



ORDINANCE REVIEW COMMITTEE

Members

Councilor Jeremy Dubs, Chair
Councilor Garrick Perry, Vice-Chair
Dane Kuttler, Citizen
Molly Moses, Citizen
Councilor Stanley Moulton, III

MEETING MINUTES

Date: December 3, 2025, Time: 4 p.m.

Virtual Meeting

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 4:13 p.m., Councilor Jeremy Dubs called the meeting to order. On a roll call, the following members were present: Councilor Dubs, Chair; Councilor Garrick Perry, Vice Chair; Councilor Stanley W. Moulton, III, Member Dane Kuttler and Member Molly Moses. Also present were City Solicitor Alan Seewald and Administrative Assistant Laura Krutzler.

2. **ANNOUNCEMENT OF AUDIO/VIDEO RECORDING**
Councilor Dubs announced that the meeting was being audio/video recorded.

3. **PUBLIC COMMENT**
Chris Stratton noted that, with yesterday’s snowfall, they are obviously seeing a demonstration of concern about the snow ordinance. He mentioned hearing that the parking lot at the corner of Phillips Place and Hawley Street is not yet clear and said he saw a spot on the northeast side of King Street heading towards Damon Road (the former car dealership property) that had not been plowed. It is a very current topic. In October, they heard that the preference is to issue warnings, but since there really isn’t any tracking of where warnings have been issued, there isn’t any follow up. He doesn’t know that the ordinance needs to change but they do need to track where they find repeat issues. “That is something that a lot of the city is really thinking about today.”

4. **MINUTES OF NOVEMBER 12TH AND MINUTES OF NOVEMBER 19TH (IF TRANSCRIBED)**
Councilor Moulton moved to approve the November 12, 2025 minutes. Member Kuttler seconded. The motion passed unanimously 5:0 by roll call vote.

The minutes of November 19, 2025 were not available as they had not yet been transcribed.

5. **UPDATE ON HOUSEKEEPING CHANGES NEEDED TO ADOPT GENDER-NEUTRAL LANGUAGE**
Member Moses updated the committee on her progress toward identifying all of the replacements/amendments needed to actively change the city code to gender-neutral language. She asked if it would be helpful to include the title of the ordinance in the ordinance header (i.e. - **§116-1 Fire alarm installation** instead of just §116-1).

Anything she could do to help streamline the eventual process of adoption would be great, Councilor Perry said.

Attorney Seewald said his intention is just to attach this as an exhibit to the final report.

As background, Ace Tayloe suggested replacing all gendered pronouns (ex. - he/his) with they/them, Member Moses reminded. She explained the method she used to update the ordinance, at times using they/them and at times replacing the singular pronoun with a common noun; i.e. – ‘that person’ or ‘the fire chief.’ At other times, she rewrote the sentence to avoid the use of a pronoun entirely, she said.

Attorney Seewald said this is something that is probably going to need to be printed out in hard copy and be legible. The document needs to be able to be shared in printed form.

Member Moses said she is working on a backend version of this (a google document) and will do her best to format it in a way that can be printed out.

Attorney Seewald and Councilor Dubs said great work.

6. FORMULATE RECOMMENDATIONS ON SIGN ORDINANCE UPDATE, SNOW REMOVAL ORDINANCE AND MOBILE FOOD VEHICLE ORDINANCE

Councilor Moulton said he thinks the sign ordinance (§350-7 Signs) is in finished form to be recommended for adoption. The only additional work they had talked about was on sandwich board signs and they didn't really get to it. He is happy to submit the final version of Director Misch's revisions to the ordinance as reviewed in October.

Councilor Perry said he talked to some local businesses about sandwich board signs and there is interest in discussing them further. He suggested adding a footnote that there should be another discussion about that specific section. Councilor Moulton agreed a footnote would be great. It should note that the suggestion for possible change came from the building department.

At Councilor Dubs' request, the administrative assistant screen-shared photos of city sidewalks and curb cuts as taken by him this afternoon during his attempt to navigate in a wheelchair to Catalpa for coffee after yesterday's snowstorm. He took them to show how impossible it is to get onto sidewalks after it snows. "I had to ride in the middle of the street the entire way to Catalpa," and cars were honking at him, he reported. "This is the day after and no one's been fined."

He showed a picture of the uncleared sidewalk in front of the Chamber of Commerce on Pleasant Street taken this morning from his apartment and additional pictures of conditions in front of a laundromat, on Randolph Place and in front of Live 155. "That's why I don't leave my house in the winter," he lamented.

He personally thinks somebody should be out there monitoring; a person in the city should be tasked with this responsibility since he shouldn't have to go out there and endanger his life to document it. He would like to include the letter from the Disability Commission advocating for parking enforcement officers to monitor sidewalk conditions as a recommendation of the final report, he said.

Councilor Perry agreed he shouldn't have to do fact-finding. He is thankful for the time they had to talk earlier this week. It's more than an ordinance issue; it's an enforcement issue and a community issue, he asserted.

He presented some of the things he and Councilor Dubs talked about; specifically, possibly recommending that the Parking and Transportation Commission (TPC) look at this and that somebody from the Disability

Commission be part of that discussion. The reason he wanted to nestle it in TPC is that it includes the department heads who came to present (the police chief, DPW director and Parking Administrator). He hopes they could assign people to delve into solving this in a bigger picture context.

Councilor Dubs agreed that continued conversation is really important.

Councilor Moulton said he appreciates Councilor Dubs' advocacy on this issue over the last two years. It's made him see it in a different way. He too went out today for coffee. 95% compliance is not enough; they need 100% compliance. Every bit of sidewalk not cleared makes it impossible for many people to be mobile.

To him, it used to be a nuisance; now he sees it as a public health issue. "We need a multi-pronged solution. . ." In part, it's better tracking of enforcement. He recalled the idea of assigning someone outside of public safety to track violations. Beyond that, it's an education issue and an opportunity for partnership with organizations to see how the city can offer help to people who simply cannot clear their sidewalks.

Member Moses acknowledged the fact that this issue is deeply personal and emotional for Councilor Dubs and recognized the effort it takes for him, especially if gaslighting is happening, to present it in a way that is taken seriously. She assured him that the anger is real and valid, along with whatever fear and anything else that comes with it.

She observed that some of the hardest places to clear seem to be from the work of the city snowplow. What happens when someone shovels at night and then the snowplow comes through and pushes snow from the street onto the curb cut? She asked. From the pictures, it seems like some of the barriers are still from city streets. These are areas where there seems to be a mixed liability.

Councilor Dubs said he would love there to be more follow up on those areas.

Councilor Perry said he and Councilor Dubs talked before the meeting about his concern about the downtown where businesses are trying to keep their sidewalks clear but there are empty storefronts. Their job is not to solve all the issues but he wanted to point out that there is a community aspect.

His recommendation would be to find a place to continue this discussion and figure out ways for the city to address places where there are vacancies downtown.

Councilor Dubs and Councilor Moulton agreed with the idea of referral to TPC.

Members took a final look at the ordinance to see if any language needs to be changed or added. One thing the ordinance doesn't cover is what to do if someone is physically incapable of clearing their own sidewalk, Member Kuttler pointed out. Councilors Dubs and Perry agreed but Councilor Perry said he didn't know what to add.

Member Kuttler said their suggestion could simply be to say, "this is the gap; we need to figure out how to fill it."

Chris Stratton said that right across the street from him is a curb cut that was never shoveled but some *were* shoveled and then plowed into. The missing language is language addressing the obligation to clean up after the plow; in other words, to say what happens if it's not new snowfall but plowed snow, he suggested.

Attorney Seewald noted that Section A of the ordinance addresses this by saying that the owner of a building "where there is a sidewalk, including any curb ramp/cut, shall, after snow has ceased to fall thereupon **or whenever snow shall have collected or deposited upon such sidewalk,**" clear it. He said he believes that covers snow displaced by a plow.

They can take to the bank that commercial property owners generally know what their responsibilities are.

It is clear to him that the language is there; they're just not doing what the ordinance tells them to do, Councilor Dubs concluded. He thinks there should be someone monitoring the sidewalks and curb cuts after a storm and in the days following; that is the main recommendation he can think of, he reiterated.

Member Moses mentioned the importance of a public awareness campaign.

As to how to make progress on compliance, he thinks it's demonstrating the political will, Councilor Moulton volunteered. They have a climate action division that is demonstrating huge results. . .creating an office responsible for monitoring along with a central database will go a long way, he suggested.

Councilor Moulton wondered if Section C. [see below] is misleading or should be removed from the ordinance as someone unable or unwilling to shovel may rely on the understanding that if they're not able to clear the snow personally, the DPW will do it.

Upon neglect of or violation of the duties imposed by the provisions of Subsections A and B of § 285-17, such duties may be performed by the Director of Public Works or his/her designee at the expense of the person(s) or entities liable to perform those duties. Assessment of costs under this subsection shall not preclude any party from being fined under § 40-5.

If they make a change, he would suggest removing subsection C, he said.

At the meeting in the Mayor's office, Director LaScaleia said flat out that the DPW does not do that, Councilor Dubs said. If C. is not really relevant, why should it be there, he agreed.

Because it gives the DPW the authority to do that, Attorney Seewald remonstrated. He said he wouldn't take that out. He doesn't think that is a good idea whatsoever.

Attorney Seewald reiterated that issuing fines does not clear the sidewalks, period. He doesn't want people to be disappointed if they get a regime to fine and sidewalks are not cleared.

Councilor Perry suggested adding language to let people know to contact the city if they need help.

They could add that language once a protocol is established for where to get that help, Councilor Moulton said. It's not going to be the DPW. If they refer it to a specific body, that could be specified as a priority for that body to address, he added.

Attorney Seewald asked if they could reframe that to recommend **to the City Council** that it be referred.

Member Moses asked if there is language in the ordinance encouraging residents to report uncleared sidewalks.

That's a good question because there is a form on the website for that purpose but it's not mentioned in the ordinance, Councilor Dubs said.

Attorney Seewald reminded the committee that city council sets the policy and the fine and the executive has to figure out how to carry out policies the council sets. He knows the Mayor's office is working on software to help with tracking/monitoring complaints. He cautioned them against getting too far into the weeds.

Councilor Perry echoed Attorney Seewald's point. He thinks they have had a really good, robust discussion and are not going to solve this. His suggestion is to recommend its referral to TPC with the addendum of specific goals such as public education.

Councilor Dubs said he wouldn't mind an addendum recommending someone to monitor sidewalks after a snowstorm.

As the person who has to put it down on paper, Attorney Seewald recommended a formal motion/vote.

Councilor Perry moved to recommend that the snow removal ordinance be addressed by the TPC with certain goals that they will specify. Member Kuttler added 'with the goals of clarifying the scope and purpose of the ordinance.'

Member Kuttler restated the motion as being, **'to recommend that the ordinance be reviewed by TPC to determine the scope of the ordinance and any gaps in the ordinance that fail to meet that scope.'** Councilor Perry accepted this friendly amendment. **Member Kuttler seconded. The motion passed unanimously 5:0 by roll call vote.**

MOBILE FOOD VEHICLE ORDINANCE

Councilor Perry said he had done some follow-up work since the last meeting. His recommendation is for more research and review, but he doesn't know where to put it. There's no specific body he would refer it to, but he suggests the discussion be continued in a format that includes the Downtown Northampton Association (DNA) and Chamber of Commerce (COC). Bodies should be looking at this food truck ordinance for the next council, he asserted.

Councilor Moulton suggested the recommendation that the City Council create a special committee to look at this issue including the bodies mentioned by Councilor Perry and the Board of Health.

Councilor Perry so moved. Councilor Moulton seconded.

Member Moses asked if it would be within their purview to recommend that different constituents be part of it.

Councilor Perry suggested recommending a special committee representative of the broader community. Councilor Moulton said he thinks that's generally been the case with special committees.

Councilor Perry moved that the City Council create a special committee to look at food truck ordinances including representatives of city government and local businesses as well as various constituencies. (He indicated this replaced the earlier motion.) **Councilor Moulton seconded. The motion passed unanimously 5:0 by roll call vote.**

PEDESTRIAN ORDINANCES

Councilor Perry said he talked to Police Chief Cartledge and other officers and all are comfortable removing the thumbing ordinance (§312-87 Thumbing). In terms of the pedestrians crossing street ordinances (§312-82 Crossing Roadways and §312-85 Pedestrian crossings and use of roadways), while Chief Cartledge said he hadn't used it, he was cautious about removing it.

Councilor Perry said his sense is that the police aren't enforcing these but might need to. The chief's recommendation was to leave it since it doesn't seem to be harming anyone.

Member Kuttler moved to propose getting rid of the jaywalking ordinance. Councilor Dubs seconded.

Member Kuttler clarified that her proposal is to remove all three, since they're linked in her mind. Councilor Dubs said he feels comfortable with that.

Attorney Seewald said he thinks it's important to at least leave in the obligation to listen to a police officer directing traffic.

Member Kuttler rescinded her motion.

Councilor Moulton pointed out that the direction for pedestrians to cross within a marked crosswalk should not be dependent upon the presence of a police officer directing traffic. Whether or not an officer is directing traffic, pedestrians should cross within the marked crosswalk, he proposed.

Councilor Moulton moved to remove the clause in §312-82 (the reference to whenever there is an officer directing traffic.) He later rescinded his motion after learning that other sections of the ordinance address situations where an officer directing traffic is not present.

Molly made a suggestion to change the word “walk,” but Councilor Dubs said he’s comfortable with the existing language.

Councilor Perry moved to accept the chief’s recommendation and remove the thumbing ordinance (§312-87) but leave the other two in place. Councilor Moulton seconded. The motion passed unanimously 5:0 by roll call vote.

7. DISCUSS STRUCTURE AND FORMAT OF FINAL REPORT

Attorney Seewald said he reviewed the last report and his intention is to follow a similar format. He is planning to draft it next week. He will go through all the minutes. If he comes upon something he could use their help on, he will certainly let them know.

Member Moses left at 5:31 p.m.

Councilor Perry said if Attorney Seewald needs him and Councilor Dubs to meet with him they are willing. If the chair and vice chair would like a preview before he sends the report to Laura, he is happy to oblige, Attorney Seewald said.

Members discussed when to present the final report to the City Council. Councilor Jarrett reached out to him today to ask if they would be presenting it December 18th, Councilor Dubs shared.

The committee has until the end of the year to file its report, Attorney Seewald noted. He thinks it makes more sense to present it to the council that will be taking it up. His suggestion would be to wait for the new council session.

Chris Stratton asked if there was any procedural issue with incoming councilors being able to hear the report since this body will not exist after December 31st. Attorney Seewald clarified that even though it will no longer exist, this body can still appear.

Councilor Dubs said he’ll tell Councilor Jarrett they’ll wait. Councilor Perry suggested doing a bullet-point presentation on the 18th of what they talked about.

8. SCHEDULE NEXT MEETING

Members confirmed the final meeting as December 17th at 6 p.m.

9. ADJOURN

Councilor Perry moved to adjourn. Councilor Moulton seconded. The motion passed unanimously 4:0 by roll call vote with Member Moses absent. The meeting was adjourned at 5:39 p.m.

Respectfully submitted, Laura Krutzler.