



Committee on Ordinances

March 19, 2014 – 7:10 PM - **Minutes**

City Hall, 133 William Street, City Council Chamber, Room 214

****View Agenda****

MEETING: COMMITTEE ON ORDINANCES

DATE: MARCH 19, 2014

TIME: 7:10 P.M.

PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS STEVEN MARTINS, CHAIRMAN; JAMES OLIVEIRA, VICE-CHAIRMAN (7:40); DAVID ALVES; NAOMI CARNEY (8:30); DEBORA COELHO; BRIAN GOMES; JOSEPH LOPES; LINDA MORAD (7:40); DANA REBEIRO; KERRY WINTERSON

ABSENT: COUNCILLOR HENRY BOUSQUET

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Councillor Martins called the Ordinance Committee Meeting to order and took attendance. Communications from Councillors Carney, Morad and Oliveira stating they would be late in attending and a Communication from Councillor Bousquet stating he would not be in attendance were read into the record and received and placed on file by Councillor Lopes and seconded by Councillor Winterston.

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At the Chair's request, item number five (5) was taken up out of order without objection.

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 23 – TRAFFIC, which is for the establishment of a Downtown Parking Enterprise Fund and a dedicated account for Acushnet Avenue parking improvements (Ref'd 3/13/14) was received and placed on file by Councillor Lopes and seconded by Councillor Gomes. (5, 5a)

Ari Sky, CFO, provided the Committee with a power point presentation on the proposed Enterprise Fund for the Parking Garage and the parking implementation plan for the city. Among the upgrades proposed for the garage are safety and cosmetic improvements as well as the addition of automated parking meters.

Councillor Lopes asked Scott Downing, Traffic Commission Secretary, to explain why 1.7 million dollars is needed. Mr. Downing explained that the parking garage is a revenue-generating asset for the city; for years, he has asked for funds to maintain and improve the garage, but was never given any. He is grateful that Mr. Sky views the garage as an important asset and is willing to focus on and ensure its long-term viability as such.

Discussion ensued regarding the Enterprise Fund, the fact that two garage cashiers (who are close to retirement age) were going to be replaced by the machines, and daily usage of the garage. Also discussed, were parking in the North End Business District and the slight parking rate increase when the new meters arrive.

Councillor Morad asked Mr. Downing if they had considered creating the Enterprise Fund without increasing parking rates. Mr. Downing stated that they did look at that, but stated that he could not purchase today's meters at yesterday's prices, indicating that the fee increase is needed. Mr. Sky added that the fee increase, slight as it is, is absolutely necessary in order to have the Enterprise Fund sustain itself and not be a drain to the General Fund. He reminded the members that the Enterprise Fund only pertains to the downtown, not the north end. Over three (3) years, all two hundred forty-one (241) meters will be replaced. He also added that salaries for employees are included in the Enterprise Fund proposal.

On motion by Councillor Lopes and seconded by Councillor Rebeiro, the Committee VOTED: To recommend to the City Council ADOPTION of AN ORDINANCE, amending Chapter 23 – TRAFFIC, which is for the establishment of a Downtown Parking Enterprise Fund and a dedicated account for Acushnet Avenue parking improvements. This motion PASSED on a Roll Call Vote of Yeas 7, Nays 2, with Councillors Coelho and Morad opposed, and Councillor Carney not present for vote.

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Notice, City Clerk of reference of a Written Motion, Councillor Saunders, requesting, that the City of New Bedford's Planning Department and the Committee on Appointments and Briefings look into the possibility of making it a requirement, that all streetlights in the City of New Bedford be in the Washingtonian/New Bedford style of lighting; and further, as streetlights are replaced, they be replaced with this style of lighting (Ref'd 05/24/12, 10/23/12, 12/12/13 – remain in committee) was received and placed on file by Councillor Alves and seconded by Councillor Coelho.

Former Ward Five Councillor Jane Gonsalves was present and stated that she feels it is important to continue the use of Washingtonian-Style lights in the city, particularly in the historic areas and neighborhoods.

Councillor Morad stated that while they are beautiful, they are not always practical for all areas of the city, especially more rural areas in the far north end, etc. Also, she asked if there is a maintenance plan for them.

Jill Maclean, City Planner, explained the new plan the Administration hopes to put in place regarding which types of lighting would be used in specific areas of the city. She stated that Ron Labelle does have a plan and a budget for maintenance on the lights.

Councillor Oliveira concurred with Councillor Morad's comments about Washingtonian lights not providing enough lighting for more rural areas of the city and stated he would not support this motion to require their use throughout.

Councillors Coelho, Gomes and Rebeiro also agreed with that thought, stating that even in more urban areas, more lighting is needed than the Washingtonians can provide.

On motion by Councillor Lopes and seconded by Councillor Alves, the Committee VOTED: To table this matter at this time. This motion FAILED on a Roll Call vote of Yeas 1, Nays 9, with Councillor Lopes in favor.

On motion by Councillor Morad and seconded by Councillor Rebeiro, the Committee VOTED: To take “No Further Action” on this matter at this time. This motion PASSED on a voice vote.

On a Related Motion by Councillor Morad and seconded by Councillor Gomes, the Committee VOTED: To recommend to the City Council that it request from the Planning Board an explanation as to how a decision can be made to change the type of street lighting across the city without some type of briefing to the New Bedford City Council beforehand.

On a Related Motion by Councillor Lopes and seconded by Councillor Alves, the Committee VOTED: That Ron Labelle provide the City Council with details of the installation and maintenance plans and budget for lights throughout the City. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Written Motion, Councillors Lopes and Martins, requesting that the Committee on Ordinances draft an Ordinance as it relates to House Bill 3074, An Act permitting the use of traffic control signal violation monitoring system devices as a means of prompting traffic safety in the City of New Bedford (Ref'd 05/9/13, 12/12/13 – Refer to Legal Counsel for drafting) was received and placed on file by Councillor Alves and seconded by Councillor Morad. (2)

Councillor Lopes asked Scott Downing, Traffic Commission Secretary, what the city's appetite is to install these “red light” cameras. Mr. Downing stated that the city can do it and he feels it would be a good idea. He often received proposals from companies that sell such camera systems and would be willing to put together a list of the top two or three products for the Committee.

On motion by Councillor Lopes and seconded by Councillor Coelho, the Committee VOTED: To table this matter for thirty (30) days to allow Scott Downing to put together a detailed recommendation for the Committee. This motion passed on a voice vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Bousquet, requesting, that the City Council place a moratorium on citing anything student centered at the Parker Street Waste site and encourage green space development in the interest of public safety. (Ref'd 05/23/13, 12/12/13 – Remain in Committee) (3)

On motion by Councillor Alves and seconded by Councillor Coelho, the Committee VOTED: To table this matter at this time. This motion passed on a voice vote.

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Notice, City Clerk of reference of a Communication, Mayor Mitchell, to City Council, submitting AN ORDINANCE, amending Chapter 19, Section 19-7 (c) the reclassification of the City Auditor, Assistant City Auditor and Library Director (Ref'd 01/23/14) was received and placed on file by Councillor Alves and seconded by Councillor Lopes. (4)

Ari Sky, CFO, stated that the Auditor's and Assistant Auditor's positions have been vacant for quite some time and they have found it impossible to find qualified candidates for the salaries that are being offered. He is also told that the same problem is preventing the Library from finding a new Director. He used the community of Woburn as an example, stating that their Auditor – in a city of only 30,000 people – has a salary range of \$92,000 to \$105,000 as opposed to what New Bedford is offering at \$74,000 to \$90,000. He would like to see the minimum salary be bumped up to \$80,000 for the Auditor and a range of \$54,000 to \$67,000 for the Assistant.

Councillor Rebeiro asked what the missing minimum requirements were for the New Bedford residents who applied. Mr. Sky replied that they lacked things like college degrees and government finance experience.

Councillor Morad stated that she feels it is inappropriate to increase salaries piece meal. In other words, she feels that ALL salaries, Unit C and Non-Unit C salaries should be looked at across the board. She also has an issue with increasing certain positions in salary when they are not given additional responsibilities and others are not receiving any increase whatsoever. She also stated that to spend \$75,000 on a consultant to do a “study” is ludicrous and that this should have been done in-house by an intern or other internal employee.

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Mr. Sky, while he did not disagree with Councillor Morad's comments, stated that he knows what people in finance earn and stated that he knows he will not be able to find a qualified candidate for the existing salary. He requested that the Committee approve this ordinance in order to find successful candidates as they are needed as soon as possible.

Councillor Oliveira agreed with Mr. Sky's comments about New Bedford not offering competitive salaries for these positions. However, he also asked Mr. Sky to present them with a comprehensive list of five (5) Gateway Communities and what they pay their Auditors and Assistant Auditors. He stated that that information would help the Council.

Mr. Sky agreed to do so.

Councillors Lopes, Morad and Carney, again, expressed their disapproval of paying \$75,000 for a “salary study”.

On motion by Councillor Alves and seconded by Councillor Lopes, the Committee VOTED: To forward the ORDINANCE, amending Chapter 19, Section 19-7 (c) the reclassification of the City Auditor, Assistant City Auditor and Library Director to the City Council without a recommendation. This motion passed on a voice vote.

On a Related Motion by Councillor Morad and seconded by Councillor Coelho, the Committee VOTED: That the Administration provide the Committee with a full analysis of all Unit C and Non-Unit C positions and how the current salaries for these positions compare to other Gateway Communities as soon as possible. This motion passed on a voice vote.

On a Related Motion by Councillor Lopes and seconded by Councillor Alves, the Committee VOTED: That the Administration provides the Committee on Ordinances with an analysis of the positions of City Auditor, Assistant City Auditor and Library Director and how they specifically compare to those within other Gateway Communities, and that they do so within 30 days, in order to enable the Committee to make an informed decision regarding the proposed Ordinance. This motion FAILED on a Roll Call Vote of Yeas 3, Nays 6, with Councillors Coelho, Lopes and Oliveira in favor and Councillors Alves, Carney, Martins, Morad, Rebeiro and Winterson opposed, Councillor Gomes was not present for vote.

Councillor Alves made a motion to adjourn, which was seconded by Councillor Coelho.

This meeting adjourned @ 9:27 p.m.

ATTEST:

Clerk of Committees