



Rules Subcommittee Report

City of Newton In City Council

Wednesday, May 5, 2021

Present: Councilors Baker (Chair), Krintzman, Humphrey, and Noel

Also Present: Councilors Albright and Bowman

City Staff: Nathan Giacalone, Committee Clerk

Notes: *The Rules Subcommittee continued its discussion from the meeting on Wednesday, April 21, 2021.*

Chair Baker opened the meeting with a discussion to set the date for the next meeting. Recognizing the busy schedule of budget season and the desire to get a comprehensive draft of the rules done before the summer, the subcommittee decided that a 6 o'clock meeting before the Programs & Services budget meeting on the May 25th would be the best time for the next meeting.

The Subcommittee continued its discussion using the attached annotated copy of the Rules. The areas of discussion and Councilor comments ensued as follows:

Public Comment

Under Open Meeting Law, the public can participate to the extent that the chair allows. In some cases, such as Land Use meetings covering special permits or Zoning & Planning meetings making Chapter 30 amendments, public hearings are required. At other times, such as when Programs & Services discussed renaming Columbus Day, a public hearing is held at the chair's request. The School Committee, for comparison, holds public comment at each of its meetings. The historical reason for the City Council not entertaining public comment as much is because it meets more often, though concerns have been raised about the lack of public comment at budget meetings.

C: There should be public comment regarding the budget, especially with the tax setting process. The Council probably does not need to mirror the School Committee policy as many residents at those meetings use the public comment to talk about items outside of the agenda.

C: There is value in hearing people speak at meetings as while they can email the Council, they often get frustrated at meetings when they cannot speak.

C: Email has allowed the public to weigh in more than it has before, so there seems to be less reason to have public comment at every meeting. Resident frustrations over public comment

were addressed during the charter committee meetings. It would be better to support language to make agendas more explicit about how public comment will work when applicable.

C: Every agenda should say whether there will be public comment at the meeting or not. If not, then it should have instructions on how to contact the City Council and describe how comment will work.

C: The Charter has a rarely used provision where residents may gather enough signatures to trigger a public hearing on any item. An issue with the current public hearing process is that people often arrive unsure of how it works. When in-person meetings were still held, there was often a sign-in sheet that the chair would use to determine the speaking order. With Zoom this structure is more varied.

C: Having the sign-in sheet available before the meeting started worked well. There should be instructions for this process moving forward.

C: In the past, there was a chair who had no sign-in sheet and called on attendees across the meeting room.

C: It is a good idea to standardize the public comment process. There does not seem to be any sentiment among subcommittee members for automatic public comment.

Committee Reports

In the past, committee chairs used to prepare their own committee reports. Now, they are drafted by the Clerk's Office staff. Some questions have come up regarding how to fix errors in the reports. The Council approves items voted on in Committee, but not necessarily the reports. Sometimes errors have been fixed by directly communicating with the committee chair.

C: The Rules should clarify that the Clerk's Office prepares the reports in collaboration with the chair. It is odd that the reports serve as final records of the meeting without being formally approved. Should the Council begin formally approving these reports?

C: This is the right call as more people often read the report than watch the meeting.

Q: Should the reports begin to link Councilors with their specific questions in the notes? Why is this the current norm? It seems to be a lot of effort to maintain this anonymity.

A: This topic is a frequent source of discussion. The current distinction made several years ago is that these are meeting reports, not exact minutes. If the Council decides to change its mind on this, then it should discuss it with the new clerk.

C: Having experienced both systems for report writing, the current one is better as it focuses on the action of the Committee and they are easier to generate. The audio of the full meetings is also posted online.

C: This decision is informed by how “final” the report is. If it is clarified that the reports are not to be understood as minutes, this could be a reason for being less specific. Another reason is that the Council Actions clearly cover the details of the Council’s work.

C: Concerns have been raised by a resident that the Council report procedure is not fully in line with state law.

C: For second call items, the practice is to notify the clerk and the president ahead of the meeting. This gives all involved plenty of time to prepare for it. There does not appear to be any sentiment from the subcommittee however to preclude a councilor from placing an item on second call during the meeting in case they hear information that changes their mind.

IT Department Items

In its early days, it was decided that the IT Department report to the Finance Committee because it was focused on administration and finance. Since then its role has grown and it now supports all departments. Would it make more sense to now report to Programs & Services? It does not seem to make much sense to remain under Finance.

C: Finance is less of a “backroom” operation now and more of a fabric to all of the work of City Hall, so it makes sense to report to a committee with a broader range of jurisdiction.

C: NewTV’s work to transition Council meetings to a hybrid model is impressive.

Road Items

Road matters should be moved from Public Facilities and consolidated into Public Safety & Transportation. They are currently under the wrong committee and PS&T would be the better body to address them as it also handles Traffic Council appeals.

C: This is an interesting idea and an area to solicit feedback on from the PF chairs. There is crossover with road items due to pipes, sewers, and similar features.

C: PS&T never deals with public transit and the Council needs a better way to address this topic as it needs more attention than what the Council currently gives it.

Chair’s Notes

These are unofficial and easily get lost within the records. In the upcoming docket item database, Chair’s Notes will not work as they are not attached to a docket number.

C: The Rules should strengthen the provision that all discussions need a docket item.

Appointees/Reappointees

Currently, only first-time appointees are required to appear before the committee. The previous rule was that both appointees and reappointees needed to appear, but this was changed after it was determined that it took up too much time. It might make more sense to have reappointees appear instead as they will be able to talk about their time on their respective board or commission. This would promote a more detailed discussion.

C: It may be better to keep the focus on appointees but to encourage Councilors to invite reappointees they would like to hear more from.

C: This is a challenging topic to decide on as all matters are important, but time must be considered regarding other Council business.

Council Meeting Time

Should the start time for full Council meetings remain at 7:45? This has allowed for emergency and special meetings to take place before the full Council meeting if necessary.

C: The Rules should not specify an exact time and leave the Council discretion on the start time.

C: The recess between the reading of first and second call items should be discretionary rather than mandatory. Recesses can also be requested via a motion.

C: The recess was useful for in-person meetings as it allowed for the president, the chair, and a councilor who asked for the item to be placed on second call to have a brief conversation on what to expect from the discussion.

C: Other proposals to promote advance notice of second call should make these informal recess conversations less necessary.

C: Many members of the public have complained about the time taken up for first call readings and the lack of documentation to explain the process.

C: The procedural readings of first call items take up a lot of time at the start of the meetings. Since there is value to this, an improvement to the process could involve moving this section up to 7:30 to allow more time for the more detailed discussion.

C: The large screen recently installed in the chamber can be used to display this text on screen for the public.

Pledge of Allegiance

Instead of the Pledge of Allegiance at the start of Council meetings, the Council should consider an alternative of honoring or a commemoration of a Newton figure.

It was decided that at the next Subcommittee meeting the members would work off of an annotated draft copy of the Rules to begin discussing specific language changes.

The meeting adjourned at 6:56pm.

Respectfully Submitted,

R. Lisle Baker, Chair