



# The fine art of negotiations

By Patrick Callahan

Whether we consciously think about it or not, our lives involve numerous opportunities to “enter into negotiations.” Much of our interaction with people on both a personal and professional level involves some type of negotiation. While we may not always refer to it as “negotiations,” many conversations in our personal lives result in some type of compromise, arrangement or resolution of different opinions. The same is true in the work place and at city hall.

Negotiations in our personal lives can be as uncomplicated as a discussion with our spouse regarding plans for the weekend or trying to “reason” with our four-year-old child or grandchild regarding what snack to eat. Negotiations on a more intense or serious level may be with a car sales person regarding the purchase of a vehicle or meeting with our sibling to settle an estate. Negotiations in the work place, and especially in city government, can be just as simple or just as difficult and complicated.

## Who, What and How

Webster’s Dictionary defines the word negotiate as “to settle by bargaining; to arrange; to transfer; to surmount; to discuss with a view to finding terms of agreement; to bargain.” Negotiations in many cities can include such things as collective bargaining with employee unions, settling a lawsuit to avoid going to court, renewing a franchise agreement with a private utility company, a change order with a construction company, amending an agreement for services with an engineer, reaching an agreement on a price for a new backhoe or street sweeper, or purchasing an easement from a property owner for a new sewer line.

Negotiations can also include fairly routine and simple matters, such as setting up a payment plan for a delinquent water bill, getting a discount on the purchase of supplies for the city, or reaching a consensus with fellow members of the city council on how to balance the city budget. Examples of negotiations are more common in city government than we might think and can involve “discussions” with vendors, citizens, contractors, state regulatory agencies, other cities, applicants for permits, developers, engineers, employees and council members.

## Negotiation Styles or Approaches

We all have different styles or approaches when it comes to negotiations, and those styles can vary depending upon the circumstances. For example, our approach to negotiations may differ when we are discussing a matter with a representative of a state regulatory agency as compared to our negotiations with our spouse. There are usually four basic types of negotiators:

- Competitor – win/lose person
- Accommodator – the “door mat”
- Collaborator – the “win/win” style
- Avoider – no interest in negotiating

One of the best things that you can do to improve your negotiation skills is to know your style and assess your strengths, sources of information, communication skills, personality traits and experience. Once you have done an honest assessment of your skills as a negotiator you can better prepare yourself or your team for entering into negotiations with whomever you need to reach agreement.

## Preparation – The Key to Successful Negotiations

Like many things in life, one of the more critical components of successful negotiations is preparation. This preparation can involve such things as identifying and analyzing the content, the relationships, the players and the process used in negotiations. The preparation stage of negotiations can include the following:

- Define the bargaining “mix” or pieces.
- Prioritize your interest.
- Determine what can be traded.
- What are the short and long term interests of the other party?
- What are your most important issues?
- What supporting facts or arguments do you have to validate your position?
- From your research what have you learned about the other party in terms of style, objectives, resources, repu-

tation and authority?

- What might a successful agreement or “win/win” plan look like?

### **The Elements of Success**

How do you know if you have successfully negotiated a deal or an agreement? The signs of success can include four factors or answers to these questions:

1. Did you meet or exceed your goals?
2. Will the success or result be good in both the short term and long term?
3. Did you strengthen the relationship with the other party?
4. Was it an efficient bargaining process?

### **Maintaining the Relationship**

We have all heard the phrase or observation that someone has “won the battle, but lost the war.” Many of our negotiations in city government involve the critical component of reaching an agreement, without damaging the relationship with the other party. Therefore, an important element of a successful negotiation process is to reach an agreement that both parties can accept and conclude that it was a fair and equitable arrangement. While not all negotiation sessions will end with both sides in total agreement, it is important that cities try not to burn bridges or destroy relationships in the negotiation process, particularly for the long term.

When one of the goals in negotiations is to maintain or strengthen the relationship with the other party, the skilled negotiator needs to be mindful of the following:

- Identify your “give-aways.”
- Expanding the “pie,” rather than dividing the “pie.”
- Keep the discussions civil and respectful.
- Determine a strategy if an agreement cannot be reached.
- What and how can you demonstrate the legitimacy of your position without offending the other party?
- Don’t confuse relationship with substance.
- Once an agreement is reached, get it in writing as quickly

as possible to avoid confusion or misunderstandings.

- If necessary, can you enhance or improve the relationships, when negotiations have concluded?

### **Ending on a Good Note**

Negotiations can be completed in one meeting or may involve a series of discussions over an extended period of time. Regardless of how many times the two parties meet, it is imperative that they end each session on a positive note. It can include a hand shake, an agreement on what needs to be resolved, the next meeting date, how success will be measured, and what a “win/win” deal might include. The final comments could also include some personal discussions regarding things such as weekend plans, the weather or sports. Your ultimate objective, in addition to reaching a successful conclusion to the negotiation, should also be to enjoy the process and to learn from each session.

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