

Ordinances & Administration Committee
Monday, May 16, 2016 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan
Absent: None.

Also Present: Councilor Cox; Eric Magers, Clean City Commission; Charlotte Ohannessian, Clean City Commission

The meeting was called to order at 6:00 p.m.

1. New Appointments:

Clean Energy Commission Paul McGeary TTE 02/14/18

Former City Councilor Paul McGeary reminded the committee that he played a role in getting the wind turbines here and also worked on the Coastal Climate Change Vulnerability Assessment and Adaptation Plan. He stated that Candace Wheeler asked him if he was interested in serving on the Clean Energy Commission and offered him the appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Paul McGeary to the Clean Energy Commission, TTE 02/14/18.

Trust Fund Commission Barry Weiner (Cont’d from 5/2/16) TTE 02/14/19

Mr. Weiner told the committee about himself and stated that the mayor asked him if he would serve on the Trust Fund Commission. He indicated that he spoke with one of the commissioners who had resigned in order to get a sense of what the job entails. He noted that he suggested some other alternatives to the mayor but that she wanted him to do it. He also talked to the treasurer and understands what that relationship is, and he is prepared to do the job. **Councilor Cox** stated that she has been trying to fill this important commission and is excited about Mr. Weiner’s appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Barry Weiner to the Trust Fund Commission, TTE 02/14/19.

Waterways Board Liam O’Connell TTE 02/14/18

Councilor LeBlanc stated that Mr. O’Connell sent an email indicating that his son is in the hospital today and that he would not be able to attend the meeting.

This matter is continued to 6/6/16.

2. CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont’d from 04/04/16)

Councilor Cox said that since this matter was originally put forward, she has done a lot of research into plastic bags. She asked the committee if they would be willing to take an amendment or if she should withdraw it and reissue it. **Councilor LeBlanc** indicated that she may amend it. He also stated that he looked at a couple of different town websites that have also banned plastic bags to see what they have done, but he did not expect to move on this matter tonight. **Councilor Cox** noted that Ipswich recently banned all bags, including the plastic produce and meat bags. She stated that the research she has done indicates that “biodegradable” bags are not actually biodegradable, since it takes 500 years for them to break down and they break down into little pieces. She indicated

that there are also compostable bags, which are also bad for the environment because they break down into little pieces.

Councilor LeBlanc asked what businesses will be affected by the ban, and **Councilor Cox** stated that she would like to amend it from businesses that are 2,500 square feet or more to all businesses, with a gradual implementation. **Councilor LeBlanc** noted that Eric Magers of the Clean City Commission worked on this matter with Manchester, and **Councilor Cox** stated that she has been working with him on FAQs to educate the public.

Councilor O'Hara stated that Market Basket has already started to make the move away from plastic and that 50% of Stop and Shop stores are already plastic-free. He indicated that it is not going to be painful for the stores and they are making it as palatable for their customers as possible. **Mr. Magers** stated that the big stores are prepared for this and that it will affect smaller stores more because they buy bags in bulk.

Councilor Cox indicated that she will amend it. She noted that the Sierra Club has supported other cities and towns that have taken this step and that they have a gentleman that is willing to come and talk to the committee. **Mr. Magers** cautioned against extending the ban too long because if the state ban goes into effect before the city ban does, the state ban could have a lower standard than the city's.

This matter is continued to 6/20/16.

3. *CC2016-015 (Cox) Request O&A review & recommend the matter of prohibiting the use of polystyrene food & beverage containers or serving items for food service establishments if the packaging takes place on the premises of food service establishments & recommend whether an ordinance on polystyrene food & beverage containers be adopted (Cont'd from 05/02/16)*

Councilor Cox gave some examples of polystyrene, which include Dunkin Donuts cups and disposable Styrofoam coolers. She indicated that this is not meant to harm anyone financially but is meant to save the Earth. **Mr. Magers** noted that it may be difficult to have the schools implement this because they are going out to bid right now for their supplies for the next year. **Councilor LeBlanc** stated that it will probably be a longer process to phase out polystyrene. **Charlotte Ohannessian** of the Clean City Commission stated that a lot of cities have already banned polystyrene.

This matter is continued to 6/20/16.

4. *CC2016-020 (Cox) Request O&A determine whether GCO c. 11, Sec. 11-11 "Permit required; fee" be amended by deleting, "The fee for a permit issued shall not exceed \$100.00" (Cont'd from 05/02)*

Councilor Cox said that this ordinance does not make sense to her. We are asking people to have huge events in the city but they can only charge vendors \$100. **Ringo Tarr** explained that if he wants a vendor to work at one of his events, he can only charge him \$100, but the vendor could make thousands of dollars at the event. He has a couple of vendors that are willing to split the profits with him, but legally he cannot do that. He believes he should be able to charge whatever the market will bear. **Councilor Cox** stated that the city should not be interfering in private business. **Councilor Nolan** indicated that he heard the fee was implemented because the Fiesta promoter was trying to get more money out of vendors. However, he believes promoters should have control over how much they charge vendors. **Councilor O'Hara** noted that the city does not benefit from this at all, so there is no reason to have it. **Councilor LeBlanc** stated that he would like Chip Payson to review this matter and advise on where we stand legally.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 11, Sec. 11-11 "Permit required; fee" by DELETING the sentence, "The fee for a permit issued shall not exceed \$100.00."

This matter will be advertised for public hearing.

5. *CC2016-023 (Cox) Amend GCO Sec. 22-274 “Two-hour Parking – Between Certain Hours” re: 201 Main Street*

Councilor Cox explained that right now there is a handicap spot and then regular metered parking. Three metered spots will be eliminated to create two loading zones near the police station and two handicap spots. Hopefully, this will happen before the June 1st ribbon cutting of the new VA Clinic.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-284 “Service and Loading Zones by ADDING as follows:

“Two (2) spaces at 199 - 201 Main Street, southerly side, 17 feet wide each, from a point beginning on the easterly side of the existing crosswalk.

This matter will be advertised for public hearing.

6. *Council President’s Request to Review City Clerk Job Description*

Councilor LeBlanc stated that the job description was changed a couple of years ago and personnel is still reviewing it. He thinks someone in this position has to be almost an IT person to handle everything that is online now. **Councilor Cox** stated that the city clerk gets a stipend for each dog tag he or she issues, which she thinks is ridiculous because the staff actually does the work. However, it is her understanding that it is a state law and the clerk can choose to accept it or not. **Councilor LeBlanc** indicated that legal counsel reported that M.G.L. c.140, sec. 147 says that the clerk “may retain for their own use \$0.75 for each license issued unless otherwise provided by law and shall certify under penalties of perjury the amount of money thus received and paid over to them.” He questioned whether “for their own use” means they can pocket the money or if it goes into the fund that the clerk controls. **Councilor LeBlanc** noted that the clerk got a stipend in addition to her pay; however, his recommendation is that it be for use of the city clerk but not as compensation. **Councilor Cox** recommended adding knowledge of Google Docs as a necessary skill, and **Councilor Nolan** suggested adding knowledge of Robert’s Rules. **Councilor LeBlanc** indicated that personnel will give the committee their recommendations after reviewing the job description.

This matter is continued to 6/6/16.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:50 p.m.

Respectfully submitted,

Maria Puglisi
Substitute Recorder

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.