Meetings Procedure, Organization, and Public Participation

During city council meetings, decisions are made that formally set municipal programs in motion, enact ordinances, adopt policy, and authorize the expenditure of city funds. This chapter discusses the conduct of meetings, preparation for meetings, rules of procedure, and encouragement of citizen participation. Citizens draw conclusions about the effectiveness of their governing body from the manner in which public meetings are organized and conducted. Not only are orderly and well-run meetings more enjoyable, they also help establish a more positive city image. Disorderly and poorly conducted public meetings reflect negatively upon the city, its governing body, and staff.

MEETINGS

Before exploring how to have an effective meeting, it’s important to understand what a meeting is. According to state law, a meeting occurs when a quorum of the members of the governing body of an agency or of any committee of its members created by such governing body, whether standing or special, pursuant to schedule, call, or notice of or from such governing body or committee or an authorized member, at a designated time and place at which any public matter, official business, or policy of the agency is to be discussed or presented or at which official action is to be taken or, in the case of a committee, recommendations on any public matter, official business, or policy to the governing body are to be formulated, presented, or discussed.
Therefore, nearly every time the council assembles as a group, a meeting occurs. While the law does provide a few exceptions, it is important to be mindful of the spirit of the law. This code section is intended to make the policy-formulation process more transparent to citizens.

City councils hold several different types of meetings: regular meetings, work sessions, executive sessions, special meetings, and public hearings.

**Regular Meetings**

Regular meetings are official meetings held periodically to consider municipal business, make policy decisions, approve contracts, establish budgets, and enact ordinances or resolutions. Their time and frequency are usually specified in the city charter or by ordinance.

**Work Sessions**

Work sessions provide members the opportunity to meet with staff in order to delve into complex issues, discuss solutions and alternatives, give direction to staff, finalize agendas, or create consent agendas. Work sessions may be held immediately prior to a regular meeting or may be held at other times established by the council. Premeeting work sessions may be used by councilmembers to prepare for upcoming regular meetings. These meetings are typically less formal and are often used for information gathering; no formal votes are taken. However, it should be noted that premeeting work sessions are subject to the open meetings law.

**Executive Sessions**

Council meetings that are closed to the public are often referred to as executive sessions. Such meetings may only be held for the specific, limited purposes authorized by law, and the council must comply with statutory procedures when closing a meeting. These private sessions are held with the elected officials and any staff or appointed professionals necessary to the discussion.

**Special Meetings**

These meetings are usually convened to discuss and vote on one or a limited number of specific issues. For example, a special meeting may be held to take action on a controversial rezoning request. Because there may be a number of people wishing to comment regarding the request, holding a special meeting to address the issue is an effective way to avoid
an otherwise long and drawn out regular meeting. Special meetings may also be convened during an emergency.

**Public Hearings**

Public hearings allow citizens to express opinions on matters of public concern. Generally, no official action is taken during a public hearing. Some hearings are required by law, but they may also be used by the council for other matters. They may be called in order to gather facts related to proposed action or to gauge public opinion by allowing citizens the opportunity to comment on a specific topic, such as a land-use plan. They may also be used as town hall meetings to meet members of the public and learn about their concerns. Finally, they can be used to allow the citizens to vent their frustrations. Public hearings may be held as a part of a regular or special meeting, or they may be entirely separate meetings.

Although there are many opportunities to meet, official decisions may only be made in regular, open meetings of the elected body. At such meetings, issues are publicly debated, and action is taken. Local officials must resist the temptation to make final decisions prior to official meetings and then “rubber-stamp” them at the official meeting.

**PREPARING FOR MEETINGS**

As an elected official, you bear a heavy burden: you will be making decisions that will determine your city’s future. You owe it to your constituents to represent them well. This responsibility includes being prepared to lead.

Do your homework. Study the issues and have the facts in hand before the meeting. Review the data, reports, and background information provided by the staff before arriving at city hall, including pertinent municipal ordinances. Evaluate alternatives and be prepared to debate your position effectively. A councilmember who comes to a meeting unprepared may unwittingly and unnecessarily slow down the meeting. The rules of order that your city use will help keep debate civil, but you also must keep your temper in check. It is embarrassing and unprofessional when a mayor or councilmember loses control in a public meeting. In such cases, the mayor or whoever is chairing the meeting may have the unruly member removed from the meeting.

You and your fellow elected officials should know who is responsible for setting the meeting agenda. Determine how the agenda is set, how
you can add something to it, and the agenda deadlines. You also should decide as a group how the agenda will be changed, if necessary.

**RULES OF PROCEDURE**

Clear, up-to-date, written rules of procedure make it easier to transact municipal business in an orderly manner. To be effective, a councilmember needs to know the rules of procedure for city council meetings. A city’s charter may provide for specific rules of procedure, or it may be silent. In this case, the city council may adopt a standard guide to parliamentary procedure, such as *Robert’s Rules of Order*, or may design its own rules of procedure. Although every local government should adopt a set of procedural rules to govern its meetings, there is no state law requiring adoption of a particular set of rules.

**Purpose**

Rules of order for public meetings should help manage the conduct of the city council; they should not get in the way of transacting the people’s business. Whatever rules your council adopts, they should conform to the following three principles:

1. Rules should establish and maintain order by providing a clear framework for the conduct of a meeting.
2. Rules should be clear and simple, facilitating wider understanding and participation.
3. Rules should be user friendly, meaning they should be simple enough that citizens feel able to participate in the process.

The following essential elements should be included:

1. A clear statement recognizing the hierarchy of law. The U.S. Constitution and federal law, the Georgia Constitution and state law, and the city’s charter override any procedural meeting rules the council may adopt.
2. The manner and requirements for calling and convening special meetings and the quorum necessary for transacting business.
3. Designation of who shall preside over meetings in the absence of the mayor and the mayor pro tem.
4. A standard order of the agenda (for instance, call to order, roll call, minutes, approval of minutes, amendments to the agenda, adminis-
trative and fiscal matters, appearances or public comment, reports, old business, new business, adjournment).

5. Designation of a parliamentarian. (Unless the parliamentarian is the chair, his or her findings are advisory because the chair makes decisions of procedure subject to appeal by the body.)

6. Rules limiting debate. This section should include rules governing the public forum or public comment section of the agenda; including rules regarding speakers representing groups, limitations on repetition of the same information, and a method for granting additional time to speakers.

7. Any instances in which a supermajority (i.e., more than a simple majority) is required for passage. If a city adopts a set of standard rules by reference, any exceptions to the supermajority requirements of the referenced rules should be noted in the council’s ordinance.

8. Requirements for second and subsequent readings of ordinances and other official actions of the governing body.

9. A procedure for suspending the rules, if any.

10. A requirement that all members of the governing body vote on all business before the body unless they publicly declare a conflict of interest and recuse or remove themselves from consideration of the matter in accordance with state laws and local procedures and policies for dealing with conflicts of interest.

11. Rules for enforcing decorum and proper conduct.

12. A procedure for appealing the decisions of the chair.

13. Provision for the use of general consent when the chair establishes that there is unanimity to advance the business of the council more rapidly, including rules governing the use of a consent agenda, if desired.

Published in 1876 by Gen. Henry Martyn Robert, Robert’s Rules of Order has become the most familiar guide to parliamentary procedure and is used by a variety of organizations including governments at the federal, state, and local levels. However, the rules were not drafted with local governments in mind and do not address certain idiosyncrasies of and issues related to local government, such as the need for public comment and public hearings, the provision of special mayoral powers or limits to such powers in state statutes or local charters, the use of abstentions for political purposes, or the special role of staff during city council meetings. Robert’s Rules of Order also assumes that all meeting participants will
conduct themselves with decorum and respect and that they will always follow the rules and abide by the decisions of the chair.

Despite its limitations, *Robert’s Rules of Order* does describe the major rules of parliamentary procedure that a local government needs to conduct productive, efficient meetings, including the making of motions, the management of debate, the process of voting, and is widely recognized as the preferred way of running public meetings. If a council decides to create its own rules of procedure, it may still defer to *Robert’s Rules of Order* where the charter and local ordinances are silent.

Although the current edition of *Robert’s Rules of Order* is complex and lengthy, its essential principles are actually quite simple. It systematically and logically sets forth meeting rules based on a hierarchy of rights: rights of the majority to decide and to prevail, rights of the minority to be heard, rights of individual members, and rights of absentee members.

When seen as protecting these rights, rules of order and procedure will generally preserve harmony in a group, even when there are distinct disagreements about the substantive public policy matters under consideration. Ultimately, the will of the majority prevails, but that same majority must allow participation by members who do not represent the majority position; to do otherwise or to set aside the rights requires a supermajority vote. The rights of absent members are also partially protected by quorum rules and procedures governing setting and changing the agenda.

**Order of Business**

City council meetings should follow an order of business formally included in its rules of procedures. The council should not depart from this order except in unusual cases and then only by majority vote. An order of business makes it easier to prepare the agenda and minutes and because it provides predictability, it engenders greater public confidence.

**The Agenda**

The agenda constitutes the governing body’s agreed-upon road map for the meeting. A formal, written agenda following the official order of business should be prepared in advance of each meeting. An agenda provides an outline of items to be considered and usually lists them in order of priority. The agenda must list all items that are expected to be considered at a particular meeting. It may also briefly state what action is requested of the city council and any previous action taken by it. State law requires that the agenda be made available to the public and be posted at the meeting site. Although state law allows councilmembers to add necessary items to the agenda after it is posted, last-minute ad-
ditions that introduce material members may not have had time to study should be avoided. City councils should establish a deadline for submitting requests or communications for inclusion in the agenda and include them in the rules of procedure ordinance. Any item received after the deadline should be held over for the next meeting unless the majority of councilmembers present at the meeting vote to add it to the agenda. A sample agenda includes the following:

1. Call to order/roll call/quorum check
2. Invocation/pledge of allegiance
3. Approval of minutes from previous meeting
4. Approval of the order of the agenda
5. Called public hearings
6. Public forum/citizen comment time
7. Reports (from officers, committees, special presentations, other)
8. Old/unfinished business
9. New business
10. Consent items
11. Tabled items/hold items
12. General comments
13. Adjournment

**Discussion**

The same basic format should be followed for discussion on each item on the agenda. The chair does the following:

- Announces the agenda item, sometimes by number, clearly stating the subject.

- Invites reports from staff, advisory committees, or other persons charged with providing information to the body.

- Asks if any councilmembers have any technical questions that require clarification.

- Asks for public comments or, if at a public hearing, opens the hearing to public input and at the end of the public comment section announces that public input has concluded or the public hearing has ended and that the balance of the discussion will be limited to the members of the body, unless the council waives this rule by majority vote.
• Invites a motion from the governing body and, when received, announces the name of the member making the motion and the person seconding the motion if a second is required by the body’s rules of procedure.

• Ensures that the motion is clearly understood, either by repeating it or by asking the clerk or the author of the motion to repeat it.

• Moderates a discussion of the item until a final motion is ready for a vote or other disposition.

Transacting the business of the council in this fashion provides consistency in the decision-making process and assures that the members of the governing body consider all available information before making a decision.

PARTICIPATING IN MEETINGS

In addition to the mayor, who usually presides over city council meetings, and the councilmembers, nearly every city has at least two appointed officials in attendance to perform tasks vital to the conduct of meetings. They typically include the city clerk, the city manager or administrator (or other administrative officer), and the city attorney.

Presiding Officer

Usually, the mayor is the presiding officer of the city council. Depending on the city charter and ordinances, the mayor may be able to vote only in the case of a tie vote or may be allowed to vote on all issues. The council usually elects one of its members as mayor pro tem to serve in the mayor’s absence.

The performance of the presiding officer is the key to effective, businesslike meetings. He or she is responsible for ensuring that meetings are orderly, conducted in conformity with the rules of procedure, and progress at an appropriate pace. At the same time, the presiding officer is responsible for ensuring that councilmembers and citizens have ample opportunity to express their views.

Other Members of Council

The elected councilmembers are the policymakers. City councilmembers share with the presiding officer the responsibility for properly conducted meetings. This responsibility includes having respect for one another’s
views and being willing to compromise, when possible, for the good of the city.

The city council must use its best judgment on how much time to spend examining a problem before reaching a decision. Actions of a city council should be deliberate and carefully weighed for possible consequences. Members will probably never know as much as they would like to about the consequences of various actions. However, failure to make a decision or to take action can create as many problems as a decision made too quickly. The city council must strike the proper balance between the two extremes. In any case, the city council should not allow a vocal minority that chooses to attend a particular meeting to unduly determine the outcome of a decision. Councilmembers must act for the good of the majority of the citizens.

**City Clerk**

The city clerk is the official record keeper. Although the role of the clerk varies widely from city to city, all clerks are responsible for keeping the official minutes of council meetings. The clerk’s duties may also include preparing and distributing the meeting agenda, bookkeeping and maintaining other records, preparing and processing correspondence and reports, and managing the city council office. The clerk will typically make certain that all meetings are advertised in accordance with the Open Meetings Act.

**Manager or Administrator**

If the city has a manager or administrator, he or she should attend all meetings of the city council. This officer plays a significant role in preparing business to be considered at city council meetings. He or she is called upon to gather data, develop and evaluate alternatives, make policy recommendations to the city council, and carry out the intentions of the council. The role of the manager or administrator is largely determined by the city council. A good relationship between the city council and the manager or administrator can result in a smooth transition between policy making and implementation. Such a relationship can also improve the effectiveness of councilmembers and reduce the amount of time they must spend in meetings.

**City Attorney**

The city attorney advises the city council on its powers and duties under the law. He or she is usually required to attend meetings of the council
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in order to give legal advice on matters before the council, making certain that members abide by all applicable laws and keeping abreast of city programs and problems. The attorney may also be asked to prepare ordinances and resolutions, charter amendments, and other legal documents. He or she also advises other city officers on official legal matters and represents the municipality in court.

Every city needs an attorney who is accessible to city officials at all times. This person does not necessarily need to be a full-time officer but should advise the councillmembers in the deliberations and decisions of the city council. Many city attorneys serve as the council’s parliamentarian, but there is no requirement that the attorney fill this role.

PUBLIC PARTICIPATION

Georgia law requires that virtually all council meetings be open to the public, but the law does not require that members of the public be allowed to speak. Nonetheless, most local governing bodies adhere to the principle that citizens should have the right to petition their elected representatives; allowing time for public comment and debate at meetings maintains elected officials’ accessibility and communicates the desirability and value of citizen input. The order of business for council meetings and the preparation of the agenda affect public participation. A council must balance the desire for public participation with its legitimate need to proceed with its regular business in an orderly and expedient fashion.

The Consent Agenda

A consent agenda can be useful when commissioners have a great deal of business to consider. A consent agenda typically includes items that require a decision but are not controversial. A consent agenda includes action items on which little or no discussion is anticipated or items that have been previously discussed (and possibly voted on) but that require final approval. Any item can be removed from the consent agenda for discussion by the full group and have a separate vote taken on that item if requested by one or more members of the group. Some local governments place the consent agenda near the end of the meeting because its contents are generally noncontroversial and rarely involve public comment (e.g., issuance of permits, street closure requests, authorizing payment of bills), while other local governments elect to place the consent agenda near the beginning of the meeting (after approval of the order
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of the agenda) in the event an item on the consent agenda is judged to be controversial or is the subject of additional public input. A consent agenda can save time, but items should not be placed on the consent agenda to discourage public participation.

The public is more likely to participate in meaningful discussion if they are familiar with the governing body’s agenda process and with its rules of procedure. In addition to printed agendas, many cities also distribute the written rules for public comment and a simplified version of the council’s rules of order and procedure.

The Basic Rules of Parliamentary Procedure

The following are the basic rules of parliamentary procedure:

• The rights of the organization supersede the rights of individual members.

• All members are equal and have equal rights to attend meetings, make motions and debate, and vote.

• A quorum must be present to conduct business. A quorum is the number of members required to be present to legally conduct business.

• The majority rules. The minority has the right to be heard but must abide by the majority’s decision.

• Silence is consent. Nonvoting members agree to accept the majority decision.

• A two-thirds vote is necessary when limiting or eliminating members’ rights or when changing a previous decision.

• A motion must directly relate to the question under consideration, and once a speaker has been granted the floor another member may not interrupt.

• The presiding officer may not put a debatable motion to a vote as long as members wish to debate it.

• Once a question is decided, it is generally out of order to bring up the same motion or one essentially like it at the same meeting.

• Personal remarks are always out of order in debate. Debate must be directed to motions and principles, not motives or personalities.
Two of the most misunderstood rules of parliamentary procedure are motions to “table” and to “call the question.”

**Tabling or Postponing**

After considerable debate, the council still may not be ready to vote on a motion. In that case, members may propose the following:

- That the motion be postponed until the next meeting so that more information can be gathered.

- That the motion be postponed temporarily (that is, table the motion), setting it aside until later in the meeting to allow more urgent business to be dealt with, permit amendments to be drafted, or allow time for implications of the motion to be checked. A motion to “take from the table” brings it back before the meeting. A motion to table is not debatable; a motion to postpone may be the subject of debate unless the city’s rules of procedure provide otherwise.

- That the motion be withdrawn at the request of its mover, but only if no member who is present objects.

**Calling the Question**

Someone who yells “question!” from the floor indicates that he or she wants the motion put to a vote. Generally, the chair should not allow normal and reasonable debate to be cut short. A motion to call the question or in any way limit debate must be seconded and requires a two-thirds majority vote in order to then proceed with a vote on the main motion on the floor.

When special circumstances, the unique wishes of the governing body, tradition, or other reasons dictate that meetings proceed in a manner not envisioned by *Robert’s Rules of Order* or any other adopted model of meeting procedure, the procedure for setting aside the rules should be clearly delineated in the body’s own rules. A city’s rules of procedure could also address a councilmember making general comments at the conclusion of a meeting; these remarks will not necessarily lead to a motion.

**Encouraging Citizen Attendance**

City council meetings offer an excellent opportunity for citizens to learn from and speak to their elected representatives. To encourage greater citizen participation, consider the following suggestions:
• Provide adequate notice of meetings. Printing the time and location in the legal notice section of the local newspaper is not enough. Publish the agenda in the newspaper. Take advantage of free time that radio and television stations are required to provide for public service announcements. Post an eye-catching copy of the agenda in public buildings and stores.

• Schedule and situate meetings for maximum attendance. Weekday evenings are usually more convenient. Arrange for adequate parking.

• Furnish a comfortable setting for meetings. The meeting room should be well maintained, adequately lighted, at a comfortable temperature, and large enough to accommodate the public. There should be good acoustics or a public address system and adequate seating for citizens. City councilmembers should face the audience and one another; a semicircular arrangement is effective. The clerk, attorney, and other municipal officials should be seated where they can best assist in the meeting.

• Schedule business for maximum participation. Scheduling subjects of greatest public interest early in the meeting is usually a good idea.

• Distribute the agenda and other information liberally. As citizens enter the meeting room, they should be given a copy of the agenda. A seating chart of councilmembers reflecting the respective areas they represent, a simple organization chart of city government, and a list of the names of the chief administrative officers are also helpful.

• Use visual aids for presentation. Topics often can be presented visually for greater clarity. Zoning change requests, budget presentations, and reports, for example, can be made more informative and interesting through the use of visual aids.

• Assist the news media. Media reporters should be seated at a table where they can easily see and hear the proceedings. Upon entering the room, they should be given a copy of the agenda. Data, reports, and memoranda sent with the agenda to city councilmembers prior to the meeting should also be available for reporters.

Public meetings can be satisfying for participants when they are well run, focus on the objectives, and end on time.
NOTES


5. Ibid.

6. Ibid.

7. If they do not appear on the agenda, the rules for public forum should be explained each time by the chair.