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**SPECIAL MEETING OF AUGUST 29, 2023**

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Special Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Tuesday evening, August 29, 2023.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 6:30 o'clock p.m.

**ATTENDANCE**

City Clerk Titi Siriphan called the Roll of Members. Eleven (11) Councillors present were present including President Elizabeth Kazinskas and Councillor James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, George Tyros, and James Walsh.

Also in attendance, Mayor Michael Nicholson and City Solicitor John Flick.

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Elizabeth Kazinskas announced to the assembly that the Open Meeting Recording and Public Records Announcement. Any person may make a video or audio recording of an open session of a meeting or may transmit the meeting through any medium subject to reasonable requirements of the chair as to the number placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

Stephen Landry of The Gardner News announced he was recording.

Mayor Nicholson gave a timeline of the Charter Review Process:

**August 23, 2022:** Mayor Filed legislation with the City Council to create a Special Act Charter Drafting Committee.

**September 7, 2022:** Mayor's legislation appears in front of the City Council for the first time as Item # 10781: An Act to Establish a Special Act Charter Drafting Committee, posted by City Clerk's Office on Thursday, Sept 1, 2022.



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**September 14, 2022:** Informal Meeting of the City Council scheduled by the City Council President and Posted by the City Clerk's Office for Monday, Oct 3, 2022.

**October 3, 2022:** City Council holds Informal meeting with Mayor Nicholson to discuss the merits of creating a Special Act Charter Drafting Committee and potential changes to the City Charter. Make up and appointing authority of membership of the committee also discussed.

**December 5, 2022:** The City Council votes to approve of the Mayor's proposal, amending it to add additional members appointed by the City Council President rather than just three appointed by Mayor.

**December 15, 2022:** Mayor Nicholson and Council President Kazinskas file appointment certificates with the City Clerk's Office for appointees to serve on the Special Act Charter Drafting Committee for City Council Consideration.

**December 19, 2022:** The City Council votes to refer the five appointees to the City Council's Appointment Standing Committee for Study and Report.

**January 4, 2023:** Appointment Standing Committee meeting posted for January 6, 2023.

**January 6, 2023:** The Appointment Standing Committee holds its confirmation consideration meeting with four of the five appointees. The Appointment Standing unanimously votes to recommend confirmation of all four considered appointees.

**January 12, 2023:** Appointment Standing Committee meeting posted for January 17, 2023, to meet for final appointee confirmation consideration. City Council Meeting posted to vote on confirmation of all five appointees.

**January 17, 2023:** Appointment Standing Committee unanimously votes to recommend confirmation for the final appointee to the Special Act Drafting Committee.

**January 17, 2023:** All 5 appointees to the Special Act Charter Drafting Committee are confirmed by unanimous vote of the City Council.

**February 16, 2023:**

- Charter Review Committee has first meeting. Reviews proposals submitted by Mayor Nicholson, the 2015 proposals done by the City Council, the 2015 Charter Review Committee Proposal, and the 2015 Law Department Analysis of the City Charter. Votes to schedule a public hearing on the matter on February 23, 2023 at 4pm in the City Council Chamber.

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- City Clerk's Office Posts Public Hearing for Feb 23, 2023 at 4pm in City Council Chamber
- Mayor Nicholson emails Department Heads to notify them of the public hearing and ask if they had any input on potential amendments to the City Charter.

**February 21, 2023:** Public Hearing Posting for the Charter Review Committee is published in the Gardner News.

**February 23, 2023:** Charter Review Committee holds public hearing on proposed amendments to the City Charter.

**May 11, 2023:** Charter Review Committee holds meeting to discuss potential amendments to the City Charter based on testimony received at the public hearing of February 23, 2023. Meeting posted May 3, 2022.

**May 22, 2023:** Charter Review Committee votes on changes and requests Mayor's Office draft letter on behalf of the Committee regarding the voted upon amendments to submit to the City Council. Meeting posted May 12, 2023.

**June 7, 2023:** Charter Review Committee holds final meeting and votes on final submission to the City Council. Meeting Posted May 23, 2023.

**June 15, 2023:** City Council Meeting posted with recommendations from the Charter Review Committee listed as Item #11023: Charter Review Committee Final Review Recommendations.

**June 20, 2023:** City Council votes to refer the item to the Committee of the Whole and schedule an informal meeting and refer the document to the Law Department to place the recommendations in legislative format.

**August 7, 2023:** City Council holds informal meeting on the Charter Review committee recommendations. Requests that the Law Department remove any amendments to Section 6 of the Charter and add language to make the Charter gender neutral throughout the document. Meeting posted August 3, 2023.

**August 29, 2023:** City Council holds Special Meeting to vote on final recommendations submitted by the Special Act Charter Drafting Committee and the Law Department now that final language has been received.

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On a motion made by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted on call of the roll, five (5) yeas, Councillors James Boone, Craig Cormier, Ronald Cormier, Paul Tassone, and James Walsh; six (6) nays, President Elizabeth Kazinskas and Councillors Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack and George Tyros, to *Amend a motion to place the proposal on the November 7, 2023 municipal election ballot as a **binding** question for the voters to determine if the City Council should send this home rule petition to the legislature for enactment.*

The motion to amend was defeated.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted on call of the roll, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone and George Tyros; two (2) nays, Councillors Karen Hardern and James Walsh, to *place the proposal on the November 7, 2023 municipal election ballot as a **non-binding** question for the voters to determine if the City Council should send this home rule petition to the legislature for enactment.*

On a motion made by Councillor James Walsh and seconded by Councillor George Tyros, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, George Tyros, and James Walsh to adjourn at 7:24 p.m.

**Accepted by the City Council: October 16, 2023**