

***Committee on Rules, Orders, Appointments, & Ordinances
And the Northampton City Council***

*Councilor David A. Murphy
Councilor Maureen T. Carney
Councilor Ryan R. O'Donnell*

***Meeting Date: November 10, 2015
Meeting Time: 5:00 pm
City Council Chambers, 212 Main Street
Northampton, Massachusetts***

1. At 5:08 pm, Councilor Murphy called the meeting to order. He announced that the meeting would be audio and video recorded.
2. Present: Councilors O'Donnell, and Murphy were present from the Committee on Rules, Orders, Appointments and Ordinances meeting. Councilors Dwight, Sciarra, and Adams were also present from the City Council. Councilor Adams left the meeting at 5:30pm. Councilor Sciarra left the meeting at 7:00pm.
3. No public comment.
4. **Councilor Adams gave feedback about the Rules since he will likely have to leave early.** He gives thanks for the overhaul of the Council Rules. It is something that should be done every couple of years. He strongly disapproves the Council President identifying the committee chairs (comment#1). It may make sense that if there are fewer committees to have 4 councilors for each committee. He thinks that the new numbering system is cumbersome and that the committee should consider a simpler numbering system. Regarding Rule 2.6.3.—the stipulations might be difficult to accomplish (non-member attendance @ committee meetings) since all meetings are open to the public and even City Council members can attend these meetings. Regarding 3.2, he believes that this doesn't make sense (adopt an agenda of state legislative priorities) and he doesn't feel that should be mandated in the Rules. It is not clear who would take the lead. He also said that 3-6 of the Charter talks about the day to day duties of running the city and he is not sure what the Mayor would do with the Resolution. Regarding the Power to Amend (2.6.2.5) It would nice for the Council to see what other recommendations committees make before a vote is taken on an item.

Councilor O'Donnell suggested deleting 4.11. It will be covered by Robert's Rules of Order.

Regarding Timely Filing Rule: Councilor O'Donnell suggested changing when items can be received by the City Council Office for placement on the agenda to an "hours in advance" of meeting time to reflect that meetings may not only take place on Thursdays. The Admin. Assistant noted that the time

stipulated in the Council Orders is interpreted as a submission deadline to some and an agenda-ready deadline to others. The deadline meaning should be clear and communicated accordingly.

5.1.4.2 Councilor O'Donnell suggested striking the word "clerks"; the section should read, "Administrative Number."

5.1.4.3 Councilor O'Donnell suggested that the section should be eliminated because the title is not part of the Ordinance/Order.

5.1.4.4 Councilor O'Donnell suggested eliminating the semi-colon and replacing with a period.

Section 5.3 Councilor O'Donnell suggested striking everything after the first full sentence in this section. It is written in such a way that it requires the solicitor to take action.

Regarding 5.4 Withdrawal of Matters: The group discussed how withdrawing a matter should be handled once it has been introduced (after "referral" or "1st reading"). The committee agreed that a request to withdraw an item should be handled in writing. Placing it on the agenda as a withdrawn matter would need to be done. The Council will then acknowledge a written request from a sponsor to withdraw an item. Councilor O'Donnell suggested to amend this section to read, "If the council has previously been acted upon, the matter can be withdrawn in this manner. At the written request of the sponsor(s)..."

5.6 Matters requiring one vote: It was thought that Council Rules should follow Administrative Orders, and therefore only require one vote. "For approval" should be deleted as the outcome of the vote has yet to be determined.

Councilor Dwight asked the committee to amend rule 2.3.1 to remove, "and to appoint the Chair of each committee." He does not feel strongly that this is necessary, and since two councilors have spoken against this provision, he would like to see this changed. Councilor O'Donnell suggested that section 2.6.2.1 will need to be re-worded; he recommended, "Council committees shall elect officers from among their members, such as Chair and Vice Chair." There were no objections to either of these changes.

Section 6.1 Purpose and Intent: The section seems misplaced; Councilor O'Donnell suggested striking then entire section and begin the Special Permit Granting Authority with Selection of a Chair/Moderator.

Other proposed amendments were discussed. The first was to add specific jurisdictions to committees. Councilor O'Donnell read the amendments. (Note: Building Inspector should read "Building Commissioner".) Councilor Murphy pointed out that the presence of committee members or city employees cannot be dictated, except as allowed for by Charter. Councilor Murphy pointed out that the Committee on Legislative Matters might need to receive testimony from any department or committee member as the scope of matters reviewed by this committee includes every department and every committee. Councilor O'Donnell will update the section on jurisdiction for this committee to reflect this.

Councilor O'Donnell also reviewed the amendment to add the selection of an outside auditor. Councilor Murphy agreed with moving this amendment forward; he asked that the City Solicitor's opinion be sought before the Council votes on this as a final rule.

Councilor O'Donnell moved to send the changes forward to the full City Council with a neutral recommendation; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

Councilor O'Donnell will provide an updated version to forward to the City Solicitor for his review.

Councilor O'Donnell moved to adjourn the meeting@ 7:10pm; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).