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4 **A RESOLUTION/ORDINANCE**

5
6 Amending Section 1.13 of the Milwaukee County Code of General Ordinances to assign
7 priority to standing committee matters where members of the public have registered to
8 speak and to provide equal time for testimony regardless of the content of their
9 testimony

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12 WHEREAS, inscribed on the eastern façade of the Milwaukee County
13 Courthouse are words, “Vox populi vox Dei”, Latin for “The voice of the people is the
14 voice of God”; and

15
16 WHEREAS, Chapter 1 of the Milwaukee County Code of General Ordinances
17 (MCGO) outlines the rules of the County Board of Supervisors; and

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19 WHEREAS, MCGO 1.13 specifies, among other things, standing committee
20 meeting procedures but do not directly address how members of the public wishing to
21 provide testimony should be treated; and

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23 WHEREAS, MCGO 1.29, Decorum of Supervisors in Committee Meetings, states
24 in part:

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26 *“Representatives of the news media, county executive and all staff, county*
27 *supervisors and designated staff, constitutional officers, department heads and all other*
28 *officers and employes of county government, as well as other public and private*
29 *citizens, who either participate at or appear before any meetings of the county board or*
30 *of any standing committees or any special or select committees, are entitled to the*
31 *greatest measure of respect and courtesy.”*

32
33 ; and

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35 WHEREAS, relatively few matters scheduled by standing committees result in
36 members of the public registering to speak, but depending on the placement on the
37 agenda, a person may have to wait several hours for an opportunity to briefly speak;
38 and

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40 WHEREAS, Assembly Resolution 14 was introduced that would prioritize public
41 and local government speakers over state officials and lobbyists in the speaking order
42 on matters before the Wisconsin Legislature; and

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44 WHEREAS, an example where several members of the public had to wait more
45 than five to six hours at a Milwaukee County Board standing committee was on the
46 “Right to Counsel” legislation (File No. 21-506) although numerous items were

47 considered prior to that file where no members of the public had registered to speak;
48 and

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50 WHEREAS, it should also be the goal of the Milwaukee County Board of
51 Supervisors that if time limits are placed on public testimony, that the limits should apply
52 equally to all speakers regardless of the content of their testimony; and

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54 WHEREAS, members of the public are also able to submit written testimony
55 (eComment) through the County Legislative Information Center (CLIC) which is
56 recognized through an agenda item at the foot of the agenda and may contain
57 testimony/comments that was not shared with the standing committee prior to voting on
58 the matter earlier in the meeting; and

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60 WHEREAS, the County Board of Supervisors should establish as a best practice
61 and standard procedure to read public testimony (or summarize if necessary) into the
62 record prior to voting on a file; and

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64 WHEREAS, one of the primary goals of holding standing committee meetings is
65 to allow the public to understand and comment on the actions their elected officials are
66 taking *before* votes are cast to help connect people with Milwaukee County government
67 and affirm their confidence that their voices are being heard; and

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69 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
70 Services (JLEGS), at its meeting of March 4, 2024, recommended adoption of
71 File No. 24-293 (vote 3-2); and

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73 WHEREAS, the Milwaukee County Board of Supervisors (County Board), at its
74 meeting of March 21, 2024, laid over File No. 24-293 for one meeting (vote 7-10); and

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76 WHEREAS, the County Board, at its special meeting of April 12, 2024, referred
77 File No. 24-293 to JLEGS (vote 13-5); and

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79 WHEREAS, JLEGS, at its meeting of May 14, 2024, recommended adoption of
80 File No. 24-293 (vote 4-1); now, therefore,

81

82 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby
83 amends Chapter 1 of the Milwaukee County Code of General Ordinances by adopting
84 the following:

85

86 **AN ORDINANCE**

87
88 The County Board of Supervisors of the County of Milwaukee does ordain as follows:
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90 **SECTION 1.** Section 1.13 of the Milwaukee County Code of General Ordinances is
91 hereby amended as follows:
92

93 1.13. - Committee meetings.
94

95 (a) *Regular committee meetings.*
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97 (1) Except when otherwise determined by the respective chairperson, regular
98 meetings of standing committees shall be held on the days and the hour
99 specified by the chairperson, but not on an election day for a county-wide
100 election or special election of county board supervisor or election day for
101 president. The meeting shall be called to order promptly on the days and at the
102 hour designated in the notice of meeting by the chairperson of the committee
103 (or in his/her absence, the ranking member thereof).
104

105 (b) *Special committee meetings.* Special meetings of the standing committees may be
106 called by the chairperson of the committee, and must be called upon written
107 request to the chairperson by a majority of the members of such committee. At
108 least twenty-four (24) hours prior notice of such special meeting shall be given by
109 the committee coordinator to each member of such committee, unless for good
110 cause such notice is impracticable, in which case shorter notice may be given, but
111 not less than two (2) hours in advance of the meeting. An announcement by the
112 chairperson of the board while the board is in session, of the time, place and
113 subject matter of a special meeting of a committee to be held during a recess, shall
114 be sufficient notice to the members of the committee.
115

116 (c) *Committee general procedure.* All meetings of a committee shall be conducted in
117 accordance with the provisions of ss. 19.81—19.98, Wis. Stats. The attendance of
118 a majority of the members thereof shall be requisite for the transaction of business
119 of a committee. A committee member who participates in a meeting of the
120 committee by telephone, video conference, or by other means of
121 telecommunication or electronic communication is considered present, subject to
122 the provisions of sections 1.01(d) and 1.13(e). Without a majority in attendance, a
123 committee may consider informational items only. Committee agenda are to be
124 prepared so that members of the county board and other interested parties will
125 receive the agenda by United States, electronic or interoffice mail at least twenty-
126 four (24) hours before the scheduled committee meeting. A committee chairperson
127 must schedule a county board referred item within a maximum of two (2) regular
128 county board committee cycles. Once scheduled and publicly noticed, an item may
129 only be withdrawn according to the provisions of section 1.13(d)(8). If the item is
130 withdrawn by sole action of the committee chair pursuant to section 1.13(d)(8), the

131 item must be placed on the committee agenda for the next regularly scheduled
132 meeting and may not be withdrawn again.

133

134 The committee coordinator shall enter in appropriate files kept for that purpose, a
135 complete record of all such committee meetings, including attendance, appearances for
136 and against pending matters, and minutes of the proceedings, including all motions
137 made and by whom, how each member voted upon each matter considered, together
138 with the final action by the committee thereon. All actions taken by the committee shall
139 be by roll call vote, however a motion to place on file may be taken by voice vote
140 without objection. No action shall be taken on any proposed ordinance unless it be in
141 written form before the committee.

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143 Except as herein provided and so far as applicable, the rules of procedure of the
144 county board shall apply to committee meetings. Minority rules shall not apply to
145 committee meetings.

146

147 .After the conclusion of the committee meeting, the committee coordinator shall
148 prepare a separate, written report of the action of the committee upon those matters
149 considered by it which require county board approval, for submission to the county
150 board for action of that body. Such report shall be made up in such manner that the
151 county board may take action upon it as a whole, or may set aside any portion of it for
152 separate action. Any member of any committee may make a minority report of said
153 committee on any recommendation to the board contained in the committee report.
154 Such minority report must be presented when the matter is considered at the meeting of
155 the county board.

156

157 Except as provided in the preceding sentence, it is the duty of the committee to
158 make a report to the county board on matters referred to such committee with some
159 definite recommendation for disposition of such matters.

160

161 When members of a committee or joint committee present at any meeting thereof,
162 are, by recorded vote, evenly divided as to the disposition to be made of any subject
163 matter referred to and pending before such committee or joint committee, such subject
164 matter shall be returned to the next meeting of the county board without
165 recommendation and the committee or joint committee shall thereupon be deemed to
166 be discharged from consideration thereof.

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168 (d) *Committee motions and voting procedure.*

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170 (1) If an item is on the agenda "for information only unless otherwise directed by
171 the committee," a motion to place on file is not needed. The committee will just
172 receive the item. However, if a motion is made and a vote is taken, said item
173 will be reported to the board.

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175 (2) If a motion to adopt an item fails, it will be reported to the board with a
176 recommendation to reject.

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- (3) To take any other action on an item after it has been rejected, a motion to reconsider must be made and passed. Only a supervisor who voted on the prevailing side of the rejection action can make the motion to reconsider.
- (4) If a motion to place on file or to reject fails, the matter is still before the committee and another motion shall be in order.
- (5) If a motion to adopt, postpone indefinitely, place on file or reject receives a tie vote in committee, the matter shall be reported to the county board without recommendation.
- (6) If a motion to refer, lay over or amend receives a tie vote, said motion fails and another motion is in order.
- (7) No motions, or debate on motions, shall be made from the chairperson. If the chairperson wishes to make, or to speak at any length on, a motion, the chairperson shall turn over the gavel to the vice chairperson or next senior member for the remainder of the item. This provision shall not prevent a chairperson from questioning a witness concerning testimony being presented to the committee.
- (8) Once a committee comes to order, an attendance is taken to establish a quorum, any item on the agenda can only be removed by concurrence of a majority of the committee. Prior to the committee coming to order, an item can be removed by the chairperson.
- (9) Supervisors wishing to add their names as co-sponsors of resolutions or ordinances introduced by supervisors, shall, prior to a committee's final vote on said resolution or ordinance, obtain the permission of the primary sponsor, and be added if there is no objection from a member of the committee. If there is objection, a vote of the committee shall be taken regarding adding the co-sponsor(s).
- (e) *Remote meetings.* Standing committees shall be equipped to conduct business remotely via telephone conference, video conference or other electronic communication provided that the meeting is live-streamed, televised live or otherwise broadcast live to the public, subject to the following:
 - (1) If a committee chairperson chooses to schedule a committee meeting as a hybrid meeting, the chairperson shall attend in-person at the courthouse or at the physical location of the designated meeting. In exigent circumstances, the vice-chairperson of the committee may fulfill this requirement if the chairperson is not able to attend in person.

- 222 (2) Virtual-only county board meetings shall be reserved for an emergency or
223 other extraordinary circumstance.
224
225 (3) Supervisors not subject to [subsection] 1.13(e)(1), staff, and members of the
226 public wishing to testify shall have the option to attend any standing committee
227 meeting remotely, other than committee of the whole, via the electronic
228 communication protocol designated for the meeting.
229

230 **(f) Public testimony. The chairperson of the standing committee, when not**
231 **conducting a required public hearing, may choose to allow public verbal**
232 **testimony during standing committee meetings. Members of the public may**
233 **also submit written testimony or comments through the eComments portal**
234 **of the county legislative information center (CLIC). To the extent possible,**
235 **the chairperson shall strive to adhere to the following practices:**
236

237 **(1) If one or more members of the public have registered to speak to an item**
238 **prior to the start of the standing committee meeting, effort shall be made**
239 **to consider the matter prior to considering other items where no public**
240 **testimony is expected. Meeting agendas shall contain appropriate**
241 **language to notify the public that items may be taken out of order.**
242

243 **(2) If time limits are applied to verbal testimony from members of the public,**
244 **they shall be applied equally to all public speakers regardless of the**
245 **content of their testimony.**
246

247 **(3) Prior to the standing committee voting on the disposition of a file, any**
248 **eComments received prior to the start of the meeting shall either be read**
249 **into the record or, if determined by the chairperson as voluminous, be**
250 **summarized so meeting participants understand the sentiment of the**
251 **testimony.**
252

253 **Nothing in this section shall abridge the ability of the chairperson to conduct the**
254 **standing committee meeting and consideration of items in the order they deem**
255 **best for members of the public, employees and staff, and members of the**
256 **committee.**
257

258 **SECTION 2.** The provisions of this Ordinance shall become effective upon passage and
259 publication.
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261 05/16/24

262 S:\Committees\2024\May\JLEGS\Resolution\24-293 Resolution ordinance amending Section 1.13 ars.docx
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