



# MEMO

To: Common Council  
From: City Attorney, Tim Greenwood  
Date: April 15, 2025  
Re: Implementing a Consent Agenda

At the March 4 and April 2, 2025, Legislative Committees I presented the idea of implementing a consent agenda for our Common Council meetings. In those proposals I indicated changes to Ordinances 2.03 Rule 3: Order of Business and 2.05 Rule 5: Reading at Length would need to happen in order to facilitate that change.

My understanding is that when making changes to an ordinance, there is direction to review the ordinance in its entirety for if any additional changes to the ordinance should be made as well. In discussing these ordinances with some council members it was brought forward that the agenda used to have a place for council members to either discuss a topic or request an item be brought for discussion. This is potentially noted at 2.03(9) "Consideration of miscellaneous business," however, in my review of open meetings law it is indicated language such as "old business," "new business," "miscellaneous business," etc. are insufficient because standing alone, they identify no particular subject, thereby failing to give the public reasonable notice of what the governmental body means to discuss.

Based on this analysis I made a change to 2.03(9), "Consideration of miscellaneous business," to "Alder requests for discussion at next Common Council meeting." I believe this request makes it clear that a topic will be brought forward by an alder, but will not be discussed during that meeting, but gives ample notice to the public that a discussion on a topic will be coming forward, even before formal notice goes out.

Then looking at 2.05, first some grammatical changes were made along with restructuring the section from a large paragraph into separate numbers that I believe makes it easier to read and understand the different parts.

I then added language as to whom is identified to read ordinances, resolution, and reports from the "alderperson or official introducing the same" in #2 and 3 of the revised section to the "presiding officer or council president." I made this suggested change because currently it is often staff that brings a proposed resolution, ordinance, or report to the Council, not

necessarily and alder that brings an item forth. I also suggest moving away from “official” because it is unclear who that means. Is that the Department Head who brought it forward? With the suggestion of the presiding officer or council president designated, it is clear who should be reading these items.

Next, I added #4 to explicitly indicate that common council meeting minutes should also be read at length (they are not inherently included in #5).

Finally, I added to #3, 4, and 5 that these items don’t need to be read at length if included in a consent agenda for clarity.

There will still be instances where committee meeting minutes may need to continue to be read at length, such as days where there are committee and common council meetings that take place on the same day (due to election, as an example). As a note, rules such as those requiring meeting minutes to be read at length can always be suspended under Ordinance 2.17 with consent of two-thirds of council members present.

Attached are the recommended changes to Ordinances 2.03 and 2.05

Budget:  
None.

Staff Recommended Action:  
Approve the Ordinance changes to 2.03 and 2.05 later in the meeting.

