



150 Concord Street  
Framingham, MA 01702  
Ph: 508-532-5655  
Fax: 508-532-5409

[www.framinghamma.gov/CityCouncil](http://www.framinghamma.gov/CityCouncil)

## FRAMINGHAM CITY COUNCIL

ORDER NO. 2018-052

REQUEST OF THE CHAIR OF THE RULES SUBCOMMITTEE

UPON THE REQUEST OF THE CHAIR OF THE RULES SUBCOMMITTEE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That, in accordance with the Home Rule Charter for the City of Framingham, the City Council adopt the Rules of the Framingham City Council, replacing the Temporary Rules. The Rules of the Framingham City Council are attached and posted on the City website.

YEAS: Cannon, Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner, Torres, Tully Stoll

NAYS: None

ABSTAIN: None

ABSENT: All members were present

PASSED IN COUNCIL:                      MAY 15, 2018

A True Record, Attest:

8/30/18

Date Approved

Lisa A. Ferguson

Lisa A. Ferguson, City Clerk



# Rules of the Framingham City Council

Filed as of May 15, 2018

## General Rules

### *Meeting Times*

Rule 1. Unless otherwise ordered from time to time, and except on holidays, the regular meeting of the city council shall be the 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Tuesday of the month at seven o'clock p.m. in the Blumer Room, located in City Hall, 150 Concord St. Framingham, MA 01702. During the months of July and August, however, the council will meet only on the 3<sup>rd</sup> Tuesday of the month.

1. All sessions of the council and every subcommittee or ad-hoc committee of the council shall at all times be open to the public unless another provision is made by law.
2. City council meetings, subcommittee meetings and ad-hoc committee meetings shall end no later than 11 p.m. No new business may be considered after 10:00 p.m. unless approved by a majority vote of the members present.
3. City council meetings may not begin earlier than 7:00 p.m. except for in the case of an emergency.
4. Subcommittee meetings and ad-hoc committee meetings of the council may be held at a time earlier than 7:00 p.m. upon approval of all members of the subcommittee or ad-hoc committee.

Rule 1a. Special meetings of the council shall be held at the call of the council chair, or, at the call of any four (4) or more councilors, by written notice delivered in hand and electronically to each councilor or to the place of residence of each councilor and which contains a listing of the items to be acted upon. Except in case of an emergency, the existence of which the council chair shall be judge, this notice shall be delivered at least forty-eight (48) hours in advance of the time set for the meeting. A copy of the notice to councilors shall be posted on (i) the municipal bulletin board and, (ii) published on the appropriate city government webpage on which all such meeting notices are posted, and (iii) as may be required by ordinance or the Open Meeting law.

Rule 1b. Executive session may be entered only after the council has first convened in open session for which notice has been appropriately posted. The presiding officer shall cite the reason for going into executive session and indicate whether the council shall leave executive session for the purpose of adjournment or return to open session. The presiding officer shall ask for a roll call vote of the council members present. The vote of each member shall be recorded in the minutes, with a majority of members present necessary to initiate executive session.

### *Seating*

Rule 2. Seating is assigned at the beginning of each two (2) year term coinciding with the district councilor election cycle. The council seats from left to right will be numbered one (1) through eleven (11). The vice chair of the council will sit in seat five (5) and the chair will sit in seat six (6). The remaining councilors will randomly select their seats by drawing numbers. The seating assignments will remain for the duration of the two (2) year term.

### *Quorum*

Rule 3. A quorum of the council or any subcommittee or ad hoc committee is determined by the Open Meeting Law.

### *Election of Officers*

Rule 4. At its first meeting in January following the City election, the council shall elect from its membership a chair and a vice chair who shall serve a two (2) year term of office co-terminus with the term of the district councilors. If neither the existing chair or vice chair are present at the meeting, the City Clerk shall preside over the meeting solely for the purpose of the election of the chair and vice chair.

1. The council chair shall preside at all meetings of the city council, shall regulate proceedings including the agenda and shall decide on all questions of order.
2. The council chair shall have the same powers to vote upon all measures coming before the council as any other councilor.
3. The council chair shall perform any other duties consistent with the office that may be provided by charter, by ordinance, by council rules, or by other vote of the council.
4. If the council chair or vice-chair resigns or is unable to complete their term for any reason the city council shall elect from its membership a new chair or new vice-chair to replace the outgoing chair or vice-chair and such new chair or new vice-chair shall serve in such capacity for the remainder of the original chair or vice-chair's term.

### *Presiding Officer*

Rule 5. The council chair shall serve as the presiding officer of all meetings of the council and all hearings of the council. Each subcommittee chair and ad-hoc committee chair shall serve as the presiding officer of all meetings and hearings of their subcommittee or ad-hoc committee.

1. At all council meetings, in the event of the absence of the council chair, the vice chair shall preside. In the event both the chair and the vice chair are absent the council shall elect from its membership a temporary chair for that meeting. At all subcommittee meetings and ad-hoc committee meetings, in the event of the absence of the chair, the vice-chair shall preside.
2. Subcommittees and ad hoc committees cannot meet if both the subcommittee chair and vice-chair are absent.



## *Recess*

Rule 6. The presiding officer may at any time, during debate or otherwise, declare a recess for not more than twenty (20) minutes. Such action shall not be subject to appeal, nor shall any motions apply thereto.

## *City Council Agendas and Supporting and Background Materials*

Rule 7. The council chair has full discretion as to the inclusion of items on the city council agenda, unless a majority vote of the council decides otherwise.

### Rule 7a. Meeting Materials

1. Members of the council and municipal staff who prepare background and supporting materials shall have all such materials submitted to the city council office by **12:00 noon Thursday before the Tuesday meeting.**
  - In the case of a Monday holiday, this deadline is moved to 12:00 noon on Wednesday before the Tuesday meeting.
2. **By 5:00 p.m. on the Friday before the Tuesday meeting,** the agenda and all background and supporting materials shall be:
  - provided to each member of the council (in written or electronic form per each council member's stated preference) and,
  - published on
    - i. the appropriate city government meeting portal on which all such meeting notices and materials are posted, and
    - ii. as may be required by ordinance or the Open Meeting law.
3. All Councilors shall be notified weekly of all meetings of the council, subcommittees and ad hoc committees and related events taking place the following week.

Rule 7b. Unsigned communications of any kind which are submitted to the city council anonymously shall not be introduced in the council.

## *Subcommittee and Ad-Hoc Committee Agendas and Supporting and Background Materials*

Rule 8. Subcommittees and ad-hoc committees serve at the will of the council and have no independent authority. With the exception of the responsibilities assigned to the finance subcommittee through the home rule charter, items on the agenda of each subcommittee meeting or ad-hoc committee meeting shall consist solely of matters referred to that subcommittee or ad-hoc committee by the council chair or a majority vote of the council.

### Rule 8a. Meeting Materials (Subcommittees and Ad-Hoc Committees)

1. Members of the subcommittee or ad-hoc committee and municipal staff who prepare background and supporting materials shall have all such materials submitted to the city council office by **12:00 noon three business days prior to the subcommittee meeting or ad-hoc committee meeting.**

2. **By 5:00 p.m. two (2) business days before the subcommittee meeting or ad-hoc committee meeting** the agenda and all background and supporting materials, shall be
- provided to each member of the subcommittee or ad-hoc committee (in written or electronic form per each member's stated preference) and,
  - published on
    - i. the appropriate city government meeting portal on which all such meeting notices and materials are posted, and
    - ii. as may be required by ordinance or the Open Meeting law.

Rule 8b. Unsigned communications of any kind which are submitted to subcommittees or ad-hoc committees anonymously shall not be introduced in the subcommittee or ad-hoc committee.

### ***Order of Business and Debate***

Rule 9. At every regular meeting of the council, the order of business shall be as follows:

- a. Public Participation
- b. Public Hearings
- c. Report of the Mayor
- d. Report of the Council Chair
- e. Reports of Subcommittees
- f. Old Business
- g. New Business
- h. Approval of Minutes
- i. Report of Councilors
- j. Adjournment

Rule 9a. The above order shall not be changed except by vote of a majority of the council members present at the meeting and upon a motion to change the order.

Rule 9b. The council meetings and all council subcommittee meetings and ad-hoc committee meetings shall be guided by "Robert's Rules of Order Newly Revised" in all questions of parliamentary practice not provided for in these rules with the presiding officer having the final determination as to applicability and enforcement.

### ***Public Participation***

Rule 10. Any resident of Framingham may be recognized and speak to any agenda item on the current council agenda, subcommittee agenda or ad-hoc committee agenda (subject to Rule 10a) or during public participation (subject to Rule 10b) or during a public hearing (subject to Rule 11) and time shall be allotted for the public to speak at each open meeting or public hearing of the council, subcommittee or ad-hoc committee

- Speakers will be expected to use the following format when addressing the council, a subcommittee or an ad-hoc committee:
  - 1. State their name and address
  - 2. State the issue that they are bringing to the council's, subcommittee's, ad-hoc committee's attention.

3. Describe specifically the requested action.
  4. State the reasons that they support the requested action.
- Decorum:
    1. No person may address the council, subcommittee, ad-hoc committee without permission of the presiding officer
    2. All persons shall be silent at the request of the presiding officer.
    3. All persons must observe proper decorum and refrain from referring to other persons specifically by name or generally
    4. All persons addressing the council, subcommittee, ad-hoc committee shall do so in an orderly manner and shall not make repetitious, slanderous or irrelevant remarks, engage in personal attacks, or engage in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the council meeting.
    5. If a person transgresses these rules any council member may call him or her to order.
    6. If a person persists in disorderly behavior in such a meeting after a warning from the presiding officer, the presiding officer may order him or her to withdraw from the meeting and such person may be subject to removal from the meeting.

Rule 10a. Agenda items: Time will be allotted for Framingham residents to speak to an agenda item after the agenda item has been discussed by the council members present and shall be limited to fifteen minutes total with no more than three minutes allowed per speaker unless additional time is approved by majority vote of the council members present. Speakers will be recognized by the presiding officer subject to available time.

Rule 10b. Speaking to items not on the Agenda: Framingham residents may address the council about items which are not on the agenda during the Public Participation portion of the meeting which shall be limited to fifteen minutes total with no more than three minutes allowed per speaker unless additional time is approved by majority vote of the council members present. Speakers will be recognized by the presiding officer subject to available time.

- Members of the public who want to speak on matters during public participation must use the following procedure:
  1. Sign their names on the signup sheet that is available in the meeting room prior to the start of the meeting.
  2. Give their residence address and whether they are speaking as agent or representative of another person or organization.
  3. Name the subject matter on which they want to speak.

### ***Public Hearings***

Rule 11. Hearings before the council, subcommittees or ad-hoc committees shall be conducted in accordance with the following procedures, unless different procedures are necessary to comply with statutory requirements applicable to particular matters:

1. The council chair shall be the presiding officer of each hearing of the council.