



Lowell City Council

Rules SC Minutes

Michael Q. Geary
City Clerk

Date: March 19, 2024
Time: 5:30 PM
Location Council Chamber, City Hall / Zoom (Hybrid)

PRESENT:

Present on Roll Call were Chairman Chau, C. Descoteaux and C. Scott. Also present was City Solicitor Cory Williams, C. Mercier, Asst. Solicitor Garret Beaulieu and C. Nuon.

MEETING CALLED TO ORDER:

Chairman Chau called the meeting to order noting the attendance and topics for discussion noting said discussion regarding filling of vacancies and code of conduct.

ORDER OF BUSINESS

C. Chau opened hearing up to the public with no response.

C. Chau introduced the first item of discussion regarding establishing a code of conduct for elected and appointed bodies which was fashioned after the Massachusetts Municipal Association language. Atty. Williams outlined the different sections of the code and noted that it would be before Council in the form of an ordinance. C. Descoteaux noted that only a felony conviction can have a member removed from the body. Atty. Williams stated if convicted of a felony one can be expelled from the board. Atty. Williams outlined procedures on how to proceed with implementation of a code of conduct. C. Scott noted that the body votes regarding code of conduct and censure. C. Mercier questioned process moving forward and would like time to review provisions provided by the Law Department. C. Descoteaux commented on the ordinance procedure and the ability to further review suggestions. C. Chau commented on his report of the subcommittee to the full body. Atty. Williams noted that any vote is a super majority vote of 8. C. Descoteaux noted the super majority vote would protect against abuse of the system. C. Scott commented on the vote and the ability to defend oneself regarding accusations. **Motion** by C. Descoteaux, seconded by C. Scott to refer matter to Law Department to draft an ordinance regarding establishing a code of conduct and censure. So voted.

C. Chau introduced item regarding the filling of vacancies on boards. Atty. Williams noted the process must be done by way of a home-rule petition. Atty. Williams outlined various scenarios regarding filling of vacant positions based upon timeline and districts and that rule would apply



to Council and School Committee. C. Chau commented on current statutory language. C. Descoteaux commented on prior home-rule petition that was not acted upon. Atty. Williams noted this current one has new language and new approach to pass it through. **Motion** by C. Descoteaux, seconded by C. Scott to refer to Law Department to draft a home-rule petition regarding filling of vacant positions on elected bodies. So voted. C. Scott noted that if the second-place opponent only garnered a small percentage of vote that would not indicate support for that candidate.

ADJOURNMENT:

Motion "To Adjourn" by C. Descoteaux, seconded by C. Scott. So voted. Meeting adjourned at 6:00 PM.

Michael Q. Geary, City Clerk
