

The Municipality

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Bad Meeting Behavior: Painting the Shed Red

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Municipal board members have no authority to act on their own. Only the board has authority to act. The board acts through participatory, collective decision-making – in other words, at meetings. So, if you want to see your ideas turned into policies, you need to understand the basic principles of deliberation in a public body.

That understanding starts with Robert's Rules of Order (Robert's). Most units of government in Wisconsin have adopted Robert's as their guide for conducting meetings. Robert's spells out the rules of engagement so that debate, discussion, and decision-making take place in an orderly way. Robert's balances the rights of individual members with the rights of the group.

To the uninitiated, parliamentary procedure can seem complicated and arcane, conjuring images of men in long black robes and powdered wigs, rigidly restricting participation to obstruct their opponents. The spirit of Robert's is just the opposite. Used as intended, parliamentary procedure enhances the democratic decision-making process by helping groups fairly weigh and consider the ideas and opinions of all its members.

Following the eight steps outlined below, members can place a proposal before the group, discuss the proposal's merits, and vote the proposal up or down.

Step 1. Member obtains the floor. Members cannot simply shout out at will. They must first obtain the floor by being recognized by the chair. Depending on the formality of the group, this can be done in a variety of ways. In large, formal groups, the member stands or raises his/her hand when no one else has the floor, addresses the chair, receives recognition from the chair, and then speaks in debate or makes a motion. In smaller, less formal groups, the member simply raises his/her hand and begins to speak once recognized by the chair. In a growing number of municipalities, members use electronic devices to indicate their desire to obtain the floor. After "buzzing in," the member waits for recognition by the chair.

Step 2. Member makes a motion. A motion is a statement for the group to take a particular action; it is a proposal to do something. (Note: The maker of the motion should agree with the action being proposed in the motion. Robert's prohibits the maker of the motion from *speaking* against it. On the other hand, the maker of the motion, after listening to debate, may later decide to vote against it.)

The proper way to make a motion is to state: "I move that... (followed by the specific action being proposed)".

Motions should be precise and specific.

Avoid making "negative" motions, that is, a motion "not to do something," where a member must vote "yes" to mean "do not do this." This could easily lead to confusion and unintended results, as when it comes time to vote, each member must unravel the underlying meaning of a "yes" or "no" vote.

Avoid the use of the phrase, "so moved." While it may seem like an innocent shortcut, making a motion by merely stating "so moved" can create much confusion. Typically, this shortcut is taken in a committee setting after there has been some debate or discussion on a topic. For example, during the discussion a member merely suggests an idea for an action that the committee might take. Another member, liking this idea, then simply states "so moved," meaning, "I like that idea. Let's discuss it and vote on it." Using this shortcut is incorrect and very bad practice. It often leads to unwanted outcomes. Members end up wasting time debating (and even voting on!) different versions of the motion because each heard the original idea differently. Be specific and clear the first time.

Step 3. Another member seconds the motion. Another member who deems the motion worthy of consideration says – without obtaining the floor – "I second the motion," "I second it," or simply "Second." The purpose of the second is to make sure that at least two members think the issue is important enough to bring before the body. The person who seconds the motion does not necessarily agree with it, only that it should

be discussed and decided upon. In fact, a member may disagree with the proposal but seconds the motion so that the body will be on record as having opposed it. Motions that do not receive a second do not move forward.

Step 4. Chair states the question on the motion. Once the motion has been made and seconded, the chair restates the motion. Usually the restatement follows this form, “It has been moved and seconded that...” By restating the motion, the chair ensures that everyone heard the same proposal and can, thereby, keep debate focused on the motion at hand. Here lies a turning point in the proceedings. Up until the time that the chair restates the motion, the maker of the motion owns the motion and may change it or withdraw it without the consent of the body. Once the motion has been restated by the chair, the motion belongs to the group and any modifications to the motion must have the consent of the body.

Step 5. Members debate. During debate members may undertake a host of possible actions, including discussion of the merits of the proposal, changing the wording of the motion, delaying action on the proposal, and referring the motion to a committee.

The maker of the motion has the right to be the first to address the body. Thereafter, members obtain the floor in the usual way. Robert’s limits speeches to no more than 10 minutes, with members permitted to speak no more than twice on the same motion in the same day. (These limits on debate are relaxed for groups of a dozen members or fewer, where the rules are less formal.) While each member has the right to speak twice, no member should be allowed to speak a second time when a member who has not yet spoken desires the floor.

During debate members should:

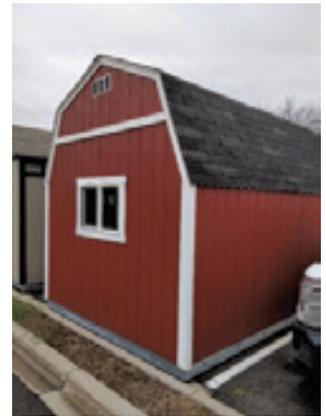
- Address comments to the chair, not toward another member.
- Refrain from referring to the motives of other members.
- Avoid side conversations; speak only when they have the floor.
- Limit their comments to those pertinent to the issue under discussion.

Step 5a. Amending a motion. At times, a motion is not acceptable as is. During debate and discussion the body may then amend – alter the wording of – the motion that is already on the floor to make it satisfactory to a majority. The motion to amend takes the form, “I move to amend the motion

by...” The member then has three choices: 1) inserting or adding words; 2) striking (deleting) consecutive words; or 3) striking and inserting. In making the motion to amend the member specifies the location for the deletions and/or insertions. The amendment must relate to the subject of the motion it is amending. A motion to amend may be amended. In other words, a member may move to amend a primary amendment with a secondary amendment. Primary and secondary amendments require a second and a majority vote to pass.

For example, a main motion is pending to “paint the shed red.” During discussion on this motion one of the members becomes concerned about costs. That member then makes a motion to amend the main motion by “adding the words ‘at a cost not to exceed \$5,000’ after the word ‘shed.’” The motion to amend is seconded by another member, restated by the chair and debate takes place. While discussing the motion to amend, another member moves to make a secondary amendment (amending the amendment) by “striking \$5,000 and inserting \$3,000.” This motion is seconded and restated by the chair.

Each of these motions is in order because each succeeding motion is of higher rank than the previous. The body will then dispose of these motions in reverse order. Think of these motions as nested cups, one inside another. The most recently added cup must be dealt with first. In our example, the body will discuss and vote first on the secondary motion to “strike \$5,000 and insert \$3,000.” If this motion passes, then the amendment to the main motion becomes “at a cost not to exceed \$3,000.” If the motion fails, the amendment remains “at a cost not to exceed \$5,000.” The body would then discuss and vote on the amendment. Finally, the body returns to discussion and voting on the main motion, either as originally stated or as changed by any adopted votes to amend. In other words, the vote on each subsequent motion incorporates the changes enacted by the subsidiary motions.



For those of you who have attended the League's Local Government 101 Workshop, the red shed will be familiar. The discussion around what color to paint the shed is the example Dan Hill uses when discussing a “walking quorum.”

Step 6. Ending discussion and putting the motion to a vote. The chair does not have unilateral authority to end debate. However, the chair should pay close attention to the debate and, when it is clear that discussion is finished, ask, “Are you ready for the question?” or “Are you ready to vote on the motion?” If any member seeks to continue debate and discussion, the chair should, within reason, permit it.

A member may make a motion to close debate or “move the previous question.” Because this motion limits members’ rights, it requires a supermajority vote of two-thirds or unanimous consent to pass.

Much confusion exists regarding ending debate. Many incorrectly believe that they can unilaterally end debate by stating, “I call the question” or “Question.” The member, tired of debate, rises and states, “Madam Chair, I call the question” and expects debate to end immediately. Robert’s gives no such power to any one individual.

A member who “calls the question” does not simply end debate, with a vote taken instantly. Rather, a member may make a motion to end debate or “move the previous question.” The motion requires a second and a two-thirds majority vote to pass. Once the motion to end debate passes, the chair must put the pending motion to a vote.

If during discussion on a motion a member calls out, “I call the question,” the presiding officer should check the member’s intent. If, indeed, the member wants to end the discussion and proceed to a vote, the presiding officer could coach the member on proper procedure and suggest that the member make a proper motion to end debate.

Step 7. Members vote. Once the body is prepared to vote, the chair should restate the exact wording of the motion that the body will be deciding upon. It is sound practice for the chair to state at this time the effect of an “aye” vote and of a “no” vote. The presiding officer then tells the members what method of voting will be used – voice vote or counted vote are most typical. The chair first asks for those in the affirmative, “aye,” and then the negative, “no,” responses. Counted votes may be taken by members raising their hands, standing, roll call, signed ballots, or

machine. The chair should always call for the negative vote no matter how overwhelming the result may seem.

In local government, a recorded vote is highly recommended. Citizens have the right to know how their representatives have voted. In particular, substantive decisions, such as votes on ordinances, budgets, and resolutions, call for visible, counted votes.

Step 8. Chair announces results. The chair announces the results of the vote – whether the motion passes or fails and, if known, the number of votes on each side. The announcement should also include the effect of the vote: “We will purchase the equipment” or “We will not create the proposed new position” or “We will paint the shed red at a cost not to exceed \$3,000.”

Understanding and following proper procedures during meetings can help municipal board members discuss issues in a productive way while seeing each other as collaborative problem-solvers working on behalf of residents. Individual members may even see some of their ideas turned into policy. And the shed painted red.

Resources:

Robert’s Rules of Order Newly Revised, Edition 11.

Robert’s Rules of Order, In Brief (A more accessible version of Robert’s; highly recommended for municipal government board members.)

About the Author:

Dan Hill is a recently-retired UW-Extension Local Government Specialist. As a local government specialist, Dan has worked with his colleagues at the Local Government Center to design and deliver educational programs for the tens of thousands of appointed and elected officials from Wisconsin’s local units of government. Dan continues to serve as an advisor to local government officials on management of meetings of governmental bodies, parliamentary procedure, and the open meetings law. Contact the UW-Extension Local Government Center at lgc@uwex.edu

