

Charter and Rules Committee

Monday, May 6, 2024

Video of meeting can be found at <https://youtu.be/5SljE0KPkXM?feature=shared>

Members present: Chair Meg Magrath-Smith, Vice Chair Linda Vacon, Tessa Murphy-Romboletti

Other councilors present: Patti Devine, Carmen Ocasio, David Bartley

Chair Magrath-Smith called the meeting to order at 6:30 PM

Councilor Vacon made a motion to remove item 1 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 1: Minutes of March 25, 2024 meeting.

--->Approved, 3-0.

DISCUSSION:

Councilor Vacon made a motion to approve item 1. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Councilor Vacon made a motion to suspend the necessary rules to remove items 2 and 3 from the table as a package. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 2: 4-2-24 MAGRATH-SMITH - Ordered, that the Legal Department clarify the meaning of "senior member" as related to City Council rules 3B and 8D.

--->Complied with, 3-0.

Item 3: 4-2-24 From Attorney Kathleen Degnan, legal opinion regarding context of "senior"

--->Complied with, 3-0.

DISCUSSION:

Chair Magrath-Smith stated that this had been to clarify how senior member was defined, noting the term was in both the rules as well as in certain provisions of the city charter. She then explained she was looking to get the question addressed, noting that some councilors returned to the body after being off of it for some years. She then stated that it could mean the oldest, the longest serving, or the longest serving in sequential years. She then explained that the legal opinion defined it as the senior amount of service, adding that because the rules were silent on requiring it to be consecutive years, no such requirement existed.

Councilor Vacon made a motion that items 2 and 3 were complied with. Councilor Murphy-Romboletti seconded the motion. Motion passed.

(3:50)

Councilor Murphy-Romboletti made a motion to remove item 4 from the table. Councilor Vacon seconded the motion. Motion passed.

Item 4: 4-2-24 MAGRATH-SMITH- Ordered, that all Charter references to an Assistant Superintendent of Public Works be updated to Assistant Director of Public Works.

--->Complied with and referred to City Clerk, 3-0.

DISCUSSION:

Chair Magrath-Smith stated that this order was filed because of changes to the titles that had not been updated in the charter. She noted that it could be done without a home rule petition.

Councilor Vacon made a motion to approve item 4 and refer to the Law Department to make the changes. Councilor Murphy-Romboletti seconded the motion.

Chair Magrath-Smith asked Atty Bissonnette who this had to go to.

Atty Bissonnette stated that there was no reference in the charter to the Assistant Superintendent of Public Works. He then noted that the Superintendent needed to be updated in the charter. He recalled that the ordinance had been amended a couple years earlier.

Chair Magrath-Smith asked if the change had been updated in Municode.

Atty Bissonnette stated that he believed it was but was not completely comfortable confirming it at that time.

Chair Magrath-Smith suggested accepting this and asking the City Clerk to confirm that the changes happened in Municode.

Councilor Murphy-Romboletti stated that she believed both the City Clerk and the Admin Asst were training and working on the new software.

Councilor Vacon stated that the City Clerk was the keeper of records. She then amended her motion to make sure the changes were made and refer to the City Clerk. Councilor Murphy-Romboletti seconded the motion. Motion passed.

(6:50)

Councilor Vacon made a motion to remove item 4 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 5: 4-2-24 MAGRATH-SMITH - Ordered, that City Council Rule 7B be amended to allow speakers during Public Comment to speak for up to 3 minutes. The current rule allows for up to ten speakers to each speak for 1.5 minutes.

--->Approved, amended to allow public comment for 2 minutes, 3-0.

DISCUSSION:

Councilor Vacon noted that the Council had historically allowed additional speakers if more than 10 people wanted to speak. She suggested addressing what to do in those situations in addition to addressing how much time they can speak.

Chair Magrath-Smith asked what had been done in the past.

Councilor Vacon stated that they had always allowed people to speak but asked people to limit their remarks to new or shorter comments, or not to repeat the same information and perhaps just say they agree with what had been said before.

Chair Magrath-Smith suggested leaving some things to the discretion of the President in framing their instructions based on how many people they see waiting to speak.

Councilor Devine suggested that a number didn't need to be defined and that the rules could just be suspended to allow other people to speak.

Chair Magrath-Smith agreed that the rules could always just be suspended.

Councilor Vacon clarified that she was not looking to limit who could speak, believing it was better to let anyone who wanted to speak to do so. She added that her concern was more about use of time, noting that 20 people all speaking for 3 minutes could go an hour into the meeting.

Chair Magrath-Smith asked if the limit of 10 should be removed.

Councilor Vacon stated that the approach may not necessarily be wrong but noted that there had been discussion about trying to make meetings more efficient.

Chair Magrath-Smith emphasized that an amended rule could be changed back. She then stated there was an interest in making sure people felt encouraged to come to meetings and speak. She added that it was uncomfortable for the Council President to have to cut people off, especially when they may not be polished public speakers.

Councilor Bartley stated while the order made sense and people should be encouraged to speak, the online presence should be considered as well. He noted that people may attend on Zoom and not even show their face on video. He then suggested that if people are given 3 minutes, they were use it and likely still have more to say. He also recalled that a motion was made at the last meeting to allow someone to speak over 90 seconds, emphasizing that the Council already had to flexibility to suspend rules. He then expressed concern with giving someone 3 minutes to scream at councilors. He suggested giving the chair flexibility to ask the body for a motion to suspend the rules if it was clear that someone wasn't finished.

Chair Magrath-Smith asked Atty Bissonnette is the Council could require online speakers to be seen on camera to engage in public comment.

Atty Bissonnette stated that they could and could also be required to provide an email address. He added that one issue would be that the public had to be allowed to participate by telephone.

Admin Asst Anderson-Burgos stated that the lack of video was a function of how he had been allowing people to speak online. He then explained that he could allow them to speak by either giving them permission as an attendee or bringing them up into the meeting as a panelist. He further explained that he was doing the former partly as an efficiency measure because upgrading them to panelist often led to 10-15 seconds of delay. He added that if someone was attending for malicious purposes, such as Zoom bombing, it took longer to cut them off if they were in as a panelist.

Councilor Vacon suggested making a rule that public speakers may speak for 1 1/2 minutes and up to 3 minutes if needed.

Chair Magrath-Smith asked how that would be functionally different from just giving people 3 minutes.

Councilor Vacon suggested that seeing a hard number would lead people to feeling that needed to go to that number while seeing a range may give people the sense of having more flexibility.

Councilor Murphy-Romboletti suggested a middle ground of up to 2 minutes, recognizing that it sometimes took a little time for people to get comfortable speaking. She also suggested putting a digital clock up so that people knew how long they had without needing to be interrupted.

Chair Magrath-Smith noted that an order was being filed at the next Council meeting to get a clock.

Councilor Murphy-Romboletti stated that it was usually just a few people speaking but more may come in if there was a controversial issue where the President may need to use some discretion in seeking to suspend the rules. She then stated that public comment was one of the best ways for the public to advocate for issues they care about.

Chair Magrath-Smith stated that she liked the idea of 3 minutes but could be warm to a compromise. She reiterated that it took some people time to organize their thinking. She also suggested keeping the cap at 10 people, recognizing that that the rules could be suspended.

Councilor Vacon expressed agreement with the compromise, giving more without going up to 3 minutes. She suggested adding a minute would help.

Chair Magrath-Smith entertained a motion to amend the rule for up to 2 1/2 minutes.

Councilor Murphy-Romboletti clarified that her idea was for up to 2 minutes.

Councilor Vacon noted that she did comment to add a minute, but was in support of 2 minutes.

Councilor Murphy-Romboletti made a motion to approve item 5, amending it to 2 minutes.
Councilor Vacon seconded the motion.

Councilor Bartley expressed support for the motion as a fair compromise.

Motion passed.

Chair Magrath-Smith reiterated that after seeing how things work out, the rule could be amended again.

(26:20)

Councilor Murphy-Romboletti made a motion to remove item 6 from the table. Councilor Vacon seconded the motion. Motion passed.

Item 6: 6-7-22 MURPHY-ROMBOLETTI -- Ordered that the City Council amend its rules to create a Vice President position in the City Council.

*Tabled 6-14-22, 10-24-22, 3-25-24

--->Laid on the table, 3-0.

DISCUSSION:

Chair Magrath-Smith noted that legal language had been provided by the Law Department earlier that day. She then asked Atty Bissonnette about language about petitioning the state legislature to allow the city to enact legislation amending the charter to allow for the election of a City Council Vice President, noting that the language indicated a context that was not in the order. She added that the language also referenced that person serving as interim mayor if the elected mayor resigned and the Council President could not serve. She also stated that while that may be one role for the Vice President, it was not the only case where having that role would be important. She then explained that having a Vice President could step up if the President could not serve for a period of time.

Atty Bissonnette stated that kind of situation could be managed by internal rules. He noted that questions came up a couple terms earlier when the mayor at that time resigned and the Council President was unable to commit to taking that position for more than a couple weeks, forcing the Council to seek a special act allowing them to pick a successor.

Councilor Vacon stated that she did not believe a charter change was necessary and that there was not a need to anticipate a second tier level for mayor because there was not likelihood of repeating that situation anytime soon. She added that the process that took place worked out for that situation. She then stated that she preferred the senior member rule over needing to create a Vice President role, as the senior member would be well grounded in the workings of the Council.

Councilor Murphy-Romboletti stated that she had been under the impression that a charter change would be needed because there was a reference to a senior member in the charter. She then explained that she filed this order partly as a response to the confusion when Mayor Morse resigned because the process wasn't clear when President McGee could not fulfill the role. She added that someone being the senior member did not necessarily mean they would be someone who would want to run a meeting while someone who was Vice President would understand that filling in would be part of the responsibilities.

Atty Bissonnette stated that at the organizational meeting, the Clerk calls the meeting to order and then a senior member runs the meeting until a President is elected. He then

explained that the charter reference was different and that the senior member reference closely mirrored the rule. He then suggested that the Vice President could but did not necessarily need to be in the line of succession. He suggested that if the VP was not intended to be in the line of succession, the role only be created in the rule.

Councilor Devine noted that in the language, it stated that the President or Vice President may be removed by an affirmative vote of two-thirds of the City Council. She then suggested that the Council would not want to do that. She recalled that when Councilor Terry Murphy took over as mayor when President McGee could not, he was not the senior member.

Chair Magrath-Smith stated that as things moved into a different era, noting that Councilor Murphy-Romboletti was the Council's first female president, the time would come when the President was pregnant. She then stated that the current rule addressed when a President could not run a single meeting. She then questioned what would happen if someone got sick and can't be president for a couple months and could not discharge their other duties beyond running a meeting. She then stated that while she valued that a senior member would have knowledge and expertise on how meetings ran, they may not be the person who was willing to step up to take on additional expectations.

Councilor Devine read another provision of the language that restricted the President or Vice President from serving more than 3 consecutive terms. She then stated that she did not believe that was a good idea.

Councilor Murphy-Romboletti clarified that was already a rule.

Councilor Devine asked how that happened.

Councilor Murphy-Romboletti stated that it was changed during Jourdain's presidency after McGiverin left the role.

Councilor Bartley agreed that there should not be a removal but believed that Atty Bissonnette had put in many provisions just for consideration. He agreed that term limits should remain, and it made sense to have a different voice. He then suggested that the President should appoint the Vice President rather than needing to have another election. He also agreed with having a Vice President, as it would make things simpler than the senior member. He also expressed opposition to the provision on removing the President. He added that the charter should be changed on a parallel track with changing the rule, considering the confusion that took place a few years earlier. He then commended former councilor, Terry Murphy, for his performance as Acting Mayor, adding that he had been a credit to the city and the office, but recognized that it had been a little bit of luck that they were able to appoint someone like that.

Chair Magrath-Smith noted that rule 3B stated that "in the absence of the president, the senior member present shall call the City Council to order. The City Council shall then proceed to ballot for a President pro tempore and a plurality of the vote taken shall be sufficient

for a choice." She then suggested that the Council had not been going through that formality but had just accepted the senior member.

Councilor Bartley stated that they had gone through it.

Councilor Vacon stated that it may not have been done by roll call.

Councilor Bartley explained that it was usually done by a motion being made and then taking a voice vote.

Chair Magrath-Smith stated that several rules would have to be changed to allow for a Vice President instead of a senior member.

Councilor Vacon stated that she preferred the idea of electing a Vice President as they would be representing the body. She added that she preferred the process of election for interim mayor rather than the Vice President assuming the role if the President could not do so. She stated that there was no guarantee the Vice President would be in any better position to take on the role than the President would.

Chair Magrath-Smith suggested that one path could be keeping the senior member in cases of single situations while a Vice President could be in the case of an extended absence beyond one meeting.

Councilor Vacon suggested that in the case of neither the President or Vice President being able to serve, it would go to an election of the body.

Chair Magrath-Smith asked Councilor Vacon how she felt about keeping senior member for one-off coverage of meetings.

Councilor Vacon stated that she was good with either option.

Councilor Devine noted that when the Mayor was on vacation, the City Clerk was Acting Mayor.

Councilor Murphy-Romboletti noted that the rule only provided for the senior member to call the meeting to order. She agreed with the idea of creating a rule that addressed if the President was going to be absent for an extended period of time. She stated that she could provide some suggested language by the next meeting.

Chair Magrath-Smith made a motion to lay item 6 on the table, with the plan to revisit language at the next meeting. Councilor Murphy-Romboletti seconded the motion. Motion passed.

(50:15)

Councilor Murphy-Romboletti made a motion to remove item 7 from the table. Councilor Vacon seconded the motion. Motion passed.

Item 7: 6-7-22 MURPHY-ROMBOLETTI -- Ordered, that the City Council establish a rule that requires any resident running to fill a vacant city council seat will need to obtain 50 signatures from eligible residents in order to be considered by the full City Council for appointment.

*Tabled 1-9-23, 3-25-24

--->Leave to withdraw, 2-1.

DISCUSSION:

Chair Magrath-Smith noted legal language had been provided.

Councilor Murphy-Romboletti stated that she filed the order with the intent of having the requirement, as it would encourage people to meet people the same as Council candidates do for a regular election. She suggested that it would help people understand what they were running for as well as helping the public know that there was a seat open.

Chair Magrath-Smith stated that the language looked solid.

Councilor Vacon noted that the Council was the one to appoint. She then asked why making a rule to require 50 signatures needed a charter change.

Councilor Murphy-Romboletti stated that when she filed the order, she was not completely sure if that needed to happen.

Councilor Vacon asked if it could just be put into a rule.

Atty Bissonnette stated that the Council could do that. He added that there would not really be anything to amend in the charter other than explicating what the rule would state.

Chair Magrath-Smith suggested that a rule could use the same language as the suggested charter language. She then asked where that rule would go in the Rules. She suggested it could go into Section 8: Voting.

Councilor Vacon suggested ensuring adequate amount of time for people to get signatures.

Councilor Bartley suggested that it would be a charter change to avoid usurping the charter by changing a rule. He then stated that while he did not have a problem with getting signatures, candidates in a regular election had several months to get 50 signatures while this would likely be a matter of a couple weeks. He expressed that while this was a

noble idea, concern with adding an extra layer of requirements in such a short amount of time.

Chair Magrath-Smith stated that she did not see any reference to a right to fill a vacancy in the rules.

Atty Bissonnette stated that it was in the charter but there were no rules to that charter provision.

Chair Magrath-Smith stated that modifying the rules could be done and the full Council could consider whether or not it wanted to also pursue a charter change. She then suggested that this would be a new rule, 8O.

Councilor Vacon stated that if a rule were created asking candidates to get signatures for a Council vacancy, it would have to be greater than 18 months but less than 24. She then suggested that obtaining signatures could be considered by the Council but not be required to be eligible for consideration, allowing people to make their own judgement on the worth of getting the signatures.

Councilor Devine stated that while the intent was good, working it out was more complicated. She suggested keeping it the same, allowing a vacancy to be advertised and then the Council would get to interview, and then the first candidate with a majority of votes would get the seat.

Councilor Murphy-Romboletti stated that she did not feel strongly about this. She then made a motion to give item 7 a leave to withdraw. Councilor Vacon seconded the motion. Motion passed, 2-1 (Magrath-Smith).

Chair Magrath-Smith stated that she was voting no on that, believing that she liked the spirit of asking people to prove their support in asking to fill a vacancy. She also recognized that the seats needed to be filled quickly when they became vacant.

(1:03:55)

Councilor Vacon made a motion to remove item 8 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 8: 4-2-24 Magrath-Smith- Ordered, that a Home Rule Petition be filed with amendments to the City Charter as required for consistency with state law, pertaining to our city's restructuring of municipal finance.

--->Laid on the table, 3-0.

DISCUSSION:

Chair Magrath-Smith suggested that this may sit in committee for a while, noting that additional steps needed to be taken in Ordinance, there was a potential ballot question, and then the Council would have to respond. She then explained that a home rule petition would have to be filed with amendments to the city charter pertaining to restricting the city's municipal finance. She then stated that the next 3 orders would focus on what to do with the role of the Treasurer. She suggested tabling this in order to see what Ordinance was doing.

Councilor Vacon suggested that when a home rule petition is needed, it would likely come out of Ordinance.

Chair Magrath-Smith suggested that there could be a combined meeting between Charter and Rules as well as Ordinance. She then explained that this was put on the agenda so that it could be pulled from the table at a future meeting if it was needed.

Councilor Vacon made a motion to lay item 8 on the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

(1:06:35)

Councilor Vacon made a motion to remove item 9 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 9: 4-2-24 BARTLEY, JOURDAIN, VACON -- The City of Holyoke amends any charter, ordinance and any other regulations relative to its Tax Collector and combines the office with its City Treasurer so long as a charter change to appoint rather than elect Holyoke's City Treasurer is approved by the legislature and Holyoke voters.

--->Laid on the table, 3-0.

DISCUSSION:

Councilor Vacon stated that the idea behind the order was to accomplish consolidations along with the changes in structure, otherwise the city would be building a bigger bureaucracy.

Councilor Bartley stated that this was pretty straightforward. He noted that the current Treasurer, Rory Casey, was in favor of this. He added that the two offices already worked close together. He noted that the Mayor had veto power of this, which would require the City Council to hold a two-thirds vote to override it. He added that those who were interested would have to be interviewed by the Council and would need a set of qualifications.

Councilor Devine suggested that items 9, 10, and 11 were in conflict. She also emphasized that none of these would get to the General Court of the state legislature without the Mayor's signature.

Atty Bissonnette stated that any home rule petition had to be approved by both the legislature body and the executive office. He noted that this was not a home rule petition but established that if the voters approved making the Treasurer an appointed position, this order would combine the two positions. He noted that the next two orders differed in that one order made the Treasurer appointed by the mayor with approval of the City Council while the other made it an appointment of the City Council.

Councilor Vacon suggested that item 9 was not in conflict with the others. She added that if the Council adopted one that the Mayor did not agree with, he would choose not to sign it and then the Council would be back to reconsidering the orders. She reiterated that item 9 would not go anywhere if the voters did not approve making the Treasurer an appointed position.

Chair Magrath-Smith suggested that item 9 could not yet move forward because there were so many other moving pieces. She further suggested that the CAFO position and the Treasurer were the first pieces of figuring out the restructuring. She added that with the budget discussions coming up, one part would be seeing if the Mayor could balance the budget with the salary of a CAFO position.

Councilor Vacon made a motion to lay item 9 on the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

(1:17:10)

Councilor Vacon made a motion to suspend the necessary rules to remove items 10 and 11 from the table as a package.

Chair Magrath-Smith expressed a preference to take them up separately.

Councilor Vacon suggested that they could still be voted on separately but was open to taking them up separately.

Councilor Vacon made a motion to remove item 10 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 10: 10-4-22 MURPHY-ROMBOLETTI — That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation “Establishing an Appointed Treasurerthe Mayority of Holyoke” in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public

objectives of this petition.

“An Act Establishing an Appointed Treasurer for the City of Holyoke” – This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the Mayor, with approval of the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

*Tabled 10-24-22, 7-17-23, referred back to committee 8-1-23

---> Leave to withdraw, 3-0.

DISCUSSION:

Councilor Murphy-Romboletti stated that in the spirit of compromise and recognizing the importance of creating a CAFO position, she was willing to withdraw this order and discuss the next order.

Chair Magrath-Smith stated that she had initial reservations about the City Council getting the appointment because she felt it was important that the Mayor had the correct supervisory power to ensure those underneath him functioned effectively in their roles, but had come to understand ordinances that spelled out the supervisory role that the Mayor had over those appointments.

Councilor Murphy-Romboletti made a motion to give item 10 a leave to withdraw. Councilor Vacon seconded the motion. Motion passed.

(1:22:05)

Councilor Vacon made a motion to remove item 10 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 11: 10-17-23 VACON, JOURDAIN — Ordered, That the City of Holyoke, through its Honorable City Council and Honorable Mayor, hereby petitions the Massachusetts General Court to enact legislation “Establishing an Appointed Treasurer for the City of Holyoke” in the form set forth below; provided, however, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

“An Act Establishing an Appointed Treasurer for the City of Holyoke” – This act proposes to change the City Treasurer from an elected position to an appointed one; the appointment will be made by the City Council, for a term not to exceed five (5) years and qualifications for the position may be established by ordinance. If adopted, the Treasurer elected in the 2023 municipal election will fill the vacancy in the office for the remaining

two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

---> Approved, 3-0. amending 5 years to 3 years, adding that "qualifications shall be created by ordinance," and removing the clause that began with "elected" and extended through "and a treasurer."

DISCUSSION:

Magrath-Smith stated that when this was last discussed, there was agreement on changes to the language.

Councilor Vacon made a motion to amend 5 years to 3 years. She made another motion to amend the language to state that " qualifications shall be created by ordinance," instead of "may."

Chair Magrath-Smith stated that a section was removed because it no longer applied due to it mentioned the 2023 election.

Atty Bissonnette stated that a clause could be removed so that it stated, "if adopted, the Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated."

Councilor Vacon made a motion to that the third amendment was changing to language to eliminate the clause, "elected in the 2023 municipal election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer." Councilor Murphy-Romboletti seconded the motion.

Councilor Devine asked if item 12 had an impact on this order.

Atty Bissonnette stated that was the original ballot question.

Chair Magrath-Smith stated that when that item gets taken up, a motion could be made to revise it based on item 11.

Motion to amend passed.

(1:26:35)

Councilor Vacon made a motion to remove item 12 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 12: 8-1-23 From Atty Kathleen Degnan, Asst City Solicitor, home rule petition for appointed treasurer.

---> Refer to Law Dept, 3-0.

DISCUSSION:

Chair Magrath-Smith read from the document:

and by the authority of the same, as follows:

"Be it enacted by the Senate and House of Representatives in General Court assembled,

SECTION 1: Sections 3 and 5 of Chapter 327 of the Acts and Resolves of 1936 are hereby repealed.

SECTION 2: The position of Treasurer shall be an appointed position; the appointment will be made by the Mayor with City Council confirmation for a term not to exceed three (3) years and the qualifications may be established by ordinance. The Treasurer elected in the 2023 election will fill the vacancy in the office for the remaining two (2) years, and a Treasurer will be appointed to the position following the expiration of that term in January 2026 or sooner if the office is vacated.

SECTION 3: This act shall take effect upon its approval by voters."

Atty Bissonnette stated that the Law Department could update this ahead of the Council meeting the following day.

Councilor Vacon made a motion to refer item 12 to the Law Department to update the language. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Chair Magrath-Smith stated that several items were on the agenda as tabled, and she would attempt to make progress on them in future meetings. She stated that she would plan to take up the issue of the Police Commission at the June meeting of the committee.

Adjourned at 7:59 PM

LAID ON THE TABLE

(Discussion is not expected)

Item 13: 1-18-22 MURPHY-ROMBOLETTI, JOURDAIN -- Ordered that the City Council adopt a rule to establish a two-year legislative term. Any orders pending in committee or not acted on by the end of the legislative term must be re-filed at the start of the subsequent legislative term. *Tabled 2-23-22, 4-12-22, 6-14-22, 2-27-23

Item 14: 1-17-23 MCGEE — Ordered that City Council Rule 9H be amended and re-worded in order to make the process of changing or updating an ordinance a smoother process.
*Tabled 2-27-23, 12-11-23

Item 15: 2-7-23 JOURDAIN, VACON — Ordered, that City Council Rule 9P be modified to add: Only those items that are reasonably expected to be taken up at the meeting (per open meeting law) will be published on the meeting agenda. Items “deemed tabled” by virtue of their existence in the committee jacket for 45 days will not be published on the active agenda. Listing every item in the entire committee jacket on every agenda will create confusing agendas for Councilors and the general public when the vast majority of items will never be considered at that meeting and create the false impression that they will be. This will create an absurd result that appears to be a violation of the Open Meeting Law.
*Tabled 2-27-23

Item 16: 4-4-23 RIVERA_I, GIVNER, MALDONADO VELEZ, MURPHY-ROMBOLETTI, RIVERA_J — Ordered, that Section 34 of the Holyoke City Charter be amended to establish a Police Commission by virtue of a Special Act in Accordance with the provisions of Articles of Amendment, Article II, Section 8 of the Massachusetts Constitution.
*Tabled 4-19-23, 7-17-23, 12-11-23

Item 17: 4-4-23 From Atty Jane Mantolesky, Supplement to legal opinion on voting requirements
*Tabled 4-10-23

Item 18: 8-1-23 From City Solicitor letter re: Provisions of charter impacted by implementation of a Police Commission
*Tabled 12-11-23

Item 19: 8-1-23 From Lisa Ball, City Solicitor, Legal Opinion from KP Law, Mark R. Reich Esq. regarding Community Preservation Act Surcharge Reduction.

Item 20: 8-1-23 From City Solicitors Ballot Question language.

Item 21: 10-3-23 GIVNER, TALLMAN — With community support, order that all ordinances and charter rules reflecting city council and city council subcommittee meeting notices be updated to reflect acceptance of email as sufficient method of notice, and city website posting as sufficient method of public notice.
*Tabled 12-11-23, 2-5-24

Item 22: 10-3-23 GIVNER — With community support, order that the following section of our Codes of Ordinances and charter be updated to reflect use of email as sufficient for special meeting notice:
Sec. 12. – Special meetings of city council.
The mayor may at any time call a special meeting of the city council by public posting through the city website along with written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, at least forty-eight hours before the time

appointed for such meeting, or to be left at the usual place of residence of each member of the council, by email at least forty-eight hours before the time appointed for such meeting. (Acts 1965, c. 187; Acts 1992, c. 189)

*Tabled 12-11-23, 2-5-24

Item 23: 12-5-23 VACON -- Ordered, That we amend our charter and ordinances to change from an elected Mayor to a City Manager/Chief Administrative Financial Officer, appointed by the City Council.

Item 24: 2-6-24 JOURDAIN, BARTLEY -- Ordered, That Charter Sections 19 and 34 be amended and elsewhere as appropriate to allow for all appointments to the Fire Commission and DPW Commission to be appointed by the Mayor subject to confirmation by the City Council.

Item 25: 2-6-24 DEVINE, I. RIVERA -- Ordered, Under City Council rules, please add the following: New Rule: Every 2 years after being sworn in, the City Council President shall set the seating arrangements of the City Council. Consideration shall be taken for any legitimate handicap preference.