

COMMITTEE ON ADMINISTRATION

March 5, 1996

6:30 PM

Chairman Pariseau called the meeting to order.

The Clerk called the roll.

PRESENT: Ald. Pariseau, Elise, Sysyn, Shea, Hirschmann

MESSRS: R. Girard, Ald. Domaingue

Chairman Pariseau addressed item 3 of the agenda:

Communication from Paul Bergeron, Deputy City Clerk,
relative to the continuance of the Special Events
Subcommittee.

On motion of Ald. Hirschmann, duly seconded by Ald. Shea, it was voted to maintain the Special Events Subcommittee as part of the Committee on Administration.

Mr. Girard stated that the Committee structure was reformed by the Board; that in discussions with City Solicitor Clark he had advised both the City Clerk's Office and the Mayor's Office that Subcommittees do not have the authority to establish Subcommittees of themselves; that the Committee on Administration has no authority to establish and never did a Subcommittee for any particular reason or purpose; that when the new Committee structure was adopted by the Board it did express an interest in maintaining the Alcohol and Drug Committee and other Committees, but technically they would have to be Special Committees of the Board of Mayor and Alderman; that Chairman Wihby would have to appoint a chairman to other Aldermen and then the Committee could do the work; that the Subcommittee does not have that authority.

Chairman Pariseau interjected that the Committee on Administration was not a Subcommittee.

Mr. Girard stated that the Committee of Administration was a Committee of the Board and by definition a Committee of the Board may only act on those items specifically referred; that they do not have the authority to setup their own Committees; that the City Clerk could verify this; that if this Committee was going to continue, a recommendation to the Board would be in order that a Special Committee of the Board be appointed by the Chairman.

Chairman Pariseau interjected which could be the Administration Committee.

Mr. Girard replied no; that it would have to be a separate Committee; that it was an inappropriate action for the Committee on Administration to establish a Subcommittee that it has no authority to do.

Ald. Elise stated that Chairman Pariseau's intent was to make a Special Events Committee which consists of all the department heads part of the Committee on Administration; that all department heads would come to the meeting when needed; that Mr. Girard was not clear on what Chairman Pariseau was stating; that the Committee on Special Events would absorb back into the Committee on Administration.

Mr. Girard stated they needed clarification as the letter from Deputy Clerk Bergeron doesn't express that; that if the Committee wishes to meet as the Committee on Administration and call in various department heads that was their prerogative; that to setup or institutionalize a working group of people to work on various issues, that were not specifically referred and has not been specifically empowered by the Board was an inappropriate action; that they were still setting up a Subcommittee of this Committee and that was not allowed by the Board.

Chairman Pariseau asked where was that in writing from City Solicitor Clark; that why wasn't that sent to this Committee.

Mr. Girard stated he couldn't speak for the Solicitor; that they were advised that all the Subcommittees which were setup by various Committees were inappropriate as they needed to be Special Committees of the Board.

Ald. Hirschmann stated that the first act of approval he gave was to accept the rules of the previous Board; that if the previous Board in Administration made Committees then he feels they have the power to make Committees.

Chairman Pariseau stated they changed the Committees; that the Committees weren't not yet defined.

Ald. Hirschmann replied they were currently and they had accepted the previous rules of the Board.

Mr. Girard stated that Ald. Hirschmann was corrected in that they accepted the previous rules; that the previous rules state that Committees may only work on matters specifically referred; that the Solicitor will tell them that they don't have the authority to establish Subcommittees.

Chairman Pariseau stated that only because it was the Special Events Committee; that he thought a package was put together to eliminate individuals going from department to department.

Mr. Girard stated he wasn't commented on the merit of the Committee; that what he was saying was for the Special Events Committee to exist as a Committee it needs to be under the rules of the Board as a Special Committee of the Board; that it may not, under Board rules or Solicitor Clark be a Special Committee or Subcommittee of this Committee.

Ald. Elise stated that Chairman Pariseau's intent was that the Special Events Committee to be re-absorbed into the Committee on Administration; that if they were dealing with a Special Event all department heads would be present; that it was not a Special Subcommittee.

Mr. Girard replied that the memo didn't state this.

Ald. Elise stated what Chairman Pariseau clarified and wanted moved was not what the memo stated; that it was his decision on how he wanted to run his Committee.

Chairman Pariseau replied that was correct.

Ald. Elise further stated he was re-absorbing the Special Events Committee into the Committee on Administration; that the Special Events Committee was how she chose to handle the Special Events and it was very effective for her.

On motion of Ald. Hirschmann, duly seconded by Ald. Elise, it was voted to consolidated the Special Events Subcommittee into the Committee on Administration.

Chairman Pariseau addressed item 4 of the agenda:

Discussion relative to the reinstatement of the public participation meetings.

(Note: copies of rules, ordinances, or policies from Concord, Keene, and Nashua attached.)

Ald. Elise noted that she had picked up the rules of the Portsmouth City Council; that they had a very clear public comment session rule; that a public comment session shall appear on the agenda of all regular Council meetings.

Chairman Pariseau asked if they would be better off if they redirected the public session to Committee meetings.

Ald. Shea stated he didn't like that idea.

Ald. Sysyn agreed with Ald. Shea and further stated that they need to have a time limit on speakers.

Chairman Pariseau stated they needed something set in concrete; that they had a proposed amendment to Rule 2B; that states that public comment sessions shall be conducted at the first meeting of every month; that this allows residents of Manchester the opportunity to address the Board on items of concerns affecting the community; that the sessions shall be a period of time not to exceed thirty minutes during which any member of the public may have two minutes to address any single topic; that a member of the public must register name and topic with the City Clerk prior to the session beginning; that a registered member of the public can not relinquish allotted time to another speaker; that the Mayor reserves the right to select speakers of different issues to be permitted to speak in order to provide a form of various topics to be presented; that this was a proposed amendment so if they had thirty people all talking about one issue and the Mayor knows someone else who wanted to discuss another topic, the Mayor could select that individual out of sequence so that they had a broader perspective.

Ald. Hirschmann noted that was fair.

Ald. Sysyn stated it was fair; that with allotted time they couldn't give their time to someone else.

Chairman Pariseau replied that was correct; that a registered member of the public can not relinquish allotted time to another speaker.

Ald. Hirschmann stated he like the idea as they could speak on an issue and not a soapbox platform.

Chairman Pariseau stated if the Mayor should see individuals getting into personalities like Aldermanic medical insurance he could stop it.

Ald. Elise stated she wasn't sure if this was appropriate, but on the personal comments and attacks; that if speakers whose testimony includes personal comments directed at members of the Board could have their time suspended; that it probably needed to be reviewed by the Solicitor.

Chairman Pariseau stated it really hasn't happened often.

Ald. Shea stated the Mayor should have some prerogative so if a persons character was attacked he could do something; that if it was in the rules he would be able to refer back to the rules.

Ald. Elise stated she brought it up as she and other Aldermen have had that concern; that she wasn't sure if it was constitutional.

Chairman Pariseau stated he thought it would be; that it should be on City issues; that did they want to add that sentence.

Chairman Pariseau recognized Ald. Domaingue who stated she didn't hear anything that permits the same individual speaker from speaking every month if they so choose; that was this the Committee's wish.

Chairman Pariseau, Ald. Hirschmann and Ald. Shea replied yes.

Chairman Pariseau stated he was aware that it was part of her original suggestion; that did the Committee want to add it in.

Ald. Domaingue stated she put that suggestion in and it was up to the Committee; that she did or didn't recommend it at this time; that she would leave the process up to the Committee.

Chairman Pariseau stated they didn't want to restrict it; that the Mayor had some flexibility.

Mr. Girard stated that the Mayor does support the limitation that individuals be allowed to speak twice during a calendar year at the Public Participation forums; that he supports it because the forums seem to draw the same individuals on a monthly basis and the Board wouldn't be able to hear from different members of the public; that he just wanted to advise the Committee on the Mayor's position.

Ald. Hirschmann stated he wanted to be clear that they were moving on a signup sheet which would have the individual's name and topic so that the City Clerk or Mayor will know the topic.

Ald. Shea stated they should make the motion to access the merits of particular rule amendment after three months to see how it worked; that if it was being abused they could change it.

Ald. Elise and Ald. Hirschmann agreed to Ald. Shea's recommendation.

On motion of Ald. Elise, duly seconded by Ald. Hirschmann it was voted to amend rule 2B (adopted 8/3/93) and replace with the following; that public comment sessions shall be conducted at the first meeting of every month; that this allows residents of Manchester the opportunity to address the Board on items of concern affecting the community; that the session shall be a period of time not to exceed thirty minutes during which any member of the public may have two minutes to address any single topic; that a member of the public must register name and topic with the City Clerk prior to the session beginning; that a registered member of the public can not relinquish allotted time to another speaker; that the Mayor reserves the right to select speakers of different issues to be permitted to speak in order to provide a form of various topics to be presented.

Chairman Pariseau stated that this would take place at the first Board of Mayor and Aldermen meeting in April 1996.

Ald. Elise stated she had a couple of problems that she would like to bring before the Committee if time permits; that if not she could discuss them with Chairman Pariseau and allowed him to do as he sees fit.

Chairman Pariseau asked what the items were.

Ald. Elise stated it was related to the actions of the previous Committee; that one was related to Channel 40 in which Tom Arnold was working in setting up a Board of Directors for Channel 40 which was part of the agreement with the Continental Cablevision; that it doesn't show it had been tabled.

Chairman Pariseau stated why don't they send a letter over to the City Solicitor Office from the Committee on Administration inquiring about the status.

On motion of Ald. Elise, duly seconded by Ald. Sysyn, it was voted to send a letter to the City Solicitor requesting the status of the Board of Directors of Channel 40.

Ald. Elise stated that the next issue they needed to decided how to handle was last years Downtown In The Park a free summer concert series, whereas they obtained money from the Board of Mayor and Aldermen; that each show had a business sponsor; that the Special Events Subcommittee had budgeted some money for next year and that they had the New Hampshire Philaharmonic and the Manchester Choral Society under contract for next summer; that those would be the only two shows they would do, do to the limitations of the Committee.

Chairman Pariseau asked Ald. Elise if she wish to continue working with those organizations.

Ald. Elise replied she would; that the intent of this series was that the Downtown Manager would take it over; that she suggests she works with the Downtown Manager in transitioning it over to him.

On motion of Ald. Sysyn, duly seconded by Ald. Shea, it was voted that Ald. Elise be the liaison between the Administration Committee and Concert Committee working with the new Downtown Manager.

Ald. Elise stated the Special Events Subcommittee also put together a RFP for a downtown concert promoter; that she would like to send it over to the Downtown Manager at the same time.

Chairman Pariseau asked if anyone knew who that was or do they send it in care of the Chamber.

Ald. Elise stated she wanted to send over only the initial work they did; that there was no authorization.

Mr. Girard stated they can't develop an RFP without the authorization of the Board; that they couldn't do it because of the procurement code.

Ald. Elise stated they were not directing the Downtown Manager to go for bid for a concert promoter; that they are only sending over their work.

Ald. Hirschmann noted that they were only delegating.

Mr. Girard stated that they needed the authority of the Board to initiate an RFP; that this was the problem the Committee system got into before it was reformed; that this was one of the reasons why they were going to enforce the rules.

Ald. Elise stated that this was work done in Committee on an RFP for a downtown promoter, which she would like to have the Downtown Manager to have for his files.

Ald. Sysyn asked why Ald. Elise why she doesn't just hand over her work; that it was only her work and not a request for an RFP.

Chairman Pariseau stated it was not a request it was just procedure to help the new Downtown Manager.

Chairman Pariseau asked Ald. Elise just to hand her notes over to the new Downtown Manager.

There being no further business to come before the Committee on Administration, on motion of Ald. Shea, duly seconded by Ald. Hirschmann it was voted to adjourn.

A True Copy. Attest.



Clerk of Committee

