

CAMBRIDGE CHRONICLE

VOL. 148, NO. 38 36 PAGES THURSDAY, SEPTEMBER 22, 1994 ©1994 BAY STATE COMMUNITY NEWSPAPER CO., INC. 50 CENTS

THIS WEEK

CITY SIDE

Sheriff Stands Trial for Extortion

Dramatic testimony unfolded in the extortion trial of Middlesex County Sheriff John McGonigle.

PAGE 8



SPORTS

'Doc' Treats City to Homecoming

The annual Doc Linsky Road Race is a homecoming of sorts in Cambridge, mixing tough competition with civic spirit and camaraderie.

PAGE 36

UNIVERSITIES

Proselytizing on Campus at Issue

At MIT, religious proselytizing on campus has drawn complaints from students and raised issues about regulating groups without stifling free speech.

PAGE 11

CITY SIDE

City Council Plans Retreat Session

While discussing goals for the coming political year, the oft-divided city council began planning a team-building "retreat" session.

PAGE 5

SCHOOLS

Grant Nurtures 'Habits of Mind'

City elementary schools are excited about a \$1.8 million grant that will help them move to the forefront of science education with "Habits of Mind" curriculum and "Science Action Teams."

PAGE 18

THE LINE

Censored: Do Not Read...

"The Catcher in the Rye" and "The Great Gatsby" are among noted "banned books" that will be celebrated Sunday at a Boston Center for the Arts anti-censorship marathon.

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— Party on Mass. Ave. —

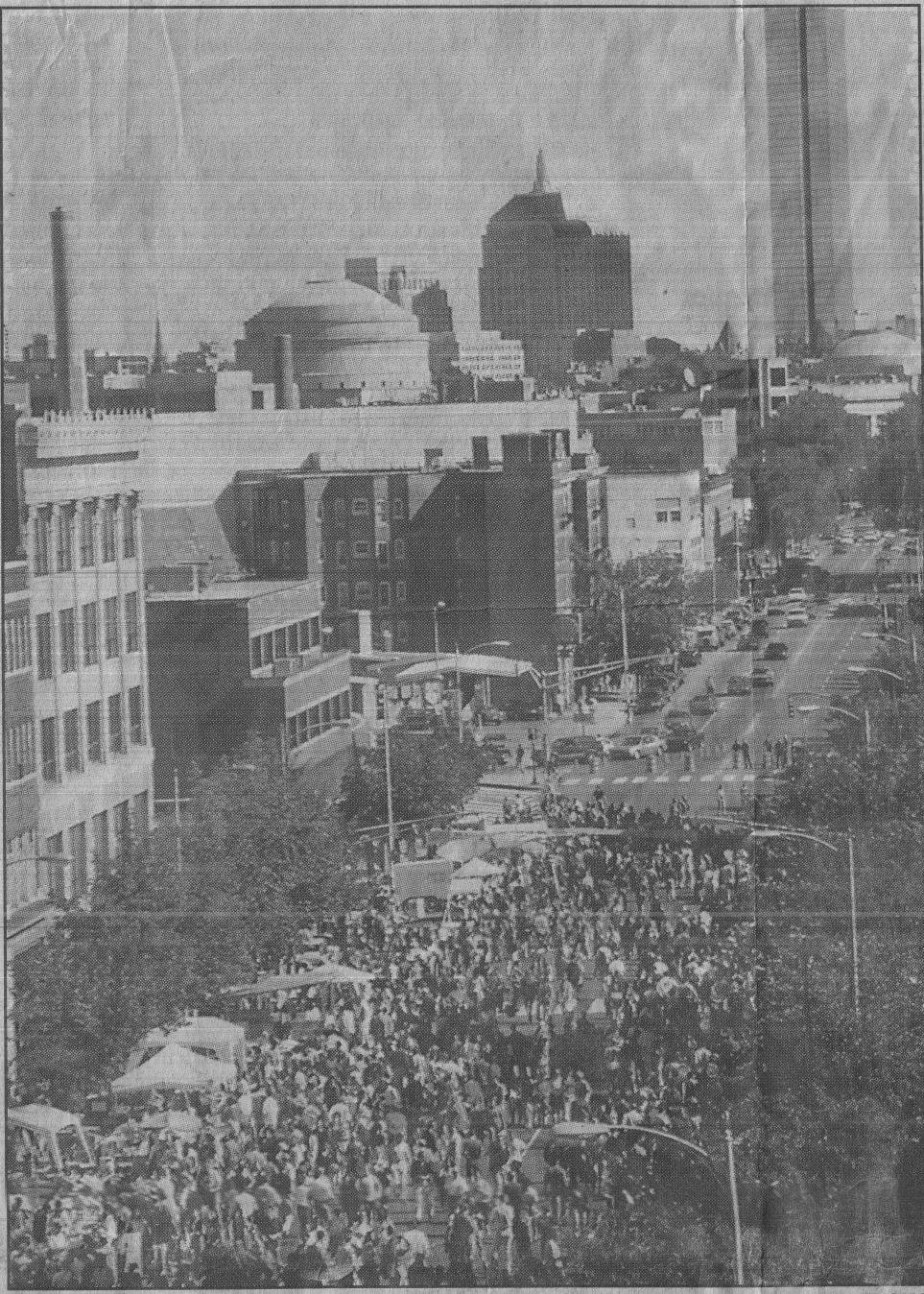


PHOTO BY JANE TYSKA

Thousands of festival-goers flooded Mass. Ave. Sunday for the World's Fair in Central Square, viewed here from atop Putnam Furniture.

World's Fair celebrates diversity in Central Sq.

BY JOHN BRENEMAN
Chronicle Staff

Mass. Ave. became Main Street, Planet Earth on Sunday, as thousands of festival-goers flooded Central Square, turning the business district into an ebbing, flowing sea of sensory stimulation with equal parts international flavor and local spirit.

The Central Square World's Fair put a buzz in the air that resonated from the rousing ecumenical service that opened the day to the feel-no-pain performance of Morphine, a nationally popular rock band with roots in the square.

The idea was to stage a bigger-than-ever street festival that joined neighborhoods, the business community and visitors under the theme of "celebrating diversity and unity in the heart of Cambridge."

The busy boulevard and side streets were closed to motor vehicles, but the diversity ideal was firing on all cylinders.

Bob Boulrice, head of the Central Square Neighborhood Coalition, called the fair "a breakthrough event." Conjuring up a ballpark crowd estimate — loosely based on food sales, trash generation, and a peek from atop Putnam Furniture — he guessed "40,000 to 50,000 over the course of the day."

The police didn't have an estimate, but they did report that the shutdown of Mass. Ave. went smoothly.

"I don't know if it could have gone any better," said Boulrice. "It was such a wonderful thing to see so many people enjoying Massachusetts Avenue." Count Boulrice among those who would like to see it happen more often.

FAIR, page 10

Husband guilty in wife's death

Whalen gets 18-20 in manslaughter plea

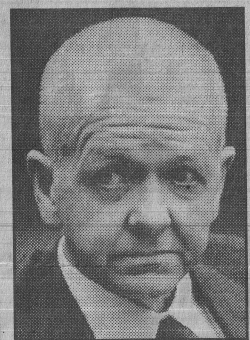
BY AMY MILLER
Chronicle Staff

A man accused of bludgeoning his wife to death with a hammer a year ago this Saturday was sentenced to 18 to 20 years in prison after he pleaded guilty to manslaughter.

At the request of the victim's family, the state on Tuesday accepted the plea from Dennis Whalen, 55, of Elm Street who was being charged with first degree murder for the brutal death of his wife, Rosalie Whalen.

"The main reason they did this was at the family's request," said Jill Reilly, spokesperson in the Middlesex District Attorney's office. "The family wanted this to be over as soon as possible. They came to us and asked if we could get this over before trial. We felt if we could get the maximum sentence it would be a reasonable way to end the case."

Prosecutor Jim Tamagini was expected to



Dennis Whalen

call several relatives of Rosalie Whalen to the stand to testify about the Whalen's marriage and their increasingly desperate life together on Elm Street in North Cambridge. But Tamagini acknowledged the siblings came reluctantly to the stand.

Whalen will be eligible for parole after he has served two-thirds or 12 years of his sentence at Cedar Junction State Prison. First degree murder carries mandatory life imprisonment.

In bail hearings and pre-trial motions, several witnesses prodded by Tamagini began to unravel the story of the Whalens, who lost a daughter to suicide in 1990. At that point, Dennis Whalen apparently began

WHALEN, page 10

Cambridge 101

Harvard students test off-campus aptitude

BY AMY MILLER
Chronicle Staff

Harvard's freshmen may have found their way across the prairies and Rockies and Mississippi Delta to get to Massachusetts, but they still have some learning to do about their new host city.

"I guess MIT is near us and BU is right across the river, but in Cambridge itself I don't know any other colleges," said Jason Frydman, a freshman from Highland Park, Ill., who was playing a game of hackey sack in Harvard Yard last Friday afternoon.

Talks with a handful of the latest Harvard recruits, mixed in with a few Crimson veterans, found almost no one knows what to call a person who lives in Cambridge, whether this community is a city or a town, if rent control exists in Massachusetts or, perhaps most surprising of all, that the "People's Republic of Cambridge" is a common way to slander this fair, if iconoclastic city.

Students caught around the Square last week in the carefree yet anxious days be-

fore classes begin came up with such names as "Cambridgian," "Cambrite" and "Cambrian" when asked what to call a person who lives in Cambridge. One of the 2,114 freshman who enrolled this year, Mallory Stewart of North Salem, NY, suggested a person who lives in Cambridge is rightfully termed... "a townie?"

And while some students thought Harvard is the only college in Cambridge, others suggested Tufts, Emerson and Wellesley are also located in this city across the Charles from Boston.

None of more than a dozen students, mostly freshman, interviewed had any idea of the population of Cambridge, but several noted they were equally unsure of the number of people in their hometowns in such places as New York, California, Illinois, Virginia and even Canada. Guesses ranged from Stewart's 8,000 people to freshman Jamie Lien's very nearly correct 100,000.

As far as the history of this 364-year-old community hosting their 364-year-old institution, freshman Ryan Oliver of Santa Cruz, Calif., said he has been "to the Com-

TEST, page 10

Fired arts officials plead not guilty to theft

BY AMY MILLER
Chronicle Staff

Two former city arts administrators charged with stealing city money are poised to bring other Cambridge Arts Council officials under scrutiny as they look to pin blame somewhere besides on themselves.

The attorney for Roy-Alan Hansen, former deputy director of the Arts Council, claims his client merely joined a system already in place when he took a bookkeeping job with the city agency in 1984.

"I'm not going to point fingers," said attorney Robert Annesse of Arlington, "but one of the points that's going to be looked at is the standards and manner in which the Arts Council was operating when [Hansen] came on board... There was a particular system in place when he came on board and he was brought into that system."

And the attorney for former director Annabelle Hebert, co-defendant in the case, says her client was merely acting under the authority of others.

"It's apparent not only from the indictments, but also the district attorney's statement of the case that the obvious primary defendant is Roy-Alan Hansen, who was there before she was," said attorney Carol Ball of Boston. "He was in charge of money. She was not the money person. Annabelle Hebert did nothing

"[Hansen] was in charge of money. [Hebert] was not the money person. Annabelle Hebert did nothing she wasn't authorized to do by either the city or by Hansen."

Defense attorney Carol Ball

Clerk Magistrate Joe Marshall in Middlesex Superior Court.

Hebert, a small red-headed woman dressed in a black skirt and tan jacket, stood in courtroom 6B just feet away from Hansen. She appeared nervous and tentative as Ball told her how to answer — "not guilty;" "yes," she would return for further court dates; "no," she didn't need the questions repeated. Then she waited outside the courtroom as lawyers conferred nearby.

Hebert, who works at the Pepperweed clothing store in North Cambridge, was charged with two counts of theft, for allegedly taking \$15,000 from the council and charging personal items worth \$10,000 on the council credit card.

Hansen, a rotund man in a navy blue jacket and gray pants, stood alone and answered the questions with little emotion and none of his well-known brashness. The 46-year-old Lexington resident was charged on 17 counts involving two schemes and \$250,000.

ARTS, page 10

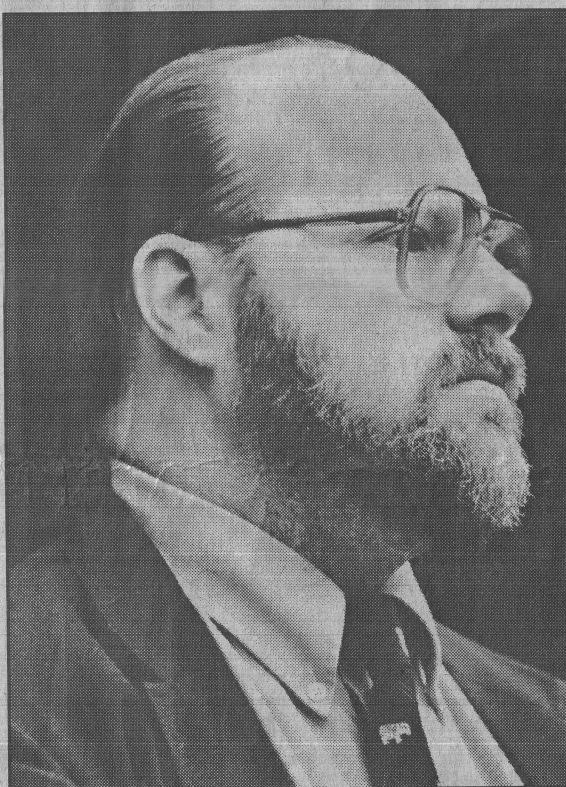


PHOTO BY JANE TYSKA

Roy-Alan Hansen, former deputy director of the Cambridge Arts Council, pleads not guilty to theft in Middlesex Superior Court last Friday.

How to get your news into the Chronicle

GENERAL INFORMATION — Please address all press releases and correspondence to Cambridge Chronicle, PO Box 312, Somerville, MA 02144. If you have questions about something in the paper, or about how to obtain coverage for your organization or event, please call 628-6200 and ask for the Chronicle editor.

GUIDELINES — To help us get your information into the Chronicle, please print the category (or page on which you'd like the item to appear) at the top: Neighborhood News, Business News, Real Estate, Letter to the Editor, Sports, Political News, Schools, University News, or Community

News. Follow-up telephone calls are generally not necessary.

PLEASE TYPE and double space all press releases, letters to the editor, listings and other announcements. Please include a phone number where we can reach you if we have questions.

DEADLINES for the What's Happening calendar section, arts listings, and community news section are **Thursday** for the following Thursday's paper. For most other purposes, the deadline is **Monday at noon**. Meeting these deadlines is the only way to ensure that your item will appear in the paper.

Correction

A quote in the Chronicle's Sept. 15 story about the Cambridge Arts Council should have read, "they are now reporting directly to the city manager," instead of "they are not reporting directly to the city manager."

A Sept. 15 article on rent control wrongly says the city ordered the Petrillos to "raze" their home for \$100,000. The

city actually told the landlords they must do repairs for that amount on the structure.

The Sept. 15 Chronicle reported that Linda Levine, co-chair of the Small Property Owners Association, supported an exchange of rent control reform for removing Question 9 from the state ballot in November. Levine opposes the idea.

CAMBRIDGE NOSE

Ringling the Plough

At last, people trying to get hold of the Plough don't have to be insiders. The Mass. Ave. bar has finally gotten a listed number.

Until this summer, the **Plough and Stars** had only a pay phone to link it to the outside world. The folks there would give out the number, and it was advertised in the Phoenix, but that was about it. And half the time it was busy.

So the owners decided to put in a second line, which unlike the pay phone can be listed.

This one is always busy," said bartender **Maurice**, who was talking on the pay phone. "Now more people get information quicker. They don't have to wait for someone to finish on this end."

But getting down to basics, Maurice gave the real reason for the added line.

"We get football live from Europe every Saturday and sometimes there's a breakdown in the satellite link and that necessitates a call to Canada," he explained. "And you can't really wait until a person gets off the phone to call on that."

"For day-to-day business," he concluded, "it's handy to have a phone."

Oh, and what is that number. The listed number is 441-3445. And if you want the phone booth, you'll still have to be an insider or check the Plough's ads.

Retiring sister

At the age of 92, Sister **Evarista Shinnick** is retiring, leaving the students at St. Columbkille in Brighton. The East Cambridge native who graduated from Cambridge Latin began teaching at St. Mary in Brookline in 1926, the same year she entered the Sisters of Saint Joseph.

She taught first grade there for 18 years before getting transferred to other schools, always as a primary grade teacher until she was

named principal at St. Aidan School in Brookline. At 70, she stopped teaching at St. Columbkille, but was named Sacristan of the church, or caretaker, and for 21 years performed related duties, becoming known in Brighton as "the Sister in the Church."

The flowers at Pugh's Corner

For their efforts to keep the fairly stark streets of Kendall Square beautiful with flowers and care, doctors **Mary Mayflower** and **George Pugh** will have a corner named after them. Pugh's Corner will be at the intersection of Binney Street and Land Boulevard, the area given so much attention by this couple that lives at the Esplanade Apartments.

A marker will be erected and a ceremony held. Among those who have helped the Pughs make this area nicer are city arborist **Jack Kelly**, city electrician **George Fernandez**, **John Schanda** and **Peter Diamond** from COM Electric; Professor **Miquel Leibovich** and **Peter Ponds**.

The city council is hoping this effort by the Pughs will inspire other residents to adopt similar projects in the city, said City Councilor **Michael Sullivan** in an order, which happened to also mention **Walter** and **Edward Sullivan** as cohorts in the project.

At the same time, the corner of Holworthy Street and Holworthy Terrace is being named **Wright's Corner** in honor of the late **Edwin Wright** and members of his family who have lived in that corner for four decades.

Road Gripes of the Week

Everyone has a mental block or two, and this may be one for the Nose/Road Gripe editor, but signs for eastbound cars at the end of Memorial Drive are utterly confusing.

As cars head toward the intersection with the Longfellow Bridge, a sign on the left side

of the road points straight up and slightly to the right to Kendall Square, although the road in question actually swivels around to the left. Meanwhile, the sign for Government Center shows an arrow circling around counter-clockwise, though the road into Boston appears to go straight and then right, if anything.

This problem in signage has left at least one white Toyota more than once straddling the striped lines, wondering where to go, as lost as any tourist. Memory fails — which way was wrong??? I've made this mistake before — before I start cursing the city traffic people. Then I remember, the road belongs to the MDC.

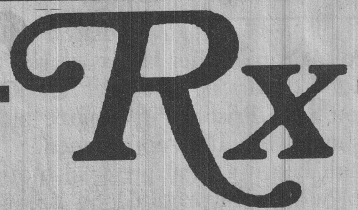
Straighten out those signs commissioners. At least one other person has agreed they get confused.

And furthermore

Sentimentality around ugly intersections is a rare thing. But while we're getting personal, I'm feeling a bit nostalgic for the old I-93, Route 1, Storrow Drive interchange. I wasn't ready for the much-touted **Central Artery** ramps when I headed toward Route 1 north. After years learning the ropes, when to keep left, how to switch right, which lane goes faster, suddenly it was all useless information. And without any formal goodbye to this basic piece of Boston road architecture.

But nostalgia can be impractical. And one commuter from Maine has already confirmed the beauty of this state-of-art section of the megaproject. Driving from over the border in South Berwick, Maine, this stock broker says he saves a half hour each direction because the traffic doesn't get stalled anymore as dozens of lanes of cars try to nose into one or two lanes and then find their way out of town. The question now may be how many more cars will begin using this route now that it's not so congested.

— Amy Miller



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Cleanup with 'Explorations'

Outdoor Explorations is sponsoring a day-long environmental cleanup on Saturday, Sept. 24, 9 am to 2:30 pm at Alewife Reservation.

People of all physical and cognitive abilities are invited to join together to tackle environmental service projects in Cambridge, Somerville, Belmont and Arlington. While integrating diverse communities, this event will raise needed funds for Outdoor Explorations annual outdoor programs.

Cleanup teams will cut back overgrowth on trails, canoe and clean the Alewife Brookway, remove debris from Fresh Pond, stencil signs on the Minuteman Bike Trail, or clean up graffiti at Dilboyl Field. The event will conclude with food and live music at Danehy Park.

Outdoor Explorations is a young non-profit organization that fosters relationships between people with varying physical and cognitive abilities. Through environmental service projects and adventure trips, Outdoor Exploration enables people from diverse backgrounds to learn from each other and jointly experience outdoor activities. Participants of all abilities are

encouraged to meet at Bertucci's next to the Alewife T stop at 9 am on Saturday. For more information, contact Carolyn Bess at 491-4200, ext. 258.

Fall Revival begins Sept. 28

The Western Avenue Baptist Church will be celebrating its annual Fall Revival from Wednesday, Sept. 28, through Friday, Sept. 30, at 7 pm each night. Rev. Frank Murray of Bethel Baptist Church will be the preacher for Sept. 28, Rev. John Borders of Morningstar Baptist Church for Sept. 29, and Rev. Bernard Harris of Mt. Moriah Baptist Church for Sept. 30. All are welcome. For more information, call Rev. Edmund Henley, interim pastor, at 661-0433.

Memory Walk to be held Oct. 2

The 1994 Memory Walk, the Alzheimer's Association's national walk-a-thon for Alzheimer's disease, will be held on Sunday, Oct. 2, at 8 am, at Canal Park adjacent to the CambridgeSide Galleria. The 10K/6.2 mile Memory

Walk is being conducted locally by the association's Eastern Massachusetts Chapter. Proceeds from the walk support local services for the more than 100,000 people with Alzheimer's disease, caregivers, and families living in eastern and central Massachusetts.

For Memory Walk registration information or to learn about the Eastern Massachusetts Chapter's services and programs, contact Ellen Kallman at 494-5150.

Breast cancer forum tonight

CambridgeSide Galleria joins forces with Tufts Associated Health Plans and WGBH to present a "Women's Health" program as part of the monthly "Women's Night Out" series. The program will focus on breast cancer and will feature a moderated forum with a panel of health industry professionals. Delores Handy of WGBH and WABU will conduct a question-and-answer period with the panelists and questions will be taken from the audience.

The program will take place at the CambridgeSide Galleria, 100 CambridgeSide Place, on Thursday, Sept. 22, from 6-7 pm. Ad-

mission is free. For further information, call CambridgeSide Galleria at 621-8666.

Carpenters volunteer labor for shelter

On a recent Saturday, five members of Carpenters Local 40 in Cambridge donated their time, tools and skills to rebuild some sagging ceilings and structurally weak floors at Transition House, Cambridge's only shelter for battered women and children. Faith Calhoun, Maryann Cloherty, Cynthia Deacon, Alice Green and Leslie Pierce all participated in the day's labors.

Transition House is one of the oldest shelter programs on the East Coast. It provides emergency shelter for up to seven women and 10 children. For information, contact Carpenters Local 40 at 547-8511 or Transition House at 354-2676. If you are a victim of abuse, call the Battered Women's Hotline at 661-7203.

Theological Institute service Sept. 25

The public is invited to attend the fall opening service of the schools of the Boston Theological Institute, to be held at First Church in Cambridge, Congregational on Sunday, Sept. 25, 7-8 pm. The church is located at 11 Garden St., Harvard Square. This ecumenical service of worship and prayer will include contributions of music, dance, poetry and artwork by members of the various schools in the consortium, focused on the theme, "Called by the Spirit: Gifted to Give." A reception will follow in Margaret Jewett Hall. For more information, call the Boston Theological Institute at 527-4880.

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City of Cambridge Public Notice

The Cambridge City Council is experimenting with a new procedure for public comment.

The City Council has adopted the following Rule:

(Third paragraph of Rule 23 of the City Council Rules)
Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have a reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat; the time allowed for each person and employee shall be limited to a total of ten minutes. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled "Public Comment," and that portion of the meeting shall take place directly after the order of business entitled "Reading of the record, if requested by the City Council."

This rule has been adopted on a temporary basis and will be in effect for four City Council meetings, beginning on September 26, 1994.

By Order of the City Council,
D. Margaret Drury,
City Clerk

91.9 FM E TOWN

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City of Cambridge

Calendar Item # 19A

IN CITY COUNCIL
September 12, 1994

ORDERED: That Rule Twenty of the City Council Rules as amended March 22, 1994 be stricken and the following language be substituted therein:

Rule 20. All matter of whatever description which require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p. m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 5:00 p. m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

In City Council September 12, 1994.

Failed of adoption by a yea and nay vote:

Yeas 4; Nays 5; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury,
City Clerk

RECONSIDERATION FILED BY COUNCILLOR DUEHAY

City of Cambridge

MASSACHUSETTS

In City Council

9-12

1994

Ord # 19B

Proposed Amend. to Rule 23

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mrs. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mr. William H. Walsh				✓
Mayor Kenneth E. Reeves		✓		

2 1 0 1

*C. Toomey on susp w/9
RF 0-9*



City of Cambridge

Calendar Item # 19B

IN CITY COUNCIL

September 12, 1994

ORDERED: That Rule Twenty-Three of the City Council Rules as amended March 22, 1994 be stricken and the following language be substituted therein:

Rule 23. At every regular meeting of this City Council the order of business shall be as follows:

1. Reading of the record, if requested by the City Council.
 - 1a. Public comment
2. Motions for Reconsideration
3. Manager's Consent Agenda
4. Communications from the City Manager (Manager's Non-Consent Agenda)
5. Consent Communications (petitions, memorials, and other communications from citizens, employees and others)
6. Consent orders and resolutions
7. Committee Reports
8. Communications and Reports from City Officers
9. Unfinished business from preceding meetings
 - a. Charter Rights
 - b. On the Table
 - c. Unfinished Business
10. Non-Consent Communications (petitions, memorials and other communications removed from the Consent Communication Agenda by request of a member of the City Council or placed initially on the Non-Consent list because the communication includes a request to speak to the City Council at its meeting.
11. Motions, orders or resolutions which have been removed from the Consent Order Agenda by request of a member of the City Council.

Public hearings shall be scheduled by the City Clerk and Chair at the request of the City Council, but not on the same night as requested except in the case of a public emergency.

Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have a reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat; the time allowed for each person and employee shall be limited to a total of ten minutes. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled "Public Comment," and that portion of the meeting shall take place directly after the order of business entitled "Reading of the record, if requested, by the City Council."

In City Council September 12, 1994.

Adopted by a yeas and nays vote:

Yeas 7; Nays 1; Absent 0; Present 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury,
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council

9-12

1994

Col # 19C

Rule 25 as amended

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mrs. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓		✓	
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mr. William H. Walsh	✓			
Mayor Kenneth E. Reeves				✓

8 0 0 1

Ordered: That Rule 20 and Rule 25 of the Rules of the City Council As Amended March 22, 1994, be stricken and that the following language be substituted therein.

Rule 20. All matters of whatever description which ~~may~~ require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p.m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City clerk by 5:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications ~~on~~ the agenda for the next regular City Council meeting. Upon receipt of a communication that is substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. All communications, petitions, or resolutions that do not meet the agenda deadline specified in Rule 20 shall be held over for the subsequent City Council agenda unless it is of an emergency nature or it is on the City Manager's Supplemental Agenda.

C Duekoy
amend

Ordered:

That Rule 20 and Rule 25 of the Rules of the City Council As Amended March 22, 1994, be stricken and that the following language be substituted therein.

Rule 20.

All matters of whatever description which ~~may~~ require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p.m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City clerk by 5:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule 25.

All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications ~~on~~ the agenda for the next regular City Council meeting. Upon receipt of a communication that is substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. All communications, petitions, or resolutions that do not meet the agenda deadline specified in Rule 20 shall be held over for the subsequent City Council agenda unless it is of an emergency nature or it is on the City Manager's Supplemental Agenda.

C. Duchy
Type
Strike

v v / 9

City of Cambridge

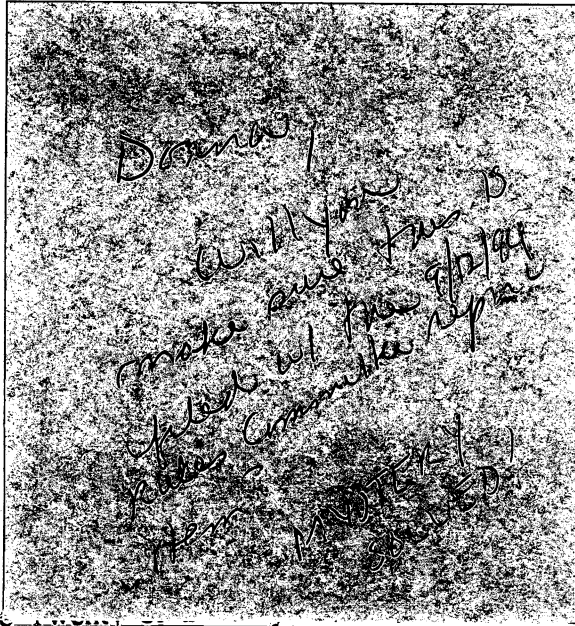
MASSACHUSETTS

In City Council 9-19 1994

Revised #2

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mrs. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.		✓		
Ms. Katherine Triantafillou		✓		
Mr. William H. Walsh		✓		
Mayor Kenneth E. Reeves		✓		

5 4 0 0



Consideration # 2
Agenda Item #19A

CITY COUNCIL

September 12, 1994
September 19, 1994

ORDERED: That Rule _____, as amended March 22, 1994 be stricken and the following language be substituted therein:

Rule 20. All matter of whatever description which require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p. m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 5:00 p. m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

In City Council September 19, 1994.
Adopted by a yeas and nays vote:
Yeas 5; Nays 4; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury,
City Clerk

9/19/94 RECONSIDERATION PREVAILED ON A VOICE VOTE OF NINE MEMBERS.

ORDER WAS ADOPTED ON A ROLL CALL VOTE.



City of Cambridge

Reconsideration # 2
~~Calendar Item #19A~~

IN CITY COUNCIL

~~September 12, 1994~~
 September 19, 1994

ORDERED: That Rule Twenty of the City Council Rules as amended March 22, 1994 be stricken and the following language be substituted therein:

Rule 20. All matter of whatever description which require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p. m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 5:00 p. m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

In City Council September 19, 1994.

Adopted by a yeas and nays vote:

Yeas 5; Nays 4; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

D. Margaret Drury

ATTEST:-

D. Margaret Drury,
 City Clerk

9/19/94 RECONSIDERATION PREVAILED ON A VOICE VOTE OF NINE MEMBERS.

ORDER WAS ADOPTED ON A ROLL CALL VOTE.

City of Cambridge

MASSACHUSETTS

Col # 19A

In City Council 9-~~20~~ 12 1994

Proposed Change to rule 20

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born		✓		
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	(2) ✓			(1) ✓
Mrs. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓	(4) ✓		
Ms. Katherine Triantafillou		✓		
Mr. William H. Walsh	(5) ✓	(4) ✓		
Mayor Kenneth E. Reeves	(1) ✓	(3) ✓		

(1)	6	2	0	1
(2)	7	2	0	0
(3)	6	3	0	0
(4)	4	5	0	0



City of Cambridge

Calendar Item # 19C

IN CITY COUNCIL
September 12, 1994

ORDERED: That Rule Twenty-Five of the City Council Rules as amended March 22, 1994 be stricken and the following language be substituted therein:

Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications on the agenda for the next regular City Council meeting. Upon receipt of a communication that is substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. All communications, petitions, or resolutions that do not meet the agenda deadline specified in Rule Twenty shall be held over for the subsequent City Council agenda unless it is of an emergency nature.

In City Council September 12, 1994.

Adopted by a yea and nay vote:

Yeas 8; Nays 0; Absent 0; Present 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

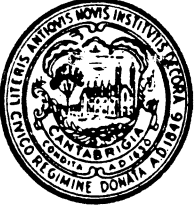
ATTEST:-

D. Margaret Drury
D. Margaret Drury,
City Clerk

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	1833
CONNECTION TEL	86286624
CONNECTION ID	BAYSTATE NEWS
START TIME	09/20 08:50
USAGE TIME	00'43
PAGES	2
RESULT	OK



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CITY HALL
795 MASSACHUSETTS AVENUE
CAMBRIDGE, MA. 02139
TELEPHONE 349-4000
FAX # 349-4307

FAX COVER SHEET

TO: Iron - Display Ad - Chronicle

FROM: Donna - City Clerk's Office, 795 Mass. Ave
Cambridge, Ma. 02139
349-4256

NUMBER OF SHEETS, INCLUDING THIS COVER SHEET 2

REMARKS 1- Display Ad - Insert -
Sept. 22, 1994 Edition - Thanks

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL US AT
(617) 349-4300

City of Cambridge

PUBLIC NOTICE

The Cambridge City Council is experimenting with a new procedure for public comment.

The City Council has adopted the following Rule:

(Third paragraph of Rule 23 of the City Council Rules)

Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have a reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat; the time allowed for each person and employee shall be limited to a total of ten minutes. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled "Public Comment," and that portion of the meeting shall take place directly after the order of business entitled "Reading of the record, if requested, by the City Council."

This rule has been adopted on a temporary basis and will be in effect for four City Council meetings, beginning on September 26, 1994.

By Order of the City Council,

D. Margaret Drury,
City Clerk

City of Cambridge

PUBLIC NOTICE

The Cambridge City Council is experimenting with a new procedure for public comment.

The City Council has adopted the following Rule:

Rule 23. At every regular meeting of this City Council the order of business shall be as follows:

1. Reading of the record, if requested by the City Council.
 - 1a. Public comment
2. Motions for Reconsideration
3. Manager's Consent Agenda
4. Communications from the City Manager (Manager's Non-Consent Agenda)
5. Consent Communications (petitions, memorials, and other communications from citizens, employees and others)
6. Consent orders and resolutions
7. Committee Reports
8. Communications and Reports from City Officers
9. Unfinished business from preceding meetings
 - a. Charter Rights
 - b. On the Table
 - c. Unfinished Business
10. Non-Consent Communications (petitions, memorials and other communications removed from the Consent Communication Agenda by request of a member of the City Council or placed initially on the Non-Consent list because the communication includes a request to speak to the City Council at its meeting.
11. Motions, orders or resolutions which have been removed from the Consent Order Agenda by request of a member of the City Council.

Public hearings shall be scheduled by the City Clerk and Chair at the request of the City Council, but not on the same night as requested except in the case of a public emergency.

Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have a reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat; the time allowed for each person and employee shall be limited to a total of ten minutes. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled "Public Comment," and that portion of the meeting shall take place directly after the order of business entitled "Reading of the record, if requested, by the City Council."

This rule has been adopted on a temporary basis and will be in effect for four City Council meetings, beginning on September 26, 1994.

City of Cambridge

The Rules Committee held a public meeting on July 19, 1994, beginning at 11:10 a.m. in the Ackermann Room for the purpose of considering communications referred by the City Council regarding Rule 20, Rule 23, Rule 23A, Rule 25 and Rule 37. Present at the meeting were Vice Mayor Sheila T. Russell, Chair of the Committee, Councillor Francis H. Duehay, Councillor Michael A. Sullivan, Councillor Katherine Triantafillou, City Clerk D. Margaret Drury and Deputy City Clerk John E. Flynn.

Vice Mayor Russell convened the meeting and explained its purpose. She requested that the Committee begin its consideration with the issue of whether there should be limitations on debate and comment at City Council meetings. Vice Mayor Russell explained that this issue had arisen in the context of the discussion at the last Rules Committee regarding limitation on comment by the public. It had been suggested at that time that the Committee should also look into the possibility of limiting the debate of members of the Council, and the Rules Committee had requested that the City Clerk research and report on the practices of other city councils. Vice Mayor Russell noted that the City Clerk had prepared and distributed a memorandum on this issue. Attachment A. She then invited discussion.

Councillor Duehay suggested circulating the memorandum to the entire Council and inviting their comments on this issue.

Councillor Sullivan stated that he was opposed to limiting debate, but he noted that several city councils have a rule that no councillor can speak for a second time on an issue before all councillors who so desire have spoken once. Councillor Sullivan said that this might be a useful rule for the Cambridge City Council.

Vice Mayor Russell observed that although Cambridge does not have this rule, by informal practice debate in Cambridge does happen in this fashion.

Councillor Duehay agreed with Councillor Sullivan in regard to his opposition to limits on debate, but reiterated that he would like to hear the views of other members of the City Council.

Vice Mayor Russell noted that the research on other city council rules also showed that most other communities have much different rules regarding public comment. The majority of city councils do not allow public comment at council hearings; of those that do allow such comment, most have a particular time in the meeting when comments from the public are taken.

Councillor Duehay reminded the Committee that the City Council had rejected the Rules Committee's previous recommendation that the rules be changed to allow each member of the public to speak for five minutes on the main motion and then five minutes on any amendment.

Vice Mayor Russell then invited public comment on this issue.

Philip Dowds, 48 Banks Street, President, Cambridge Civic Association, said that he has no objection to the Council establishing a specific time for all public comment or changing the amount of time allowed to each individual. His concern is that it is difficult under the present system to know when it is the public's turn to speak. There are occasions when members of the public wait several hours to give their comments on a particular item, only to find that it is disposed of by charter right or the question is called before they have a chance to make their comments.

Councillor Duehay noted that the issue raised by Mr. Dowds is also related to another question which arises concerning public comment on proposed amendments. In the past the City Council has interpreted Rule 23 quite generously to allow any member of the public the right to comment on each proposed amendment to a main matter as if it the amendment were a new matter. This means that the public comment continues through every part of the Council debate. However, the rules that allow the Council to end debate are important to enable the Council to conduct its business. The Council could establish a particular time for citizens to speak, which would ensure that all members of the public can be heard on a topic, but this would mean that the public would not have to opportunity to comment on proposed amendments that arise during Council discussion. He suggested that perhaps the public comment time should come at the very beginning of the discussion of each matter on the agenda, and that thereafter further public comment be heard under suspension of the rules.

Councillor Sullivan stated that the procedures to end debate are most often used by the Council to cut off further debate by Council members, not members of the public. He can recall several occasions upon which motions to end debate were temporarily withdrawn by the maker in order to allow public comment. Councillor Sullivan said that he agreed with Councillor Duehay that the rules to end debate are important parliamentary tools, and he added that at times it is very important to have public comment during the amendment process.

Vice Mayor Russell noted that if there were a specific time for public comment, people would know when they could come before the Council to give their comments.

Michael Brandon, Seven Pines Avenue, suggested that the time for public comment be at the end of the debate on each matter, because the public needs the opportunity to comment on what comes up during the Council debate. He said that he strongly disagrees with having one particular time for all public comment; it would be seen as limiting the public's right to participation. He stated that he recommends keeping the present rule but strengthening it by specifically noting that the public always has the right to comment before debate is shut off.

Councillor Duehay responded that it is more useful to the City Council to hear public comments before there has been full debate by the Council such that the members may well have reached an opinion on the issue.

Philip Dowds said that he can support any rules on this issue, as long as they are

equitably and dependably enforced. He added that Council debate is not necessarily aided by having the public speak at any time throughout; he would personally favor establishing a time for all public comment at the beginning of the meeting.

Councillor Duehay expressed concern as to how well a system with all public comment at the beginning would work; in particular, he questioned how well the City Council would listen. Vice Mayor Russell reported that she had had a conversation with a member of the school committee in Medfield, where this system is used, and had been told it worked well. Deputy Clerk John Flynn reported that Worcester requires members of the public to sign up for the public comment period a few hours before the meetings. If no one signs up to speak, there is no public comment time at that meeting. Councillor Triantafillou said that at the National League of Cities meeting in Washington, several city councillors from communities around the country told her that their councils had specific portions of the meeting reserved for public comment. Councillor Triantafillou said that no one reported any problems with this system.

Vice Mayor Russell suggested adopting a public comment portion of the meeting for thirty-day trial, which would be four meetings.

Philip Dowds recommended that rather than setting up a specific period of time, the Council should allow each member of the public who wants to comment a specific number of minutes.

Michael Brandon stated that if the City Council does adopt such a system, the public comment period should happen as a part of the meeting rather than before the meeting starts. In addition, he suggested checking records of City Council meetings right after the adoption of the present Charter to see if there used to be a public comment period, because the Charter language suggests that it was written with such a system in mind.

Mr. Brandon also said that the public should have a right to speak on matters which are not on the agenda but nevertheless are raised and discussed by the Council at its meetings. Councillor Duehay agreed.

Councillor Myers said that a specific public comment system could be a component of making meetings more efficient. He supports the notion of getting public input early in a defined way. The value for the public is that they would know what time they could speak and that they could then go home and use the time as they need to. Councillor Myers added that this is a fairly major change in the way the Council operates, so it might be useful to try it for more than just four weeks.

Councillor Duehay moved that the Rules Committee recommend to the full City Council that the Council establish a four-meeting trial of a procedure in which public comment is taken at the beginning of the City Council meeting, and each member of the public who desires to speak is accorded up to ten minutes to address the City Council on any matter on the agenda;

and that after the four meeting trial period the Rules Committee meet again to evaluate the results of the trial and make recommendation to the City Council. The motion was passed on a unanimous voice vote. The Committee requested that the City Clerk draft a proposed rule reflecting its vote.

Vice Mayor Russell then turned the discussion to the second item on the agenda, the issue of the exercise of Rule 37(6) by the City Clerk with respect to a letter from Michael Brandon to the City Council. She noted that the communications for the Committee's consideration included the communications referred to the Rules Committee by the City Council and a letter from Sarah Wunsch, Staff Attorney for the Massachusetts Civil Liberties Union. (Attachment)

Councillor Duehay noted that the letter from Ms. Wunsch introduced a difference between the manner in which people testify and letters to the City Council. He said that he believes that the City Council has the right to limit obscenity and public attacks, at least in testimony. He asked Deputy City Solicitor Donald Drisdell for his comments on the issue.

Mr. Drisdell said that Ms. Wunsch's letter had arrived the day before the Committee meeting, and that he would like to request that this issue remain in committee so that he can look at the cases referred to in the letter and do some additional research. Mr. Drisdell said that on the basis on previous research he could state that the City Council does have some ability to require decorum in its proceedings. He added that he believes that the City many have some right to decorum in the written material that becomes a part of its agenda and record, but that it is clear that there must be limitations on any such discretion and on the delegation of any such discretion.

Michael Brandon asked how written communications would be handled in the interim. He said that he believes that there is a significant difference between written communication and oral communication to the Council at its meeting. Rule 36 was clearly written to apply to oral conduct within the meeting. To be legal and as a matter of good government, interpretation of the rules should err on the side of the First Amendment. He asked whether if he resubmits his letter, it will be placed on the Council agenda.

Councillor Duehay said that there are two issues involved. One is whether the City Clerk should be the one making such decisions as to written materials. The other issue is how the City Council handles material which is not within the norms of decorum when it gets to the Council, because the business of the Council is not advanced by vituperation and vilification.

Councillor Triantafillou said that she believes that Mr. Brandon's letter should have been placed "as is" on the communications agenda. However, she noted that the Council had had the opportunity to review all of the body of Mr. Brandon's letter, as well as the issues raised by the Clerk's refusal to place it "as is" on the agenda, and she questioned the need to reconsider either until the City Solicitor has a chance to communicate with the Committee.

Vice Mayor Russell then moved to item four on the agenda, the question of whether the

provisions of Rule 20 and 25 prohibit the City Manager (and all others) from writing to the City Council without filing a copy with the City Clerk for placement on the City Council meeting agenda.

Councillor Sullivan stated that there are people who write letters to individual City Councillors who do not want their letters to be copied and placed on the agenda for public comment and discussion at the Council meeting.

Councillor Duehay requested comments from the Deputy City Solicitor, and he asked that the comments include some discussion of whether letters to and from constituents are public records. Mr. Drisdell said that any communication received or sent by a City Councillor, official or employee as a part of his or her official duties is a public record. However, that does not determine the question posed by agenda item four. All letters from the City Manager to a City Councillor are public records; however, only those letters which officially require action by the City Council must be filed with the City Clerk and put on an agenda for a City Council meeting. He added that the letter questioned by Mr. Brandon in his 4/7/94 communication is a good example. The City Manager's letter was about a matter that was not part of the official business of the City Council's agenda. Any City Councillor could have made it part of the agenda; a member of the public could have submitted a communication about the matter; but the City Council rules do not and cannot limit the City Manager's ability to communicate with the City Council about matters which are not on the agenda.

Michael Brandon said that his assessment of the communication from Robert Healy is different. In his opinion it was an official communication to the City Council, and as such, it is covered by the rules and should have been on the agenda. There is not a way for the public to know about things like this unless Rule 20 and Rule 25 are interpreted to require that all written communications to the City Council be on the agenda.

Donald Drisdell pointed out that in this particular instance, the letter in question was sent by the City Manager to the Tab and Chronicle and was published in these papers. However, the broader question is whether the City Manager and others cannot communicate with the City Council except through its published agendas, and the answer to that question is quite clearly no.

Michael Brandon said that if this is the case, such communications need to be clearly addressed to each individual City Councillor, and Rule 25 should be clarified.

Councillor Triantafyllou agreed with Mr. Brandon that there may be a problem with the language of the Rule. She added that City Councillors get many invitations to all sorts of events, and questioned whether all that mail belongs on the agenda.

Councillor Duehay moved that the matter be referred to the City Solicitor to work with the City Clerk to redraft Rule 25 for purposes of clarity. The motion passed unanimously on a voice vote.

Vice Mayor Russell then turned the discussion to the third item on the agenda, the question of whether the City Manager is required by Rule 20 to submit his agenda items to the City Clerk by 5 p.m. on Thursday and, if not, when must his items be available to the public.

Councillor Duehay said that under the plain meaning of Rule 20, the City Manager's agenda is covered. If the City Manager wants a different time limit, then the rule should be changed to provide for this.

Vice Mayor Russell distributed a proposal by the City Manager that his agenda close at 5 P.M. pm Thursday, coinciding with the City Clerk and City Council, that public copies will be available by Friday at 5 P.M., and that, since the Cit Manager has no parliamentary rights to introduce late items, in the event of compelling matters or exigent circumstances, there be a provision for a supplemental agenda which will be allowed up to 5 P.m. on Monday.

Councillor Triantafillou said that she is not in favor of this proposal. The City Manager should be subject to the same rules as everyone else, and should not have the right to a special parliamentary procedure. The City Manager can always request that a City Councillor move suspension of the rules if something that he absolutely must present to the Council at the meeting comes up after the agenda closes on Thursday.

Councillor Duehay said that he does not agree that the City Manager should have to take one Councillor aside and make a special presentation to that one, thereby conferring special knowledge to one, in order to be able to get an item that needs attention before the Council. He should deal with all Councillors equally, and the City Council should not establish procedures that mitigate against this goal. Councillor Duehay added that this city is a big enterprise, and should have the ability to deal with emergencies or the unexpected need for quick attention and action. The City Council always has the right to exercise its charter right to delay action for one week. He said that he has been on the City Council for a long time and he is very satisfied with the way the City Manager presents information to the Council. He wants the Manager's recommendations and he does not want circumscribe the ability to present these recommendations.

Councillor Triantafillou said that she does not want to see items for the first time on Monday night. She added that she is interested in exploring whether it would be advisable to move to preparation of the agenda two weeks in advance. She said that she does not see a need to change the rule at the present.

City Clerk Margaret Drury pointed out that if the City Council decides that the City Manager is subject to Rule 20, it will change the current practice significantly.

Councillor Duehay moved that the City Manager's proposal be approved as a change to the rules, with the strong admonition that the City Council expects that the supplementary agenda will only be used in emergencies.

Michael Brandon stated that he agrees with Councillor Triantafillou and he recommends a two-week deadline for the agenda.

The motion was approved unanimously on a voice vote.

Vice Mayor Russell then turned the discussion to item five on the agenda, the question of whether the provisions of Rule 23 and Rule 23A which establish consent agendas and provide for passage without discussion unless the item is removed by a City Councillor conflict with provisions of either MGL c. 43 sec. 98 which provides for the public a reasonable opportunity to be heard in regard to any manner considered or Rule 23 which establishes that opportunity to be ten minutes for each matter. Deputy Solicitor Donald Drisdell pointed out that the Rules Committee had rendered this issue moot with its recommendation that an opportunity for public comment on any item on the agenda be established. It was agreed that no further discussion on this issue was required in light of the previous recommendation.

Councillor Duehay noted that there had been no resolution regarding the issue of restricting debate of individual members of the City Council. He suggested that all the members receive copies of the City Clerk's memo and the research results, along with the information that the Rules Committee is interested in the opinions of other members of the City Council on this issue, and it was agreed without objection that the Committee would request the City Clerk to distribute this information.

Councillor Duehay said that it is important for the public to know that there are many different ways for members of the public to communicate with the City Council. He suggested including this information in the next update of the City Council brochure.

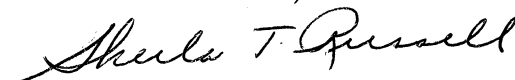
Michael Brandon noted that any list of methods to communicate with the Council should include the new public access computer system, in which electronic mail communication is planned.

Vice Mayor Russell noted that it will be important to communicate the change in the public comment rules well before they take effect, if changes are adopted.

Michael Brandon said that if the new rule is implemented, during the first meeting using the new rule, the City Council should be lenient with members of the public who were unaware of the change.

Vice Mayor Russell thanked those present for their attendance, and the meeting was adjourned at 12:45 P.M.

For the Committee,



Vice Mayor Sheila T. Russell

Ordered: That Rule 20 and Rule 25 of the Rules of the City Council As Amended March 22, 1994, be stricken and that the following language be substituted therein.

Rule 20. All matters of whatever description which ~~may~~ require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p.m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City clerk by 5:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications of the agenda for the next regular City Council meeting. Upon receipt of a communication that is substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. All communications, petitions, or resolutions that do not meet the agenda deadline specified in Rule 20 shall be held over for the subsequent City Council agenda unless it is of an emergency nature or it is on the City Manager's Supplemental Agenda.

Ordered: That the City Council adopt the following paragraph as a temporary rule which shall replace the third paragraph of Rule 23 of the Rules of the City Council As Amended March 22, 1994, said temporary replacement to take effect on the first City Council meeting after final adoption of the temporary rule and to remain in effect for that meeting and the next three consecutive meetings:

Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have a reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat; the time allowed for each person and employee shall be limited to a total of ten minutes. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled "Public Comment," and that portion of the meeting shall take place directly after the order of business entitled "Reading of the record, if requested, by the City Council.";

and be it further

Ordered: That during the time in which the temporary rule above is in effect, the Order of Business set forth in paragraph one of Rule 23 be amended to include

1. (a) Public Comment;
and be it further

Ordered: That after the four-meeting trial period in which the temporary rule is in effect, the Rules Committee shall meet to evaluate the efficacy of the temporary rule, and shall make a report and recommendation to the City Council as to what rule should govern public comment.

1.

COMMITTEE REPORT

Rules Committee Report for a hearing held on July 19, 1994 relative to communications received by the City Council regarding Rule 20, 23, 23A, 25 and 37 of the City Council Rules.

9/12/94 Rule 20 - failed
4-5-0

Reconsideration filed by
Councillor Quehoy

Rule 23 - adopted 7-1-57

Rule 25 - adopted 8-0-0-1

9/19/96 - Rule 20 - Reconsideration
Prevailed
Order adopted 5-4-0
In City Council,

August 1, 1994

Report accepted

8/1/94 Tabled by

Councillor Quehoy
(Proposed amendments
to Rules)

Hearing set for
Sept. 12, 1994