

Ordinances & Administration Committee
Monday, June 5, 2017 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

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

Also Present: Councilor Gilman; Councilor Cox (entered the meeting at 6:05 p.m.); Joanne Senos

The meeting was called to order at 6:00 p.m. At 6:05 p.m. there was a quorum of the City Council.

1. Appointments & Reappointments:

Fisheries Commission Joseph B. Jurek (Cont’d from 05/15/17) TTE 02/14/20

Councilor LeBlanc said that he had reached out to the Mayor’s Office about Mr. Jurek’s appointment but had not yet heard back. He asked that the Clerk of Committees convey to the Mayor that the Committee had not heard back from Mr. Jurek after reaching out several times for him to attend a Committee meeting, and further that Mr. Jurek’s 90-day temporary appointment has lapsed.

This matter is continued to June 19, 2017 awaiting a response from the Mayor’s Office.

Historical Commission William C.S. Remsen (Cont’d from 05/15/17) TTE 02/14/20

Mr. Remsen’s appointment was continued to June 19, 2017.

Planning Board Jonathan J. Pratt TTE 02/14/22

Mr. Pratt said that he is lifelong resident, deeply rooted in the community with family and has always actively volunteered in the community. He spoke with the Mayor’s office asking how he could help, and Mr. Destino asked him to attend several Planning Board meetings which he did, and said that he believed by serving on the Board it would a great way to give back to the community.

Councilors Nolan and O’Hara endorsed Mr. Pratt’s appointment to the Planning Board.

Councilor LeBlanc spoke to Mr. Pratt about his volunteer work pointing out that it was outside of related experience of the Planning Board noting he had never volunteered for a municipal board, committee or commission. Mr. Pratt conveyed he has worked in the financial services industry, but that he has volunteered as a board member with Honor Flight New England, non-profit supporting veterans, as well as with youth groups either as a board member and/or coach. **Councilor LeBlanc** pointed out that sometimes applicants before the Planning Board need a bit of understanding having had already taken many steps before they appear before the Board and asked Mr. Pratt extend them his understanding.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Jonathan J. Pratt to the Planning Board, TTE 02/14/22.

B. Boards, Committees, Commissions & Councils Reappointments: None.

2. CC2017-010 (Gilman) Request that the Traffic Commission perform a speed study on Riverview Road to determine whether there should be a speed limit of 20 mph and whether the City Council should petition MassDOT to approve said speed limit (Cont’d from 05/01/17)

Councilor Gilman explained that the City Clerk brought this matter forward and to her driving around the Riverview Road area it was clear to her there that 30 mph was too fast for the narrow road and densely populated area. The Traffic Commission at her request conducted a speed study of Riverview Road from May 4 to May 11 which showed westbound that 1,842 vehicles traveled Riverview Road with the 85th percentile was 24 mph. The mean average speed was 18 mph; the number of vehicles exceeding the speed limit of 30 mph was 13. She then reported that the number of vehicles traveling Eastbound was 1,993 vehicles; the 85th percentile was 23 mph; the

mean average speed was 17 mph. In light of Riverview Road being very curvy in a residential area that has no sidewalks she said she would recommend through the Committee that the Council petition the state that for safety purposes this road should have a 20 mph speed limit. The Commission minutes reflect that it is important for safety purposes also. **Councilor LeBlanc** expressed his agreement with **Councilor Gilman's** recommendation and would support it. He expressed his surprise that 3,835 vehicles traveled Riverview Rd. in a five day period.

Councilor Gilman highlighted that the speed study process is a good one; this is her third--Langsford St., Seeall St. and Riverview Rd. She reviewed the process once the Traffic Commission concludes its study briefly also pointing out that the Traffic Commission chair also gives the Police Department a copy of all speed studies which gives the police data they can use to pinpoint speeding patterns. She said it was a good team effort. **Councilor LeBlanc** concurred saying he'd had a study conducted on Emerson Avenue which pinpointed times vehicles sped down the roadway. He noted he had a study done on Maplewood Avenue and the police had ticketed a speeder going 71 mph. He said that he felt sure the residents of Riverview Rd. would be pleased by this change to make their roadway safer. **Councilor Gilman** said her speed study saw police able to pinpoint times of higher incidences of speeding on Langsford Street and caught a vehicle speeding at 51 mph.

Councilor LeBlanc said this is a good thing and that the residents would be pleased to have cars move more slowly with children walking the street where there are no sidewalks as well.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council forward a letter to MassDOT accompanied by the Traffic Commission Speed Study and the Certificate of Vote of the City Council to approve a speed limit of 20 mph on Riverview Road.

3. *CC2017-011 (Cox) Request Traffic Commission review parking spots & traffic flow on Pleasant St. from Franklin Sq. to 32 Pleasant St. to address safety issue of 2-way traffic & depending on review recommend to Council possible GCO amendments (Cont'd from 05/15/17)*

Councilor Cox conveyed that she would take what the Traffic Commission recommended and speak to the neighborhood before asking the Committee to move forward to vote any measures that would amend traffic flow through the Code of Ordinances for Pleasant Street from Franklin Square to 32 Pleasant Street. She asked that the matter be continued for a month.

This matter is continued to July 17, 2017

4. *CC2017-012 (Cox) Request amendment to GCO c. 22, Sec. 22-288 "Off-street parking areas" the Town Landing parking lot (St. Peter's Square) by ADDING one handicap parking space on Commercial St. side of that lot (Cont'd from 05/01/17)*

Councilor Cox conveyed that she had a request for additional handicapped parking a matter of moving the handicapped parking space within the "Town Landing" (St. Peter's Square) parking lot. This can be accomplished through a Request to the Mayor, it was noted. She said she would then submit an additional Council Order to reflect an updated map and appropriate number of spaces, referencing research done by Chair of the Traffic Commission, Robert Ryan, who had documented an updated map of the Town Landing parking lot and had forwarded to the Committee prior to the meeting which showed its current status of 73 parking spaces, two of which were designated handicapped parking. **Councilor Cox** said she would submit a second Council order in order to amend GCO Sec. 22-288 "Off-street parking areas" to correct the number of spaces and the appropriate map.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend GCO Chapter 22, Sec. 22-288 "Off-street parking areas" for the Town Landing parking lot (St. Peter's Square) by ADDING one handicap parking space on Commercial St. (westerly) side of that lot for a total of three handicapped parking spaces.

5. *CC2017-013 (O'Hara) Request that O&A & the Traffic Commission review the beach no parking areas for possible expansion; and that Sec. 22-176 "Penalties for parking violations" "Prohibited area (beach district)" be amended to increase the penalty to the maximum penalty permissible by law (Cont'd from 05/15/17)*

Councilor O'Hara explained that this issue came up in the Ad Hoc Beach Traffic Committee that vehicles mostly in the Good Harbor Beach areas outside of the beach parking lot where there is limited or no parking are choosing to park illegally despite the knowledge they'll be ticketed. Those visitors are risking the balance between paying the cost of parking in the Good Harbor Beach Parking lot for \$35/day on weekends and parking on adjacent area streets illegally and being ticketed \$45. He said this effort is to prevent parking scofflaws. **Joanne Senos**, City Clerk, confirmed the penalty is \$45 but that the city has to follow Mass. General Law c.90, §28½ and read that, "...that any fine established under these provisions of this section for all other parking violations shall not exceed \$50, if paid within 21 days, nor shall it exceed \$55, if paid thereafter." She highlighted that there is a threshold that fines can't exceed \$75 with all the fines combined. She said that with a \$45 ticket, the Council could only raise the fine by \$5 penalty paid after 21 days and \$15 penalty at 21 days or more which brings the total up to \$65. They can go up to \$50 from \$45, but that the fine can't really go higher because if someone pays within 21 days they can't be charged more than \$50. **Councilor O'Hara** said that with tow zones in place there is a fine for a vehicle parked in a tow-away zone as well, and then the tow itself which is charged by the towing company on top of the ticket.

Councilor LeBlanc confirmed that the parking fee at Good Harbor Beach for a resident without a sticker would be the same as a non-resident which on weeks is \$35. **Councilor LeBlanc** expressed his understanding of what **Councilor O'Hara** was trying to accomplish by keeping scofflaws from parking on residential streets by making it financially prohibitive, thereby making parking in the beach parking lot highly preferable and the car being towed adds to the beachgoers risk and financial hit. The Committee touched on the enforcement issues briefly.

Councilor Nolan asked if there was a process by which the City Council could petition the state to exceed the \$50 fine limit. **Ms. Senos** said that a Home Rule Petition can be put forward to the state. **Councilor Nolan** pointed out that Boston has parking tickets up to \$500 for parking violations in some areas of the city. He said he would like to see a \$100 fine for parking violations in beach neighborhoods. No vehicle can be towed without the Police calling it in, he pointed out. He explained that in some cities that if a car is ticketed in a tow-away zone, tow trucks can automatically remove the vehicle. He suggested they look into a Home Rule Petition and then find a way to work with the Police Department on the towing process and/or perhaps amending the Code of Ordinance's that lets a local towing company automatically tow ticketed vehicles in city tow-away zones.

Councilor LeBlanc said he agreed with Councilor Nolan about a much higher ticket fine, such as \$100 as when visitors hit in the pocket they will be less likely to park illegally. He said that with only a \$10 difference between parking in the Good Harbor Beach Parking Lot and the on-street illegal parking fine it's a \$10 risk clearly too many people are willing to take. He suggested that the matter be continued to learn what options the Committee can do to begin this process. He reiterated they need to increase fees for tickets for the areas around Good Harbor Beach which will help alleviate some traffic congestion. **Councilor O'Hara** reiterated his support for increasing parking fines in and around the Good Harbor Beach area. **Ms. Senos** said she would research the process for a Home Rule Petition of this nature. If the ticket is high enough, **Councilor Nolan** acknowledged that this suggestion came from the Ad Hoc Beach Traffic Committee saying that they should try to work towards taking up some of the Ad Hoc Committee's recommendations, this being one of them. He said he wants to see this effort viewed as a preventative measure by raising fines to an untenable level in order to push beachgoers to park legally. **J.D. McEachern**, Ad Hoc Beach Traffic Committee member, pointed out that when someone can't get into the Good Harbor Beach parking they'll drop their car full of people, then cruise adjacent beach neighborhoods for parking. He said to them, a higher ticket price such as \$100 will be a deterrent. And while enforcement can be spotty, ticketing one weekend and not the next, he said word does get out very quickly once something like the O&A Committee is talking about gets out that it has been put in place. **Councilor O'Hara** expressed his assent to have the matter continued to the Committee's next meeting.

This matter is continued to June 19, 2017.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:35 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.