

# Doing it Right: Agendas & Minutes

Nila Jurkovich, Kellogg City Clerk  
Jim McNall, ICRMP

# Definitions

- Meeting
- Governing Body



# Purposes of Meetings

- Required by Law
- Enable action
- Carry out statutory obligations
- Local Governance
- To hear from members of the public\*\*\*

# Open Meeting Requirements



**NOTICE**

**AGENDA**

**QUORUM**

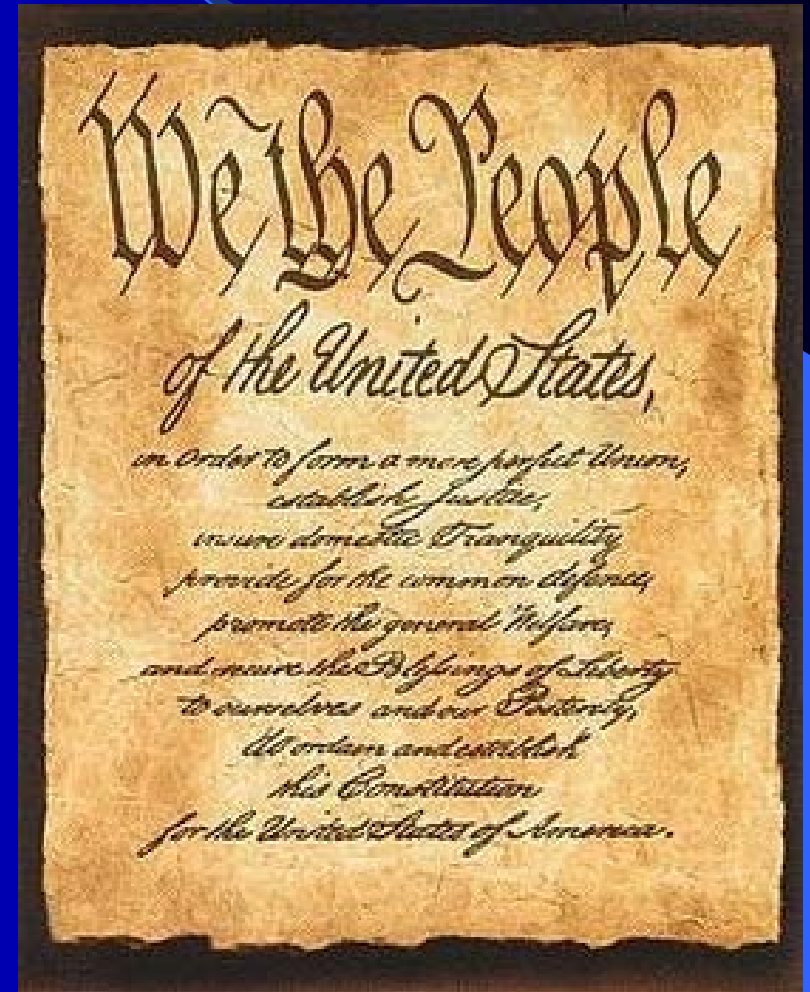
**RECORDS**

**EXCEPTIONS**

(Executive sessions)

# Not all meetings are created equal!

- Regular
- Special
- Advisory committees
- P&Z
- Alcohol licenses
- Etc...



# AGENDAS

An agenda is required for each meeting.

- Posted same as meeting notice????
- Posted 48 hours (or 24 hours for “special” meeting)
- Only “good faith” amendments
- Motion and vote required for amendments made within 48 hours of, or during, the meeting to include reason

# “Good Faith”

Requires which of the following:

- A. It just happened (After the 48 hrs.)
- B. Needs to be decided NOW.
- C. Does not change a policy or law.
- D. Is not made to exclude a council member.
- E. All of the above.

# Who has input?

## Creating the agenda

- A. Mostly just the clerk.
- B. Any City official submits and it happens
- C. Mostly the Mayor.
- D. “B” and the Mayor reviews.
- E. Mayor Clerk and Council



# Agenda is:

- Topics to be discussed/decided at the meeting.
  - Check by looking at past minutes.
- Written for those not familiar with your world.
- Avoid using acronyms.

# Agenda is not:

- A list of categories
  - Old business, new business, adjourn
- Who will be speaking
- Decisions requests hidden in “reports”

# Consent Agenda

- Can speed up the meeting
- Uncontroversial decisions
- Usually recurring matters, mostly administrative
- Any member may have item removed to regular agenda.
- Still need documentation

# **ADA Verbiage**

**for the bottom of  
Entity Open Meeting Agenda**

**Any person needing special accommodations to participate in the above noticed meeting should contact City Hall \_\_\_ days prior to the meeting at \_\_\_\_\_ - \_\_\_\_\_ .**

# Meeting Rules

- **EACH SPEAKER DURING THE PUBLIC COMMENT PERIOD WILL BE LIMITED TO 5 MINUTES**
- **THE COUNCIL MAY NOT HEAR OR TAKE TESTIMONY REGARDING ANY PLANNING & ZONING MATTER THAT IS BEFORE THE CITY OR IS KNOWN TO BE A LIKELY APPLICATION**
- **ISSUES REGARDING THE PERFORMANCE OF CITY EMPLOYEES CONSTITUTE MATTERS THAT MUST BE DISCUSSED ONLY IN EXECUTIVE SESSION AND ARE NOT APPROPRIATE IN THE PUBLIC PORTION OF THE MEETING**
- **MATTERS THAT HAVE BEEN PREVIOUSLY HEARD AND DECIDED BY THE COUNCIL MAY BE DETERMINED TO BE NOT APPROPRIATE FOR THE PUBLIC COMMENT PERIOD**
- **CITIZENS MAY USE THIS TIME TO REQUEST THAT ITEMS BE PLACED ON FUTURE AGENDAS FOR FURTHER DISCUSSION**

# Conduct of Meetings

- Agenda – who sets?
- Mayor conducts (Usually).
- Allow (encourage) participants to discuss.
- Motions – need to be succinct, clear, comprehensive.
- Amending a motion?
- Voting?
- Order of business?

# Notice times

Which is not correct?

- A. 24 hrs. for a special meeting agenda and notice.
- B. No notice for an emergency meeting.
- C. 48 hr. agenda posting for a regular meeting.
- D. Regular meetings set by ordinance.
- E. Post 5 days for regular meeting notice.

# MINUTES - I.C. 74-205

- (1) All minutes shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:
  - (a) All members of the governing body present;
  - (b) All motions, resolutions, orders, or ordinances and their disposition;
  - (c) The results of all votes, and upon the request of a member, the vote of each member, by name.



# MINUTES – EXECUTIVE SESSION - I.C. 74-205(2)

- (2) Minutes pertaining to an executive session shall include a reference to the specific statutory subsection authorizing the executive session and shall also provide sufficient detail to identify the purpose and topic of the executive session but shall not contain information sufficient to compromise the purpose of going into executive session.

# What is a Decision?

- At a posted meeting with a quorum.
- On the agenda.
- In the minutes.
- P-Z requires written decision – more than typical minutes. (findings of fact and conclusions of law still in your ordinance?)

**NOT – two or three signatures.**

# Minutes

- Reflect what was decided at a meeting – not what you wish had happened. (18-3204)
- Minutes should be an expanded version of the agenda – Not on the agenda? Not a decision!
- Minutes are the history of the City
- How much detail?
- Attachments?

# “Approving” the Minutes

- On the agenda – consent agenda?
- Draft minutes are available to the public.
- An opportunity for the council to make sure that the minutes accurately reflect actions taken.
- Not in the minutes – didn’t happen, actions by signature are usually invalid.
- Often the Clerk must guess at what you meant, this is a review of that guess.

# Types of Violations

- Inadequate notice
- Decision re topic not on the agenda
- Topic added to the agenda improperly
- Deliberation outside of the meeting
- Failure to disclose conflicts??