



City of Somerville, Massachusetts

City Council Rules Special Committee

Meeting Minutes

Monday, May 6, 2024

6:00 PM

This meeting was held via Zoom and was called to order by Chair Burnley at 6:01pm and adjourned at 6:22 pm with a roll call vote of 3 in favor (Councilor Ewen-Campen, Councilor Davis, and Chair Burnley), none opposed, and none absent. Others present: Kimberley Wells – City Clerk; Natasha Frazier – Assistant Clerk of Committees.

Roll Call

Present: City Councilor At Large Willie Burnley Jr., Ward Six City Councilor Lance L. Davis and Ward Three City Councilor Ben Ewen-Campen

1. Committee Minutes (ID # [22-1622](#))

Approval of the Rules Committee Minutes of September 12, 2022.

RESULT: ACCEPTED

AYE: City Councilor At Large Burnley Jr., Ward Six City Councilor Davis and Ward Three City Councilor Ewen-Campen

2. Officer's Communication (ID # [24-0415](#))

City Clerk submitting an amendment to the Rules of the City Council to accommodate remote participation and facilitate accessibility.

Clerk Wells stated that the proposed changes to the three separate rules have been submitted to the City Council in order to align with the updates to the Open Meeting Law. The proposed amendments account for remote participation in City Council meetings, since remote participation is now always allowed. Councilor Davis stated that he, Clerk Wells, and Legislative Policy Analyst Brendan Salisbury collaborated to develop language that acknowledges when City Councilors vote remotely, it is preferable for them to appear on video. However, if their video is not working, the language of these amendments allows for them to vote by voice only. As stated throughout the meeting, the overall purpose of these amendments is to enable the City Council to continue to do its business, for elected officials to be able to vote, and to help ensure the vote is clear to members of the public watching from home.

Councilor Davis moved to amend the language in Rules 5, 14, and 27 after the phrase "visible on camera" as follows: **, or, if video is not reasonably practicable, able to be clearly and identifiably heard.** Councilor Davis stated that the purpose of amending the three rules with this language is to help enable the City Council to continue to do its business and for elected officials to be able to vote. Councilor Ewen-Campen expressed support for the amendments. The Motion was approved on a roll call vote of 3 in favor (Councilors Ewen-Campen,

Davis, Burnley), none against, and none absent.

In subsequent discussion, Councilor Ewen-Campen asked if the language in Rule 14 regarding voicing one's vote into the microphone applies to committee meetings, or if the rule only applies to regular City Council meetings in the chambers. He pointed out that there are no microphones in the Committee Room. Clerk Wells stated that her read of it is Rule 14 applies in the same situations in which it previously applied, which is in the Council chambers around the horseshoe. She stated that the part of the rule that was originally removed from the amended version does state "physically situated within the City Council chambers." Clerk Wells also stated that her take on this is the rule will be fairly interpreted by the presiding officer dependent on the meeting space that is available. Councilor Ewen-Campen stated that he is supportive of the proposed amendments.

Councilor Ewen-Campen asked whether votes will be counted when councilors are not in their seats during late-night budget meetings, for example. Clerk Wells stated that rules are not 100% enforced 100% of the time, and that this guidance exists for the presiding officer to preside over the meeting. Clerk Wells stated that at the presiding officer's discretion, if the vote is clear enough, then that would likely satisfy the intent of the rule. If the vote was not clear enough, the presiding officer could invoke the rule and tell everyone to sit in their seats for their vote to be recorded. Clerk Wells stated that the goal is not rules for the sake of rules. Rather, the end goal is to ensure members of the public who are trying to engage with the proceedings are aware of what is happening, which can be challenging if they cannot hear the votes that are cast. Councilor Davis stated that Rule 14 is a rule that applies to the full Council, but that there is a general interpretation of all rules. Additionally, Councilor Davis stated that he reads the intent of the drafters as retaining discretion with the presiding officer. He stated that the goal is to encourage people to speak clearly, and to be in the room, so that the vote is clear to people watching at home.

Chair Burnley stated that these amendments are an effort to align with the Open Meeting Law and increase the Council's accessibility to people at home and in person. He also noted that some people watching from home may not be able to hike up the hill to City Hall. Chair Burnley stated that he does not think it is good practice for councilors to stick their head into the City Council chambers to vote. Additionally, he expressed concerns that the amendments may present an opportunity to future presiding officers to exclude councilors from votes who may have left the chambers to use the restroom, for example. However, he also expressed faith in future councils to use the rules to contest bad behavior by colleagues. Chair Burnley stated that supports the wording of the amendments.

RESULT: **RECOMMENDED TO BE APPROVED AS
AMENDED**

AYE: City Councilor At Large Burnley Jr., Ward Six City
 Councilor Davis and Ward Three City Councilor
 Ewen-Campen

Referenced Documents:

- Rules - 2024-05-06 Remote Rules Amended (with 24-0415)