in (c).

(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 is to be held telephonically or via the internet.

(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.”