



## Committee on Community Resources and the Northampton City Council

### Committee Members:

*Chair: Councilor Gina Louise Sciarra*

*Vice-Chair: Councilor Dennis P. Bidwell*

*Councilor Maureen T. Carney*

*Councilor Alisa F. Klein*

### Meeting Agenda

**Date: June 19, 2017**

**Time: 5:00 pm**

**Location: City Council Chambers  
212 Main St., Northampton, Massachusetts**

1. **Meeting Called to Order and Roll Call:** At 5:01 pm Councilor Sciarra called the meeting to order. Present were Councilors Sciarra, Carney, and Klein. Councilor Bidwell was absent. No other City Councilors were present.
2. **Public Comment:** Laurie Loisel of 46 Grant Avenue and Davina Miller of 33 Summer St. are both members of the Human Rights Commission. They shared a resolution with the committee that the Commission has been working on.

Councilor Sciarra noted that the committee is not able to respond to questions posed during public comment.

Ms. Loisel noted that the Commission has been working on a resolution as a result of some feedback about speech that was considered biased, but did not raise to the level of criminal. The Commission is interested in raising the conversation about how community members can behave with each other in a more respectful way. The resolution supports the culture of civility in the City of Northampton followed by a pledge that could be signed by community leaders. Ms. Miller & Ms. Loisel read the resolution to the committee.

Councilor Sciarra noted that the next meeting of the committee is July 17<sup>th</sup>. Councilor Sciarra invited Ms. Miller and Ms. Loisel to come back to the committee on that date to discuss the resolution further.

The committee discussed possible ways that sponsors might be added to the resolution. The Administrative Assistant recommended that the resolution be reviewed by the Mayor before placing on the City Council agenda. If this committee wanted to be added as sponsors, then this could be done once the resolution was discussed by the committee after referral by the City Council.

### 3. **Approve minutes of May 15, 2017**

Councilor Klein moved to approve the minutes; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Bidwell).

#### 4. Items Referred to Committee

##### A. 17.265 An Ordinance Relative to Taxis and Vehicles for hire - Referred to Committee on April 6, 2017

The committee was provided with documents as follows: original submission to Council tax ordinance, red-lined version of document with proposed changes, redlined version with changes accepted and with notes from Solicitor Seewald (note: this document does not show red-lined changes because they have been accepted). Feedback about the proposed ordinance from the City Clerk is also included.

The Committee reviewed the feedback provided by Attorney Seewald. Regarding the comment (see comment AS1), Councilor Sciarra questioned if passenger seating capacity limits were needed. If not, she feels they should be removed.

The committee discussed what the term, "the named insured" meant under the taxicab and livery vehicle definition. The committee wondered if the Attorney Seewald might consider "the named business" as an alternative phrase.

The committee discussed the passenger limits on livery vehicles versus taxi cabs. Councilor Carney wondered what the industry standard was for each of these vehicle types. She asked if Attorney Seewald might know the answer to this question.

The committee discussed the need for a background investigation for a business owner. Currently the City Clerk's Office does not follow the ordinance to establish a business owner's permit, but rather uses the DBA form to establish a business in Northampton. The committee had decided that the current practice does not meet the requirements of the ordinance. Councilor Klein stated that if a background check was required then what will be evaluated should be spelled out in the ordinance. What would make a business owner ineligible should be included. If the same standards are used for the business as well as the driver, then that would mean that there is the potential to deny a business permit to someone who had a felony record. Councilor Klein stated that she may not be able to support this if it were part of the ordinance. Councilor Klein would like to understand what the grounds for denial would be. Councilor Sciarra points out that the way the ordinance is written it does not state that the business permit should be forwarded to the NPD, but rather that this is what is recommended by Attorney Seewald. Councilor Klein indicated that the only way she would feel comfortable about forwarding a business permit application to NPD is if the standards by which a person were going to be judged was included (what implies eligibility). She would not support denying a business permit for a past felony conviction.

Councilor Sciarra reminded the committee that the business permit requirement is currently spelled out in the ordinance. If the committee feels that a permit is necessary, then a new system needs to be created. Councilor Klein indicated that she wonders if the city was liable in some way if it were known that a person did or does "xyz". Councilor Carney suggested asking Attorney Seewald for his opinion on this issue. Councilor Sciarra stated that the ordinance will likely move to Legislative Matters after today and so the question might not be answered until then.

In Section 316-17, there was a question about the wording of individuals that could use a taxi service. Councilor Klein suggested changing "is not intoxicated and conducts himself / herself in an orderly fashion" to "such person conducts themselves in an orderly fashion".

The committee questioned the rewording of the language in 316-17 (H) pertaining to the transport of alcohol or alcoholic beverages. The committee agreed to change, "No vehicle for hire shall be used for the transportation for hire of any alcoholic beverages or alcohol." to "No vehicle for hire shall be hired for the transportation of any alcoholic beverage or alcohol."

In 316-17 (J), the committee deleted the subjective language concerning the use of profane language.

Councilor Sciarra reviewed the paragraph concerning insurance requirements and commented that she does not know what the standards are for insurance limits on taxicabs or liveries. Councilor Carney suggested leaving the limits as is and allowing the question to come up in Legislative Matters. Councilor Klein stated the committee should be thoughtful about the limits because a premium will go up the higher the minimum limits are set. Councilor Klein wonders if the limits are different depending upon where you are driving.

The committee reviewed the comments made by Clerk Mazza. The committee felt that the ordinance can move forward to Legislative Matters.

Councilor Carney moved to send the ordinance to Legislative Matters with no recommendation; Councilor Klein seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Bidwell).

5. **Continue discussion concerning op-eds:** Councilor Sciarra reports that Councilor Bidwell was unable to complete the next op-ed in time for the committee to review at this meeting; he will likely have it completed for the next meeting.

6. **Update on the Mayor's Panhandling Advisory Group:** Councilor Bidwell provided responses to questions that came up at a previous meeting.

In a written statement shared by Councilor Sciarra, Councilor Bidwell stated that the Panhandling Advisory Group meetings are not subject to open meeting law because they are meetings called by the Mayor. It is not a governmental body subject to open meeting law. He also stated that there was another conversation about bringing a panhandler into the group; there was a consensus that this would not be the best way to get input about the panhandling population. Rather, a sub-group is working on a survey instrument that will be used to gather input from the various members of the downtown on-the-streets community.

#### 7. **Summer Schedule**

- July 17, 2017 Begin discussion with Arts organizations (proposed at 5/15/2017 meeting)  
Councilor Klein suggested that the committee could start with Brian Foote, the Northampton Arts Council Director. The committee could ask him for recommendations about whom to talk to. Councilor Klein feels that any invitation that is put forward should be thoughtful and sensitive considering that Director Foote made it clear that there are on-going meetings of the Arts Community.
- No August meeting scheduled
- September 18, 2017

All scheduled meetings begin at 5pm

#### 8. **New Business:** None

9. **Adjourn:** At 5:31 p.m. Councilor Carney moved to adjourn the meeting; Councilor Klein seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Absent (Councilor Bidwell).

Prepared By:

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