

Charter and Rules Committee

Monday, January 27, 2025

Video of meeting can be found at <https://youtu.be/TBx1quh8nNI?feature=shared>

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

Members absent: Tessa Murphy-Romboletti

Other councilors present: Patricia Devine, Carmen Ocasio

Chair Magrath-Smith called the meeting to order at 6:31 p.m.

Chair Magrath-Smith stated that Councilor Murphy-Romboletti was home sick and unable to attend.

Councilor Vacon made a motion to suspend the necessary rules to remove items 1 and 2 from the table as a package. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 1: Minutes of September 16, 2024 meeting
*Tabled 10-21-24

---> Approved 2-0-1 (Murphy-Romboletti)

Item 2: Minutes of October 21, 2024 meeting

---> Approved 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Councilor Vacon made a motion to approve items 1 and 2. Chair Magrath-Smith seconded the motion. Motion adopted 2-0-1 (Murphy-Romboletti)

(2:20)

Councilor Vacon made a motion to remove item 3 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 3: 9-18-24 MURPHY-ROMBOLETTI - Ordered that the city council amend its rules to identify which committees certain licenses should be sent to, in an effort to ensure consistency and clarity.

*Tabled 10-21-24

---> Laid on the table, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Chair Magrath-Smith read from a list of licenses approved by the City Council, which included secondhand, street vendor, junk dealer, pawn broker, billiards, livery, pool tables, and bowling alleys. She then suggested tabling the item and wait for more information on where they should be taken up by making a chart. She noted that there had been times when some get sent to one committee such as DGR when it should be sent elsewhere.

Councilor Vacon noted that the rules allow items to be sent anywhere, and flexibility could be helpful if time was important and one committee was already scheduled to meet. She added, however, that having it defined would help give clarity to people applying for licenses.

Councilor Vacon made a motion to lay item 3 on the table. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(4:35)

Councilor Vacon made a motion to suspend the necessary rules to remove items 4 and 5 from the table as a package. Councilor Vacon seconded the motion. Motion adopted.

Item 4: 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

---> Laid on the table, 2-0-1 (Murphy-Romboletti)

Item 5: 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 12-22-23, 2-5-24

---> Laid on the table, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Chair Magrath-Smith noted that there would be a process if the charter needed to be changed.

She then asked Assistant City Solicitor, Atty Bissonnette, for a brief overview of changes that would need to be made and what the process would be.

Atty Bissonnette presented proposed language that would meet the moment. He noted that he avoided referring to email and instead referred to electronic communication to recognize potential advances in technology. He then explained that the charter would first need to be changed to substitute in the use of electronic communications for special meetings while allowing for consideration of members who may not be electronically inclined. He also stated there was language proposing changes to the ordinances once the charter change was done.

*Proposed language available through document link at the end of these minutes.

Chair Magrath-Smith noted that the language referred to hand delivery. She then suggested that may not be reasonable, recognizing there was a messenger position at one time that did deliver notices by hand, but we were now in an electronic transmission world, with the administrative assistant emailing information to councilors. She asked if hand delivery could be removed while maintaining language referring to first class mail or City Hall mailboxes. She noted that councilors didn't use City Hall mailboxes.

Councilor Vacon stated that she liked there being a backup plan, acknowledging it would be used rarely and likely for only one or two councilors. She then emphasized that the issue with regular mail would be when special meetings get called with short notice. She added that it could also be of use if there were a blackout.

Chair Magrath-Smith suggested shifting the language to state that members of the City Council may elect to alternatively receive all notices by delivery to their place of residence or their City Hall mail box. She then noted that one issue with mail delivery was the requirement for it to be postmarked by 48 hours in advance but emphasized that was no longer sufficient because mail used to be sorted in Springfield but was now going to

Hartford. She then expressed an interest in creating something that could endure and avoid naming things that were or could become anachronistic.

Councilor Vacon suggested changing the reference to receiving notices by hand delivery and describing it as alternate delivery to open up the options.

Chair Magrath-Smith expressed concern about potential abuse that could lead to the administrative assistant needing to personally deliver a notice to several people and becoming a time suck.

Councilor Vacon suggesting eliminating the word “all” to clarify that such notices could be provided upon request.

Councilor Devine emphasized that amending the city charter doesn’t happen overnight, noting it would have to be approved by the mayor and then go through the state rep. She then stated that the second part to amend the ordinance would be good to proceed with. She noted the post office used to have a slot for Holyoke-specific mail, but that was no longer the case. She then suggested that the charter change be sent to the mayor for signature and then be sent to the state.

Chair Magrath-Smith emphasized that the committee would need to discuss the language, have the Council approve it, and then send it to the mayor. She noted that while it was not a pressing matter, it made sense to work on it.

Councilor Ocasio stated that while she had email, she wasn’t able to get to them all the time. She added that she had often been getting agendas in the mail the day after the meeting had taken place. She asked if there was a way to get them mailed on time.

Chair Magrath-Smith noted that she sometimes received agendas the day a meeting was happening. She then suggested that 48 hours was not enough time. She asked how many hours would make sense given the reality of the mail’s timeline.

Admin Asst Anderson-Burgos agreed that if a committee meeting was happening on Monday and the agenda is mailed on Friday, it may not arrive in time. He emphasized that he often did not have agendas completed by committee chairs until Friday and he prefers to mail all of the agendas for the following week together rather than spending more for postage to mail agendas in multiple envelopes. He reiterated that it was a matter of the timing of when agendas were being finalized by a committee.

Chair Magrath-Smith expressed her understanding that because chairs were not required to make agendas official until at least 48 hours in advance, they may not go out earlier than 48 hours in advance.

Admin Asst Anderson-Burgos stated that there had been many occasions when agendas were ready earlier, but some were often up until the last minute.

Chair Magrath-Smith wondered if some could just ask for an agenda to be left on their desk at least 48 hours before.

Admin Asst Anderson-Burgos stated that was the case for most people but he would mail it out if someone asked for it.

Councilor Vacon stated that her biggest concern was for City Council meetings because the deadline for submitting orders was roughly 48 hours before the meeting. She then stated that the issue may require making the rule in excess of the Open Meeting Law to give adequate time. She suggested there may need to be hand delivery in some instances because leaving an agenda on the desk would not accomplish someone seeking to have it before a meeting. She then expressed her understanding that most councilors were okay with electronic notices, with only a couple seeking a mailed copy.

Chair Magrath-Smith questioned if the body would be able to adequately address the issue because of how slow the mail had gotten. She then asked the administrative assistant what he thought about hand delivery versus first class mail.

Admin Asst Anderson-Burgos stated that if it was something that needed to be done in a pinch, he could do it, but doing it regularly would take a good amount of time out of his day to drive around the city.

Chair Magrath-Smith asked how many were having notices mailed to them.

Admin Asst Anderson-Burgos stated there were 3 councilors at the time. He then expressed his understanding that it was less about being noticed and more about having a physical copy in order to be able to look over an agenda. He noted that even when agendas had arrived late, councilors still knew a meeting was happening through the calendar invites. He agreed it would be good for people to get an agenda in the mail before they were happening.

Councilor Vacon emphasized that the language about noticing a meeting and not specifically about receiving an agenda. She suggested that there may be too much concern being expressed about the agenda.

Chair Magrath-Smith suggested looking at sections of the charter to see how an agenda was dealt with. She then asked Atty Bissonnette to weigh in on the difference between noticing and having an agenda.

Atty Bissonnette stated that the language was specific to the special meeting. He then explained that section 12 of the charter called for the mayor to not just call the meeting but outline the subject matter to be discussed. He then noted that they were unusual and in instances where could not be a delay, such as with a state deadline or an emergency appropriation. He added that the ordinance section of the proposed language would allow for an ordinance to set out a first class mail exception. He then suggested that the charter language could allow for receiving such notices in a manner as set by ordinance to allow the Council to change ordinance without needing to go through the state.

Chair Magrath-Smith asked if there would be issues with approving that with the state.

Atty Bissonnette stated that he did not think so as there would be nothing violative of the 48 hours for public notice.

Chair Magrath-Smith suggested shifting the details to the ordinance language for the next discussion.

Councilor Devine noted that the City Clerk was the one to mail out Council agendas. She also noted that the City Council President could also call a special meeting, and questioned if that was under another section.

Atty Bissonnette stated that he believed that was in the rules.

Councilor Vacon suggested tabling to allow for more work on the language.

Chair Magrath-Smith asked Atty Bissonnette for revision of the language to reflect what had been discussed. She also suggested inviting in the City Clerk.

Councilor Vacon made a motion to lay items 4 and 5 on the table. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(29:00)

Councilor Vacon made a motion to remove item 6 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 6: 5-21-24 Devine- Ordered that the City Council consider a rule addition to to RULE 6C (DECORUM/SPEAKING), adding the following words as a second paragraph:
"No Councilor shall speak more than 4 minutes during debate. The President/and or the City Council Administrative Assistant shall keep track of the minutes. A (1) one minute reminder shall be given at the 3 minute mark during debate."
*Tabled 6-3-24

---> Approved, 2-0-1 (Murphy-Romboletti), amending "4 minutes" to "3 minutes at a time"

DISCUSSION:

Councilor Devine stated that she filed this with consideration of the 10 p.m. deadline for Council meetings. She noted that the U.S. Congress had a rules for speaking, with the House having a 5 minute time and the Senate having a 7 minute time. She explained that this would allow time for other people to speak. She then suggested that someone should be able to get their point across in 4 minutes.

Chair Magrath-Smith recalled there had been concerns about tracking the 4 minutes, as well as concerns about censoring people and giving people their say. She then recognized that there were also concerns about efficient meetings that were purposeful and on time. She then suggested referring this to full Council without prejudice to have the discussion and take a vote.

Councilor Vacon expressed her belief that items should be moved to the Council with a recommendation, whether or not people agreed or disagreed. She acknowledged that the Council President had rightfully been frustrated about committee discussions taking place at full City Council meetings. She then expressed an expectation that questions could come up about whether the time limit was in total or for each time, and other concerns that may lead to a winding discussion. She then observed that she did not see an issue with people talking beyond 4 minutes all that often.

Chair Magrath-Smith stated that there had been times when it seemed like people spoke for a long time but she had not timed it to be sure. She then asked Councilor Devine if the time should be reset each time someone speaks.

Councilor Devine stated that she was fine with not having a recommendation. She then noted that the rule already existed requiring permission for someone to speak for a 3rd time, but it was rare that permission was not given. She then stated that she was okay with it being 4 minutes each time, but she wanted to avoid having someone go on for 20 minutes.

Chair Magrath-Smith expressed her understanding that everyone agreed with it being 4 minutes each time.

Councilor Vacon made a motion to amend the proposed language to include "at a time." She added that she would be open to 3 minutes.

Councilor Devine stated that she would support that.

Chair Magrath-Smith stated she would also support that.

Councilor Vacon amended her motion to amend it to "3 minutes at a time." She then stated that she did not want to limit speech if something was complicated but also wanted other people to have time to participate in debate.

Chair Magrath-Smith emphasized that there was also the ability to suspend the rules at any time, which could allow someone additional time to speak.

Councilor Vacon noted that some issues had been complex.

Councilor Devine stated that she liked the ideas being expressed.

Councilor Vacon stated a clock would need to be in place in order to see the time.

Chair Magrath-Smith asked the administrative assistant about why the clock hadn't been used.

Councilor Devine suggested having a card held up showing when there was 1 minute or 30 seconds held up.

Councilor Vacon stated that the best way to go would be to have a timer up.

Admin Asst Anderson-Burgos stated that the issue with the clock the president got was that when it was displayed out to the chambers, she herself could not see it in order to control it and give prompts to people.

Chair Magrath-Smith asked if a two-sided clock existed.

Admin Asst Anderson-Burgos stated that there must be one that existed.

Chair Magrath-Smith suggested that someone in chambers could be designated to give those prompts during public comment.

Councilor Ocasio suggested giving the president a timer that could buzz for the president.

Councilor Vacon expressed concern about this being a logistical nightmare if someone needed to reset the lock every time someone else spoke.

Chair Magrath-Smith stated that it would really just require a 3 minute egg timer.

Councilor Vacon emphasized that it did not need to be a big thing. She suggested that it felt it was aimed at specifically one person.

Chair Magrath-Smith suggested that it was about naming the value of people sharing the time and keeping the meetings moving forward.

Councilor Vacon stated that she believed everyone on the Council had the opportunity to express their views. She added that she would not support it if it was about targeting any one person or shutting anyone down.

Councilor Devine stated that was not her intent.

Chair Magrath-Smith stated that she did not think that it was about doing that. She then suggested that part of it was the result of the Council operating under a meeting cap.

Councilor Vacon emphasized that it was just a rule and not a law.

Chair Magrath-Smith stated that the Council had done well with it for the most part, after a few rocky meetings while the Council figuring out how to work with the cap. She then stated she would not see this as a big issue.

Councilor Vacon stated that she believed the president should weigh in on this since she would be the one managing this.

Chair Magrath-Smith stated that it could move to Council and she could share her feelings about it then.

Councilor Vacon asked for clarification of what public comment was set to.

Councilor Devine stated that she was asked about it earlier that day and understood it to be 2 minutes.

Councilor Vacon stated that it was increased recently.

Admin Asst Anderson-Burgos stated that it was 2 minutes.

Chair Magrath-Smith recalled it had been 1 1/2 minutes, the proposed order was for 3 minutes, and it was amended to 2 minutes.

Admin Asst Anderson-Burgos suggested that a Bluetooth timer could be acquired so that someone could be controlling it on their phone while it was displayed out to the chambers.

Councilor Vacon stated that could work.

Chair Magrath-Smith Councilor Vacon made a motion to approve item 6. Councilor Vacon seconded the motion.

Councilor Vacon clarified that it should be approved as amended, with the language stating that "no councilor shall speak more than 3 minutes at a time during debate."

Motion adopted, 2-0-1 (Murphy-Romboletti).

(44:15)

Councilor Vacon made a motion to remove item 7 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 7: 11-7-24 Bartley-Order the city council amend its rules to incorporate under our section 3 or some other section, the following state law: The public body, or its chair or designee, shall, at reasonable intervals, review the minutes of executive sessions to determine if the provisions of this subsection warrant continued non-disclosure. Such determination shall be announced at the body's next meeting and such announcement shall be included in the minutes of that meeting. See M.G.L. chapter 30A, §22(g)(1).

---> Laid on the table, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Chair Magrath-Smith noted that no additional information was attached to this.

Councilor Vacon stated that legal form had not yet been requested.

Chair Magrath-Smith stated that she understood the purpose and the situation that caused it, but wondered what it would look like to have a bulleted list of past executive sessions that had not yet been completely released. She then asked how often the list would be reviewed and where in the rules this procedure would be placed.

Councilor Vacon expressed her understanding that the standard of reasonableness in the Open Meeting Law was 90 days after the issue was resolved or the meeting was closed. She added it was supposed to be reviewed regularly and, while the Law Department was advising the Council, it was the responsibility of the Council to handle it. She noted that the vote to release had to happen in executive session, and suggested there should be a standing schedule for reviewing the status of executive session minutes that had not been released.

Chair Magrath-Smith questioned how frequently the Council would be willing to have an executive session before a Council meeting.

Councilor Vacon suggested that it could be an item on the Council agenda so that if there was a belief that something should be released, it could be brought up. She added it would be difficult for councilors to keep regular track of which minutes were released, which were redacted, and which were being held back. She added it could be on the agenda as a tabled item.

Chair Magrath-Smith expressed her understanding that one request would be for the Law Department to provide a report of a list of nondisclosed executive session minutes. She then asked where that would go.

Councilor Vacon stated that it would need to be provided to the Council since the body as a whole was responsible for releasing it or explaining why it was not.

Chair Magrath-Smith asked where the requirement would go, whether in the rules, an ordinance, or just established by precedent.

Councilor Vacon noted that the order was requesting a rule.

Atty Bissonnette stated that there would need to be a distinction between the Council and the other bodies the order refers to, as there were other bodies that had to follow Open Meeting Law rules relative to holding executive sessions. He then agreed that the standard was that once the rationale for an executive session exception was done, the minutes did need to be approved in executive session and then by the full Council. He then clarified that violations caused by other bodies not under the control of the Council would not have an impact on the Council and those specific bodies would be fined. He then expressed an expectation that any issues related to the remaining executive session items to be resolved in the next month or so.

Chair Magrath-Smith asked if the Council would be able to ask for a standing report related to non-disclosed executive session minutes. She then expressed concern that the list itself would need to be held back from the public.

Atty Bissonnette clarified that the simple matter of going to executive session as well as the subject matter were public, while the content of those minutes were private until they were ready to be released.

Chair Magrath-Smith asked if this could be made as an informal request or if there needed to be a standardized item in the rules or in ordinance.

Atty Bissonnette suggested that a notice that an executive session was held by one of the other bodies could be provided to the Council, adding that such a requirement could be put into the rules or in an ordinance.

Councilor Vacon stated that the order appeared to be asking for an executive session to be held on a regular basis. She then asked if that could be incorporated into a rule, and if a request for other bodies to provide notice could be incorporated into it.

Atty Bissonnette stated that it would be a good practice to put executive session meeting minutes as a tabled item, with a notation that they were still embargoed.

Chair Magrath-Smith noted that the rules effectively governed the Council, and questioned if a rule could be used to govern another body.

Atty Bissonnette agreed that would need to be an ordinance, similar to the one that requires their meetings not take place before 5 p.m.

Chair Magrath-Smith suggested looking at that ordinance at the next meeting. She then suggested discussing adding executive session minutes as a tabled item to the agenda.

Councilor Devine noted that the order referred to incorporating something into section 3, and emphasized that section 3 was about the Council President. She then questioned who would pick the "some other section."

Councilor Vacon suggested Councilor Bartley had just been asking for the committee to consider it.

Councilor Devine noted that the order referred to a public body's chair or designee, and questioned how those were defined.

Chair Magrath-Smith asked Atty Bissonnette to have information for the next meeting relative to adding a requirement that other bodies communicate their executive sessions to the Council, figure out where it would go, and have a list of what bodies it would impact.

Councilor Vacon stated that the Council would also want its list.

Chair Magrath-Smith recalled that there was a list of those meetings the last time the Council went into executive session. She then asked for an updated list.

Councilor Vacon made a motion to lay item 7 on the table. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(58:40)

Councilor Vacon made a motion to remove item 8 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 8: 11-7-24 Magrath-Smith- Ordered, that Rule 9J be edited to remove the first two sentences, so that it reads, "If legal form is not provided 48 hours prior to the meeting, upon objection of any member of the City Council, the matter will be tabled until the next meeting."

---> Approved, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Chair Magrath-Smith stated that this came out of a previous conversation where another rule was amended, and this language was incorporated into that other rule, She emphasized that the language was not being redacted but there was no reason to have it be repeated. She also emphasized that the original intent of Rule 9J would remain.

Councilor Devine asked what "upon objection of any member" meant.

Councilor Vacon explained that if legal form was not provided to the Council at least 48 hours before a meeting, any member could object to acting upon an ordinance and it would need to be tabled to the next meeting to give them time to review it.

Councilor Vacon made a motion to approve item 8. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(1:00:25)

Councilor Vacon made a motion to remove item 9 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 9: 11-19-24 DEVINE - Ordered that the City Council reconsider our vote to appoint the City Treasurer rather than have it be an elected position and further take the necessary steps to combine the Treasurer and Tax Collector positions into one office.

---> Leave to withdraw, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Councilor Devine asked for the item to be given a leave to withdraw. She then explained that when it was filed, it was not yet known when there would be a special election.

Councilor Vacon made a motion to give item 9 a leave to withdraw. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(1:01:10)

Councilor Vacon made a motion to remove item 10 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 10: 11-19-24 From Atty Jane Mantolesky, Asst City Solicitor, City Council Voting Specifics

---> Laid on the table, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Chair Magrath-Smith explained that the document showed how many votes were needed for specific provisions and then under what authority those requirements came from.

Councilor Vacon stated that after reviewing the list, she believed there were technical areas that needed to be updated and corrected. She suggested that it may have been drafted prior to adoption of an ordinance on requiring two-thirds vote, noting that the document did not include the exact language. She then explained that the document referred to the

rules, but the language was now that an ordinance shall be deemed passed if two-thirds of those members present vote that the legal form be ordained.

Chair Magrath-Smith asked how that was different from the document.

Councilor Vacon stated that when the ordinance was debated, one of the proposed legal form said "present and voting." She then recalled that ordinances prior to that had all be passed with two-thirds of the full body whether they were present or not. She added that there was another debate taking place over having a two-thirds vote for appropriations from one department to another.

Chair Magrath-Smith suggested having this tabled in order to have other councilors in to participate in the discussion.

Councilor Vacon stated that she would also like to see the Law Department update the document because it appeared to have been drafted prior to the ordinance being adopted.

Chair Magrath-Smith agreed with asking for that prior to the next meeting.

Councilor Vacon emphasized that the topic was discussed repeatedly.

Chair Magrath-Smith recalled attending her first meeting and voting on it at the tail end of a discussion that had been going on for a while before that. She then stated that she would want to review all of the discussion that took place before.

Councilor Vacon emphasized that the language of the ordinance was specific and clear.

Councilor Vacon made a motion to lay item 10 on the table and refer to the Law Department to update the document. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

(1:07:25)

Councilor Vacon made a motion to remove item 11 from the table. Chair Magrath-Smith seconded the motion. Motion adopted.

Item 11: 1-7-25 Devine - Ordered that rule 9P be amended to remove the reference to items being tabled if they are not taken up in 45 days.

---> Leave to withdraw, 2-0-1 (Murphy-Romboletti)

DISCUSSION:

Councilor Devine expressed frustration that so many things get tabled and stay tabled never to be brought up again. She noted that rule was recently changed to 45 business days to give things a little more time.

Chair Magrath-Smith recalled that a rule was recently added to create a legislative term so that items would sunset at the end of each term, which would go into effect with the next term. She then acknowledged that the goal was to encourage committee chairs to get through their jackets. She then expressed her understanding that one of the reasons for requiring items to be automatically tabled because otherwise items could be left in the jacket, nobody knows they are there, and councilors never have an opportunity to have a conversation.

Councilor Vacon explained that had been the reason for the rule. She then recalled that when she had been chair of the Ordinance Committee, she had been accused of holding things in the jacket and never taking them up. She noted that the current Ordinance chair had since learned how difficult it was. She explained that there were too many things and not enough time to take them all up. She then stated that it might be valid to eliminate a rule, especially with the new rule establishing the legislative term.

Chair Magrath-Smith suggested that if the goal was to make sure all orders see the light of day, this rule didn't do that. She further suggested that there needed to be an order requiring all chairs to take up an order within the year in which it was filed, either to table or to dispose of it.

Councilor Vacon stated that this rule technically did that, as this rule forced items not taken up to be published on an agenda.

Chair Magrath-Smith stated that they were still not being discussed.

Councilor Vacon suggested that there was a gray area in that they were tabled and listed for the public but not necessarily posted on an agenda. She questioned if it would be allowed under Open Meeting Law to take them up when they were listed as tabled.

Councilor Devine stated that it was also on councilors to ask a chair to take up their orders. She reiterated that it seemed a lot of orders were staying in the jacket too long.

Chair Magrath-Smith stated that she was unsure if this fixed that issue. She then expressed concern that if this rule were removed, items would never be listed as tabled and they would never be addressed. She agreed that it still was not addressing the issue.

Councilor Devine stated that it was still up to the chair to take those things up, but it was also up to the chair to never take things up.

Councilor Vacon stated that it had functionally turned out to be the same way.

Chair Magrath-Smith stated that it didn't have to be, as any councilor could attend a meeting and ask for a motion for any of those items to be taken up to force the issue.

Councilor Vacon stated that the intention behind it was to make that possible. She noted that agendas stated what was expected to be taken up. She added that tabled items were on the noticed agenda so it should technically meet the Open Meeting Law to take them up.

Chair Magrath-Smith stated that she believed it would.

Councilor Vacon stated that if a councilor wanted to take something up, they should be able to do that. She then questioned how it could logistically happen.

Councilor Devine stated that she would be fine with giving this order a leave to withdraw and leave it up to the chairs.

Chair Magrath-Smith suggested that when this order came back up with the full Council, the spirit of why this order was brought up should be reiterated.

Councilor Devine recalled that the Public Safety Committee had over 100 items and they took a lot of those items up in a recent meeting.

Councilor Vacon stated that while it was a long meeting, a lot of those items were at least able to be discussed.

Chair Magrath-Smith stated that she appreciated that a meeting was planned to go through the whole jacket. She suggested that other committees such as Ordinance could try the same thing.

Councilor Vacon recalled that part of the reason the DGR (Development and Governmental Relations) Committee was created was to take some of the workload from Ordinance.

Chair Magrath-Smith asked when DGR was created.

Councilor Vacon stated it may have been 6-8 years earlier.

Chair Magrath-Smith noted that a lot of things were still being sent to Ordinance as well as Public Safety. She suggested some of those things could be sent to DGR instead of one of those committees.

Councilor Vacon made a motion to give item 11 a leave to withdraw. Chair Magrath-Smith seconded the motion. Motion adopted, 2-0-1 (Murphy-Romboletti).

Meeting adjourned at 7:19 p.m.

Documents for meeting can be [found here](#).

LAID ON THE TABLE

(Items taken up at previous meeting(s) and laid on the table. Discussion has not been planned, but any item may be removed from the table upon motion of the committee.)

Item 12: 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.

*Tabled 5-13-24, 6-10-24

Item 13: 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.

*Tabled 6-10-24

Item 14: 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.

*Tabled 5-6-24, 6-10-24