



Meeting Procedure 101

Government meetings are a lot like professional bands or orchestras. Believe it or not, both groups find success in the same thing: tempo. For bands and orchestras, tempo is usually determined by a conductor or a rhythm section that keeps the music flowing. For town/village boards, it is proper meeting procedure. Meeting procedure can help local governments navigate difficult situations. The purpose of this article is to walk through some procedures that local governments are expected to follow in their meetings and explore some options that local governing boards have to adopt additional rules.

Importance of Open Meetings

For local governments, there are important rules that must be followed before a meeting can even be held. The Wisconsin Open Meetings Law is an important set of requirements that governments must follow to ensure openness, transparency, and to reinforce the public's trust. Wisconsin Open Meetings Law requires that all government meetings of governmental bodies be preceded by public notice and held in places that are open and reasonably accessible to all members of the public. See Wis. Stat. § 19.81 – 19.98. Meeting notice must be given at least 24 hours in advance and be reasonably proximate to the meeting date. The notice should contain the date, time, place, and subject matter of the meeting. The notice should also include any anticipated closed sessions and public comment periods. There may be other notice requirements that must be followed depending on the actions that your governing board is taking. It is always wise to consult with your municipal attorney to ensure you are meeting all the requirements of state statutes.

There are many aspects of the Open Meetings Law that officials need to be aware of. If you are a new official or if you are an official that needs a refresher on the Open Meetings Law, please consider attending the Spring Town Officials Workshops. There will be a session that provides a comprehensive overview of the Open Meetings Law.

Creating the Agenda

It is the town chairman's responsibility to create the agenda for the town board meeting. See Wis. Stat. § 60.24(1). The chairman's responsibility to "preside over meetings of the town board" also includes that the chair ensures that the procedures for creating the agenda and the procedures followed at the town board meeting are in compliance with state statutes and with whatever rules that the town board has adopted. The chair is also ultimately responsible for providing proper notice of a town board meeting. It is still the town board chairperson's duty to see that notices are prepared and given properly even if the clerk has been given the responsibility of providing notice of town board meetings.

To avoid potential Open Meetings Law violations, your board should consider the procedures used to place items on the meeting agenda. A proper way to place an item on an upcoming town board agenda would be for a town board member, at a properly noticed town board meeting, to make a motion to place the item of interest on the agenda for an upcoming town board meeting. Assuming the motion is made

and seconded and passed, the town chairman is required to place the item on the agenda. The chairman cannot refuse to place the item on the agenda, since there was action taken by the board. The town board may also decide to adopt a policy that establishes a format for the agenda and decide upon a procedure for board members to add agenda items. Remember, the goal for local government is to be in the spirit of the Open Meetings Law: open and transparent.

Meetings in Motion

The cornerstone of meeting procedure is the ability for members of the governing body to “move” or “make a motion”. The procedure for making a motion typically goes as follows. For a governing board to take action, a motion with a second is required. Then the chairman would restate the motion and debate on the motion would follow. Once debate ends, the body votes on the motion on the floor. Most motions are main motions or motions that are substantive in nature. Moving to approve a resolution or ordinance are examples of main motions. Please note that two main motions cannot exist simultaneously on the floor. Having two main motions on the floor creates conflict on the item of interest and would not be in proper order.

Subsidiary motions, on the other hand, can be made to influence main motions. Some examples of subsidiary motions include tabling the motion, postponement, limiting or extending debate, or amending. The subsidiary motion must be resolved before action on the main motion can be taken. You can think of motion making like a stack of papers. The ones on top (subsidiary motions) must be considered before you get to the bottom of the stack (the main motion).

There are other guidelines for improving motion making. It is typically better to make a motion in the positive rather than in the negative. Negative motion making can be extremely confusing. For example, making a motion to not approve a resolution can make it difficult for your board members to understand what an “aye” or a “nay” really means when voting. In addition, putting multiple items in one motion can make voting difficult due to understanding all of the components of the motion on the floor. To make things simple, it would be wise to consider each item separately with its own motion and vote.

Adoption of Additional Rules

Towns and villages may find it beneficial to adopt additional rules. Having an ordinance that states the rules of a governing body can be especially useful in navigating difficult interactions during a meeting. This ordinance could specify the board’s regular meeting schedule, the procedure to place items on the agenda, who presides over the meeting when the town chair is absent, and procedures for debate. It can also determine the rules for remote or electronic meetings. These rules can also help your board regulate good conduct at your meetings. If your town is interested in adopting its own town board meeting and parliamentary procedure ordinance, you can find a sample copy in the Wisconsin Town Law Forms here:https://docs.legis.wisconsin.gov/statutes/townlaw/forms/town_board_meeting_and_parliamentary_procedure_ordinance?view=section

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