

The Committee on Legislative Affairs & Elections met on Thursday, January 24, 2019.

Members present were Councilor Fred Capone, presiding, Councilors Rosa DiFlorio, Anthony DiPierro and Richard Dellisola, as ex-officio.

Member absent was Councilor Michael McLaughlin.

Communication received from Councilor McLaughlin that he would be unable to attend due to a prior commitment.

The Committee considered an Ordinance offered by Councilor Michael Marchese: That an addition to the nuisance/panhandling law be added as follows: It shall be unlawful for any person to beg or solicit money or aid in his own behalf in any place of business, house, or upon any of the streets of Everett.

City Clerk Sergio Cornelio and City Solicitor Colleen Mejia were also present.

Legislative Aide Michael Mangan provided the Committee with a notice of invitation to Councilor Marchese the Sponsor, but the Councilor was not present.

The Clerk of Committees provided the members with a copy of existing Ordinances **13-15 Aggressive solicitation** and **17-12 Selling of Articles or goods in public ways** that addressed some of the concerns listed in the proposal. Councilor DiFlorio expressed concern over the impact it would have on organizations like the Girl Scouts or Pop Warner. Ms. Mejia informed the Committee that panhandling was considered a protected speech by the Supreme Court. She questioned how something like this could even be enforced if it could be made into law. Mr. Cornelio reiterated that some of the existing Ordinances mentioned addresses some of the concerns but noted that it would be a matter of enforcement. Councilor Capone recommended provided the entire City Council with copies of the existing Solicitation Ordinances to show that much was already covered.

The Committee voted: To report back to the City Council with No Recommendation.

Respectfully Submitted,

John W. Burley
Clerk of Committees

The Committee on Legislative Affairs & Elections met on Thursday, January 24, 2019.

Members present were Councilor Fred Capone, presiding, Councilors Rosa DiFlorio, Anthony DiPierro and Richard Dellisola, as ex-officio.

Member absent was Councilor Michael Mclaughlin.

Communication received from Councilor Mclaughlin that he would be unable to attend due to a prior commitment.

The Committee considered an Order offered by Councilor Michael Marchese: To request approval from the State Legislature to amend the City of Everett Charter through the nomination and election of a Charter Commission.

City Clerk Sergio Cornelio and City Solicitor Colleen Mejia were also present.

Legislative Aide Michael Mangan provided the Committee with a notice of invitation to Councilor Marchese the Sponsor, but the Councilor was not present.

Ms. Mejia acknowledged that she was asked to provide an opinion as to the procedure the City must follow in order to make certain provisions to the Charter as it related to City Councilor Michael Marchese placing an order on the January 14, 2019 council agenda to amend the existing charter. She stated that according to the councilor, among other changes, he wants to amend the term for the mayor and set term limits for mayor and city council offices. She noted that in accordance with MGL c. 43B §10, "only a charter commission elected under this chapter may propose any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager, or the board of selectmen or town manager." She explained that the process of electing a charter commission under MGL Const. Amend. Art. 2 § 3 states, "Every city and town shall have the power to adopt or revise a charter in the following manner: A petition for the adoption or revision of a charter shall be signed by at least fifteen per cent of the number of legal voters residing in such city or town at the preceding state election. Whenever such a petition is filed with the board of registrars of voters of any city or town, the board shall within ten days of its receipt determine the sufficiency and validity of the signatures and certify the results to the city council of the city or board of selectmen of the town, as the case may be." Once the signatures are certified, within thirty (30) days of receipt of said certification of the signatures, the city council must provide a question to the voters. The law gives two options to the City depending on whether the City has adopted a charter pursuant to this section. If it is determined that the City has adopted a charter in accordance with this section then the question shall state, "Shall a commission be elected to revise the charter of the City of Everett?" If it has been determined that the City did **not** use this section to adopt a charter, then the question shall state, "Shall a commission be elected to frame a charter for City of Everett? At least sixty (60) days after the order from the city council, an election must be held to elect a charter commission. The statute mandates that the ballot question and the election of the commission take place at the same time. Mr. Cornelio agreed that it is a very involved process which must be done through a Charter Commission and not the State. He noted that in his research he found that no City has term limits for its elected officials. Councilor DiPierro responded that elections are term limits. Councilor DiFlorio remarked that she didn't agree with term limits. Councilor DiPierro expressed dismay that the Sponsor was not present for the information that was provided.

The Committee voted: To report back to the City Council with a recommendation to refer back to Sponsor.

Respectfully Submitted,

John W. Burley
Clerk of Committees

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Members present were Councilor Fred Capone, presiding, Councilors Rosa DiFlorio, Anthony DiPierro and Richard Dellisola, as ex-officio.

Member absent was Councilor Michael Mclaughlin.

Communication received from Councilor Mclaughlin that he would be unable to attend due to a prior commitment.

The Committee considered a Resolution offered by Councilor Michael Marchese: That any new piece of business that is placed on the Council calendar be sent to Committee without discussion.

City Clerk Sergio Cornelio was also present.

Legislative Aide Michael Mangan provided the Committee with a notice of invitation to Councilor Marchese the Sponsor, but the Councilor was not present.

The members were all in agreement that there was no need to add a new rule because current rules relating to in-depth subject matters gave the President the authority to stop debate and request a motion to refer to the appropriate committee if it appeared there would be a prolonged discussion. Councilor Capone remarked that he didn't want to see any new business stifled if action could be taken upon introduction.

The Committee voted: To report back to the City Council with a recommendation to refer back to Sponsor.

Respectfully Submitted,

John W. Burley
Clerk of Committees

The Committee on Legislative Affairs & Elections met on Thursday, January 24, 2019.

Members present were Councilor Fred Capone, presiding, Councilors Rosa DiFlorio, Anthony DiPierro and Richard Dell Isola, as ex-officio.

Member absent was Councilor Michael McLaughlin.

Communication received from Councilor McLaughlin that he would be unable to attend due to a prior commitment.

The Committee considered an Ordinance offered by Councilor Richard Dell Isola, as President : That an Ordinance for a commercial passenger vessel license for business located inside the City of Everett be established.

City Clerk Sergio Cornelio and City Clerk Consultant David Flood were also present.

Mr. Cornelio provided the Committee with a copy of the proposal noting that Mr. Flood wrote the Ordinance from scratch utilizing similar language from the taxi and livery license Ordinances. Mr. Cornelio explained that the reason for this new proposal was because Encore Hotel and Casino would be operating water taxis in Everett waterways/docks and he felt it necessary that the City protect itself by licensing the drivers/vessels and that insurance be provided for this type of operation. He noted that City Solicitor Colleen Mejia had reviewed the document and recommended some changes which they did. Councilor Capone suggested that the Committee take some time to review the proposal so that it could be referred out of Committee at the next meeting.

The Committee voted: To grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees