

MASSACHUSETTS MUNICIPAL COUNCILORS' ASSOCIATION

PARLIAMENTARY PROCEDURE AT COUNCIL MEETINGS: A PRACTITIONER'S VIEW

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AGENDA

- Welcome and Introductions
- Background
 - Precedence of Laws and Rules
 - Why Have Rules?
 - Where Do I Find the Rules?
- Overview of Marlborough and Amherst Council Rules
- Motions
 - Appeals, Points of Order, and Questions of Privilege
- Real World Examples
- Preserving Order
- Going Forward
- Questions

BACKGROUND

- From the Disney movie Aladdin:
 - Whoever has the gold makes the rules
- In the world of the City Council:
 - Whoever knows the rules successfully moves items through the council
- In meetings, “it is virtually impossible for any human being to perform the function of chairperson fairly under all the situations that may arise without a considerable body of established rules to go by.”
 - In short: the President’s job is not easy

PRECEDENCE OF LAWS AND RULES

Federal Law

State Law

Local Charter or
Government Act

Council Rules

Robert's
Rules

WHY HAVE RULES?

- Clarity
 - What happens when during meetings?
- Efficiency
 - How do we best and most effectively conduct our business?
- Fairness
 - Who gets to speak, how do we keep the meeting on track, and how do we handle disagreement?
- What do we do when we don't know what to do?
- Who is responsible for enforcing the rules?

WHERE DO I FIND THE RULES?

- Robert's Rules of Order
 - General Henry M. Robert
 - First edition 1876
 - 12th edition issued in 2020
 - Guide to Smooth, orderly and fairly conducted meetings
- City Council Rules
 - Each City has their own rules
 - Many reference Robert's Rules
 - Make sure you have a copy of the rules, read them, and understand how to use them!

MARLBOROUGH & AMHERST CITY COUNCIL RULES

- Marlborough
 - Adopted annually by each council – typically after the organizational meeting
 - Council Rule committee – 3 members
 - 33 Rules
 - Cover topics such as meeting time, agenda, meeting conduct, motions, how to speak, committee assignments
- Amherst
 - Reviewed each year
 - 10 rules, 30 pages
 - Topics such as organization, meetings, agendas, public participation, code of conduct, motions and voting requirements, legislative process, committees

MARLBOROUGH & AMHERST CITY COUNCIL RULES

- Administrative
 - Meeting schedule
 - How to get items on the agenda
 - Consent agenda items
- Meeting Conduct
 - Role of the President
 - Right to speak
 - Code of conduct
 - Motions and voting
 - Public comment and audience conduct
 - The value of your **“WORD”**
- Legislative Process
 - Introduction of measures
 - Referrals
 - Carryover to next legislative session

MOTIONS

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- A motion is made to begin an action item
 - Discussion focuses on the motion on the floor
 - Secondary motion, if any
 - Discussion of secondary motion
 - Votes on secondary motion (some secondary motions dispose of the action item & the meeting moves on to the next item)
 - Vote on main motion

APPEALS, POINTS OF ORDER, & QUESTIONS OF PRIVILEGE

- Point of Order
 - Raised when a Councilor believes there is a breach of the law or rules during a meeting
 - Must be timely; may be raised without being recognized by the President
 - President may review the rules & consult with Town Manager & Clerk for clarification before ruling
- Appeal
 - If a point of order or appeal is not well heard by the President, a Councilor can make a motion, seek a second, and Council would debate & vote on the ruling
- Point of Privilege
 - Too much noise to hear
 - Technical difficulties
 - Incorrect record of a vote

REAL WORLD EXAMPLES

- Use of Recess
- Motions to Reconsider
- Voting on the Budget
- Use of Special Meetings

PRESERVING ORDER

- Use the rules to set expectations and apply them equally
- Take a recess
- Set the pace
- Dispassion and impartiality

GOING FORWARD

- Come prepared! Read the agenda and materials
- Identify the motion to be made for each item and be aware of number of votes required

QUESTIONS

- Tabled items
- Consent agendas
- “Old business” and reconsideration of a vote
- Parliamentary association

- Other questions?



THANK YOU!

