

ORDER OF BUSINESS

Every governing body should have an order of business to follow in its meetings, and the municipal clerk should be prepared to prompt the presiding officer, if necessary, to insure that the correct order is followed. This does not mean that a governing body may never deviate from the order of business for good reason. A definite and well-understood order of business is important, since it helps the presiding officer to conduct the meeting with a minimum of wasted time, and it helps the Municipal Clerk in assembling documents for the meeting, preparing the agenda, and writing the minutes.

AGENDA

An agenda is an outline or list of specific matters to be brought up at a particular meeting; it is, in a sense, an order of business for that meeting. The agenda lists the various items to be considered under each order of business. The revised Open Meetings Act requires that the agenda for regular or special meetings **be available 72 hours before the meeting**. The agenda must also be posted on the public body's web site, 72 hours prior to the meeting, if the public body maintains a web site. The exceptions to the 72-hour requirement apply to: (1) meetings held to address an emergency (see Emergency Meeting on page 5-2), and (2) public bodies that ordinarily meet more than once a week. Those public bodies must post a draft agenda at least 72 hours before a meeting and a final agenda at least 36 hours before a meeting. A copy of the agenda should be provided for the presiding officer and all members of the governing body. If time, money, and reproduction facilities permit, copies may also be provided to department heads, the press, and citizens attending the meeting.

In most municipalities, the Municipal Clerk prepares the agenda in consultation with the presiding officer, although it may be prepared by the City Manager, if there is one. Unless there is a standing rule that officers or department heads notify the clerk of matters they would like on the agenda, he or she may have to ask them what they expect to report or bring before the governing body.

At the meeting, items that are not on the agenda may be discussed but no action (vote) may be taken if the item is not on the preliminary agenda. The agenda may be altered by majority vote of the members present. The omission of an item from the preliminary agenda does not prevent that matter from being **discussed** by the governing body, provided it is a matter which may otherwise be considered at the meeting (see Special Meeting and Adjourned Meeting on page 5-2, **but no action (vote) may be taken on the item unless it was listed on the preliminary agenda**). A sample agenda appears behind this Chapter.

Consent Agenda

A "consent agenda," sometimes called the "consent calendar" or "general order of business," is a portion of the full agenda which contains routine, non-controversial matters with which the governing body members are already familiar, and which should not normally need discussion. We recommend that matters on the consent agenda be physically grouped together as a separate item on the meeting agenda, although they may be placed throughout the meeting agenda, under the items to which they relate, and indicated by an asterisk or other special symbol.

The consent agenda can be a useful tool for expediting governing body meetings, if it has been established with the consensus of all concerned, and if it is properly used. It may be desirable to try it on an experimental basis before making it a permanent agenda item.

The consent agenda portion should be preceded by an explanatory note such as the following:

All matters listed under item 3, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Since matters on the consent agenda should be routine and non-controversial, the matters actually selected will depend upon the municipality. What is non-controversial in one municipality may be very controversial in another. Once the type of business to be considered routine and non-controversial has been decided upon, the selection of actual matters to be placed on the consent agenda of a particular meeting should be relatively easy. Selection may be made by the clerk, manager, mayor, department heads, a committee of the governing body, or whoever is designated by the governing body when it decides to adopt the use of a consent agenda.

1. Approval of the Consent Agenda

Whether matters on the consent agenda are physically grouped together on the meeting agenda, or are placed throughout the meeting agenda and indicated by a symbol, the consent agenda is considered as one item of business, early in the governing body meeting, with one motion. Since the Open Meetings Act requires the minutes to show how each member voted, there should be a roll call vote on approval of the consent agenda. In the minutes of the meeting, consent agenda items are recorded individually and in full, as if considered separately and voted upon separately, including the "yeas" and "nays" on the vote.

2. Removal of an Item from the Consent Agenda

Consent agenda items are not discussed separately, but an item may be removed from the consent agenda for discussion, if desired. Items removed from the consent agenda are discussed and voted on separately, either immediately after approval of the consent agenda, or in their normal sequence on the regular agenda.

There is no absolute rule on who may cause an item to be removed from the consent agenda. It is usually at the request of a member of the governing body, but the governing body may adopt its own rule in this regard.