

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: That the Everett City Council hereby amends the application and fee requirements for short term rental licenses.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Ragucci informed the Committee that short term rentals were starting to take a foothold in the City so the Ordinance was drafted to protect both the safety of the residents and potential tenants of these establishments. He provided an overview of the proposal and noted that the City was not doing this to make money. He explained that the registration process would be overseen by the Board of License Commissioners which would require notification to abutters. Councilor Napolitano remarked that the proposal looked good and acknowledged that the matter had appeared before the City Council prior to the end of the last legislative session but inquired if there was language that required an on site property manager. Mr. Flood responded that the property management requirement was part of the zoning ordinance and that this proposal before the Committee now was a cleanup version of what was previously presented that now included the fee requirements. Councilor Capone referenced that the plan now was to accomplish two things – rescind the old ordinance and adopt a new ordinance with the proposed amendments. However, he explained that he was unable to compare the old with the new without having a copy of current ordinance. Mr. Flood agreed to provide at the next meeting.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: That the Everett City Council hereby approves an Ordinance addressing any vacancy in the office of the city clerk and assistant city clerk.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Flood explained that the proposal was being introduced to help clarify the process upon the expiration of the 5 year terms under the new current City Charter. He referenced the recent charter change attempt to address this matter but noted that it was unlikely the State legislature would act on the matter in an upcoming election year. He stated that the proposed ordinance would do two things with the first being a fair shake to the existing office holder with the second being to avoid the office being vacated. Councilor Capone suggested a few amendments with regards to a successor being qualified as well as increasing the advertising timeframes from the two weeks currently shown. Councilor Adrien expressed concern that this would prevent other applicants from the opportunity to apply for these positions. Councilor Napolitano mentioned the duties and responsibilities of these positions and noted that any applicant would need to be a duly qualified individual to obtain such a position.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

#3-C0034-20

Legislative Affairs & Election Committee
February 3, 2020

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: An Ordinance better documenting violations that may lead to suspensions and/or revocations of licenses and permits issued under the authority of the City Council.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Flood provided an overview of the proposed changes to Sections 12-315 and 12-316 along with a new Section 12-317 that outlined potential violations. Councilor Capone announced that he had reviewed both the current and proposed Ordinance and recommended Favorable action.

The Committee voted: to report back to the City Council with a recommendation for Favorable action.

Respectfully Submitted,

John W. Burley
Clerk of Committees

#4-C0035-20

Legislative Affairs & Election Committee
February 3, 2020

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: An Ordinance documenting the procedure to report and process complaints for licenses and permits issued under the authority of the City Council.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Flood explained that he was providing standard procedures to the document process. Councilor Capone stated that he needed to see copies of the existing ordinances in order to compare with the changes being proposed in the new ordinances. Mr. Flood agreed to provide at next meeting.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

#5-C0036-20

Legislative Affairs & Election Committee
February 3, 2020

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: An Ordinance consolidating the City's General Business Regulations.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Flood explained that there were no changes made to the existing Ordinances that all he was doing was consolidating into one place. Councilor Capone suggested that some amendments to Section 12-2002 Business Activities consecutive evenings under paragraph 6 subsections b & c as well as amendment to the fine amounts under Section 12-2006 paragraphs b & c.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Rosa DiFlorio, as President: An Ordinance allowing the City Council to revoke inactive licenses and permits issued under its authority when their supply is limited.

Assistant City Clerk David Ragucci and City Clerk Consultant David Flood were also present.

Mr. Flood reminded the Committee that there were a number of certain licenses and permits issued under its authority that had been capped at a definitive amount. He stated that it did not seem to be in the best interest of the City to have licenses and permits that are not being used when other parties are interested in obtaining these licenses and permits. Chairman DiPierro concurred that no one should hold a license without using it. Councilor Capone informed all that he did review both the current and proposed ordinance and recommended favorable action with the following amendments. That Chapter 12, section 12-316 sub-section (d)(7) be amended to now read as follows: "Revocation of such license or permit shall be appropriate if the city council determines, after a reasonable investigation of all known facts, that:"

The Committee voted: to report back to the City Council with a recommendation for Favorable action as amended so that Chapter 12, section 12-316 sub-section (d)(7) now read as follows: "Revocation of such license or permit shall be appropriate if the city council determines, after a reasonable investigation of all known facts, that:".

Respectfully Submitted,

John W. Burley
Clerk of Committees

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Gerly Adrien: That the City review the snow removal ordinance to include de-icing and to shovel a certain number of feet of their sidewalk to include people who use walkers, canes, and wheelchairs.

Councilor Adrien questioned the reference to Trial period in the Snow Removal Ordinance and questioned further if the enforcement of the fines provision for non-compliance was occurring. Chairman DiPierro explained that the fines listed under third and subsequent offenses were actually being issued by Code Enforcement for first and subsequent offenses. The entire Committee was in agreement that all the references to trial period needed to be removed from Ordinance. Councilor Adrien provided an overview some conditions she and other bus passengers were confronted with in an attempt to get on a bus on Ferry Street where snow removal and de-icing had not occurred. Councilor Napolitano suggested that she keep the Code Enforcement number with her so that she could contact them immediately to address conditions such as the one she explained. Councilor Capone suggested the matter remain in Committee so that the appropriate amendments to removing the trial period could take place. Councilor Adrien agreed to work on a proposed draft for the next meeting.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

#8-C0072-20

Legislative Affairs & Election Committee
February 3, 2020

The Committee on Legislative Affairs & Elections met on Monday, February 3, 2020.

Members present were Councilor Anthony DiPierro, presiding, Councilors Peter Napolitano, Fred Capone and Gerly Adrien.

The Committee considered a Resolution offered by Councilor Gerly Adrien: That the City review the snow removal ordinance to ensure safety on the sidewalks and corners are shoveled/cleaned out to comply with ADA requirements instead of piling snow around it.

Councilor Adrien expressed her concerns with the snow removal and enforcement of snow that is piled on street corners. Councilors Capone and Napolitano questioned if the Snow Removal Ordinance presented to them for the Committees review was actually the whole ordinance or a section of the Ordinance since both felt that there were pieces missing from when they worked on it in Committee several years ago. City Clerk Consultant David Flood agreed to research to determine if there is a more updated snow removal ordinance on file.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees