



Public Participation in Council/Commission Meetings

Introduction

The public evaluates the performance of its elected officials to a great extent by what happens at meetings. Many citizens form their total opinions of the city government on the basis of having attended just one council meeting. This is the time to impress citizens favorably, and show them that the council is capable of doing its job.

The "citizen participation" period is a time slot typically set aside on the agenda for citizens to address the council on any subject. It is not to be confused with a public hearing, which is a formal proceeding conducted for the purpose of discussing a specific topic, such as the city budget or a proposed rezoning.

The Open Public Meetings Act does not require that citizens be allowed to participate and speak at council meetings (other than public hearings). That Act merely specifies that the public has a right to attend council meetings, except for executive sessions. It is up to the council to determine in their rules of procedure if and for how long citizens will be allowed to speak at council meetings.

Of course, most city councils do have a portion of the meeting set aside for citizen discussion and comment. However, even in that portion of the meeting, the citizens may be limited in the topics they are allowed to discuss and also limited as to how long they are allowed to talk. Remember the purpose of the council meeting is to conduct the city's business, it is not a public forum. Limiting public comment time in the meeting is not a violation of the first amendment.

Local practices vary considerably with respect to reserving a place on the agenda for citizen participation. Many councils put this item toward the top of the agenda, so that citizens can make an appearance early in the meeting and then go about their business. Other councils reserve a place for citizen presentations at the very end of the agenda, while others make no provision at all. The presiding officer should inform visitors of the place on the agenda where they will be recognized to speak. If an exceptionally controversial item draws a large crowd, it is generally wise to state the approximate time the item will come up for discussion.

Moving the Agenda Along

To move the agenda along, some councils limit the length of time any one citizen may speak from three to five minutes, and permit this to be extended only by a two-thirds vote of the council.

Don't allow verbal exchanges to drag on between citizens and councilmembers, especially if they concern administrative problems that can be solved by the staff during regular city hall hours. Also, if speakers take too much time or engage in personal attacks on councilmembers, it may be necessary for the mayor to cut them short.

Councilmembers are expected to be polite to citizens appearing before them, but there is no requirement that they subject themselves to intimidation by rude speakers.

Dealing with Critics and Pressure Groups

Criticism of government and a lack of confidence in our country's elected leaders is rampant these days, even at the local level. External conflict, while stressful, can help to frame issues and provide other perspectives. Most important, it often shows that people feel left out, alienated from the governing body.

Providing a fair hearing of issues at council meetings assures that the needs of pressure groups are appropriately balanced with the organization's mission and the greater needs of the community. How the governing body reacts will determine whether the conflict is contained or spills over to other issues.&

How to Deal with Criticism

- The governing body should listen actively to its critics - listen to learn and understand, not to argue, dispute or to silence those critics. Attempt to find some area of agreement by sorting out the issues into those that can be dealt with and those that are outside the scope of authority or the range of possibility to be resolved.
- The council's spokesperson should express regret that the problem has arisen. It is helpful to state that you understand how the person or group feels. Perhaps you might even restate their concerns. If you feel personally attacked, it is OK to say that you feel hurt by the comments.
- At some point, the council's action must be defended. Try to help people understand the factors that influenced the council, or discuss the parameters that will influence an impending decision which is under attack.
- When attacked, think carefully before responding. Know your facts. Be truthful. Credibility is your most important asset in dealing with your critics.
- Don't belittle small but vocal sources of opposition. Don't label people.
- Remember that groups which are fostering a narrow self interest will self-destruct through an inability to gain mainstream support. Don't overreact.
- Keep in mind that anger is directed at your role, not at you as an individual. Last but not least, while remaining respectful, keep a sense of humor.

Managing Difficult Meetings

From time to time, elected bodies are faced with conducting highly charged, controversial meetings, full of aggression and hostility. Such meetings really test the elected body and staff. Here are some ideas on handling those difficult meetings:

Before the Meeting

- Try to get the participants to designate a spokesperson.
- Make agendas and back-up reports easily available to participants.
- Make sure adequate seating is available. Consider moving to larger quarters if necessary.
- Make sure sound and recording equipment is adequate and operational.

During the Meeting

- Explain the issues, the possible actions and the procedures that will be followed at the meeting.
- Don't waste time or try the patience of participants at the beginning of the meeting on routine items such as

correcting the minutes.

- Have speakers address the elected body and not the audience. Some speakers are very adept at inciting audiences, especially if they are permitted to face the audience.
- Explain at the beginning why clapping, shouting and other such demonstrations are counterproductive and stop such actions as soon as they occur.
- Use recesses to help diffuse hostility or aggressiveness.
- Consider limiting speakers to a set time such as three to five minutes. If such a procedure is used, make sure it's applied consistently.
- Consider using speaker cards that are filled out and turned in at the beginning of the meeting. The cards can help identify how many people wish to speak and whether they support or contest an issue. They are also invaluable in recording the names and addresses of speakers. Recognize, however, that persons not wishing to fill out a card may still have the legal right to speak.
- Make sure elected members address colleagues and not the audience. Directly addressing the audience can result in loss of control of the meeting.
- Immediately continue items that cannot be decided at the meeting. This does not preclude the elected body from allowing anyone who wishes to speak on the issue to do so.

Conclusion

There is considerable latitude afforded to local governments in establishing rules for the conduct of public meetings. A city or town may develop a comprehensive set of rules governing council procedures to suit its individual needs or it may adopt by reference formalized rules such as Robert's Rules of Order. Rules adopted by a local government will be valid as long as they do not infringe upon constitutional rights or conflict with state law. These liberties do not extend to all aspects of public meetings, however. The so-called "sunshine laws" requiring that the public have access to nearly all mechanisms of government have a significant impact on the conduct of public meetings and other council proceedings.

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