



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA

Roll Call

A regular meeting of the City Council was called to order by City Council President Ryan R. O'Donnell. At 7:11 p.m. on a roll call the following City Councilors were present:

At-Large Councilor William H. Dwight	At-Large Councilor Ryan R. O'Donnell
Ward 1 Councilor Maureen T. Carney	Ward 2 Councilor Dennis P. Bidwell
Ward 3 Councilor James Nash	Ward 4 Councilor Gina-Louise Sciarra
Ward 5 Councilor David A. Murphy	Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein	

Public Hearing

Announcement of a Public Hearing upon a Petition by National Grid for Underground Utilities on Atwood Drive

Public Hearing:

18.013 Petition to Install Underground Conduit at 23 Atwood Drive
Announcement of a Public Hearing

Councilor O'Donnell made the following announcement:

In accordance with the provisions of Section 22, Chapter 166, of the General Laws, a public hearing will be held on February 1, 2018 @ 7:05 p.m. in City Council Chambers, 212 Main Street, Northampton, on the petition of National Grid to install underground facilities under a public way on Atwood Drive.

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Beginning next month on Thursday evenings the Police Department will be running a Citizen Police Academy, Councilor Nash announced. He personally is planning to attend the second and fourth Thursdays. He's heard it is a great program and is free. He encouraged anyone interested in learning more about the Police Department to attend.

Next Tuesday, January 23rd at 11 a.m. at Historic Northampton Blue Dog Forestry will bring oxen Rockin' Star to Northampton for a demonstration of oxen logging. For over a century a logging operation operated at the site.

Friday, February 2nd at 7:30 a.m. is the 2018 Library Legislative Breakfast, which this year is being held at Forbes Library, Councilor Sciarra shared. State funding for library resources has been consistently dropping for years, shifting the burden onto municipalities, so anything they can do to lobby for state benefits will benefit local libraries.

Monday, February 5th, the Senate Task Force on Strengthening Massachusetts Local Retailers will hold a public hearing at Union station at 10:30 a.m., Councilor Bidwell related. The task force is set up to hear testimony throughout the state on challenges and opportunities facing local retailers. The event will be hosted by Judy Herrell.

Saturday, January 11th is the Pioneer Valley Women's March, the second annual event, Councilor O'Donnell reminded. He will be participating and invites other members of the community to join. The march will be starting at Sheldon Field.

And, Wednesday, January 31st in the Hearing Room of City Hall, he is proposing to have an open Town Hall-style meeting to hear from members of the public about what they feel should be priorities for the next two years and to have an open question and answer session, Councilor O'Donnell continued. The meeting will begin

	<p>at 6 p.m.</p>
<p><u>Committee Assignments</u></p>	<p><u>Committee Assignments</u></p> <p>Councilor O'Donnell reviewed a letter presenting his assignments to City Council committees and his recommendations for Mayoral appointment to multi-member bodies. He reviewed the principles he followed in making same.</p> <p>100% of councilors received their first choice of committee assignments and 75% received both their first and second choices. Half received their first, second and third choices, he related.</p> <p>He did not appoint councilors to the Public Works and Utilities Committee and instead proposed a rule change for the council's consideration. The Public Works and Utilities Committee succeeded an earlier committee. The group used to have DPW staff as members of the committee and no longer does and has not met for 295 days. He would like to explore a better way to deal with DPW issues, he explained.</p>
<p><u>Communications and Proclamations From the Mayor</u></p>	<p><u>Communications and Proclamations From the Mayor:</u></p> <p><u>Stormwater and Flood Control Utility Presentation for FY2017 by DPW Director Donna LaScaleia in accordance with Chapter 280, Section 213 of the Code of Ordinances</u></p> <p>DPW Director Donna LaScaleia presented a Powerpoint presentation on the Stormwater and Flood Control Utility, showing slides and giving statistics on the different components of the system (catch basin, storm drains, manholes, etc.) maintained by her department. She fielded questions and comments from councilors.</p> <p>The city is in the fourth fiscal year of this new utility and will be moving into the fifth year with the development of the FY2019 budget, Mayor Narkewicz noted. He referred to Councilor Dwight's comment that there was a lot of conversation about the utility last year. They have already made some changes, and he is going to be working with Director LaScaleia over the next several months to make additional changes to try to address some of the issues they've heard. He anticipates bringing those forward in the fall.</p>
<p><u>Resolutions</u></p> <p><u>R-18.003 Resolution of the City Council of the City of Northampton in Support of 100 Percent Renewable Energy - 1st Reading</u></p>	<p><u>Resolutions:</u></p> <p><u>R-18.003 Resolution of the City Council of the City of Northampton in Support of 100 Percent Renewable Energy - 1st Reading</u></p> <p>Councilor O'Donnell read the text of the resolution.</p> <p>Councilor Dwight moved to approve the resolution. Councilor Klein seconded.</p> <p>Councilor Klein moved to recognize Sam Titelman. Councilor Bidwell seconded. Members voted unanimously to approve the motion by a voice vote of 9:0.</p> <p>As a sponsor of the resolution, Councilor Dwight described it as an appeal to the state legislature to act on legislation that will set realistic, achievable goals to move society away from its dependency on fossil fuels. It is a very lengthy document but contained in it essentially is the intention to set goals and adjust priorities locally to move away from reliance on fossil fuels and transition toward sustainable and renewable energy sources for this community and the state, hopefully setting an example for other communities throughout the state and country. What prompted greater urgency was the president's recent abdication of a national commitment to reducing factors that contribute to global warming, a/k/a climate change, while simultaneously expanding offshore drilling, he explained.</p> <p>Mr. Titelman will speak to one of the ways by which proponents can move toward those goals and explain how Massachusetts was a leader in legislation that allows for</p>

this, Councilor Dwight added. He just came from Sonoma County and Napa Valley where they took Massachusetts' lead and ran with it.

Presentation on Community Choice Energy Plus - Sam Titelman

Mr. Titelman thanked Councilors Dwight and Klein and the Mayor's Youth Commission and Energy & Sustainability Commission for co-sponsoring the resolution and the entire council for its time and consideration. The resolution reflects their deep concern about climate change and belief that local government action is necessary to help address this challenge. The document recognizes achievements Northampton has already made and seeks to build upon these by expressing support for a statewide 100% renewables bill and by stating that Northampton should consider its municipal decisions in light of its support for moving toward 100% renewable energy. The resolution contains language asking Northampton to consider the concept of Community Choice Energy which in Northampton's case they hope would include Amherst and Pelham, both of which have already expressed interest.

Mr. Titelman presented additional information about Community Choice Energy (CCE). Massachusetts law enables cities and towns to form individual and joint municipal electric aggregations, commonly referred to as CCE's. Under the law, these entities can perform two functions: 1) collectively purchase electric power in bulk from competitive suppliers on behalf of electricity consumers within the CCE's borders, (This action can include purchasing electric supply which contains a greater percentage of renewable energy than what is required under Massachusetts law) and 2) adopt an energy plan to implement energy efficiency, conservation and renewable energy programs, phasing in these programs over time, to steadily reduce the community's electricity consumption and displace fossil fuel generated electric power supply with local renewable energy generation. CCE's that perform both these functions are referred to as CCE Plus.

The CCE Plus collectively buys the competitive electric power and eventually generates local renewable power on behalf of its consumers. The incumbent utility, in Northampton's case National Grid, continues to perform the same functions it does now. It owns and operates the centralized electric grid, delivers the power the CCE purchases and provides consumers with consolidated billing and customer services. The charge consumers pay for electric service appears as a line item on their National Grid bill and National Grid transfers this payment to the CCE.

A CCE could benefit Northampton by

- ❖ Analyzing community energy use data to implement programs that are strategically tailored to maximize reductions in electricity consumption and greenhouse gas emissions.

This energy plan could fit well within the framework of the comprehensive climate resiliency and mitigation plan Northampton is working to adopt, he noted.

Mr. Titelman cited a number of additional benefits, including that the CCE Plus could essentially function as an energy office to develop, implement and track sustainability programs and projects and coordinate inter-municipal projects as appropriate.

Mr. Titelman explained how CCE enrollment works, particularly, that all consumers within a CCE region are automatically enrolled in the CCE if they receive electric supply at the time the CCE is formed. With automatic enrollment, national opt-out rates range from 3 to 5%, he presented.

Once operational, the CCE Plus is revenue-based, not government subsidized. There are initial start-up costs to hire a consultant for the first year or so.

The Cape Light Compact is an example of a successful CCE. Established in 1997, the Cape Light Compact is operated by 21 member towns on Cape Cod and Martha's Vineyard serving approximately 200,000 consumers. 100% of the compact's competitive electric supply is matched with renewable energy credits.

In its most recent fall Town Meeting, Amherst approved a resolution very similar to the one before them committing to exploring the possibility of forming a CCE Plus. He hopes they will pass the resolution and that the city will then take next steps to form an inter-municipal working group to further explore this possibility. Once explored, he hopes the city council will consider authorizing Northampton to develop a joint CCE Plus plan in cooperation with Amherst and Pelham for state DPU approval.

Members asked questions and offered comments. Among other things, Councilor Klein asked Mr. Titelman to delineate the differences between the Hampshire Council of Governments (HCOG) energy aggregation program and the CCE Plus plan.

HCOG's plan was to develop individual CCE's within each participating municipality with no formal mechanism for them to work together, whereas the CCE Plus plan is a joint CCE that formally allows communities to cooperate. Also, HCOG's plan focused primarily on reducing electricity rates while CCE Plus focuses heavily on reducing greenhouse gas emissions while maintaining competitive electric rates. In other differences, the HCOG plan focused primarily on procuring electricity from competitive suppliers and was a broker model, while the CCE Plus plan tries to keep ratepayer revenues within the local communities by using them to staff the joint CCE.

HCOG cast a very wide net and had to serve many, many masters and ultimately ran up against the DPU, Councilor Dwight observed.

1st Reading

Councilor O'Donnell called the motion to approve the resolution to a vote. The motion passed unanimously 9:0 by roll call vote.

See Minutes of February 1, 2018 for 2nd Reading

17.419 Resolution to Support \$15 Minimum Wage - 2nd Reading

17.419 Resolution to Support \$15 Minimum Wage - 2nd Reading

Councilor O'Donnell proposed to waive the reading of the resolution since it was read at the last council meeting. There was no objection.

Councilor LaBarge moved to approve the resolution. Councilor Sciarra seconded.

They heard comments from Rich Cooper of State Street Fruit Store and Judy Herrell of Herrell's Ice Cream at the last meeting about the possibility of tiering for younger workers, Councilor Klein reminded. She wanted to share a personal experience that informs her thoughts about this concept. She worked from the age of 12 to help support her family and literally put food on the table. She was lucky enough to have a series of employers as a teenager that remunerated her based on what she was doing at the same rate as older workers. She comes from a family that was pretty ravaged by abuse and mental illness, and it was her and her older brother that put food on the table for the rest of their family and made sure their younger brother wasn't hungry.

Working over the years in social service jobs with disadvantaged people, she has often seen other kids in the family being the ones 'bringing home the bacon,' so to speak. She feels really strongly that employers have to remunerate people for what they do. They can't create tiering systems that somehow diminish the importance of the reason people are working.

It really is about human dignity. The best way that people can be held up and supported is for them to earn their living and to be able to provide for themselves and the people that they love with dignity. She feels very strongly about this resolution. At the same time that she recognizes the struggles that small business owner face, she feels very strongly that workers deserve to receive a respectable minimum wage on which they can support themselves and their families.

Councilor Carney thanked Councilor Klein for her comments. She also thought about

this particular issue quite a bit, she related. At 14, she started working at a nursing home as a nurse's aide doing quite difficult work and was paid the minimum wage the same as older workers. Some of the concerns she had about the tiering system is that there is a competitive disadvantage for those placed in the lower tier. She doesn't support that and this is not part of the state legislation that the resolution supports.

She does support the resolution and asked her colleagues to support it as well.

Councilor Nash said he would like to support what councilor Klein mentioned about youth workers being paid fairly. When people enter the work place they are expected to perform the job and meet the job requirements regardless of their age. He can't support the concept of a scaled system and does know that it creates hardships. If someone can meet the standard of what's required in the workplace, they really should be paid, he concluded.

Councilor Bidwell acknowledged the compelling nature of comments heard. He put in a plug for the Massachusetts Senate Task Force for Strengthening Local Retail, saying he is glad there is a body specifically charged with looking at this. Small businesses are faced with very real pressures, including growing rents and payrolls.

Councilor LaBarge thanked Councilor Klein for sharing her experience. She can see where small businesses in the city would have difficulties with filling jobs at \$15 an hour. She thought a tiered system was a good idea when Councilor Bidwell brought it up. But she will say it has to be fair and she hopes at the state level they will try to work something out that will be fair to local businesses.

He is going to continue to abstain, Councilor Murphy advised. Somewhere between \$13 and \$15 he thinks the increase is going to start to reduce the number of entry-level jobs. He is certain it will affect the small non-profit he is involved with; he's going to lose an employee. The same thing with for profits; it's going to cost them a person. It is pretty devastating to lose a job, he pointed out. They will know more from what's going on in Seattle a little further down the road.

On January 1st of this year, 18 states raised their minimum wages, Councilor O'Donnell reported. Massachusetts will not for the first time in four years. Arizona, Colorado, Maine, Oregon and Washington have approved minimum wages above the \$11 Commonwealth minimum wage. With regard to possible job losses, since the state raised the minimum wage in 2014, employers have added 211,000 jobs in Massachusetts. There have not been devastating economic losses in the state, in fact, they can point to positive, beneficial, salutary impacts on the economy. Finally, 39% of all Americans report that they do not have \$1,000 in savings to weather the storm of a financial setback. He thinks they see income and equality rising and at the same time that they see the value of the minimum wage automatically going down due to cost of living increases.

Councilor O'Donnell called the motion to approve the resolution a vote. On a roll call, the resolution passed 8:0 with one abstention (Councilor Murphy).

The following resolution passed second reading:

**CITY OF NORTHAMPTON
MASSACHUSETTS**

in the City Council, November 16th, 2017

Upon the Recommendation of Councilors Ryan R. O'Donnell and Maureen T. Carney.

**R-17.419
A RESOLUTION**

**IN SUPPORT OF A \$15 MINIMUM WAGE
IN MASSACHUSETTS**

- WHEREAS, Northampton's local economy depends on many low-wage, hourly workers who are struggling to meet to their basic needs, including many restaurant workers earning less than the full minimum wage; and
- WHEREAS, The median rent in Northampton is about \$975 monthly, or \$11,700 annually, which is over 50% of the \$22,880 annual income of a full time worker; and
- WHEREAS, Due to legislation enacted in 2014, the state minimum wage rose from \$8 to \$11 by 2017 in annual dollar increases; and
- WHEREAS, New York and California as well as cities such as Seattle and Washington, DC have recently enacted plans to raise their minimum wage to \$15; and
- WHEREAS, The sub-minimum wage for tipped workers is currently \$3.75 an hour in Massachusetts; and
- WHEREAS, California, Minnesota and Maine have eliminated the sub-minimum wage for tipped workers, and made it equal to the minimum wage; and
- WHEREAS, Northampton adopted a Fair Minimum Wage Ordinance (§5-6 of the Code of Ordinances) that requires employees of the city's legislative and executive branches to be paid at least the state minimum wage; and
- WHEREAS, In Massachusetts, H.2365 and S.1004 would raise the state minimum wage by a dollar a year over 4 years until it reached \$15, after which it would be automatically adjusted to rise with cost of living increases; and
- WHEREAS, These bills would also increase the sub-minimum wage over a period of 8 years until it matched the minimum wage; and
- WHEREAS, In the Northampton area, the Massachusetts Budget and Policy Center estimates that 30% of wage earners, or 19,517 people, would benefit from increasing the minimum wage to \$15 by 2022; and
- WHEREAS, Raising the minimum wage boosts the local economy by giving low wage workers more take home pay to spend locally;

NOW THEREFORE BE IT RESOLVED that the City Council supports an incremental increase of the minimum wage to \$15 and indexing the minimum wage to future increases in the cost of living.

BE IT FURTHER RESOLVED that to accomplish this, the City Council supports legislation in the spirit of H.2365 and S.1004.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the Speaker of the House, the President of the Senate, the Governor, the Co-Chairs of the Joint Committee on Labor and Workforce Development, Rep. Donohue and Sen. Friedman as well as Rep. Peter Kocot.

Rules suspended, passed two readings and enrolled.

<u>Consent Agenda</u>	<p><u>Consent Agenda</u></p> <p>Councilor O'Donnell reviewed the items on the consent agenda. He asked if anyone wished to remove an item for separate consideration. No one did. He clarified that a vote to approve the consent agenda will be equivalent to referring the various appointments to the City Council Committee on City Services.</p> <p>Councilor LaBarge moved to approve the consent agenda. Councilor Dwight seconded. The motion carried unanimously 9:0 by voice vote.</p> <p>The following items were approved as part of the consent agenda:</p> <p>A. Approve Minutes of January 2, 2018 Organizational Meeting</p> <p>B. 18.014 Appointments to Various Committees – Referred to City Services</p> <p><u>Council on Aging</u> Dennis Helmus, 176 North Street, Northampton, MA; Term: January 2018 - June 2021 (<i>Filling the expired term of Michael Ahearn, Jr.</i>)</p> <p><u>Conservation Commission</u> Elizabeth Wroblecka, 406 N. Farms Road, Florence, MA, Term: January 2018 - June 2021 (<i>Replacing term of Tim Parshall</i>)</p> <p><u>Energy & Sustainability Commission</u> Benjamin Weil, 123 Audubon Road, Leeds, MA, Term: January 2018 - June 2021 (<i>Replacing term of Adin Maynard</i>) Ashley Muspratt, 4 Fort Hill Terrace, Northampton, MA, Term: January 2018 - June 2021 (<i>Replacing term of Kristina Hodges</i>)</p> <p><u>Public Shade Tree Commission</u> Jay Girard, 158 Ryan Road, Florence, MA, Term 7/1/2017 - 6/30/2020 (<i>reappointment</i>)</p>
<u>Recess for Committee on Finance Meeting</u>	<p>At 8:50 p.m. the City Council took a brief recess. When it reconvened at 9 p.m., the City Council recessed for the Committee on Finance meeting. The City Council reconvened at 9:50 p.m.</p>
<p><u>Financial Orders</u> <u>18.004 Order to Appropriate Community Preservation Act Funds for Housing Support Services - 1st Reading</u></p> <p><u>18.005 Order to Appropriate Community Preservation Act Funds for Restoration of Jail Farm Parcel to Agricultural Use- 1st Reading</u></p> <p><u>18.006 An Order to Appropriate Community Preservation Act Funds for Open Space Acquisition - 1st Reading</u></p>	<p><u>Financial Orders</u></p> <p><u>18.004 An Order to Appropriate Community Preservation Act Funds for Housing Support Services - 1st Reading</u></p> <p>Councilor Dwight moved to approve the order in 1st reading. Councilor LaBarge seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.</p> <p><u>See minutes of February 1, 2018 for second reading.</u></p> <p><u>18.005 Order to Appropriate Community Preservation Act Funds for Restoration of Jail Farm Parcel to Agricultural Use - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st reading. Councilor Klein seconded the motion. The motion passed unanimously by roll call vote of 9 Yes, 0 No.</p> <p><u>See minutes of February 1, 2018 for second reading.</u></p> <p><u>18.006 An Order to Appropriate Community Preservation Act Funds for Open Space Acquisition - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st reading. Councilor Klein seconded the motion. The motion passed unanimously by roll call vote of 9 Yes, 0 No.</p> <p>Councilor LaBarge moved to suspend council rules to allow two readings at the same meeting. Councilor Klein seconded. The motion passed unanimously on a voice vote of 9:0.</p>

Councilor Dwight moved to approve the order in 2nd reading. Councilor LaBarge seconded the motion. The motion passed unanimously by roll call vote of 9 Yes, 0 No.

The following Order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council, January 18, 2018

Upon the recommendation of the Community Preservation Committee
18.006 Order to Appropriate Community Preservation Act Funds for Open Space Acquisition

Ordered, that

WHEREAS, the Northampton Conservation Commission and Office of Planning & Sustainability submitted a CPA application for purchase of five open space parcels totaling 63 acres in the Mineral Hills and Rocky Hill Greenway;

WHEREAS, the 'Mining Heritage' project will provide opportunities for a cultural and geological outdoor classroom, in what may be Northampton's last example of an 18th century mine, and the Rocky Hill Greenway will add to a valuable wildlife and plant habitat linkage between the Arcadia Wildlife Sanctuary and Connecticut River floodplain;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan to protect open space, provide for passive recreation, and protect heritage landscapes;

WHEREAS, on November 15, 2017, the Northampton Community Preservation Committee voted unanimously to recommend that \$125,412 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$125,412 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Priority Open Spaces Acquisition Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$111,000 is appropriated from the CPA Open Space Reserve (account #2344930-359931), and \$14,412 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

Rules suspended; passed two readings and enrolled.

18.007 Order to Appropriate Community Preservation Act Funds for Mass Central Rail Trail Ext. - 1st Reading

18.007 An Order to Appropriate Community Preservation Act Funds for Mass Central Rail Trail Extension - 1st Reading

Councilor Dwight moved to approve the order in 1st reading. Councilor Klein seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

18.008 Order to Appropriate Community Preservation Act Funds for the Sargeant House Expansion at 82 Bridge Street - 1st Reading

18.008 An Order to Appropriate Community Preservation Act Funds for the Sargeant House Expansion Project at 82 Bridge Street - 1st Reading

Councilor Klein moved to approve the order in 1st reading. Councilor Bidwell seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

18.009 Order to Appropriate CPA Funds for Affordable Housing as Part of Village Hill Apartments-1st Reading

18.009 An Order to Appropriate CPA Funds for Affordable Housing as Part of Village Hill Apartments - 1st Reading

Councilor Bidwell moved to approve the order in 1st reading. Councilor Dwight seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

18.010 An Order to Appropriate CPA Funds to the Conservation Fund-1st Reading

18.010 An Order to Appropriate CPA Funds to the Conservation Fund - 1st Reading

Councilor LaBarge moved to approve the order in 1st reading. Councilor Klein seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

18.011 Order to Appropriate CPA Funds for a PV Habitat for Humanity Home on Garfield Ave. - 1st Reading

18.011 An Order to Appropriate CPA Funds for a PV Habitat for Humanity Home on Garfield Avenue - 1st Reading

Councilor Klein moved to approve the order in 1st reading. Councilor Sciarra seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

18.012 Order to Appropriate CPA Funds for Three PV Habitat for Humanity Affordable Homes on Glendale Road - 1st Reading

18.012 An Order to Appropriate CPA Funds for Three PV Habitat for Humanity Affordable Homes on Glendale Road - 1st Reading

Councilor LaBarge moved to approve the order in 1st reading. Councilor Klein seconded the motion. The motion passed by roll call vote of 9 Yes, 0 No.

See minutes of February 1, 2018 for second reading.

Orders
18.015 Order to Make Various Amendments to the Council Rules

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Councilor Murphy moved to approve the order. Councilor Sciarra seconded.

The additional language about Committee Study Requests and Referral of Matters to Committees is based on what he sees as the desirability of having a few more of the items that come before them referred to committee for further discussion and investigation, Councilor Bidwell explained.

Regarding the other proposed amendments, there was a time when council rules called for the council to annually adopt by resolution a legislative agenda, or list of the legislative matters they as a council would like to see their legislators take up, he reminded. That rule was stricken, but he thought there would be some value in having a yearly discussion with the Mayor about the Mayor's state legislative priorities. He

has mentioned this to the Mayor, and he said he would entertain the idea of participating in such a discussion.

Regarding conduct, he has suggested some language to add a little more substance to the instruction that city councilors and members of the public at all times conduct themselves with civility and respect.

Re; state legislative priorities, she would like to resurrect what she thinks was originally a good idea by Councilor O'Donnell but never used, Councilor Sciarra shared. She noticed in the past term that quite a number of the council's resolutions were based on legislation before the state legislature. At this moment, she feels like there is an increased interest in state legislation as state officials try to protect against what's happening at the federal level. The Mayor does a great job of lobbying for Northampton and she thinks they could have a very informative conversation with him about what he sees on the horizon and how they could play a part in it.

Regarding decorum in the chamber; when there are conversations or banter it is extremely hard for her to hear what other councilors are saying. She appreciates everyone's enthusiasm, but it is disruptive and not always momentary. At the last meeting, she didn't hear the motion to adjourn and didn't vote. She thinks it is helpful to be able to point to a specific policy when enforcing this rule.

The proposed change to 5.2.1 it is a slight emphasizing of what is already in the rules to stress that it applies to any matter, not just binding legislation, she suggested. It has come up a couple of times recently and there has been some discussion about it, particularly about whether it is appropriate to refer resolutions. She sees this as an opportunity to have a fuller discussion about that.

With regard to the proposed change to section 4.7, while he was speaking last week there was a very vocal response to his rhetorical question, Councilor Nash observed. Were he not so much in the zone of his own thoughts, it probably would have thrown him off track, and that's basically what they're trying to avoid. He thinks it's good that they outline expected behavior so that their deliberations do not get interrupted.

Regarding legislative priorities, connecting what they do to what's going on at the state house is critical, Councilor Nash agreed. Legislators can put those resolutions in their hip pocket and it becomes part of their ammunition to make their case.

With regard to referring matters out to committee, once things come before the full council, council rules prevent them from interacting with the public, he pointed out. The great thing about committee is that more interaction can happen there.

"Things going to committee is terrific," he enthused.

Councilor LaBarge agreed with the idea of discussing the legislative agenda with the Mayor and with the change to the section governing conduct.

Councilor Dwight said he would be interested in having the amendments referred. The very first rule change he proposed when first elected was to call for more decorum and civility within the chamber, he advised. At the time there were pronounced antipathies expressed by councilors towards the mayor, audience members screaming and yelling; demonstrations; protestations, etc.; there was lots of drama. The mayor left in tears at one point and there were physical threats. As a new councilor, that kind of shook him to the core and he proposed a civility rule. There was pushback from the ACLU, which said it was laudable to aspire to that but wrong to codify it. There was a time after he was re-elected when the council was actually occupied and its proceedings ground to a halt.

His concern with amplification of the existing language is that they are conducting the people's business here and he doesn't know if they necessarily want to diminish that in any way. They ask for decorum but when they start to require it, he thinks they run into trouble and start pushing folks away in the name of doing efficient business.

He thinks the legislative priorities addition is perfect.

And, as far as any councilor referring anything, he has no problem with it. He does have a problem if it is used as a tactic, he clarified.

Councilor Klein echoed Councilor Dwight's comments, noting that she too had a reaction to strengthening the civility piece. She thinks it is up to the council president to gently remind folks that councilors need to be able to hear. They are interacting in vibrant ways with people on issues they really care about, she reminded. When you sharpen language too much it has ripple effects; it has meaning that makes people feel shut down. The last thing she wants to do is to cause anyone to shut down and not engage them. To codify it feels like we're the teachers and we're wagging our fingers at the problematic children. "I don't like the tone of the language," she said.

Regarding state legislative priorities, she is thinking of a friendly amendment to expand it to talking to the Mayor about his priorities for the city if sponsors would be open to expanding the language a little bit.

Councilor Bidwell said he would certainly be open to some modified language. There are many areas where more robust conversations with the Mayor would be welcome, one of them being the budget process. He will be proposing a rule change related to that, he advised.

Councilor Klein moved to refer the order to the Committee on Legislative Matters. Councilor Dwight seconded. The motion passed 9:0 on a voice vote.

18.016 Order to Amend Council Rules

18.016 Order to Amend Council Rules

Councilor O'Donnell stated his intention to waive the reading of the order. There being no objection, its reading was waived by consent.

Councilor Dwight moved to lay the order on the table for discussion. Councilor Klein seconded.

The Committee on Public Works and Utilities is the successor to another body that is defunct, Councilor O'Donnell reminded. Through no fault of its own, the committee hasn't worked because it hasn't met for almost 300 days. His goal is less to create busy work for a committee that clearly has a smaller work load and scope in the post division of powers era in Northampton and more to have an active standing committee with public works part of its jurisdiction. The order proposes taking elements of the Public Works and Utilities Committee and putting it into the City Services Committee on the theory that city services and public works go well together.

She appreciates the reasoning but would note that City Services is the amalgamation of four committees already, having consolidated earlier committees on Appointments and Evaluations, Public Safety, Social Services and Veterans' Affairs, Councilor Carney volunteered. The committee dealt with well over 100 appointments in the last year. It becomes the catch all for most services. They would now have the big three – police, fire and public works – as well as the Building Department, etc. She doesn't object to a rule change per se but doesn't see that they would be able to meet the requirements. "It's a big load for that committee," she suggested.

Councilor Dwight pointed out that a large portion of the responsibility for departments is simply presentations. Under the new charter, they simply don't have much authority over budgetary items, he noted.

He shared his perception that the council has retained some legacy procedures from the period prior to adoption of the charter. Some boards such as Social Services and Veterans Affairs were basically presentation forums with no orders or actions coming out of them for referral back to the full council. He cited the Board of Public Works as an example of a legacy problem. At one point a liaison committee existed that

proved to be quite helpful and fruitful. The hope in establishing the Committee on Public Works and Utilities was that it would allow for a larger public discourse around setting water and sewer rates. However, members realized that they didn't have much aegis over any other dimension of the department. The concern [in maintaining committees dedicated to departmental operations] was that the council was getting more and more divorced from the departments and having less and less engagement, and members felt like they needed to hold on to some sort of connection and involvement.

There may be less of a need for presentations since some informational material could probably be conveyed in a memo, he suggested. He acknowledged that a collection of business has been heaped on the City Services Committee that requires a lot of time but not much product other than the approval of appointments. He can appreciate Councilor Carney's frustration but thinks that, in maintaining these committees, they are maintaining busywork that does not have the effect of real value to them as a council.

LaBarge said she has the same concerns as Councilor Carney. She is a little leery about adding public works to what they have already.

As chair of the Committee on Public Works and Utilities, Councilor Bidwell offered a little background on the fact that the group has not met in a number of months. He has been in discussion with the Mayor about tweaks to the stormwater ordinance and credit policy. They all decided that, rather than taking that up in the middle of a Mayoral campaign, it made sense to hold off to the new session. Similarly, members have been asking Director LaScaleia and the Mayor to present a little more robust methodology for the process that determines paving priorities. Deferring discussion of some of the items for the last three or four months has been intentional, he confirmed. Recent activity before the committee is not indicative of the number of issues that are appropriately brought to that group.

Nevertheless, he is sympathetic to the desire to combine committees. Like Councilor Dwight, he is certainly not attached to the idea of bringing in department heads for the sake of bringing in department heads. In fact, he thought one of the most fruitful discussions before City Services was when they brought in a number of related departments (Emergency Services, Department of Public Health, etc.) for a thematic discussion on the opioid crisis.

As he recalls, the justification for this committee after implementation of the new charter was its role in holding public hearings on water and sewer rates, Councilor Murphy related. He suggested the possibility of delegating that role to the Finance Committee, where every other financial matter goes.

Councilor Dwight pointed out that the council also has the budget process during which many issues are covered again in the course of budget hearings. His concern is councilors becoming too detached from departmental operations. It is incumbent on them to have at least some understanding of internal operations for the budget process and to inform their formulation of ordinances that affect departments.

As the author, Councilor O'Donnell said he was going to suggest that they refer the order to committee.

Councilor O'Donnell moved to refer the order to Legislative Matters. Councilor Dwight seconded. The motion passed unanimously by voice vote of 9:0.

At 10:40 p.m., a motion to adjourn was made by Councilor Dwight and seconded by Councilor LaBarge. The vote to adjourn passed on a voice vote of 9 Yes, 0 No.

Attest: Laura Krutzler, Administrative Assistant to the City Council

2018 - 2019 ROLL CALL RECORD FOR NORTHAMPTON CITY COUNCIL											
Record of City Council Votes for January 18, 2018		Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	Nash	O'Donnell	Sciarra	Total
Roll Call by Laura Krutzler, Administrative Assistant to the to the City Council @ 7:11 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9
17.419 Resolution to Support \$15 Minimum Wage - 2nd Reading	2nd Reading	Yes	Yes	Yes	Yes	Motion to Approve Yes	Abstain	Yes	Yes	Second Yes	8:0 with one abstention (Councilor Murphy)
18.003 Resolution of the City Council of the City of Northampton in Support of 100 Percent Renewable Energy - 1st Reading	1st Reading	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.004 An Order to Appropriate Community Preservation Act Funds for Housing Support Services - 1st Reading	1st Reading	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.005 Order to Appropriate Community Preservation Act Funds for Restoration of Jail Farm Parcel to Agricultural Use - 1st Reading	1st Reading	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.006 An Order to Appropriate Community Preservation Act Funds for Priority Open Spaces Acquisition - 1st Reading	1st Reading	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
	Motion to Suspend Council Rules				Second	Motion to Suspend Rules					Voice Vote 9:0
	2nd Reading	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.007 An Order to Appropriate Community Preservation Act Funds for Mass Central Rail Trail Extension - 1st Reading	1st Reading	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.008 An Order to Appropriate Community Preservation Act Funds for the Sargeant House Expansion Project at 82 Bridge Street - 1st Reading	1st Reading	Second Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No

Record of City Council Votes for January 18, 2018		Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	Nash	O'Donnell	Sciarra	Total
18.009 An Order to Appropriate CPA Funds for Affordable Housing as Part of Village Hill Apartments - 1st Reading	1st Reading	Motion to Approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.010 An Order to Appropriate CPA Funds to the Conservation Fund - 1st Reading	1st Reading	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No
18.011 An Order to Appropriate CPA Funds for a PV Habitat for Humanity Home on Garfield Avenue - 1st Reading	1st Reading	Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9 Yes, 0 No
18.012 An Order to Appropriate CPA Funds for Three PV Habitat for Humanity Affordable Homes on Glendale Road - 1st Reading	1st Reading	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion carried 9 Yes, 0 No

At 10:40 p.m. Councilor Dwight moved to adjourn the meeting; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Recorded by: Laura Krutzler, Administrative Assistant to the City Council