



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Meeting Minutes - Final Rules & Ordinance Committee

*Chairperson Peg Crowe*  
*Vice Chair Amanda Linehan*  
*Councillor at Large Carey McDonald*  
*Councillor Chris Simonelli*  
*Councillor Jadeane Sica*

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Tuesday, October 11, 2022

5:30 PM

215 Pleasant Street  
Room # 105  
Malden, MA 02148

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### Roll Call

*Also present: Assistant City Solicitor McNeil, Councillors Colon-Hayes, Condon.*

*Chair Crowe called the meeting to order at 5:39 p.m.*

**Present:** 3 - Peg Crowe, Amanda Linehan and Carey McDonald

**Absent:** 2 - Chris Simonelli and Jadeane Sica

### Minutes to be Approved

[405-22](#)

Minutes for the meeting of September 27, 2022

**A motion was made by Councillor at Large McDonald, seconded by Vice Chair Linehan, that the Committee Minutes be approved. The motion carried by a unanimous vote.**

### Business

[368-22](#)

Order: Be it ordained that Section 11.08 (Streets and Sidewalks) of the MCC be amended by adding Section 11.08.200 to address markings on the public way.

**Sponsors:** Craig Spadafora

**Attachments:** [Ordinance Amendment Proposal Letter 9 8 2022](#)

[DigSafeMarkingRemovalOrdinance](#)

[11.08 STREETS AND SIDEWALKS](#)

[Dig Safe Amended Form Recommended October 11, 2022](#)

*Councillor McDonald made a motion to take paper 368-22 from the table, seconded by Councillor Linehan, it was so voted 3-0.*

*Councillor McDonald stated that he had a couple of suggestions to clear up specifically to the role of Dig Safe. Councillor McDonald made a motion to change the language in section A to read "any person or entities", that way clarifying who would be responsible to remove the markings and DPW would be able follow up, the motion was seconded by Linehan, it was so voted 3-0.*

**A motion was made by Councillor at Large McDonald, seconded by Vice Chair Linehan, that the Ordinance be amended in Section A to read "any person or**

entity.". The motion carried by a unanimous vote.

**A motion was made by Councillor at Large McDonald, seconded by Vice Chair Linehan, that the Ordinance be recommended favorably as amended to the City Council. The motion carried by a unanimous vote.**

[382-22](#)

Be it ordained that Section 11.24.010 PLACEMENT OF POLES, WIRES AND TELE-COMMUNICATIONS EQUIPMENT IN, ALONG OR ON PUBLIC WAYS be amended in the following manner (See attachment)

**Sponsors:** Craig Spadafora

**Attachments:** [Double Pole Ordinance](#)

*Councillor McDonald said that he has no problem with the goals of the paper but it is extremely long and wordy for an ordinance.*

*Councillor Linehan agreed and said adding a lot of text is not productive.*

*Chair Crowe asked for suggestions or places that could be cut down.*

*Councillor Linehan stated the paper needs the same brevity as other sections in the Ordinance.*

*Councillor McDonald stated that he would want Legal to review the document because it does reference Legal. Councillor McDonald continued that this may be a new section and we could remove the first 3 paragraphs, the first scenario and third scenario are very similar and probably could be combined.*

*Councillor Linehan stated a legal review would be a good first step and we could ask the sponsor, Council President Spadafora to attend the next meeting it will be discussed to give background on the paper.*

*Councillor McDonald made a motion to table the paper pending legal review and the committee checks in with the Department of Public Works, seconded by Councillor Linehan; it was so voted 3-0.*

**This Order was tabled in the Rules & Ordinance Committee**

[254-20](#)

Order: That the City Council adopt the Rules of the Council Rule Book 2021.

**Sponsors:** Jadeane Sica

**Attachments:** [DRAFT Rule Book Changes](#)

*Councillor McDonald made a motion to take paper 254-20 from the table, seconded by Councillor Linehan, it was so voted 3-0.*

*Councillor McDonald deferred to Councillor Linehan to speak on the paper.*

*Councillor Linehan said at the last meeting she offered to be the compiler of suggested edits and she did review what was sent by Councillor McDonald. Councillor Linehan said that she had hoped Councillor Sica would be present but the discussion should move forward anyways. Councillor Linehan continued that she was mindful the committee got bogged down with minor details when previously discussing changes to the Rule Book and that the committee move forward but also listen to Councillor Sica who started to make the changes while President and then Council President Spadafora would make suggestions in the end. Councillor Linehan suggested they start with Councillor McDonald's suggestion that they have a Consent Agenda and turned it over to Councillor McDonald.*

*Councillor McDonald said the Consent Agenda would be packaged at the beginning of the meeting and contain any item that would not be debated such as mayoral appointments that are placed on file, a new item that would be referred to committee, the minutes. This would streamline the meeting and save time on items that are done by*

procedure. If any councilor wanted to take an item from the Consent Agenda they could to be discussed. The items would be read so the public would know what items are being taken up in the Consent Agenda.

Chair Crowe stated that non-profits use Consent Agendas.

Councillor McDonald said the Boston City Council does as well.

Councillor Linehan stated that she liked the idea of a Consent Agenda and suggested they move to the idea of a President-Pro-tem. Councillor McDonald said that this would remove the rule that the most senior member be the acting President if the Council President was unavailable and could be either a council appointment or a President appointment. The position could also assist the Council President with responsibilities during the year.

Councillor Linehan stated she liked this idea and would be building a bench and if something happened creating a succession plan.

Councillor Condon off committee said he thought it was a great idea.

Councillor Linehan said she favors to continue to allow written public comment, take out that organizations need to get voted to appear before the council and we need to protect ourselves with reconsidering votes like what happened this year on the cannabis paper. Councillor McDonald said his suggestion would be to limit the words written in public comment, what would be roughly 2 minutes if the comment is read, suggesting maybe 500 words is around 2 minutes. Councillor McDonald continued that if the topic had more than one template letter that the clerk only read one letter and the names that submitted the letter while not reading every letter.

Councillor Linehan said that the full council should vote to allow the public comment to go over the limit not the Council President and maybe 300 words would the number and if it turns out to be not enough it could be adjusted.

Councillor McDonald said on public presentation instead of a council vote maybe we allow a councilor to have 1 a year and the topic needs to fit the Council Agenda that night.

Councillor Linehan stated 1 a year does not sound like it's enough and each councilor may average 2-3 a year. Councillor Linehan continued that if it was a timely matter, example Covid related, it could be treated like a regular council item on the agenda.

Councillor McDonald stated the Mayor or Council President would be unlimited.

Councillor Linehan stated she was squeamish about limiting it per councilor for example she said she sponsors Malden Reads every year and topics like this should not be counted against her on any limit imposed.

Councillor McDonald said the Council President would decide if something didn't fit the agenda and we should put a time limit on the presentation.

Councillor Linehan said she would like to hear clarification from Council President Spadafora on the rule that was referenced when he determined that the group that was being sponsored by Councillor Colon-Hayes did not fit the Council Agenda.

Councillor McDonald said we should create a new section in section 5 about community groups and have a time limit.

Councillor Linehan said we need a new section other than 5.01.

Councillor McDonald suggested adding to "subject to agenda availability"

Councillor Colon-Hayes agreed with a time limit but not a limit per councilor.

Councillor Linehan said the committee should capture this for now having a time limit and suggested the committee go back to reconsideration votes. Councillor Linehan said the committee needs to come up with something that would force the Council to call a meeting if a reconsideration vote happens at the last meeting of the year and we need constraints.

Councilor Condon asked if reconsideration votes needed to take place in the same fiscal year as the paper.

Councillor McDonald said reconsideration votes make it too easy to jam the Council up and we need to find a time limit and not fiscal year.

This Order was tabled in the Rules & Ordinance Committee.

## **Adjournment**

The meeting was adjourned at 7:00 p.m.