

REPORT – ORDINANCE COMMITTEE
October 13, 2022

The Standing Committee on Ordinances and Rules to which was referred the following reports as follows:

#1 on agenda

having considered the same, report FAVORABLE by Motion of Councilor Thompson, 2nd by Councilor Mendes.

Next the Committee considered the following:

#2 on agenda

having considered the same, report FAVORABLE by Motion of Councilor Mendes, 2nd by Councilor Thompson.

Next the Committee considered the following:

#3 on agenda

having considered the same, report POSTPONED until the Next Ordinance Meeting by Motion of Councilor Farwell, 2nd by Councilor Thompson.

#4 on agenda

having considered the same, report FAVORABLE AS AMENDED by Motion of Councilor Thompson, 2nd by Councilor Farwell.

MINUTES – ORDINANCE COMMITTEE
October 13, 2022

The Standing Committee on Ordinances and Rules was called to order at 6:04 p.m. by Councilor Asack with Councilors Asack, Farwell, Minichiello, Mendes, and Thompson present.

Agenda read into the record.

The Committee first considered the following:

#1 on agenda

Comments by Councilor Nicastro

(wonderful opportunity to bring funds into the city to combat opioid abuse and treat it)

Comments by Chief Financial Officer, Troy Clarkson

(source of funds are class action settlements, annual payments until 2028, about \$4.5 million, amount varies every year, \$209k this calendar year, create revolving fund for allocations, example would be champion plan, broad language to give city discretion, limited to dealing with disease of addiction and its impacts)

Comments by Councilor Thompson

(who would direct funds?, appropriation?, have we received allotment this year?)

Comments by Chief Financial Officer, Troy Clarkson

(Mayor, like cable revolving fund, this amount is lower, discretion is \$250,000 otherwise approval of Council is needed, we've received \$154k and one for \$162k, reauthorized annually)

Comments by Councilor Farwell

(re future mayors)

Motion to recommend FAVORABLE by Councilor Thompson, 2nd by Councilor Mendes.
Motion carried unanimously.

Next the Committee considered the following:

#2 on agenda

Comments by Councilor Asack

(Rob May not able to attend)

Comments by Councilor Thompson

(original food truck ordinance came a few months ago, clean up, discovered, duplicative requirements, CORI check for Hawkers and Peddlers licenses, spoke with operators, usually present their state issued license, felt certain fee payments were complicated, other cities and towns have 1 application fee which includes inspections, upped first offense, fix up original ordinance, more clear, more fiscally reasonable)

Comments by Councilor D'Agostino

(met with board of health and looked at ways to simplify process, streamline to attract them to the City)

Comments by Dr. Eno Mondesir

(looking forward to implement it, Inspector Butler present)

Comments by Councilor Farwell

(re state hawker peddlers license, CORI check dated)

Comments by Councilor Thompson

(same effect if it was a city hawker peddler license too, low probability, cost effective, good point)

Comments by Councilor Farwell

(CORI waiver?)

Comments by Councilor Thompson

(this can be done by the Board of Health, copy of CORI)

Comments by City Clerk Timothy Cruise

(convictions are the only thing, only trained employees see the CORI, temporary licenses, Hawkers and Peddlers have to come before the City of Council, could be weeks before it gets done, has to be advertised, if they have a state license they have everything we need, our ordinance says can't stay stationary)

Comments by Councilor Farwell

(CORI context, want to make sure we've done our due diligence, concerned about parks, playgrounds and schools)

Comments by Councilor Asack

(send corrected versions to the departments)

Motion to report FAVORABLE by Councilor Mendes, 2nd by Councilor Thompson. Motion carried unanimously.

Next the Committee considered the following:

#3 on agenda

Comments by Councilor Asack
(Jacqueline Murphy unable to attend)

Comments by Councilor Farwell
(No meetings during 2020 when Covid was occurring, two meetings last year, no minutes on file, multiple towns and cities have a similar commission, expand approach to equity, forms reviewed, need meetings to take place, need to inform the public, need collaboration, need services, let's do it right, put in 7 members, hard to get a quorum, would not be opposed to 9, expansion, moral and ethical obligation to bring about fairness and equity)

Comments by Councilor Asack
(likes the amendment, more comfortable, appointments?)

Comments by Councilor Farwell
(one meeting, hopes Mayor will take those appointees and appoint them)

Comments by Councilor Mendes
(city department complaints?)

Comments by Councilor Farwell
(not for union employees, but for residents, do an intake form)

Comments by Councilor Mendes
(civilian review board of complaints by the police)

Comments by Councilor Farwell
(panel more preferable)

Comments by Councilor Rodrigues
(spoke with Councilor Farwell, supports this, optics, likes point 7 on accountability, good for the City)

Comments by Councilor Minichiello
(what authority will they have? Opens host of problem, concerned for small business, reputation, legal fire power, need to be careful, for people who do not have resources, how far does this go?, the prior board barely met)

Comments by Councilor Farwell
(re alternate scenario, Commission would listen, forward to state agency, Law Department to provide guidance)

Comments by Councilor Asack
(revisiting form, volunteer board)

Comments by Councilor Farwell
(law department)

Comments by Councilor Thompson
(creates a court system, legal forums, what's the authority, libel concern, concern for due process)

Comments by Councilor Farwell
(that's what happened with the Diversity Commission, always been in the book, other communities are doing this, internal affairs at police department, residents looking for help, voluntary, quality of people appointed by the Mayor, this is done in Newton)

Comments by Councilor Nicastro
(continuance, proposed ordinance has value, gets the concerns of due process and evidentiary, research can be done, willing to do it herself)

Comments by Councilor Asack
(agrees, need to review)

Comments by Councilor D'Agostino
(look at criteria from other cities to be on the commission, this one can't be political)

Comments by Councilor Asack
(could set criteria)

Motion to AMEND title of committee to be "Commission on Human Rights, Diversity, Equity and Inclusion" by Councilor Farwell, 2nd by Councilor Thompson. Motion carried unanimously.

Motion to POSTPONE until the next Ordinance Meeting by Motion of Councilor Farwell, 2nd by Councilor Thompson. Motion carried unanimously.

Next the Committee considered the following:

#4 on agenda

Comments by Councilor Rodrigues
(sponsor, 2023 to 2024, future council members to be compensated to level of cities around our size, city council does not have much say in union negotiations, sympathize with efforts, small part time position, clerk to speak on numbers from other communities, intent to increase pay for school committee, can't just do that here, should be separate, \$530 million business)

Comments by City Clerk Timothy Cruise

(spoke with about 40 different cities, most gateway cities, population comparison, also looked at staff for council, Brockton population size is close to Cambridge, staff members, Ad Hoc Committee report, press has a copy, will be on city website, Boston is on there, not really a comparable city, council president increases, believes president should get extra stipend, Brockton is tied to the CPI, Somerville is smaller, they're at \$40k as a Plan B form of government, never easy to vote a pay raise, it's a full time job but a part time salary, might help with candidates, it's for the next council)

Comments by Chief Financial Officer, Troy Clarkson

(what has been said is accurate, civic involvement is a challenge for the city, research is empirical evidence the proposal is responsible, sounds, financial)

Comments by Councilor Asack

(school committee present, union present)

Comments by Frank Gazero

(wouldn't be unheard of that the councilors should get a raise, no issue with that, the people would like to see this as a bargaining chip, everyone else in the city is getting raise, 40 people tonight)

Comments by Councilor Mendes

(population charge, budget amounts?, how would this translate to tax payers?)

Comments by Chief Financial Officer, Troy Clarkson

(not looked into, but readily available, knowledge of these municipalities, gateway cities are comparable for budget and population, suspects it will confirm what these numbers already show, tiny fraction as a cost per penny for tax payers, this financially reasonable and sustainable)

Comments by Councilor Minichiello

(happy to hear about school committee proposal, not involved in bargaining, watches trucks go by, never realized what goes into being on the council, recognizes the union and fair bargaining)

Comments by Councilor Asack

(appreciates Union being here)

Comments by Councilor Farwell

(never an easy time to put forth salary increase, average of 18 hours per week, this is the right thing to do, reasonable and defensible)

Comments by Councilor Thompson

(didn't know about salary until after he was elected, believes everyone should be fairly compensated, Ward 5 seat is being compensated)

Comments by Councilor Nicastro

(supports an increase, urges amended to add stipend for president, additional amount of time required, range was \$500-\$4,000)

Comments by Councilor Asack

(that could be done at council, puts value to the position)

Motion to AMEND by Councilor Thompson to change to “2024”, 2nd by Councilor Mendes. Motion carried unanimously.

Motion to report FAVORABLE AS AMENDED by Councilor Thompson, 2nd by Councilor Farwell. Motion carried unanimously.

Motion to adjourn by Councilor Thompson, 2nd by Councilor Farwell at 7:42 p.m.

The meeting was adjourned at 7:42 p.m.