

***Committee on Rules, Orders, Appointments, & Ordinances***

***Councilor David A. Murphy  
Councilor Maureen T. Carney  
Councilor Ryan R. O'Donnell***

***Meeting Date: December 17, 2015  
Meeting Time: As announced during City Council Meeting which  
begins at 7:00 pm  
City Council Chambers, 212 Main Street  
Northampton, Massachusetts***

***Meeting Agenda***

***\*Activate NCTV Camera to Record Minutes***

- 1. Meeting Called To Order**
- 2. Members Present/Absent**
- 3. Public Comment**
- 4. Approve Minutes Of Previous Meetings**
  - Meeting Minutes of November 9, 2015
  - Meeting Minutes of November 10, 2015
  - Meeting Minutes of December 15, 2015\*

\*Note: The minutes of 12/15 will not be available when this meeting notice is posted.  
Minutes will be provided to Councilors via e-mail once written.

Date Referred to        ---  
Committee

Documents: [roaominutes\\_nov-9-2015.pdf](#), [roao.11.10.2015-minutes.pdf](#)

- 5. New Business**
- 6. Adjourn**

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## ***Committee on Rules, Orders, Appointments, & Ordinances***

***Councilor David A. Murphy***  
***Councilor Maureen T. Carney***  
***Councilor Ryan R. O'Donnell***

***Minutes of Meeting Date:***

***Meeting Time:***

City Council Chambers, 212 Main Street  
Northampton, Massachusetts

***\*Activate NCTV Camera to Record Minutes***

11/9/2015 - Minutes

### **1. Announcement Of Audio/Video Recording Of Meeting**

Councilor Carney announced that the meeting would be video taped.

### **2. Members Present/Absent**

Councilor Murphy would arrive a few minutes late to the meeting. Present at the start of the meeting were Councilors Carney and O'Donnell. Councilor Carney chaired the meeting until Councilor Murphy arrived.

### **3. Meeting Called To Order**

Councilor Carney called the meeting to order @ 5:02 pm. Councilor Murphy arrived at 5:10 pm.

### **4. Public Comment**

None

### **5. Approve Minutes Of The Previous Meeting**

#### **A. Minutes Of October 13, 2015 Meeting**

Councilor O'Donnell moved to approve the minutes of October 13, 2015; Councilor Carney seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Murphy).

### **6. Orders And Ordinances For Review**

#### **A. 15.377 Zoning For Significant Trees**

Councilor O'Donnell moved to recognize Sr. Land Planner Carolyn Misch who was present to review the changes to the Ordinance regarding significant trees. It was noted that the version that was attached to the agenda did not include changes that were proposed and agreed upon by the Planning Board and by this committee at its last meeting. Ms. Misch will review the document for missing language and provide to the Admin. Assistant. Once updated, this ordinance can go back to City Council for approval. Specifically, the sentence "The section is not meant to regulate work performed by a utility company in maintenance of its rights of way or in its maintenance repair or replacement of infrastructure that is unrelated to a development project requiring zoning relief" should be moved to section D. 5.

Other changes: capitalization of Warden; under E. remove the website address and replace with Planning Board.

Ms. Misch indicated that at the last meeting Councilor Murphy had indicated that he wanted better language to address continuity of ownership. Ms. Misch suggested that to address this, she recommends that the standards should apply if trees are removed within 12 months immediately prior to a site plan or zoning relief. This length of time would replace the current 18 month stipulation. (section C). Given the amount of time it takes to plan a project and get it in the approval pipeline, 12 months seems realistic.

Councilor O'Donnell moved to continue to the next meeting; Councilor Murphy seconded. The motion was approved on a voice vote of 3 Yes, 0 No.

**B. 15.520 Ordinance Pertaining To Glass To Ensure That Structures Exempt From Review Minimally Maintain The Existing Amount Of Glass On Street Facing Facades**

This Ordinance is not part of zoning. Ordinances that are part of Central Business Architecture are subject to a different approval process. For many years there have been a series of exemptions from review by Central Business Architecture. This had been item 14 under exemptions. The language clarifies that renovations and alterations are exempt, however, the 50% baseline would still apply. Examples of anomaly buildings include the former Police Station building; houses used for commercial purposes; Northampton Cooperative Bank. If someone wanted to change the facade, they would not be allowed to brick up the store front. Buildings will remain exempt as long as they don't reduce the amount of glass.

Amendment made by committee:

"C. The following elements are specifically exempt from review by the Committee. The Building Commissioner shall issue permits for this work only after determining that the project is exempt.

(14) Alteration or renovation, but not expansion or demolition, of any anomaly or transitional residential building, based on its most recent classification if developed in accordance with the Design Guidelines and so long as the change does not reduce the glazed area of any street-facing facade."

Councilor O'Donnell moved to send the Ordinance back to the full City Council with a positive recommendation as amended; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

**C. 15.522 Ordinance For A Complete Streets Policy**

This Ordinance serves the purpose to codify what is currently done to improve the public infrastructure. The formality of codifying will make the city eligible for public street improvement money from state sources. Also, the language provides guidelines for all departments to use as guidelines for proposed improvements on the street network.

Councilor O'Donnell points out that there are two versions of this ordinances that were referred to this committee. One version was submitted by the Transportation and Parking Commission. The second shows sponsorship by the Mayor. He indicated that the TPC should be removed as a sponsor. Although they endorse the idea of a policy for complete streets, they did not add their sponsorship to it.

Changes introduced by committee:

- B (3) Lane width should be 10 feet to 11 feet wide for a two way street.
- A The City's Complete Street policy...
- A (5) Ensure sidewalks on all new and reconstructed streets, except alleys and shared streets.

Councilor Murphy asked that Ms. Misch provide for the full city council the state's requirements for a complete street policy.

Councilor O'Donnell moved to forward to City Council with a neutral recommendation as amended; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

**D. 15.523 Ordinance Regarding Winter Parking Regulations**

This Ordinance came from Transportation and Parking Commission. Councilor O'Donnell explained that this was a divided vote which narrowly passed in that committee.

The Ordinance prohibits parking in municipal lots during a snow emergency, with certain exceptions. The exceptions are not spelled out in the portion of the ordinance before committee. Councilor Murphy asked that this information be provided to Council when the ordinance goes back to the full City Council for a vote.

Councilor O'Donnell moved to return the Ordinance back to City Council with a neutral recommendation; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

**E. 15.524 Ordinance Revising Section 312-117 Schedule XVI-Handicapped Parking Spaces On Keyes Street**

This Ordinance corrects the location of the parking space.

Councilor O'Donnell moved to return this ordinance back to City Council with a positive recommendation; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

**F. 15.525 Ordinance Revising Section 312-46 "Designation Of Parking Spaces"**

Councilor O'Donnell explained that certain wording of the ordinance did not make sense for parallel parking spots designated for handicapped parking. Also, the international symbol of accessibility parking space sign is introduced.

Councilor O'Donnell moved to return the ordinance back to the full city council with a positive recommendation; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

**7. Appointments For Committee Approval**

**A. 15.535 Appointments**

The Appointments will be reviewed at the December meeting.

Councilor O'Donnell volunteered to contact Jami Albro-Fisher who has been proposed as a member of the Transportation & Parking Commission.

The extension of the term of appointment for Esther White will not be discussed by this

committee as the term extension was approved in City Council on Nov. 5th rather than referring to committee.

**8. New Business**

None

**9. Adjourn**

At 5:50 pm Councilor O'Donnell moved to adjourn the meeting. Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

*Respectfully submitted by*  
*Pamela L. Powers*  
*Clerk to the City Council*  
[powers@northamptonma.gov](mailto:powers@northamptonma.gov)  
*(413) 587-1210*

***Committee on Rules, Orders, Appointments, & Ordinances  
And the Northampton City Council***

*Councilor David A. Murphy  
Councilor Maureen T. Carney  
Councilor Ryan R. O'Donnell*

***Meeting Date: November 10, 2015  
Meeting Time: 5:00 pm  
City Council Chambers, 212 Main Street  
Northampton, Massachusetts***

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1. At 5:08 pm, Councilor Murphy called the meeting to order. He announced that the meeting would be audio and video recorded.
2. Present: Councilors O'Donnell, and Murphy were present from the Committee on Rules, Orders, Appointments and Ordinances meeting. Councilors Dwight, Sciarra, and Adams were also present from the City Council. Councilor Adams left the meeting at 5:30pm. Councilor Sciarra left the meeting at 7:00pm.
3. No public comment.
4. **Councilor Adams gave feedback about the Rules since he will likely have to leave early.** He gives thanks for the overhaul of the Council Rules. It is something that should be done every couple of years. He strongly disapproves the Council President identifying the committee chairs (comment#1). It may make sense that if there are fewer committees to have 4 councilors for each committee. He thinks that the new numbering system is cumbersome and that the committee should consider a simpler numbering system. Regarding Rule 2.6.3.—the stipulations might be difficult to accomplish (non-member attendance @ committee meetings) since all meetings are open to the public and even City Council members can attend these meetings. Regarding 3.2, he believes that this doesn't make sense (adopt an agenda of state legislative priorities) and he doesn't feel that should be mandated in the Rules. It is not clear who would take the lead. He also said that 3-6 of the Charter talks about the day to day duties of running the city and he is not sure what the Mayor would do with the Resolution. Regarding the Power to Amend (2.6.2.5) It would nice for the Council to see what other recommendations committees make before a vote is taken on an item.

Councilor O'Donnell suggested deleting 4.11. It will be covered by Robert's Rules of Order.

Regarding Timely Filing Rule: Councilor O'Donnell suggested changing when items can be received by the City Council Office for placement on the agenda to an "hours in advance" of meeting time to reflect that meetings may not only take place on Thursdays. The Admin. Assistant noted that the time

stipulated in the Council Orders is interpreted as a submission deadline to some and an agenda-ready deadline to others. The deadline meaning should be clear and communicated accordingly.

5.1.4.2 Councilor O'Donnell suggested striking the word "clerks"; the section should read, "Administrative Number."

5.1.4.3 Councilor O'Donnell suggested that the section should be eliminated because the title is not part of the Ordinance/Order.

5.1.4.4 Councilor O'Donnell suggested eliminating the semi-colon and replacing with a period.

Section 5.3 Councilor O'Donnell suggested striking everything after the first full sentence in this section. It is written in such a way that it requires the solicitor to take action.

Regarding 5.4 Withdrawal of Matters: The group discussed how withdrawing a matter should be handled once it has been introduced (after "referral" or "1<sup>st</sup> reading"). The committee agreed that a request to withdraw an item should be handled in writing. Placing it on the agenda as a withdrawn matter would need to be done. The Council will then acknowledge a written request from a sponsor to withdraw an item. Councilor O'Donnell suggested to amend this section to read, "If the council has previously been acted upon, the matter can be withdrawn in this manner. At the written request of the sponsor(s)..."

5.6 Matters requiring one vote: It was thought that Council Rules should follow Administrative Orders, and therefore only require one vote. "For approval" should be deleted as the outcome of the vote has yet to be determined.

Councilor Dwight asked the committee to amend rule 2.3.1 to remove, "and to appoint the Chair of each committee." He does not feel strongly that this is necessary, and since two councilors have spoken against this provision, he would like to see this changed. Councilor O'Donnell suggested that section 2.6.2.1 will need to be re-worded; he recommended, "Council committees shall elect officers from among their members, such as Chair and Vice Chair." There were no objections to either of these changes.

Section 6.1 Purpose and Intent: The section seems misplaced; Councilor O'Donnell suggested striking then entire section and begin the Special Permit Granting Authority with Selection of a Chair/Moderator.

Other proposed amendments were discussed. The first was to add specific jurisdictions to committees. Councilor O'Donnell read the amendments. (Note: Building Inspector should read "Building Commissioner".) Councilor Murphy pointed out that the presence of committee members or city employees cannot be dictated, except as allowed for by Charter. Councilor Murphy pointed out that the Committee on Legislative Matters might need to receive testimony from any department or committee member as the scope of matters reviewed by this committee includes every department and every committee. Councilor O'Donnell will update the section on jurisdiction for this committee to reflect this.



Councilor O'Donnell also reviewed the amendment to add the selection of an outside auditor. Councilor Murphy agreed with moving this amendment forward; he asked that the City Solicitor's opinion be sought before the Council votes on this as a final rule.

Councilor O'Donnell moved to send the changes forward to the full City Council with a neutral recommendation; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

Councilor O'Donnell will provide an updated version to forward to the City Solicitor for his review.

Councilor O'Donnell moved to adjourn the meeting@ 7:10pm; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).