

# Committee on Legislative Matters and the Northampton City Council

## Members:

*(Vacant)*

*Councilor David A. Murphy*

*Councilor Ryan R. O'Donnell*

*Councilor Gina-Louise Sciarra*

## MEETING MINUTES

**Date: May 9, 2016**

**Time: 5:00 pm**

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

1. Meeting Called to Order and Roll Call: Councilor Murphy called the meeting together at 5:00 p.m. Present at the meeting were: Councilors Murphy, O'Donnell and Sciarra. Due to the recent resignation of At-Large Councilor Jesse M. Adams, there is now one vacant seat on the committee. Also present from the City Council were: Councilors Dwight, Bidwell, Carney and LaBarge.
2. Public Comment: None
3. Minutes of the Previous Meeting: Councilor O'Donnell moved to approve the meeting minutes of April 11, 2016; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.
4. Items Referred to Committee
  - a. 16.025 An Ordinance Regarding Parking on Center Street - Referred to Committee on February 4, 2016: Councilor O'Donnell noted that this item came forward to the Transportation and Parking Commission at the request of Chief Kasper. The space that the ordinance will remove is one that makes it difficult for emergency vehicles to move around. There was some discussion in Transportation & Parking as it is not desirable to remove parking spaces, however, ultimately, the question was moved and voted upon.

Councilor O'Donnell moved to send the ordinance forward with a positive recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 (vacant).
  - b. 16.061 An Ordinance to establish two one-hour parking spaces in Florence on Main St. - Referred to Committee on May 5, 2016:

By way of this ordinance, a new parking space will be added near the bank on Chestnut Street. This was recommended by the DPW and there is general interest amongst businesses to add these spaces. The space was measured by the Department of Public Works.

Councilor O'Donnell moved to return the ordinance back to the full city council with a positive recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 (vacant).

- c. 16.062 an Ordinance to add a yield sign at Venturers Field Road - Referred to Committee on May 5, 2016:

Councilor O'Donnell noted that there is currently a yield sign at the location identified by this ordinance. The sign was not supported by ordinance; this ordinance was written so that reality would be reflected in the code book.

Councilor O'Donnell moved to return the ordinance back to the full City Council with a positive recommendation; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 (vacant).

5. New Business: None.
6. Adjourn: At 5:06 p.m. Councilor O'Donnell moved to adjourn the Legislative Matters meeting; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.
7. City Council Special Meeting: At 5:07 Councilor Dwight called the City Council to order. Present at the meeting were: Councilors Dwight, Murphy, Sciarra, Carney, Bidwell, and LaBarge. Councilor Klein and O'Donnell were absent. One City Council seat is vacant.

The City Council convened to address the following order:

16.079 Order to set the Special Election Calendar - Request 2 Readings

Councilor Murphy moved to approve the order in 1<sup>st</sup> Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (Vacant).

Councilor LaBarge moved to suspend Council Rules to allow for second reading; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (Vacant).

Councilor Murphy moved to approve the order in 2<sup>nd</sup> Reading; Councilor Sciarra seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilor Klein and O'Donnell), 1 (Vacant).

Councilor Dwight noted that this emergency order was pulled together to set the date for a Special City Election as a result of the resignation of At-Large Councilor Jesse M. Adams. The City is required by Charter to set a special election when a City Council seat is vacant and there is more than 120 remaining before the next election. Since Councilor Adams' resignation was "immediate", the City will need to hold a special city-wide election within the next ninety days. The order before the Council today will address the proposed dates.

Councilor Bidwell asked whether it was possible for Councilor Adams to withdraw his resignation until such a time that the election could be held at the same time as the November election. The goal would be to save the City the cost for an election. Councilor Dwight noted that this would not be possible; Councilor Adams' resignation is immediate and irrevocable. Also, there still would be a cost for a special election. Separate ballots are still going to need to be printed. Also, there is no early voting option for municipal elections. This might cause confusion as there will be early voting for the upcoming federal election. In the event that there are more than two candidates, there will need to be a special preliminary election. The City Clerk estimates that the cost for this special election is \$30,000 - \$40,000 for a preliminary and special election. The challenges will be that the events will occur during the summer; there may be limited poll workers available to work; the schools may already be scheduled for summer camps.

Councilor LaBarge asked what might happen if another current City Councilor were to win the At-Large seat. Councilor Dwight explained that this will require another special election as there will again be more than 120 days left in the term.

Councilor Bidwell asked if a current councilor resigned their seat in the hopes that they would win the At-Large seat, he wondered if it might be possible to have a special election for the At-Large seat and the Ward seat at the same time. Councilor Dwight explained that while this would be possible, it would not be desirable given the upcoming votes to the City budget. It is understood that Councilor O'Donnell wishes to campaign for the At-Large seat. The City Solicitor is seeking guidance from the Director of Elections; the Charter was designed for general elections as the timeframe does not work out for candidates to seek 100 signatures for an At-Large seat. Attorney Seewald commented that if there was not a change to when papers were submitted to the Registrar of Voters, then the entire special election would need to be a write-in election.

Councilor LaBarge mentioned that when speaking with the City Clerk, the Mayor would be sure that the funding was available to cover the cost of any elections that needs to take place.

Councilor Bidwell noted that there was an incorrect date on the order; July 8<sup>th</sup> is a Friday, not a Thursday. Councilor Carney moved to rescind the order; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (vacant).

Councilor Carney moved to approve the order as amended in 1<sup>st</sup> Reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (vacant).

Councilor Murphy moved to suspend Council Rules to allow for 2<sup>nd</sup> Reading; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (vacant).

Councilor Murphy moved to approve the order as amended in 2<sup>nd</sup> Reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors O'Donnell and Klein), 1 (vacant).

Adjourn: At 5:30 p.m. Councilor Murphy moved to adjourn the meeting; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilor Klein and O'Donnell), 1 (vacant).

*Prepared By:*

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Record of City Council Votes for May 9, 2016										
Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 5:07 p.m.										
16.079 Order to Establish Dates for a Special Election										
	Vacant	Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sciara	Total
1st Reading	N/A	Present	Present	Present	Absent	Present	Present	Absent	Present	6 Present, 2 Absent, 1 Vacant
Suspend Council Rules	Motion to suspend Council Rules to allow for second reading made by Councilor LaBarge and seconded by Councilor Sciara. The motion was approved on a voice vote.									
2nd Reading	N/A	Yes	Yes	Yes	Absent	Yes	Motion to Approve Yes	Absent	Second Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
Rescind Order	N/A	Yes	Motion to Rescind Yes	Yes	Absent	Second Yes	Yes	Absent	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
Motion to Amend and Approve in 1st Reading	N/A	Yes	Motion to Amend and Approve Yes	Yes	Absent	Yes	Second Yes	Absent	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
Suspend Council Rules	Motion to suspend Council Rules to allow for second reading made by Councilor Murphy and seconded by Councilor LaBarge. The motion was approved on a voice vote.									
2nd Reading	N/A	Yes	Second Yes	Yes	Absent	Yes	Motion to Approve Yes	Absent	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant

At 5:30 p.m. Councilor Murphy motioned to adjourn; Councilor Sciara seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent, 1 Vacant.

Recorded By:

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