

Ordinances & Administration Committee

Monday, October 6, 2014 – 6:00 p.m.

1st Fl. Council Committee Room – City Hall**-Minutes-**

Present: Chair, Councilor Robert Whynott; Vice Chair, Councilor Sefatia Theken; Councilor Steve LeBlanc (Alternate)

Absent: None.

Also Present: Councilor Cox; Councilor Verga; Linda T. Lowe; Salvatore DiStefano; Jim Caulkett; James Pope; Tony Gross; Patti Page

The meeting was called to order at 6:00 p.m. Agenda items were taken out of order.

There was a quorum of the City Council until 6:26 p.m. when **Councilor Verga** left the meeting.

1. Memorandum from Harbormaster re: new parking area for resident only parking at Hodgkins Cove Public Landing

Jim Caulkett, Harbormaster, asked that this matter be postponed in order for the matter to return to the Waterways Board for their further discussion and the Community Preservation Committee. **Tony Gross**, Vice Chair of the Waterways Board, added that it is a communication issue in that a resident-only lot doesn't necessarily make a for a good fit to be inviting to visitors, and that curtailing overnight parking will also need to be a consideration. He, too, asked for time for this matter to go back to the Waterways Board for consideration.

With the unanimous consent of the Committee the matter was continued.

This matter is continued to January 5, 2015.

2. CC2014-038 (Cox) Amend GCO c. 22, Sec. 22-277 "One-hour parking-Generally" and Sec. 22-280 "Fifteen minute parking" re: Pleasant Street

Councilor Cox explained that this is a continuation of the work to clean up traffic matters on Pleasant Street, in and around the West Parish swing school at St. Ann's. She pointed out that this series of actions she is asking the Council for affects the "right-hand" side of Pleasant Street (or the non-school side) from the corner of Prospect and Pleasant Streets which is the block before Liberty Street. She wished to remove the one hour parking and have no restrictions to parking there. From the corner of Liberty Street on to Pleasant Street's terminus, there are businesses, some driveways, the Burnham's Field entrance and a parking lot entrance and exit. She also noted that there is no restriction on the left side of the street in that particular area.

Councilor LeBlanc displayed an aerial view of the immediate affected area so that Councilor Cox could point out landmarks to the Committee and note which areas would be unrestricted and to extend the 15 minute parking area as well as respond to brief questions related to the matter in front of them. **Councilor Cox**, responding to an inquiry by **Councilor Theken** said that the one-hour parking was already in place, and so no Council action was necessary, but proper signage was needed. She said it is fair to have a segment of this part of Pleasant Street with no restrictions to the benefit of the residents and service providers such as Visiting Nurses. Concern was raised by **Councilors LeBlanc** and **Theken** regarding St. Ann's Church parking for various church functions, but they agreed to support the Code amendments and would revisit this matter should issues arise.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 22, Sec. 22-277 "One-hour parking-Generally" by DELETING Pleasant Street, easterly side from Prospect Street to Liberty Street, except Saturdays and Sundays; and by DELETING Pleasant Street easterly side 40 feet from the northerly corner of Liberty Street for 114 feet, except Saturdays and Sundays.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO

c. 22, Sec. 22-280 “Fifteen Minute Parking” by DELETING Pleasant Street easterly side 40 feet from the northerly corner of Liberty Street; and by DELETING Pleasant Street, easterly side at a point 155 feet from its intersection with Liberty Street in a northerly direction for a distance of 23 feet.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 22, Sec. 22-280 “Fifteen Minute Parking” by ADDING Pleasant Street easterly side, 20 feet from the northerly corner of Liberty Street; and by ADDING Pleasant Street, easterly side at a point 155 feet from its intersection with Liberty Street in a northerly direction for a distance of 23 feet.

These matters will be advertised for public hearing.

3. CC2014-039 (Verga) Request P&D & O&A Standing Committees review the positions of Harbor Planning Director and the Executive Director of the Fisheries Commission

Councilor Verga noted that his Council Order would be taken up by the Planning & Development Committee the following evening, and he asked that the O&A Committee to continue this matter to its November meeting to give his Committee time to fully discuss this matter and make a recommendation to O&A which he anticipated would take at least two meetings to review.

The Committee indicated its unanimous consent to continue the matter to November 10.

This matter is continued to November 10, 2014.

4. CC2014-040 (Verga) Request to review the matter of requiring that all meeting notices and agendas for all public meetings of all City boards, commissions and committees, including City Council and School Committee, be posted on the City’s website

Councilor Verga explained this Council order is based on a request from a constituent. He said that the School Committee and the Council do a good job of getting their agendas and minutes onto the city’s website in a timely fashion. But this is an attempt to get the majority of city boards, committees and commissions whom he noted the vast majority of their members are volunteers, to post their agendas and minutes on the city’s website in a timely fashion for public view.

Councilor Whynott commented it is a good idea but the logistics would take some work. **Councilor Verga** noted the presence of the IT Director and the City Clerk who could each speak to the matter. **Councilor Theken** asked who would take up the task of posting all these boards, committees and commissions’ agendas and minutes. **Councilor Verga** said that in putting the Order forward, it was with the understanding that there is a lack of city staff to do the required data entry and oversee compliance.

James Pope, IT Director, informed the Committee logistically it is a simple process to post agendas and minutes on the city’s website, and is about a five-minute process per document. There is, he said, no technical barrier to the postings, however, if this process is to adhere to the Open Meeting Law requirements regarding a calendar piece as well to be posted as a public service due to the number of boards, committees and commissions, it is about resource allocation. He suggested that with all technology training, the less often one does a particular technology function, the more assistance is required, particularly for boards, committees or commissions that meet less frequently. He reiterated that it is trying to get volunteer boards to adhere to the updating and following up to assure posting compliance will also be an issue.

Councilor Whynott suggested there could be a memorandum detailing what Mr. Pope has put forward and find out how many boards, committees and commissions are willing to take on this responsibility. He asked the City Clerk if there were any alternatives.

Linda T. Lowe, City Clerk, pointed out that there are dozens of city boards, committees and commissions, with the vast majority composed of unpaid volunteers, adding that many of these boards, committees and commissions have no direct link to any paid city staff. She said that if the Council is to be responsible for coordinating this effort, staff will have to be dedicated for this community service. She noted there is very little dialog between the various city departments and city boards, committees and commissions which have no connection to city systems. She also noted that there needs to be assurance that there are no Open Meeting Law violations in terms of the postings.

Ms. Lowe reviewed that according to and required by the State Ethics Commission, as directed by the State’s Attorney General, that the city must officially have two posting sites, the City Hall board in the hall across from the

City Clerk's office, and the Police Station lobby, in a glassed-in locked bulletin board, which is open to the public 24/7. She said that unless the website has the capabilities of times-stamping something visually when it is posted automatically, then that posting couldn't count as a second official site and would be a third place to view documents and calendars of meetings. **Councilor Whynott** commented that the website is more of an auxiliary access for the city with regard to agendas and minutes.

Councilor Theken suggested if there could be a part-time person hired, such as some of the city's capable seniors who have computer backgrounds who would simply need a computer and some training on the city's system. She suggested that all these senior volunteers would require liability coverage and come under the city's umbrella. **Ms. Lowe** pointed out that the various meeting notices received by her office can have compliance issues with the Open Meeting Law requirements and need to be returned and amended by the board, committee or commission that wishes to post their meeting, all of which takes staff time. **Councilor Theken** further suggested this new team of dedicated volunteers would be able to manage this function dedicated to the tracking and posting of all agendas and minutes and with minimal supervision once trained to assure Open Meeting Law compliance and consistently handle such a function.

Councilor Verga said that there should be an attempt to reach out to all the boards, committees and commissions first to ascertain whether they would have someone who would be willing to take on the function to put their agendas and minutes on the City's website on a timely and consistent basis, especially those with connections to city staff. **Councilor Whynott** reiterated his earlier suggestion to send a memo to the boards, committees and commissions informing them of what was under consideration by O&A and their willingness to take on the function.

Councilor Cox said volunteers on the boards, committees and commissions when appointed knew going in what was involved with their appointment and the posting of agendas and keeping minutes is part of the responsibilities. She reiterated that there are some boards, committees and commissions that only meet once a month, some twice a month. **Ms. Lowe** clarified that it is not a requirement to post agendas and minutes on the City's websites, but to file the minutes with her office in a timely manner and post agendas according to the Open Meeting Law in the two designated areas – at City Hall and at the Police Department lobby.

Councilor LeBlanc recounted his experience with the Dog Ad Hoc Committee, where no volunteer member was willing to step forward to take the minutes of that committee which meant he had to run the meeting and take minutes simultaneously which was difficult at best. **Councilor Cox** said with the Tourism Committee, which she sits on as Council representative, there is a volunteer within the Committee for each meeting that takes their minutes, and that volunteer rotates amongst its members with an appointed chair and co-chair.

At the request of **Councilor Whynott**, **Ms. Lowe** read to the Committee draft motion language to amend GCO Chapter 2, Art. V., Div. 1, Boards, Commissions, Councils and Committee, by adding a new Sec. 401.

Councilor Verga said at the very least the more high profile committees, boards and commissions should have their agendas and minutes posted on the City's website, and should work to take responsibility to keep the city's website current on their activities on behalf of the community.

Joel Favazza, 25 Acacia Street, said some significant boards such as the Capital Improvements Advisory Board (CIAB) and the Economic Development Industrial Corporation (EDIC) meet irregularly and that it is hard to know when these meetings take place unless one makes the attempt to pursue the information by physically viewing the posting boards on a regular basis. He said that in an attempt to get young adults to take an interest in their city's goings-on, there should be a greater awareness of meetings take place. The higher profile boards and commissions, he suggested, like the EDIC and CIAB do not regularly meet, but their meetings are important and impactful to city life.

Councilor Verga, **Councilor Cox** and **Ms. Lowe** briefly discussed the issue of the posting of a higher profile board's minutes on the city's website and their minutes' composition, and what is actually filed with the City Clerk's office.

Ms. Lowe was asked by the Committee to forward the draft motion language to them for their consideration.

This matter is continued to October 20, 2014.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:47 p.m.

**Respectfully submitted,
Dana C. Jorgensson, Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.