



AGENDA PACKET

**REGULAR MEETING OF THE CITY COUNCIL
MONDAY, APRIL 25, 2022 7:00 PM**

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

MONDAY, APRIL 25, 2022 7:00 PM

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. C0213-22 Public Hearing/s/ Councilor John F. Hanlon, as President

A petition from National Grid and Verizon requesting a grant of location as well as permission to erect and maintain poles and wires in accordance with Plan # 30546042 Garland Street

2. C0214-22 Public Hearing/s/ Councilor John F. Hanlon, as President

A petition from National Grid and Verizon requesting a grant of location as well as permission to erect and maintain poles and wires in accordance with Plan # 30531560 - Spring Street

PUBLIC PARTICIPATION

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

COMMUNICATIONS FROM HIS HONOR THE MAYOR

3. C0220-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the appointment of the following individuals to the Everett Fire Department:

Brian Ramunno, Michael Doyon, Jessie King, Jonathan Menendez, Patrick Neary, Ian Tweeddale

4. C0221-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the re-appointment of Jon Norton to the

Conservation Commission for a term of three years expiring April 1st, 2025

5. C0222-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the re-appointment of Rita Hashem to the Conservation Commission for a term of three years expiring April 1st, 2025

6. C0223-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the re-appointment of Maeve Kernan to the Conservation Commission for a term of two years expiring April 1st, 2024

7. C0224-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the re-appointment of Eamon Kernan to the Conservation Commission for a term of two years expiring April 1st, 2024

8. C0225-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending confirmation of the re-appointment of Daryl Colson to the Conservation Commission for a term of one year expiring April 1st, 2023

9. C0226-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending the acceptance of ARPA funds in the amount of \$300,000, through the Massachusetts Department of Public Health, Bureau of Substance Addiction Services.

PETITIONS AND LICENSES

10. C0208-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting the renewal of an open air parking license for A.G. Quealy Towing at 54 Robin Street

11. C0209-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting the renewal of an open air parking license for A. G. Quealy Towing at 26 Garvey Street

12. C0210-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting the renewal of the following licenses for Art Gold Jewelry Inc. at 159 Main Street: second-hand dealer's, antiques and precious metals

13. C0216-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting the renewal of a open air parking license for Paul's Towing at 3 Buell Street

14. C0218-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting a new mechanical repair license for Everett Auto Transmission Service Inc. at 556 Ferry Street.

COMMITTEE REPORTS

15. C0156-22 Resolution/s/ Councilor Stephanie Martins

That the Planning Director/Administration appear at the next GOPS committee meeting to discuss the process for holding developers accountable for the affordable units that they commit to.

16. C0109-22 Order/s/ Councilor Stephanie V. Smith

That the City Council reviews and updates the Legislative Code of the City Council

UNFINISHED BUSINESS

17. C0081-22 Ordinance/s/ Councilor Stephanie V. Smith, Councilor Stephanie Martins, Councilor Jimmy Le, Councilor Wayne A. Matewsky

An ordinance revising Section 7-163 (Salaries – Amounts for mayor, city council and school committee)

18. C0084-22 Resolution/s/ Councilor Michael K. Marchese

That the Everett City Council hereby recommends a two-year moratorium be placed on demolishing buildings that are 100 years or older, so that the City and through its Historical Commission can access and create an ordinance establishing authority for issuing requirements on demolishing buildings by the Historical Commission of Everett.

19. C0089-22 Ordinance/s/ Councilor Anthony DiPierro

An ordinance pursuant to the implementation of a city-wide 25 MPH speed limit in the City of Everett on any road that is not a state highway.

20. C0169-22 Resolution/s/ Councilor Vivian Nguyen, Councilor Irene M. Cardillo, Councilor Stephanie Martins

A resolution requesting that the administration provide information on the current resources available to address homelessness in the City of Everett.

21. C0193-22 Resolution/s/ Councilor Richard J. Dell Isola, Jr.

That the City Services Department update the Council at the next regularly scheduled meeting on the repairing of potholes throughout the City.

22. C0198-22 Resolution/s/ Councilor Stephanie Martins

That a representative from the Planning Department appear at the next meeting to discuss current Climate Mitigation projects that focus on clean energy.

23. C0199-22 Resolution/s/ Councilor Stephanie Martins

That the administration provide an update on the action items following the completion of the Digital Divide Study by the MAPC.

24. C0201-22 Ordinance/s/ Councilor Anthony DiPierro

An ordinance placing a restriction on the sale of catalytic converters to precious

NEW BUSINESS

- 25. C0205-22** Resolution/s/ Councilor Richard J. Dell Isola, Jr., Stephanie Martins, Anthony DiPierro

That the City implement closed-captioning for City Council Meetings.

- 26. C0206-22** Resolution/s/ Councilor Richard J. Dell Isola, Jr.

That the Administration and the Fire Department consider swearing in the nineteen new members of the EFD at an upcoming meeting of the City Council.

- 27. C0207-22** Resolution/s/ Councilor Stephanie Martins

That the Administration/Inspectional Services/Clerk's Office provide an update on the implementation of the Plastic Bag Ban set to take effect in April.

- 28. C0211-22** Ordinance/s/ Councilor Stephanie V. Smith

An ordinance addressing vacancies in the offices of the City Clerk and Assistant City Clerk

- 29. C0212-22** Resolution/s/ Councilor Stephanie V. Smith

A resolution requesting that a square be dedicated in honor of Everett resident & US Army Corporal Robert Colameta. Location of Spruce St at Madison Avenue.

- 30. C0215-22** Resolution/s/ Councilor Wayne A. Matewsky

That the Traffic Commission look at the intersection of Plumer, Revere, & Chelsea St in the interest of public safety.

- 31. C0217-22** Resolution/s/ Councilor Stephanie Martins

That the administration share what the process is for local organizations to apply for CDBG funds through the city

- 32. C0219-22** Resolution/s/ Councilor Alfred J. Lattanzi, Councilor Vivian Nguyen

That the Everett Police Department investigate the recent graffiti tags around the City.

- 33. C0227-22** Resolution/s/ Councilor Michael K. Marchese

That the Mayor, City Solicitor, Chief Financial Officer, & City Clerk appear at the next meeting to discuss the \$180,000 overpayment on longevity to His Honor the Mayor.

ADJOURNMENT

www.cityofeverett.com

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

Michael J. Mangan

Legislative Aide
Everett City Council Office



C0213-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition from National Grid and Verizon requesting a grant of location as well as permission to erect and maintain poles and wires in accordance with Plan # 30546042 Garland Street

Background and Explanation:

Attachments:

Questions contact – Abdelwahed Nabat 781-795-5733

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Everett, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Garland St - National Grid to relocate 1 JO Pole on Garland St beginning at a point approximately 229 feet southeast of the centerline of the intersection of Bellview Ave and Garland St and continuing approximately 12 feet in a southeast direction. Relocate JO Pole #2817, 25ft +/- northwest from its current location to provide entrance clearance to 103 Garland St.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Garland St - Everett – Massachusetts.

No.# 30546042 April 21, 2022

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Everett, Massachusetts

Notice having been given and public hearing held, as provided by law,

IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 1st day of March, 2022. Plan # 30546042.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Garland St - Everett – Massachusetts.

April 21, 2022. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Garland St - National Grid to relocate 1 JO Pole on Garland St beginning at a point approximately 229 feet southeast of the centerline of the intersection of Bellview Ave and Garland St and continuing approximately 12 feet in a southeast direction. Relocate JO Pole #2817, 25ft +/- northwest from its current location to provide entrance clearance to 103 Garland St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

Massachusetts City/Town Clerk.
20 ____.

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and
that we mailed at least seven days before said hearing a written notice of the time and place of said
hearing to each of the owners of real estate (as determined by the last preceding assessment for
taxation) along the ways or parts of ways upon which the Company is permitted to erect
poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of _____
Massachusetts, on the _____ day of _____ 20____, and recorded with the
records of location orders of the said City, Book _____, Page _____. This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:
City/Town Clerk



C0214-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition from National Grid and Verizon requesting a grant of location as well as permission to erect and maintain poles and wires in accordance with Plan # 30531560 - Spring Street

Background and Explanation:

Attachments:

Questions contact – Abdelwahed Nabat 781-795-5733

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Everett, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Spring St - National Grid to relocate 1 JO Pole on Spring St beginning at a point approximately 245 feet southwest of the centerline of the intersection of Spring St and 2nd St and continuing approximately 20 feet in a west direction. Relocate JO Pole #163, 16ft +/- northeast of current location to provide clearance for new building at 45 Garvey St.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Spring St - Everett – Massachusetts.

No.# 30531560 April 21, 2022

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Everett, Massachusetts

Notice having been given and public hearing held, as provided by law,

IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 9th day of March, 2022. Plan # 30531560.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Spring St - Everett – Massachusetts.

April 21, 2022. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Spring St - National Grid to relocate 1 JO Pole on Spring St beginning at a point approximately 245 feet southwest of the centerline of the intersection of Spring St and 2nd St and continuing approximately 20 feet in a west direction. Relocate JO Pole #163, 16ft +/- northeast of current location to provide clearance for new building at 45 Garvey St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

Massachusetts City/Town Clerk.
20 ____.

Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and
that we mailed at least seven days before said hearing a written notice of the time and place of said
hearing to each of the owners of real estate (as determined by the last preceding assessment for
taxation) along the ways or parts of ways upon which the Company is permitted to erect
poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of _____
Massachusetts, on the _____ day of _____ 20____, and recorded with the
records of location orders of the said City, Book _____, Page _____. This certified copy
is made under the provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest:
City/Town Clerk



C0220-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the appointment of the following individuals to the Everett Fire Department:

Brian Ramunno, Michael Doyon, Jessie King, Jonathan Menendez, Patrick Neary, Ian Tweeddale

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby submit for your confirmation, an order appointing the following individuals to the Everett Fire Department:

Brian Ramunno
Michael Doyon
Jessie King
Jonathan Mendez
Patrick Neary
Ian Tweeddale

Thank you for your favorable consideration of this matter.

Respectfully submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it
Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows:

Appointment of:

Brian Ramunno
Michael Doyon
Jessie King
Jonathan Mendez
Patrick Neary
Ian Tweeddale

to the Everett Fire Department.



C0221-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the re-appointment of Jon Norton to the Conservation Commission for a term of three years expiring April 1st, 2025

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Jon Norton to the Conservation Commission for a term of Three (3) years expiring April 1, 2025.

Thank you for you favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it
Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows: I hereby submit for your approval the re-
appointment of Jon Norton to the Conservation Commission
for a term of Three (3) years expiring April 1, 2025.



C0222-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the re-appointment of Rita Hashem to the Conservation Commission for a term of three years expiring April 1st, 2025

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Rita Hashem to the Conservation Commission for a term of Three (3) years expiring April 1, 2025.

Thank you for you favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it

Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows: I hereby submit for your approval the re-
appointment of Rita Hashem to the Conservation Commission
for a term of Three (3) years expiring April 1, 2025.



C0223-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the re-appointment of Maeve Kernan to the Conservation Commission for a term of two years expiring April 1st, 2024

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617) 381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Maeve Kernan to the Conservation Commission for a term of Two (2) years expiring April 1, 2024.

Thank you for you favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it

Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows: I hereby submit for your approval the re-
appointment of Maeve Kernan to the Conservation Commission
for a term of Two (2) years expiring April 1, 2024.



C0224-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the re-appointment of Eamon Kernan to the Conservation Commission for a term of three years expiring April 1st, 2024

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Eamon Kernan to the Conservation Commission for a term of Two (2) years expiring April 1, 2024.

Thank you for you favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it

Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows: I hereby submit for your approval the re-
appointment of Eamon Kernan to the Conservation Commission
for a term of Two (2) years expiring April 1, 2024.



C0225-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

An order recommending confirmation of the re-appointment of Daryl Colson to the Conservation Commission for a term of one year expiring April 1st, 2023

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Daryl Colson to the Conservation Commission for a term of One (1) year expiring April 1, 2023.

Thank you for you favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



April 20, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number: Be it

Bill Type: Order Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,
as follows: I hereby submit for your approval the re-
appointment of Daryl Colson to the Conservation Commission
for a term of One (1) year expiring April 1, 2023.



C0226-22

To: Mayor and City Council

From: Councilor John F. Hanlon

Date: April 25, 2022

Agenda Item:

An order requesting the acceptance of ARPA funds in the amount of \$300,000, through the Massachusetts Department of Public Health, Bureau of Substance Addiction Services.

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

April 20, 2022

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept \$300,000 in federal funding from the American Rescue Plan Act (ARPA) through the Massachusetts Department of Public Health, Bureau of Substance Addiction Services.

I would like to extend the City's sincere appreciation to Senator DiDomenico and Representative McGonagle for advocating successfully for this funding to be legislatively earmarked as part of the General Court's efforts to distribute the Commonwealth's share of federal ARPA funds.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor



March 31, 2022

City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor John Hanlon, as President

Bill Number:
Bill Type: Order

Be it
Ordered: BY THE CITY COUNCIL OF THE CITY OF
EVERETT,

ORDERED:
to accept \$300,000 in federal funding from the
Commonwealth's American Rescue Plan Act (ARPA)
funds through an agreement with the Massachusetts
Department of Public Health, Bureau of Substance
Addiction Services.



C0208-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition requesting the renewal of a open air parking license for A.G. Quealy Towing at 54 Robin Street

Background and Explanation:

Attachments:



C0209-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition requesting the renewal of a open air parking license for A. G. Quealy Towing at 26 Garvey Street

Background and Explanation:

Attachments:



C0210-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition requesting the renewal of a second hand dealer's , antique, precious metals license for Art Gold Jewelry INC. at 159 Main Street

Background and Explanation:

Attachments:



C0216-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition requesting the renewal of a open air parking license for Paul's Towing at 3 Buell Street

Background and Explanation:

Attachments:



C0218-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: April 25, 2022

Agenda Item:

A petition requesting a new mechanical repair license for Everett Auto Transmission Service Inc. at 556 Ferry Street.

Background and Explanation:

Attachments:



C0156-22

To: Mayor and City Council

From: Councilor Stephanie Martins

Date: March 28, 2022

Agenda Item:

That the Planning Director/Administration appear at the next GOPS committee meeting to discuss the process for holding developers accountable for the affordable units that they commit to.

Background and Explanation:

Attachments:

1.

#1 - C0156-22

Government Operations, Public Safety & Public Service Committee
April 14, 2022

The Committee on Government Operations, Public Safety & Public Service met on Thursday, April 14, 2022 at 6pm in City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Richard DellIsola, presiding and Councilors Irene Cardillo and Stephanie Smith.

Member absent was Councilor Jimmy Le.

The Committee considered a Resolution offered by Councilor Stephanie Martins: That the Planning Director/Administration appear at this meeting to discuss the process for holding developers accountable for the affordable units that they commit to.

Mayor's Chief of Staff Erin Deveney and Council Sponsor Stephanie Martins were also present.

Councilor Martins referenced the current residential developments that were taking place within the City and inquired to how the City was keeping track of those developments over 10 units that are required to provide affordable units after they had obtained the appropriate approvals from the Planning Board and Board of Appeals. She asked if this was something the Director of Housing would do once the position was filled. Ms. Deveney responded that the affordability of housing was part of Mayor's perspective insuring that Developers know about the inclusionary zoning provisions of the City. She noted that several departments would be working together with these many projects when units become available for occupancy and final occupancy permits are to be issued. She stated that some ways to make the public aware of affordable units becoming available could be through a lottery process as was done by the St. Theresa's Developer or through ECTV or even 311. She announced that the position for the Affordable Housing Coordinator was expected to be filled by the end of April. Councilor Smith asked how do we make sure that these Developers are complying in providing the affordable units that they are required or is this something the new Housing Coordinator would do. Ms. Deveney explained that this was the obligation of the property owner however the City would still be proactive and do its due diligence by having the Building Department, Inspectional Services along with the new Housing Coordinator insuring this gets done. Councilor Cardillo suggested that the Developers find ways to share information on when affordable units are available for occupancy. Ms. Deveney responded that the City could ask the Developers but that it was not required. Chairman Dell Isola asked who picks the location of these affordable units within the building. Ms. Deveney stated that she was not sure but would speak to Planning and provide an answer. Councilor Cardillo mentioned including Veterans preference and Ms. Deveney mentioned that the City was looking to convert the former Pope John High School into residential units which would include Veteran preference. Councilor Martins expressed concern that it could be a

complicated process for small developments to comply and complete the necessary paperwork thus avoiding to comply all together. She suggested using the new Housing coordinator as well as contracting with Metro West Collaborative to insure that all Developers are complying with providing their required affordable units. Ms. Deveney informed the Committee that she would provide a list of the projects and the number of affordable units required for each project noting that the Developers understand the terms and conditions in providing these units and agreed to share updates when units become available. Chairman Dell Isola asked if the 600 project would be doing a lotter and Ms. Deveney noted that they had a website that referenced the affordable units. Chairman Dell Isola stated that he would be happy to announce at future meetings those affordable units that were becoming available for occupancy.

The Committee voted: To report back to the City Council with a recommendation to refer to the Mayor with a request to provide a list of which developments require inclusionary zoning and number of units to be provided and what the plan for enforcement would be from the City once these units were available for occupancy.

Respectfully Submitted,

John W. Burley
Clerk of Committees



City of
Everett
Massachusetts

C0109-22

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: February 28, 2022

Agenda Item:

That the City Council reviews and updates the Legislative Code of the City Council

Background and Explanation:

Attachments:

1.



CITY COUNCILNo. C03561-18

IN THE YEAR TWO THOUSAND AND SEVENTEEN

**AN ORDER TO AMEND THE LEGISLATIVE CODE FOR THE EVERETT CITY COUNCIL AND
THEIR OFFICERS**

/s/Fred Capone

Be it ordered: By the City Council of the City of Everett, Massachusetts, as follows:

That the Everett City Council hereby accepts the following amendments to the
Legislative Code of the City of Everett City Council and City Council officers.

December 26, 2018

Passed in the City Council

11 yeas: 0 nays

A true copy attest



Sergio Cornelio, City Clerk

Legislative Code of the City Council

Preamble:

Whereas: The Legislative Code for the City Council is to be used by the Everett City Council for their operation and management of their department and employees, and

Whereas: This Code may be amended or deleted in whole or in part by a two thirds vote of the entire membership of the City Council, therefore

The City Council of the City of Everett shall hereby create a legislative code to be used for all officers/employees and members of the City Council as herein provided.

1. Officers

A. The City Council shall employ no less than 4 persons, as per charter, ordinances and this Code unless the City Council chooses to add employees per their authority. The Officers of the City Council also known as (employees) are as follows:

1. City Clerk/Clerk of the City Council
2. Assistant City Clerk/Messenger
3. Clerk of Committees
4. Legislative Aide
5. Part-Time employee (PTE) as desired

2. Appointments

A. The City Clerk/Clerk of the City Council, Assistant City Clerk/Messenger and the Clerk of Committees shall be appointed by Charter, Ordinance and Council Rules. The Legislative Aid shall be appointed as follows:

- (i) Upon vacancy of the Legislative Aide for the Office of the City Council, the City Council shall use the appointment process

prescribed in Rule 2 of the City Council Rules. Anyone so appointed shall serve at the will of the City Council and perform all such tasks as assigned by the City Council and City Clerk.

3. Duties of Employees

- A. The City Clerk shall have all duties prescribed to him by Charter, Ordinances and State Law and all such lawful tasks as assigned by the City Council. The City Clerk shall in the absence of the President of the City Council or by order of the President delegate work to all officers of the City Council with respect to their duties and sign off on all purchases and payroll as necessary. The City Clerk may fill in for the Clerk of Committees at Committee meetings and/or Works Sessions and shall be paid a per diem amount of the Clerk of Committees, paid through the City Council personal services account.
- B. The Assistant City Clerk shall perform all duties prescribed to him by Charter, Ordinances and State Law. The Assistant City Clerk shall answer directly to the City Clerk and the President of the City Council. He shall fill in for the Clerk of the City Council when he is absent and shall be paid accordingly for his time by the City Council based on a per diem amount of the City Clerk, paid through the City Council personal services account.
- C. The Clerk of Committees shall perform all duties by Charter, Ordinances and City Council Rules. He shall work with the City Clerk and Legislative Aide on all laws, regulations and other legislative work, prescribed by the City Council or City Clerk.
- D. The Legislative Aide shall perform all duties prescribed in this Code or City Council Rules. The Legislative Aide will assist the President of the City Council and all members of the City Council, City Clerk and Clerk of Committees.
 - 1. Under general supervision of the President of the City Council or his designee, the Legislative Aide shall serve the Everett City Council/Legislative Branch under the general

direction of eleven members of City Council, Clerk of Committees, and Clerk of the City Council. The Legislative Aide shall be proficient in Microsoft office and have the ability to learn new municipal programs and software.

2. Shall perform varied and designated duties requiring continuing knowledge of municipal operations and the exercise of some judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.
3. Provide assistance to the City Council Department and its members including, but not limited to, scheduling of appointments, committee meetings and regular meetings, neighborhood meetings, responsible for minutes of agendas, maintenance of agendas, typing of correspondence, filing and maintenance of filing system and taking over Clerk of Committees duties in his absence, taking notes and reports at committee meetings, as well as, the set-up of meetings and dates and posting notices. Create flyers, petitions and citations upon request.
4. Receive and screen calls and visitors; open, review and distribute department mail; through these procedures and regular communications with the department, maintain broad current knowledge of significant departmental issues and activities in order to serve as liaison between city council and other city and state officials, members of the public, etc. Maintain full confidentiality with respect to departmental and municipal operation except as required by the Freedom of Information Act. Provide research for City Council, other City Departments and inquiries from public, on matters regarding the City Council.

5. Performs aspects of the department's administrative, clerical and financial operations, such as assisting with the preparation of financial reports and budgets, assist with and support legal procedural interpretations, and support City Council members initiating legislation, and other such activities with potential impact on the City Councils overall operations, City Charter and Revised Ordinances of the City of Everett.
6. Assist in preparing and submitting City Council appropriation request (budget) to pay all salaries and expenses of the City Council, as approved by the City Council President or his designee.
7. Process department weekly and monthly payrolls, purchasing and ordering supplies, personnel and accounts payable documents, with responsibility to related filing of such documents, and monitoring of the office budget.

4. Confidentiality

All city Council officers shall maintain the strict confidentiality of all City Council matters, to the fullest extent permitted by law and should refrain from publicly discussing matters that may embarrass members of the City Council and its officers.

5. Compensation

- A. Increases for salaries and stipends of the City Council Officers shall be determined by a 2/3 vote of the City Council when it is above the total amount set in the Salaries line item for that department. All increases shall be allowed, following the 2/3 vote of the Council, once the President or City Clerk has signed an add change

form with current and new salaries and the City Auditor or Budget Director have signed the add change to inform the Council that sufficient funds exist in the Salaries account of the City Council or City Clerk's Office salary or stipend accounts. If the Auditor or Budget Director does not sign the add change form that there is or isn't enough funds within 10 days of receipt of an add change form provided by the City Council President, and the President states that sufficient funds exist in the account, the Salary shall be amended as requested and it will be ordered that the City pay the Salary as Ordered by the Council. The City Council President shall create an add change form that shall be used for all changes to salaries and positions under the control of the City Council. Any Salary increases above the amounts set in this code shall be voted on and passed by a two thirds (2/3) vote of the City Council.

B. There shall be a Salary Range for each City Council Officer, named below, and the full Salary Range shall be kept on file in the City Clerk's Office. This range shall change yearly, with the cola increases, in conjunction with other non-union employees of the City of Everett, and the amended versions will be available in the City Clerk's office.

1. City Clerk (CC1-CC5)
2. Assistant City Clerk (ACC1-ACC5)
3. Clerk of Committees (COC1-COC5)
4. Legislative Aide (LA1-LA5)
5. CCC Clerk of the City Council
6. Part Time Officer (s)

(i)Part time officer(s) as determined by the City Council shall work no more than 19.5 hours per week at a salary determined by the City Council. Part time officers may be temporary or seasonal in nature and not be represented by a collective bargaining unit.

C. There shall be Cola, (Cost of living allowances) for all officers of the City Council, salaries and stipends, in conjunction with other non-union employees of the City of Everett. The Cola allowance shall be 2.5% for the City Clerk and 2% for the Assistant City Clerk and Legislative Aide, Annually, which will be effective on July 1st of each year. The Clerk of Committees shall also receive a 2.5% Cola allowance biennially, beginning on July 1st 2018 and continuing each even year going forward on July 1st. These Cola increases shall not affect any other increases for increase of duties or other situations, such as reclassification, where the City Council may increase the Salary and stipends of Council officers in excess of the 2.5% Cola.

D. There shall be longevity given for all full-time officers of the City Council who have a minimum of 10 years of service. Full-time officers are any officer of the City Council who is required to work 30 or more hours per week.

1. With the completion of ten years of service a full-time officer, shall receive one thousand dollars in additional compensation, on their anniversary date. Thereafter, the annual rate of longevity compensation shall be increased by an additional one hundred dollars at the completion of each year of service through the Twenty-Ninth year of service, paid on the officer's anniversary date, yearly.

2. Beginning with the Thirtieth year of service and thereafter, the annual rate of compensation shall be increased by an additional two hundred dollars at the completion of each year of service through the Fortieth year of service, to be paid on the officer's anniversary date, yearly.

3. The words "years of service", as used herein shall mean total years of service as a member of the City of Everett and/or the Commonwealth of Massachusetts Contributory Retirement System.

E. Vacation Time

1. There shall be vacation given to all full-time officers of the City Council. Full-time officers shall mean any employee of the City Council, not represented by collective bargaining unit, who is required to work 30 hours or more per week. Vacation shall be accrued by consecutive years of service. The words “years of service”, as used herein shall mean the total years of service as a member of the City of Everett and/or the Commonwealth of Massachusetts Contributory Retirement System. The City Council shall use the following incremental chart below to calculate the number of weeks of vacation an officer shall receive, unless the President of the City Council agrees to more vacation time, but in no case shall an officer receive more than 6 weeks of vacation time per year excluding carry over time from year to year, which is unlimited. All unused vacation time shall be paid to the City Council Officer at the time of separation from employment with the City.

a.	1-4 years as of anniversary date	2 weeks of vacation
b.	5-9 years as of anniversary date	3 weeks of vacation
c.	10-19 years as of anniversary date	4 weeks of vacation
d.	20-29 years as of anniversary date	5 weeks of vacation
e.	30+ years as of anniversary date	6 weeks of vacation

F. Sick Time

1. Every Full time officer shall be granted twelve (12) days of sick leave for a total of eighty-four (84) hours annually without the loss of pay, for absences caused by illness or injury. Full-time officers shall mean any full time employee of the City Council, not represented by a collective

bargaining unit, who is required to work 30 or more hours per week.

2. Full-time officers, who are eligible, shall be granted twelve (12) days for a total of eighty-four (84) hour of sick leave at the beginning of the calendar year (prorated for those who commence employment after January). Employees who call out sick or use sick time shall be charged actual hours of time used, not as days.
 - a. Officers should notify their Department at-least one hour prior to the start of their shift of any absence of work due to illness or injury.
 - b. Officers shall not carry over more than One Hundred Fifty days of sick time unless approved from the Department Head. Officers who, beginning any calendar year who have earned unused sick leave and personal days in excess of the One Hundred Fifty (150) day maximum accumulation will, at the employees option, be paid for such sick leave days in excess of One Hundred Fifty (150) at the rate of One-Third ($\frac{1}{3}$) of the hourly value of said employees pay, (based on 35 hours per week) for each sick leave/personal day.
 - c. At the time of separation from employment with the City of Everett, a full-time officer shall receive a one-time payment for One Third ($\frac{1}{3}$) unused sick leave/personal days at the pay rate at the time of separation from the City for said employee.

G. Personal Time

1. All full-time officers of the City Council shall be entitled to (3) days for a total of 24 hours of personal leave annually at the beginning of the Calendar year. Personal leave shall not be taken in increments of less than 1 hour.
2. Any unused personal time at the end of the calendar year will not be allowed to accumulate as personal days. However,

any unused personal days remaining unused at the end of the calendar year will be converted to unused sick leave.

H. Removal of City Council Officer:

1. Unless otherwise stated in M.G.L., Charter or Ordinance the City Council may remove, terminate or demote any employee under their direction and control. The City Council has sole authority in removing, terminating or demoting any of their employees from their position. The City Council may remove, terminate or demote an officer for just cause.

Examples of just cause may include but are not limited to: misconduct of an employee, or some other event relevant to the officer, which justifies the termination, removal or demotion of the officer.

Examples of just cause are but not limited to:

1. Insubordination.
 2. Dereliction or maleficence of duty.
 3. Conviction of any felony.
 4. Inability to perform the essential functions of the job.
 5. Unsatisfactory job performance
- A. After being brought to the City Council's attention in writing the City Council shall hold, in executive session, a meeting within 7-14 days, in the Legislative Affairs & Elections Committee to discuss the reputation, character, or abilities of the officer, or to discuss the discipline or dismissal of, or complaints or charges brought against, any officer under the control and direction of the City Council, excluding union employees. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48

hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties.

- B. The session may be extended to a later date if the committee feels that justice so requires but in no event shall the matter be extended for more than thirty (30) days. This procedure is designed to protect the rights and reputation of individuals. An executive session called for this purpose may trigger certain rights for the individual who is the subject of the discussion. The individual has the right to be present, though he or she may choose not to attend. The individual who is the subject of the discussion may also choose to have the discussion in an open meeting, and that choice takes precedence over the right of the public body to go into executive session. The individual may also have one representative attend the executive session to enable them to refute the individual claim or charge or to defend their position.
- C. Within 72 hours of the final meeting, after the Legislative Affairs Committee, the committee's decision on that matter, the decision, based on their findings, shall be sent to the employee, all members of the City Council and the Human Resources Department. After such notice is sent, the President shall call a special meeting within 14 days to address this item. To remove an officer it will require a two-thirds majority of the Entire City Council.
- D. Unless proscribed by statute, charter or ordinance, Progressive discipline of a City Council Officer may be used when appropriate. Progressive discipline may include the following:

Verbal warning: All verbal warnings must be noted and placed in the officer's personnel file.

Written warning: All written warnings must be in writing and placed in the officer's personnel file.

Suspension: All suspensions must be in writing and placed in the officer's personnel file.

Termination: All terminations must be in writing and placed in the officer's personnel file.

Any officer, who so wishes, may place in his or her personnel file anything that, refutes any discipline taken against him or her, within 45 days. All personnel files must be handled in a manner proscribed by law.

6. Reappointment of City Council Officer(s):

Six months prior to the expiration of the term of office for an appointed officer of the city council; the city council may reappoint the officer after a recommendation from the Committee on Legislative Affairs. If the Committee chooses to recommend re-appointment the re-appointment shall take place after a majority of the entire City Council votes favorably on the recommendation. The re-appointment shall be made at the closest formal meeting, of the City Council, to the end of the officer's term.

7. Officers and City Councilors Dress Code

- a. The dress code for all employees of the City Council shall be business formal at meetings of the City Council.
Business Casual at Council Committees and casual dress

at committee works sessions. In the office a minimum attire of business casual shall be maintained unless working in archives or a special event which allows City Hall staff to dress in jeans or less formal wear, but never shall an employee dress in anything but formal wear at meetings of the City Council.

- b. City Council members' Dress Code shall be as follows:
 - 1. Regular and special meetings of the Council: Business Formal attire
 - 2. Committee meetings: Business Casual attire
 - 3. Committee works sessions: Casual attire
 - 4. Inaugural: Black Tie

I. Rules of Conduct

- 1. In recognition that the position of city council member is a matter of public trust; and that in such capacity, city council members are the virtual face of the City of Everett, and notwithstanding or waiving the fundamental Constitutional right to free speech and expression, we acknowledge that public comments and/or actions made by individual city council members may affect the reputation of the entire city council membership, the reputation of the City of Everett, and the reputation of the residents of Everett, and therefor hold ourselves to the following standards:
 - a. Members of the city council and its employees should always conduct themselves with proper decorum when in public
 - b. Members of the city council and its employees should always treat others with the appropriate level of respect and courtesy

- c. Members of the city council and its employees should refrain from making any derogatory or demeaning comments or statements about others based on creed, faith, national origin, sexual orientation, physical or mental disabilities or family heritage.

Postings or entries made by any member via social media outlets shall constitute public comments that are subject to this rule.

J. Severability

- 1. This Code, as amended from time to time, shall be fully enforced by the City Council and or the President of the City Council. All provisions are to be presumed to be lawful. If this Code shall be declared unconstitutional or unlawful, only so much of the provision as is necessary to ensure compliance shall be stricken and the balance of the Code shall remain intact and fully enforceable.

8. Acknowledgement

- A. All Officers of the City Council shall be given a copy of this Legislative Code on their first day of employment and sign last page acknowledging they received a copy of the Legislative Code. The signed acknowledgement shall be given to the City Clerk or Assistant City Clerk and shall be filed permanently in the City Clerk's office.

Legislative Code Acknowledgement sign off sheet

I, _____, an employee of the Everett City Council,
(First and last name)
hereby acknowledge that I received a copy of the Legislative Code of the City of
Everett City Council, adopted December 11, 2017 and amended on December
26, 2018.

Date:

Signature:



OFFICE OF THE CITY COUNCIL

484 BROADWAY

EVERETT, MA. 02149

617-394-2237

SALARY RANGE FOR EXEMPTED CITY COUNCIL OFFICERS

(All Salaries and Stipends (even ones not included in this code but are received by City Council Officers) are not including the 2.5% cola increases to be added, beginning July 1st, 2018 as proscribed in the legislative code)

	1	2	3	4	5
City Clerk	\$102,190	\$105,546	\$108,980	\$110,590	\$113,850

Assistant City Clerk	\$75,734-\$89,097 Salary Range
Legislative Aide	\$51,250-\$61,500 Salary Range
Clerk of Committees	Salary may be changed to reflect the same amount as a City Councilor Stipend at the separation from the City of the current Clerk of Committees
Part Time(as needed)	\$20.00-\$25.50 per hour: Hourly Range
Clerk of Council	\$14,000

#7-C0109-22

Legislative Affairs & Election Committee
March 14, 2022

The Committee on Legislative Affairs & Elections met on Monday, March 14, 2022 at 6pm in the Everett High School Library.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Alfred Lattanzi, Stephanie Smith and Anthony DiPierro.

The Committee considered an Order offered by Councilor Stephanie Smith: That the City Council reviews and updates the Legislative Code for the City Council.

Councilor Smith requested that Councilor Stephanie Martins be added as a Sponsor. The motion passed unanimously.

Councilor Smith requested that the matter be referred to a Committee work session so more in depth work could be done with a final recommendation to be presented to the Committee at its regular meeting. Chairman Marchese suggested that all members participate in these work session and appointed Councilor Smith to be the Lead person in coordinating these sessions.

The Committee voted: to grant further time in work sessions until a final recommendation is ready to be presented at a regular scheduled Committee meeting.

Respectfully Submitted,

John W. Burley
Clerk of Committees



C0081-22

To: Mayor and City Council

From: Councilor Stephanie V. Smith, Councilor Stephanie Martins, Councilor Jimmy Le, Councilor Wayne A. Matewsky

Date: February 14, 2022

Agenda Item:

An ordinance revising Section 7-163 (Salaries – Amounts for mayor, city council and school committee)

Background and Explanation:

Attachments:

1.

#2-C0081-22

Legislative Affairs & Election Committee
March 14, 2022

The Committee on Legislative Affairs & Elections met on Monday, March 14, 2022 at 6pm in the Everett High School Library.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Alfred Lattanzi, Stephanie Smith and Anthony DiPierro.

The Committee considered a Ordinance offered by Councilors Stephanie Smith, Stephanie Martins, Jimmy Le and Wayne Matewsky: An ordinance revising Section 7-163 (Salaries – Amounts for Mayor, City Council and School Committee.

Councilor Smith explained that the intent was to amend the Ordinance so that it would conform to her proposals to amend the City Charter Chapter 2 Section 3 “City Council Prohibitions” and Chapter 4 Section 3 “School Committee Prohibitions” as it relates to holding other City Office or Position. In addition, Councilor Smith noted that the Ordinance would exclude the Mayor from receiving any such salary for serving on the School Committee in his/her capacity as Mayor. Councilor Smith recommended that the amendments be referred out favorably pending the approval of the Massachusetts Legislature for the proposed Charter changes to Chapter 2 Section 3 and Chapter 4 Section 3. .

The Committee voted: to report back to the City Council with a favorable recommendations on the amendments (attached) pending the approval of the Massachusetts Legislature for the proposed Charter changes to Chapter 2 Section 3 and Chapter 4 Section 3.

Respectfully Submitted,

John W. Burley
Clerk of Committees

An ordinance revising Section 7-163 (Salaries – Amounts for mayor, city council and school committee)

Section 7-163. Amounts for mayor, city council and school committee.

- (a) In conformity with the provisions of Sections 2-4, 3-1 and 4-4 of the Charter, the salaries of the mayor, the city council and the school committee are established by ordinance.
(A0173-12; A0278-13)
- (b) In accordance with the provisions of Chapter 3, Section 1 of the City of Everett Charter, the salary for the position of mayor shall be one hundred eighty-five thousand dollars (\$185,000.00) annually effective January 1, 2020. Thereafter, and on January 1st of each ensuing year, the salary for the position of mayor shall be adjusted by applying the most recently reported three (3) year (calendar year) average of the un-adjusted Consumer Price Index ("CPI"). Said calculation shall be based on applying the aforementioned three (3) year average to the salary in effect as of December 31st of the immediately preceding calendar year.
(A0278-13, C0218-16, C0185-17)
- (c) In accordance with the provision of Chapter 2, Section 4 of the City of Everett Charter, the salary for all members of Everett City Council as eligible under Chapter 2, Section 3 of the City of Everett Home Rule Charter shall be twenty-five thousand dollars (\$25,000.00) annually effective January 1, 2018. All members of the city council shall receive a two percent (2%) increase in the annual salary beginning on the first day of each calendar year ending in an even number effective January 1, 2020.
(A0278-13, C0217-16)

(The following version of sub-section (d) shall remain in effect through December 31, 2021.)

- (d) The members of the school committee shall receive an annual salary of eleven thousand and five hundred dollars (\$11,500.00) to take effect upon the organization of the city government following the 2015 municipal election.
(C0071-15)

(The following version of sub-section (d) shall become effective on January 1, 2022 and shall remain in effect through December 31, 2025)

- (d) School committee members
(C0071-15, C0523-20)

- (1) In accordance with the provision of Article 4, Section 4-4 of the City of Everett Charter, the salary for elected members of Everett School Committee as eligible under Chapter 4, Section 3 of the City of Everett Home Rule Charter shall be twelve thousand and five hundred dollars (\$12,500.00) annually effective January 1, 2022.
- (2) Elected members of the school committee shall receive a two percent (2%) increase in their annual salary beginning on the first day of each calendar year ending in an even number.

- (3) In accordance with section 3-1 (d) of the City of Everett Home Rule Charter,
~~The~~the mayor shall be specifically excluded from receiving any such salary
 and/or increase as the mayor serves on the school committee in his/her capacity
 as mayor.

Charter reference – Article 3, Section 3-1(d)(1) Prohibitions – Other salary or emoluments

(The following version of sub-section (d) shall become effective on January 1, 2026)

(d) School committee members

(C0071-15, C0523-20)

- (1) In accordance with the provision of Article 4, Section 4-4 of the City of Everett Charter, the salary for* elected members of Everett School Committee as eligible under Chapter 4, Section 3 of the City of Everett Home Rule Charter shall be fifteen thousand dollars (\$15,000.00) annually effective January 1, 2026.

(C0523-20)

- (2) Elected members of the school committee shall receive a two percent (2%) increase in their annual salary beginning on the first day of each calendar year ending in an even number.

- (3) In accordance with section 3-1 (d) of the City of Everett Home Rule Charter,
~~the~~the mayor shall be specifically excluded from receiving any such salary
 and/or increase as the mayor serves on the school committee in his/her capacity
 as mayor.

Charter reference – Article 3, Section 3-1(d)(1) Prohibitions – Other salary or emoluments

ENROLLED ORDINANCE

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF
EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.*

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. C0081-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

**AN ORDINANCE REVISING SECTION 7-163 OF THE REVISED ORDINANCES: -
SALARIES – AMOUNTS FOR MAYOR, CITY COUNCIL AND SCHOOL
COMMITTEE**

Councilor /s/ Stephanie V. Smith

Whereas: Charter amendments have been proposed prohibiting city councilors and school committee members from collecting more than one salary from the city by holding other city offices and positions; and

Whereas: In order to bring the city’s ordinances into conformity with these proposed charter changes, changes are needed to the city’s salary ordinance for elected city officials.

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make and amend ordinances:

Be it Ordained by the City Council of the City of Everett, Massachusetts that the Revised Ordinances of the City of Everett, Chapter 7, Section 7-163 Salaries – Amounts for mayor, city council and school committee is hereby amended as follows:

Section 7-163(c) is hereby amended by adding the phrase “as eligible under Chapter 2, Section 3 of the City of Everett Home Rule Charter ” between the words “Council” and “shall”;

Section 7-163(d)(1) (Current version) is hereby amended by adding the phrase “as eligible under Chapter 4, Section 3 of the City of Everett Home Rule Charter ” between the words “Committee” and “shall”;

Section 7-163(d)(3) (Current version) is hereby amended by replacing the word “The” at the beginning of the section with the phrase “In accordance with section 3-1 (d) of the City of Everett Home Rule Charter, the”;

Section 7-163(d)(1) (January 1, 2026 version) is hereby amended by adding the phrase “as eligible under Chapter 4, Section 3 of the City of Everett Home Rule Charter ” between the words “Committee” and “shall”;

Section 7-163(d)(3) (January 1, 2026 version) is hereby amended by replacing the word “The” at the beginning of the section with the phrase “In accordance with section 3-1 (d) of the City of Everett Home Rule Charter, the”;

This ordinance shall take effect upon passage by the City Council, subsequent approval by His Honor the Mayor and concurrently with the approval of the Massachusetts State Legislature and His Honor the Governor of the proposed changes to Chapter 2, Section 3 and Chapter 4, Section 3 of the City of Everett Home Rule Charter.



A true copy attest

A handwritten signature in black ink, reading "Sergio Cornelio".

Sergio Cornelio, City Clerk



CITY COUNCILNo. ~~C0356-18~~ C0109-22

IN THE YEAR TWO THOUSAND ~~AND EIGHTEEN~~ AND TWENTY-TWO

LEGISLATIVE CODE FOR THE EVERETT CITY COUNCIL AND THEIR OFFICERS

/s/ ~~Fred Capone~~ Stephanie V. Smith

Be it ordered: By the City Council of the City of Everett, Massachusetts, as follows:

That the Everett City Council hereby accepts the following amendments to the Legislative Code of the City of Everett City Council and City Council officers.

~~December 26, 2018~~ _____ ~~Passed in the City Council~~

~~11 years: 0 days~~

Legislative Code of the City Council

Preamble:

Whereas: The Legislative Code for the City Council is to be used by the Everett City Council for their operation and management of their department and employees, and

Whereas: This Code may be amended or deleted in whole or in part by a two thirds vote of the entire membership of the City Council, therefore

The City Council of the City of Everett shall hereby create a legislative code to be used for all officers/employees and members of the City Council as herein provided.

1. Officers

- A. The City Council shall employ no less than 4 persons, as per charter, ordinances and this Code unless the City Council chooses to add employees per their authority. The Officers of the City Council as of the implementation of this Code shall be: also known as (employees) are as follows:

- The president of the city council;
- The clerk of committees;
- The city clerk/clerk of the city council;
- The assistant city clerk/messenger; and
- The legislative aid

▲ Charter references

Section 2-2: President;

Section 2-8: Appointments of the city council;

Section 10-5(c): Certain laws recognized and retained with respect to incumbents

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- ~~1. City Clerk/Clerk of the City Council~~
- ~~2. Assistant City Clerk/Messenger~~
- ~~3. Clerk of Committees~~
- ~~4. Legislative Aide~~
- ~~5. Part Time employee (PTE) as desired~~

2. Appointments

A. In addition to the process set forth in this Legislative code,

~~The~~ City Clerk/Clerk of the City Council, Assistant City Clerk/Messenger and the Clerk of Committees shall be appointed in accordance with ~~by~~ Charter, Ordinance and Council Rules-

Charter references

Section 2-8: Appointments of the city council

Revised Ordinances of the City of Everett references

Section 2-61: Election and term of Office, Vacancy (City Clerk)

Section 2-68: Assistant City Clerk

Section 2-69: City Messenger

City Council Rules references

Rule 2

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B. Re-appointment of City Council Officer(s): City Clerk & Assistant City Clerk.

No earlier than three months prior to the expiration of the term of office for the City Clerk or the Assistant City Clerk, the City Council President shall submit an order requesting a confirmation of reappointment of the said City Council Officer. This order shall be referred to the city council committee charged with legislative oversight. If the Committee chooses to recommend re-appointment, the re-appointment shall take place after a majority of the entire City Council votes favorably on the recommendation as per Rule 2 of the City Council Rules. The new term shall not go into effect until the date the current term expires.

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If the majority of the City Council votes unfavorably on the reappointment, the City Council must then then post the upcoming vacancy for the said position per the Revised Ordinance of the City of Everett. Once the posting period has concluded, the city council committee charged with legislative oversight shall convene a working session to review the resumes of applicants to determine candidates for interviews. The council committee charged with legislative oversight shall then schedule interviews with ~~qualified said~~ candidates and report its recommendation to the City Council for filling such vacancy. The majority of the entire City Council must vote favorably on the appointment. The term shall not go into effect until the date the current term ends for the said City Council officer. If a new City Council officer is appointed, the current City Council officer must continue to fulfil the tasks/duties set forth for the position until the term expires. If the current City Council officer is unable or unwilling to perform the duties, the City Council may remove the officer per Section H of the Legislative Code.

Revised Ordinances of the City of Everett references

Section 2-61: Election and term of Office, Vacancy (City Clerk)

Section 2-68: Assistant City Clerk

C. Vacancies in the offices of the City Clerk and Assistant City Clerk

When a vacancy occurs in the office of the City Clerk or the Assistant City Clerk, for reasons other than an unfavorable reappointment, the City Council must follow the process per the Revised Ordinances of the City of Everett and the appointment process per Rule 2 of the City Council Rules.

Revised Ordinances of the City of Everett references:

Section 2-61: Election and term of Office, Vacancy (City Clerk)

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Section 2-68: Assistant City Clerk**Formatted:** Font: 11 pt, Italic, Underline**Formatted:** Indent: Left: 0.75", No bullets or numbering

~~A-D.~~ The Legislative Aid shall be appointed as follows:

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~~(i)~~ Upon vacancy of the Legislative Aide for the Office of the City Council, the City Council shall use the appointment process prescribed in Rule 2 of the City Council Rules. Anyone so appointed shall serve at the will of the City Council and perform all such tasks as assigned by the City Council and City Clerk.

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3. Duties of Employees

- A. The ~~City Clerk~~Clerk of the City Council shall have all duties prescribed to him by Charter, Ordinances and State Law and all such lawful tasks as assigned by the City Council. By order of the President, t~~The City Clerk~~Clerk of the City Council shall ~~in the absence of the President of the City Council or by order of the President~~ delegate work to all officers of the City Council with respect to their ~~duties and sign off on all purchases and payroll as necessary. The duties.~~ The City ClerkClerk of the City Council may fill in for the Clerk of Committees at Committee meetings and/or Works Sessions, ~~and shall be paid a per diem amount of the Clerk of Committees, paid through the City Council personal services account.~~
- B. The ~~Assistant City Clerk~~Messenger shall perform all duties prescribed to him by Charter, Ordinances and State Law. The ~~Assistant City Clerk~~Messenger shall answer directly to the ~~City Clerk~~Clerk of the City Council and the President of the City Council. He shall fill in for the Clerk of the City Council when he is absent, ~~and shall be paid accordingly for his time by the City Council based on a per diem amount of the City Clerk, paid through the City Council personal services account.~~
- C. The Clerk of Committees shall perform all duties by Charter, Ordinances and City Council Rules. He shall work with the ~~City Clerk~~Clerk of the City Council and Legislative Aide on all laws,

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regulations and other legislative work, prescribed by the City Council or ~~City Clerk~~ Clerk of the City Council.

- D. The Legislative Aide shall perform all duties prescribed in this Code or City Council Rules. The Legislative Aide will assist the President of the City Council and all members of the City Council, ~~City Clerk~~ the Clerk of the City Council and the Clerk of Committees.

a) Under general supervision of the President of the City Council or his designee, the Legislative Aide shall serve the Everett City Council/Legislative Branch under the general direction of eleven members of City Council, Clerk of Committees, and Clerk of the City Council. The Legislative Aide shall be proficient in Microsoft office and have the ability to learn new municipal programs and software.

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b) Shall perform varied and designated duties requiring continuing knowledge of municipal operations and the exercise of some judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.

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c) Provide assistance to the City Council Department and its members including, but not limited to, scheduling of appointments, committee meetings and regular meetings, neighborhood meetings, responsible for minutes of agendas, maintenance of agendas, typing of correspondence, filing and maintenance of filing system and taking over Clerk of Committees duties in his absence, taking notes and reports at committee meetings, as well as, the set-up of meetings and dates and posting notices. Create flyers, petitions and citations upon request.

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d) Receive and screen calls and visitors; open, review and distribute department mail; through these procedures and

regular communications with the department, maintain broad current knowledge of significant departmental issues and activities in order to serve as liaison between city council and other city and state officials, members of the public, etc. Maintain full confidentiality with respect to departmental and municipal operation except as required by the Freedom of Information Act. Provide research for City Council, other City Departments and inquiries from public, on matters regarding the City Council.

- e) Performs aspects of the department's administrative, clerical and financial operations, such as assisting with the preparation of financial reports and budgets, assist with and support legal procedural interpretations, and support City Council members initiating legislation, and other such activities with potential impact on the City Councils overall operations, City Charter and Revised Ordinances of the City of Everett.
- f) Assist in preparing and submitting City Council appropriation request (budget) to pay all salaries and expenses of the City Council, as approved by the City Council President or his designee.
- g) Process department weekly and monthly payrolls, purchasing and ordering supplies, personnel and accounts payable documents, with responsibility to related filing of such documents, and monitoring of the office budget.
- h) Prepare quarterly report to President of the City Council or his designee of the budget vs. actuals for each line item in the City Council budget, including stipend requests for Council Officers.

Provide assistance to the City Council Department and its members including, but not limited to, scheduling of appointments, committee

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meetings and regular meetings, neighborhood meetings, responsible for minutes of agendas, maintenance of agendas, typing of correspondence, filing and maintenance of filing system and taking over Clerk of Committees duties in his absence, taking notes and reports at committee meetings, as well as, the set up of meetings and dates and posting notices. Create flyers, petitions and citations upon request.

— Receive and screen calls and visitors; open, review and distribute department mail; through these procedures and regular communications with the department, maintain broad current knowledge of significant departmental issues and activities in order to serve as liaison between city council and other city and state officials, members of the public, etc. Maintain full confidentiality with respect to departmental and municipal operation except as required by the Freedom of Information Act. Provide research for City Council, other City Departments and inquiries from public, on matters regarding the City Council.

— Performs aspects of the department's administrative, clerical and financial operations, such as assisting with the preparation of financial reports and budgets, assist with and support legal procedural interpretations, and support City Council members initiating legislation, and other such activities with potential impact on the City Councils overall operations, City Charter and Revised Ordinances of the City of Everett.

— Assist in preparing and submitting City Council appropriation request (budget) to pay all salaries and expenses of the City Council, as approved by the City Council President or his designee.

— Process department weekly and monthly payrolls, purchasing and ordering supplies, personnel and accounts payable documents,

with responsibility to related filing of such documents, and monitoring of the office budget.

D.E. Any officer of the City Council who is absent for his required duties of clerking a meeting and/or work session shall forfeit his stipend for that meeting at his per diem amount. Another officer of the City Council may fill in for the absent officer and shall be paid accordingly for his time by the City Council based on the per diem amount of the absent officer. The President of the City Council or his designee shall review the stipend requests on a monthly basis prior to each stipend being submitted to payroll.

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1. Under general supervision of the President of the City Council or his designee, the Legislative Aide shall serve the Everett City Council/Legislative Branch under the general direction of eleven members of City Council, Clerk of Committees, and Clerk of the City Council. The Legislative Aide shall be proficient in Microsoft office and have the ability to learn new municipal programs and software.

2.1. Shall perform varied and designated duties requiring continuing knowledge of municipal operations and the exercise of some judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.

3.1. Provide assistance to the City Council Department and its members including, but not limited to, scheduling of appointments, committee meetings and regular meetings, neighborhood meetings, responsible for minutes of agendas, maintenance of agendas, typing of correspondence, filing and maintenance of filing system and taking over Clerk of Committees duties in his absence, taking notes and reports at committee meetings, as well as,

~~the set-up of meetings and dates and posting notices.
Create flyers, petitions and citations upon request.~~

~~4.1. Receive and screen calls and visitors; open, review and distribute department mail; through these procedures and regular communications with the department, maintain broad current knowledge of significant departmental issues and activities in order to serve as liaison between city council and other city and state officials, members of the public, etc. Maintain full confidentiality with respect to departmental and municipal operation except as required by the Freedom of Information Act. Provide research for City Council, other City Departments and inquiries from public, on matters regarding the City Council.~~

~~5.1. Performs aspects of the department's administrative, clerical and financial operations, such as assisting with the preparation of financial reports and budgets, assist with and support legal/procedural interpretations, and support City Council members initiating legislation, and other such activities with potential impact on the City Councils overall operations, City Charter and Revised Ordinances of the City of Everett.~~

~~6.1. Assist in preparing and submitting City Council appropriation request (budget) to pay all salaries and expenses of the City Council, as approved by the City Council President or his designee.~~

~~7. Process department weekly and monthly payrolls, purchasing and ordering supplies, personnel and accounts payable documents, with responsibility to related filing of such documents, and monitoring of the office budget.~~

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4. Confidentiality

All City Council officers shall maintain the strict confidentiality of all City Council matters, to the fullest extent permitted by law and should refrain from publicly discussing matters that may embarrass members of the City Council and its officers.

Violation of this policy may constitute cause for removal of City Officer.

5. Compensation

- A. Increases for salaries and stipends of the City Council Officers shall be determined by a 2/3 vote of the City Council ~~when it is above the total amount set in the Salaries line item for that department.~~

All increases shall be allowed, following the 2/3 vote of the Council, once the President or City Clerk has signed an add/change form with current and new salaries and the City Auditor or Budget Director have signed the add/change form to inform the Council that sufficient funds exist in the Salaries account of the City Council or City Clerk's Office salary or stipend accounts. If the Auditor or Budget Director does not sign the add/change form informing that there is or is ~~not~~ enough funds within 10 days of receipt of ~~an~~ the add/change form provided by the City Council President, and the President states that sufficient funds exist in the account, the Salary shall be amended as requested and it will be ordered that the City pay the Salary as Ordered by the Council. The City Council President shall create an add/change form that shall be used for all changes to salaries and positions under the control of the City Council. Any Salary increases above the amounts set in this code shall be voted on and passed by a two thirds (2/3) vote of the City Council.

- B. There shall be a Salary Range for each City Council Officer, named below, and the full Salary Range shall be kept on file in the City

~~Clerk's Council Office, the City Clerk's Office and the Human Resources Department.~~ This range shall change yearly, ~~with the to account for cola COLA~~ increases, in conjunction with other non-union employees of the City of Everett, and the amended versions will be available in the ~~City Clerk's City Council office Office, City Clerk's Office and the Human Resource Department.~~

1. ~~•~~ City Clerk ~~(CC1-CC5)~~
2. ~~•~~ Assistant City Clerk ~~(ACC1-ACC5)~~
3. ~~•~~ Clerk of Committees ~~(COC1-COC5)~~
4. ~~•~~ Legislative Aide ~~(LA1-LA5)~~
5. ~~•~~ ~~CCC~~ Clerk of the City Council
6. ~~•~~ Part Time Officer (s)

(i) Part time officer(s) as determined by the City Council shall work no more than 19.5 hours per week at a salary determined by the City Council. Part time officers may be temporary or seasonal in nature and not be represented by a collective bargaining unit.

- C. There shall be ~~COLA~~, (Cost of living allowances) for all officers of the City Council, salaries and stipends, in conjunction with other non-union employees of the City of Everett. The ~~COLA~~ allowance shall be aligned with the COLA allowance for all non-union employees of the City of Everett as determined by the Human Resources department and shall not exceed 2% without City Council approval. 2.5% for the City Clerk and 2% for the Assistant City Clerk and Legislative Aide, Annually, which will be effective on July 1st of each year. The Clerk of Committees shall also receive a 2.5% Cola allowance biennially, beginning on July 1st 2018 and continuing each even year going forward on July 1st. These ~~Cola~~ COLA increases shall not affect any other increases for increase of duties or other situations, such as reclassification, where the City Council may

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increase the Salary and stipends of Council officers in excess of the ~~2.5% Cola~~ COLA.

D. Every three (3) years, the salary ranges and job descriptions for all City Council Officers shall be reviewed by City Council President or his designee in conjunction with the Human Resources Department to determine that salary ranges and job descriptions are still valid.

E. ~~D.~~ There shall be longevity given for all full-time officers of the City Council who have a minimum of 10 years of service. Full-time officers are any officer of the City Council who is required to work 30 or more hours per week. This longevity shall follow the longevity schedule set forth in Section 7-163 of the Revised Ordinances of the City of Everett.

a) On the anniversary date of employment, the city shall pay an annual longevity payment for all officers of the Council whom are not department heads per the schedule below:

- 10 years of service \$400
- 15 years of service \$650
- 20 years of service \$850

b) If an officer of the Council is a department head, on the anniversary date of employment, the city shall pay an annual longevity payment per the schedule below:

- 10 years of service \$800
- 15 years of service \$1,300
- 20 years of service \$1,700

~~1. With the completion of ten years of service a full-time officer, shall receive one thousand dollars in additional compensation, on their anniversary date. Thereafter, the annual~~

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~~rate of longevity compensation shall be increased by an additional one hundred dollars at the completion of each year of service through the Twenty-Ninth year of service, paid on the officer's anniversary date, yearly.~~

~~2. Beginning with the Thirtieth year of service and thereafter, the annual rate of compensation shall be increased by an additional two hundred dollars at the completion of each year of service through the Fortieth year of service, to be paid on the officer's anniversary date, yearly.~~

~~3. The words "years of service", as used herein shall mean total years of service as a member of the City of Everett and/or the Commonwealth of Massachusetts Contributory Retirement System.~~

FF. Vacation Time

1. There shall be vacation given to all full-time officers of the City Council. Full-time officers shall mean any employee of the City Council, not represented by collective bargaining unit, who is required to work 30 hours or more per week. Vacation shall be accrued by consecutive years of service. The words "years of service", as used herein shall mean the total years of service as a member of the City of Everett, ~~and/or the Commonwealth of Massachusetts Contributory Retirement System.~~ All vacation time for City Council Officers must be pre-approved and reported to the City Council President at least two weeks in advance of their requested vacation dates. Once approved by the President, it must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed with the City Council President or his designee as part of the quarterly budget review.

2. The City Council shall use the following incremental chart below to calculate the number of weeks of vacation an officer shall receive, which is aligned to the vacation policies set forth for all City

~~of Everett employees. An officer may carry-over one week of unused vacation per year if authorized by the City Council President. Any additional carry-over vacation time must be paid out by YE22 or it will deemed lost. unless the President of the City Council agrees to more vacation time, but in no case shall an officer receive more than 6 weeks of vacation time per year excluding carry over time from year to year, which is unlimited.~~ All unused vacation time shall be paid to the City Council Officer at the time of separation from employment with the City.

- ~~a) a. 1-4 years as of anniversary date~~ ~~2 weeks of~~
~~vacation~~ 10 days of vacation
- ~~b) b. 5-9 years as of anniversary date~~ ~~3 weeks of~~
~~vacation~~ 15 days of vacation
- ~~c) c. 10-19 years as of anniversary date~~ ~~4 weeks of~~
~~vacation~~ 20 days of vacation
- ~~d) d. 20-29 years as of anniversary date~~ ~~5 weeks of~~
~~vacation~~ 25 days of vacation
- ~~e. 30+ years as of anniversary date~~ ~~6 weeks of~~
~~vacation~~

~~F.~~ G. Sick Time

1. Every Full time officer shall be granted twelve (12) days of sick leave for a total of eighty-four (84) hours annually without the loss of pay, for absences caused by illness or injury. Full-time officers shall mean any full time employee of the City Council, not represented by a collective bargaining unit, who is required to work 30 or more hours per week.
2. Full-time officers, who are eligible, shall be granted twelve (12) days for a total of eighty-four (84) hour of sick leave at

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the beginning of the calendar year (prorated for those who commence employment after January). Employees who call out sick or use sick time shall be charged actual hours of time used, not as days.

- a. Officers should notify ~~their Department~~ the City Council members via email at least one hour prior to the start of their shift of any absence of work due to illness or injury. All sick time must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed with the City Council President or his designee as part of the quarterly budget review.
- b. Officers may carry over any earned, unused sick leave to the next year as per the policy for all non-union employees for the City of Everett. ~~shall not carry over more than One Hundred Fifty days of sick time unless approved from the Department Head. Officers who, beginning any calendar year who have earned unused sick leave and personal days in excess of the One Hundred Fifty (150) day maximum accumulation will, at the employees option, be paid for such sick leave days in excess of One Hundred Fifty (150) at the rate of One Third (1/3) of the hourly value of said employees pay, (based on 35 hours per week) for each sick leave/personal day.~~
- c. At the time of ~~separation~~ separation from employment with the City of Everett due to retirement or an unfavorable reappointment from the City Council, a full-time officer shall receive a one-time payment for 5% of the accrued sick time, up to five thousand dollars (\$5,000). ~~If an officer resigns from employment with the City of Everett, accrued sick time is forfeited and no payment is rendered. One Third (1/3) unused sick leave/personal days at the pay rate at the time of separation from the City for said employee.~~

G. H. Personal Time

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1. All full-time officers of the City Council shall be entitled to (3) days. Any additional personal time that must be taken by an officer generally will be unpaid. Personal days must be used in at least half-day increments. All personal time for City Council Officers must be pre-approved and reported to the City Council President in advance of their requested dates. Once approved by the President, it must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed with the City Council President or his designee as part of the quarterly budget review. for a total of 24 hours of personal leave annually at the beginning of the Calendar year. Personal leave shall not be taken in increments of less than 1 hour.

1.2. Accrued, unused personal days are forfeited at the end of the calendar year and are not paid out at separation unless otherwise required by law.

2. Any unused personal time at the end of the calendar year will not be allowed to accumulate as personal days. However, any unused personal days remaining unused at the end of the calendar year will be converted to unused sick leave.

H: 6. Removal of City Council Officer:

1. A. Unless otherwise stated in M.G.L., Charter or Ordinance the City Council may remove, terminate or demote any employee under their direction and control. The City Council has sole authority in removing, terminating or demoting any of their employees from their position. The City Council may remove, terminate or demote an officer for just cause.

Examples of just cause may include but are not limited to: misconduct of an employee, or some other event

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relevant to the officer, which justifies the termination, removal or demotion of the officer.

Examples of just cause are but not limited to:

1. Insubordination.
2. Dereliction or maleficence of duty.
3. Conviction of any felony.
4. Inability to perform the essential functions of the job.
5. Unsatisfactory job performance

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A. a. After being brought to the City Council's attention in writing, the City Council shall hold, in executive session, a Committee as a Whole meeting within 7-14 days, ~~in the Legislative Affairs & Elections Committee~~ to discuss the reputation, character, or abilities of the officer, or to discuss the discipline or dismissal of, or complaints or charges brought against, any officer under the control and direction of the City Council, excluding union employees. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties.

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~~B.~~ b. The session may be extended to a later date if the committee feels that justice so requires but in no event shall the matter be extended for more than thirty (30) days. This procedure is designed to protect the rights and reputation of individuals. An executive session called for this purpose may trigger certain rights for the individual who is the subject of the discussion. The individual has the right to be present, though he or she may choose not to attend. The individual who is the

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subject of the discussion may also choose to have the discussion in an open meeting, and that choice takes precedence over the right of the public body to go into executive session. The individual may also have one representative attend the executive session to enable them to refute the individual claim or charge or to defend their position.

~~C.~~ c. Within 72 hours of the final meeting, ~~after the Legislative Affairs Committee, the committee's decision on that matter,~~ the decision, based on the Council's findings, shall be sent to the employee, all members of the City Council and the Human Resources Department. After such notice is sent, the President shall call a special meeting within 14 days to address this item. To remove an officer it will require a two-thirds majority of the Entire City Council.

~~D.~~ d. Unless proscribed by statute, charter or ordinance, Progressive discipline of a City Council Officer may be used when appropriate. Progressive discipline may include the following:

- Verbal warning: All verbal warnings must be noted and placed in the officer's personnel file.
- Written warning: All written warnings must be in writing and placed in the officer's personnel file.
- Suspension: All suspensions must be in writing and placed in the officer's personnel file.
- Termination: All terminations must be in writing and placed in the officer's personnel file.

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Any officer, who so wishes, may place in his or her personnel file anything that, refutes any discipline taken against him or her, within 45 days. All personnel files must be handled in a manner proscribed by law.

~~6. Reappointment of City Council Officer(s):~~

~~Six months prior to the expiration of the term of office for an appointed officer of the city council; the city council may reappoint the officer after a recommendation from the Committee on Legislative Affairs. If the Committee chooses to recommend re-appointment the re-appointment shall take place after a majority of the entire City Council votes favorably on the recommendation. The re-appointment shall be made at the closest formal meeting, of the City Council, to the end of the officer's term.~~

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7. Officers and City Councilors Dress Code

~~A. The dress code for all employees and officers of the City Council shall be as follows: Council shall be business formal at meetings of the City Council. Business Casual at Council Committees and casual dress at committee works sessions. In the office a minimum attire of business casual shall be maintained unless working in archives or a special event which allows City Hall staff to dress in jeans or less formal wear, but never shall an employee dress in anything but formal wear at meetings of the City Council.~~

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~~B. City Council members' Dress Code shall be as follows:~~

- ~~1. Regular and special meetings of the Council:~~
Business Formal attire
- ~~2. Committee meetings: Business Casual attire~~
- ~~3. Committee work sessions: Casual attire~~
- ~~4. Inaugural: Black Tie~~

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8. Rules of Conduct

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~~1. A.~~ In recognition that the position of ~~a~~ city council member is a matter of public trust; and that in such capacity, city council members are the virtual face of the City of Everett, and notwithstanding or waiving the fundamental Constitutional right to free speech and expression, we acknowledge that public comments and/or actions made by individual city council members may affect the reputation of the entire city council membership, the reputation of the City of Everett, and the reputation of the residents of Everett, and therefor hold ourselves to the following standards:

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- a. Members of the city council and its employees should always conduct themselves with proper decorum when in public
- b. Members of the city council and its employees should always treat others with the appropriate level of respect and courtesy
- c. Members of the city council and its employees should refrain from making any derogatory or demeaning comments or statements about others based on creed, faith, national origin, sexual

orientation, physical or mental disabilities or family heritage.

Postings or entries made by any member via social media outlets shall constitute public comments that are subject to this rule.

Violation of this may result in the removal of Committee assignments as per the President of the City Councils discretion.

9. Severability

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A. This Code, as amended from time to time, shall be fully enforced by the City Council and/or the President of the City Council. All provisions are to be presumed to be lawful. If this Code shall be declared unconstitutional or unlawful, only so much of the provision as is necessary to ensure compliance shall be stricken and the balance of the Code shall remain intact and fully enforceable.

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8-10. Acknowledgement

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A. All Officers of the City Council shall be given a copy of this Legislative Code on their first day of employment and sign last page acknowledging they received a copy of the Legislative Code. The signed acknowledgement shall be given to the City Clerk or Assistant City Clerk and shall be filed permanently in the City Clerk's office.

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APPENDIX:

SALARY RANGE FOR EXEMPTED CITY COUNCIL OFFICERS

(All Salaries and Stipends (even ones not included in this code but are received by City Council Officers) are not including ~~the 2.5% cola increases to be added, beginning July 1st, 2018 as~~ prescribed in the legislative code)

	1	2	3	4	5
City Clerk <u>Salary</u>	\$102,190	\$105,546	\$108,980	\$110,590	\$113,850

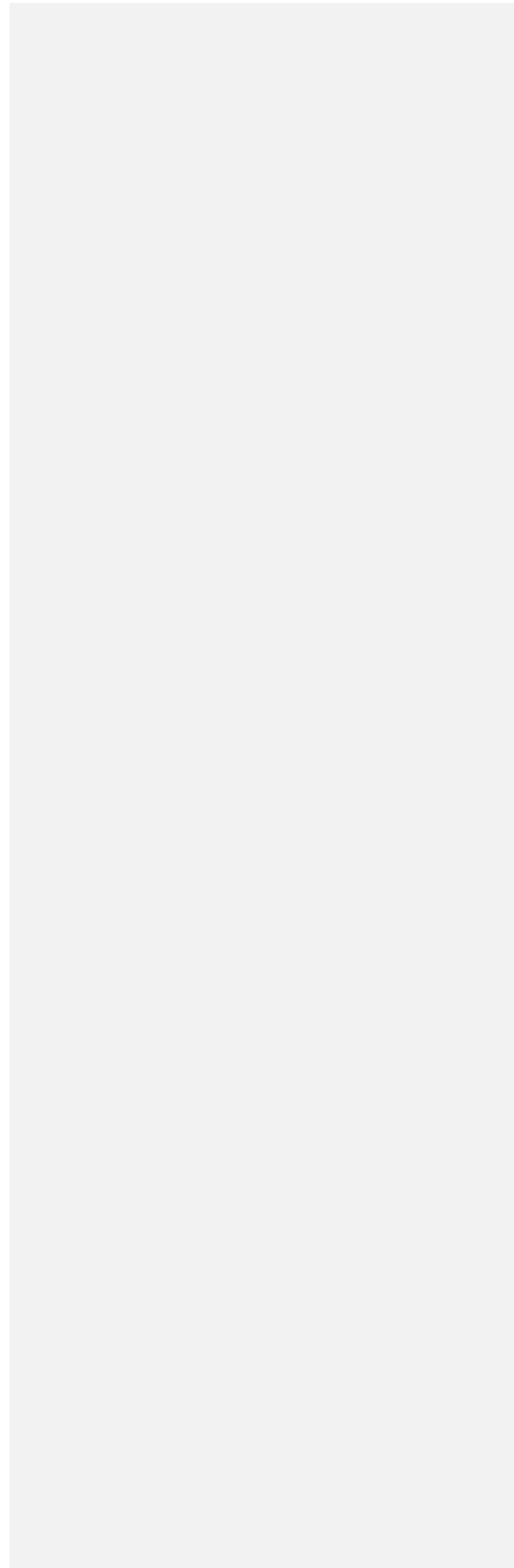
Assistant City Clerk <u>Salary</u>	\$75,734-\$89,097 Salary Range
Legislative Aide <u>Salary</u>	\$51,250-\$61,500 Salary Range
Clerk of Committees <u>Stipend</u>	Salary may be changed to reflect the same amount as a City Councilor Stipend at the separation from the City of the current Clerk of Committees <u>as of 2022</u>
Part Time(as needed)	\$20.00-\$25.50 per hour: Hourly Range
Clerk of Council <u>Stipend</u>	\$13,000

Legislative Code Acknowledgement sign off sheet

I, _____, an employee of the Everett City Council,
(First and last name)
hereby acknowledge that I received a copy of the Legislative Code of the City of
Everett City Council, adopted December 11, 2017 and amended on December
26, 2018.

Date:

Signature:





CITY COUNCILNo. C0109-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

LEGISLATIVE CODE FOR THE EVERETT CITY COUNCIL AND THEIR OFFICERS

/s/Stephanie V. Smith

Be it ordered: By the City Council of the City of Everett, Massachusetts, as follows:

That the Everett City Council hereby accepts the following amendments to the Legislative Code of the City of Everett City Council and City Council officers.

Legislative Code of the City Council

Whereas: The Legislative Code for the City Council is to be used by the Everett City Council for their operation and management of their department and employees, and

Whereas: This Code may be amended or deleted in whole or in part by a two-thirds vote of the entire membership of the City Council, therefore

The City Council of the City of Everett shall hereby create a legislative code to be used for all officers/employees and members of the City Council as herein provided.

A. Officers

1. The City Council shall employ no less than 4 persons, as per charter, ordinances and this Code unless the City Council chooses to add employees per their authority. The Officers of the City Council as of the implementation of this Code shall be:
 - i. The president of the city council;
 - ii. The clerk of committees;
 - iii. The city clerk/clerk of the city council;
 - iv. The assistant city clerk/messenger; and
 - v. The legislative aid

Charter references

Section 2-2: President;

Section 2-8: Appointments of the city council;

Section 10-5(c): Certain laws recognized and retained with respect to incumbents

B. Appointments

1. In addition to the process set forth in this Legislative code, the City Clerk/Clerk of the City Council, Assistant City Clerk/Messenger and the Clerk of Committees shall be appointed in accordance with Charter, Ordinance and Council Rules

Charter references

Section 2-8: Appointments of the city council

Revised Ordinances of the City of Everett references

Section 2-61: Election and term of Office, Vacancy (City Clerk)

Section 2-68: Assistant City Clerk

Section 2-69: City Messenger

City Council Rules references

Rule 2

2. Re-appointment of City Council Officer(s): City Clerk & Assistant City Clerk.

No earlier than three months prior to the expiration of the term of office for the City Clerk or the Assistant City Clerk, the City Council President shall submit an order requesting a confirmation of reappointment of the said City Council Officer. This order shall be referred to city council committee charged with legislative oversight. If the Committee chooses to recommend re-appointment, the re-appointment shall take place after a majority of the entire City Council votes favorably on the recommendation as per Rule 2 of the City Council Rules. The new term shall not go into effect until the date the current term expires.

If the majority of the City Council votes unfavorably on the reappointment, the City Council must then then post the upcoming vacancy for the said position per the Revised Ordinance of the City of Everett. Once the posting period has concluded, the city council committee charged with legislative oversight shall convene a working session to review the resumes of applicants to determine candidates for interviews. The council committee charged with legislative oversight shall then schedule interviews with said candidates and report its recommendation to the City Council for filling such vacancy. The majority of the entire City Council must vote favorably on the appointment. The term shall not go into effect until the date the current term ends for the said City Council officer. If a new City

Council officer is appointed, the current City Council officer must continue to fulfil the tasks/duties set forth for the position until the term expires. If the current City Council officer is unable or unwilling to perform the duties, the City Council may remove the officer per Section H of the Legislative Code.

Revised Ordinances of the City of Everett references

Section 2-61: Election and term of Office, Vacancy (City Clerk)

Section 2-68: Assistant City Clerk

3. Vacancies in the offices of the City Clerk and Assistant City Clerk

When a vacancy occurs in the office of the City Clerk or the Assistant City Clerk, for reasons other than an unfavorable reappointment, the City Council must follow the process per the Revised Ordinances of the City of Everett and the appointment process per Rule 2 of the City Council Rules

Revised Ordinances of the City of Everett references:

Section 2-61: Election and term of Office, Vacancy (City Clerk)

Section 2-68: Assistant City Clerk

4. The Legislative Aid shall be appointed as follows:

Upon vacancy of the Legislative Aide for the Office of the City Council, the City Council shall use the appointment process prescribed in Rule 2 of the City Council Rules. Anyone so appointed shall serve at the will of the City Council and perform all such tasks as assigned by the City Council and City Clerk.

C. Duties of Employees

1. The Clerk of the City Council shall have all duties prescribed to him by Charter, Ordinances and State Law and all such lawful tasks as assigned by the City Council. By order of the President, the Clerk of the City Council shall delegate work to all officers of the City Council with respect to their duties. The Clerk of the City Council may fill in for the Clerk of Committees at Committee meetings and/or Works Sessions.

2. The Messenger shall perform all duties prescribed to him by Charter, Ordinances and State Law. The Messenger shall answer directly to the Clerk of the City Council and the President of the City Council. He shall fill in for the Clerk of the City Council when he is absent.
3. The Clerk of Committees shall perform all duties by Charter, Ordinances and City Council Rules. He shall work with the Clerk of the City Council and Legislative Aide on all laws, regulations, and other legislative work, prescribed by the City Council or Clerk of the City Council.
4. The Legislative Aide shall perform all duties prescribed in this Code or City Council Rules. The Legislative Aide will assist the President of the City Council and all members of the City Council, the Clerk of the City Council, and the Clerk of Committees.
 - i. Under general supervision of the President of the City Council or his designee, the Legislative Aide shall serve the Everett City Council/Legislative Branch under the general direction of eleven members of City Council, Clerk of Committees, and Clerk of the City Council. The Legislative Aide shall be proficient in Microsoft office and have the ability to learn new municipal programs and software.
 - ii. Shall perform varied and designated duties requiring continuing knowledge of municipal operations and the exercise of some judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.
 - iii. Provide assistance to the City Council Department and its members including, but not limited to, scheduling of appointments, committee meetings and regular meetings, neighborhood meetings, responsible for minutes of agendas, maintenance of agendas, typing of correspondence, filing and maintenance of filing system and taking over Clerk of Committees duties in his absence, taking notes and reports at committee meetings, as well as,

- the set-up of meetings and dates and posting notices.
Create flyers, petitions and citations upon request.
- iv. Receive and screen calls and visitors; open, review and distribute department mail; through these procedures and regular communications with the department, maintain broad current knowledge of significant departmental issues and activities in order to serve as liaison between city council and other city and state officials, members of the public, etc. Maintain full confidentiality with respect to departmental and municipal operation except as required by the Freedom of Information Act. Provide research for City Council, other City Departments and inquiries from public, on matters regarding the City Council.
 - v. Performs aspects of the department's administrative, clerical and financial operations, such as assisting with the preparation of financial reports and budgets, assist with and support legal procedural interpretations, and support City Council members initiating legislation, and other such activities with potential impact on the City Councils overall operations, City Charter and Revised Ordinances of the City of Everett.
 - vi. Assist in preparing and submitting City Council appropriation request (budget) to pay all salaries and expenses of the City Council, as approved by the City Council President or his designee.
 - vii. Process department weekly and monthly payrolls, purchasing and ordering supplies, personnel and accounts payable documents, with responsibility to related filing of such documents, and monitoring of the office budget.
 - viii. Prepare quarterly report to President of the City Council or his designee of the budget vs. actuals for each line item in the City Council budget, including stipend requests for Council Officers.

5. Any officer of the City Council who is absent for his required duties of clerking a meeting and/or work session shall forfeit his stipend for that meeting at his per diem amount. Another officer of the City Council may fill in for the absent officer and shall be paid accordingly for his time by the City Council based on the per diem amount of the absent officer. The President of the City Council or his designee shall review the stipend requests on a monthly basis prior to each stipend being submitted to payroll.

D. Confidentiality

1. All City Council officers shall maintain the strict confidentiality of all City Council matters, to the fullest extent permitted by law and should refrain from publicly discussing matters that may embarrass members of the City Council and its officers. Violation of this policy may constitute cause for removal of City Officer.

E. Compensation

1. Increases for salaries and stipends of the City Council Officers shall be determined by a 2/3 vote of the City Council. All increases shall be allowed, following the 2/3 vote of the Council, once the President or City Clerk has signed an add/change form with current and new salaries and the City Auditor or Budget Director have signed the add/change form to inform the Council that sufficient funds exist in the Salaries account of the City Council or City Clerk's Office salary or stipend accounts. If the Auditor or Budget Director does not sign the add/change form informing that there is or is not enough funds within 10 days of receipt of the add/change form provided by the City Council President, and the President states that sufficient funds exist in the account, the Salary shall be amended as requested and it will be ordered that the City pay the Salary as Ordered by the Council. The City Council President shall create an add/change form that shall be used for all changes to salaries and positions under the

control of the City Council. Any Salary increases above the amounts set in this code shall be voted on and passed by a two thirds (2/3) vote of the City Council.

2. There shall be a Salary Range for each City Council Officer, named below, and the full Salary Range shall be kept on file in the City Council Office, the City Clerk's Office, and the Human Resources Department. This range shall change yearly to account for COLA increases, in conjunction with other non-union employees of the City of Everett, and the amended versions will be available in the City Council Office, City Clerk's Office and the Human Resource Department.

- City Clerk`
- Assistant City Clerk
- Clerk of Committees
- Legislative Aide
- Clerk of the City Council
- Part Time Officer(s)
 - Part time officer(s) as determined by the City Council shall work no more than 19.5 hours per week at a salary determined by the City Council. Part time officers may be temporary or seasonal in nature and not be represented by a collective bargaining unit.

3. There shall be COLA, (Cost of living allowances) for all officers of the City Council, salaries and stipends, in conjunction with other non-union employees of the City of Everett. The COLA allowance shall be aligned with the COLA allowance for all non-union employees of the City of Everett as determined by the Human Resources department and shall not exceed 2% without City Council approval. These COLA increases shall not affect any other increases for increase of duties or other situations, such as reclassification, where the City Council may increase the Salary and stipends of Council officers in excess of the COLA.

4. Every three (3) years, the salary ranges and job descriptions for all City Council Officers shall be reviewed by City Council President or his designee in conjunction with the Human Resources Department to determine that salary ranges and job descriptions are still valid.
5. There shall be longevity given for all full-time officers of the City Council who have a minimum of 10 years of service. Full-time officers are any officer of the City Council who is required to work 30 or more hours per week. This longevity shall follow the longevity schedule set forth in Section 7-163 of the Revised Ordinances of the City of Everett
 - a) On the anniversary date of employment, the city shall pay an annual longevity payment for all officers of the Council whom are not department heads per the schedule below:
 - 10 years of service \$400
 - 15 years of service \$650
 - 20 years of service \$850
 - b) If an officer of the Council is a department head, on the anniversary date of employment, the city shall pay an annual longevity payment per the schedule below:
 - 10 years of service \$800
 - 15 years of service \$1,300
 - 20 years of service \$1,700

F. Vacation Time

1. There shall be vacation given to all full-time officers of the City Council. Full-time officers shall mean any employee of the City Council, not represented by collective bargaining unit, who is required to work 30 hours or more per week. Vacation shall be accrued by consecutive years of service. The words “years of service”, as used herein shall mean the total years of service as a member of the City of Everett. All vacation time for City Council Officers must be pre-approved and reported to the City Council President at least two weeks in advance of their requested vacation dates. Once approved by the President, it must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed

with the City Council President or his designee as part of the quarterly budget review.

2. The City Council shall use the following incremental chart below to calculate the number of weeks of vacation an officer shall receive, which is aligned to the vacation policies set forth for all City of Everett employees. An officer may carry-over one week of unused vacation per year if authorized by the City Council President. Any additional carry-over vacation time must be paid out by YE22 or it will be deemed lost. All unused vacation time shall be paid to the City Council Officer at the time of separation from employment with the City
 - 1-4 years as of anniversary date 10 days of vacation
 - 5-9 years as of anniversary date 15 days of vacation
 - 10-19 years as of anniversary date 20 days of vacation
 - 25+ years as of anniversary date 25 days of vacation

G. Sick Time

1. Every full-time officer shall be granted twelve (12) days of sick leave for a total of eighty-four (84) hours annually without the loss of pay, for absences caused by illness or injury. Full-time officers shall mean any full-time employee of the City Council, not represented by a collective bargaining unit, who is required to work 30 or more hours per week.
2. Full-time officers, who are eligible, shall be granted twelve (12) days for a total of eighty-four (84) hour of sick leave at the beginning of the calendar year (prorated for those who commence employment after January). Employees who call out sick or use sick time shall be charged actual hours of time used, not as days.
3. Officers should notify the City Council members via email at-least one hour prior to the start of their shift of any absence of work due to illness or injury. All sick time must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed with the City Council President or his designee as part of the quarterly budget review.

4. Officers may carry over any earned, unused sick leave to the next year as per the policy for all non-union employees for the City of Everett .
5. At the time of separation from employment with the City of Everett due to retirement or an unfavorable reappointment from the City Council, a full-time officer shall receive a one-time payment for 5% of the accrued sick time, up to five thousand dollars (\$5,000). If an officer resigns from employment with the City of Everett, accrued sick time is forfeited and no payment is rendered.

H. Personal Time

1. All full-time officers of the City Council shall be entitled to (3) days. Any additional personal time that must be taken by an officer generally will be unpaid. Personal days must be used in at least half-day increments. All personal time for City Council Officers must be pre-approved and reported to the City Council President in advance of their requested dates. Once approved by the President, it must be entered into the Millennium (prior to 2023) or Munis (2023+) system and reviewed with the City Council President or his designee as part of the quarterly budget review.
 - Accrued, unused personal days are forfeited at the end of the calendar year and are not paid out at separation unless otherwise required by law.

I. Removal of City Council Officer:

1. Unless otherwise stated in M.G.L., Charter or Ordinance the City Council may remove, terminate, or demote any employee under their direction and control. The City Council has sole authority in removing, terminating, or demoting any of their employees from their position. The City Council may remove, terminate, or demote an officer for just cause.
 - Examples of just cause may include but are not limited to: misconduct of an employee, or some other event relevant to

the officer, which justifies the termination, removal or demotion of the officer.

- Examples of just cause are but not limited to:
 - Insubordination
 - Dereliction or maleficence of duty
 - Conviction of any felony
 - Inability to perform the essential functions of the job
 - Unsatisfactory job performance
 - a. After being brought to the City Council's attention in writing, the City Council shall hold, in executive session, a Committee as a Whole meeting within 7-14 days to discuss the reputation, character, or abilities of the officer, or to discuss the discipline or dismissal of, or complaints or charges brought against, any officer under the control and direction of the City Council, excluding union employees. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that the notification may be waived upon written agreement of the parties.
 - b. The session may be extended to a later date if the committee feels that justice so requires but in no event shall the matter be extended for more than thirty (30) days. This procedure is designed to protect the rights and reputation of individuals. An executive session called for this purpose may trigger certain rights for the individual who is the subject of the discussion. The individual has the right to be present, though he or she may choose not to attend. The individual who is the subject of

the discussion may also choose to have the discussion in an open meeting, and that choice takes precedence over the right of the public body to go into executive session. The individual may also have one representative attend the executive session to enable them to refute the individual claim or charge or to defend their position.

- c. Within 72 hours of the final meeting, , the decision, based on the Council's findings, shall be sent to the employee, all members of the City Council and the Human Resources Department. After such notice is sent, the President shall call a special meeting within 14 days to address this item. To remove an officer it will require a two-thirds majority of the Entire City Council.
- d. Unless proscribed by statute, charter or ordinance, Progressive discipline of a City Council Officer may be used when appropriate.

Progressive discipline may include the following:

- I. Verbal warning: All verbal warnings must be noted and placed in the officer's personnel file.
- II. Written warning: All written warnings must be in writing and placed in the officer's personnel file.
- III. Suspension: All suspensions must be in writing and placed in the officer's personnel file.
- IV. Termination: All terminations must be in writing and placed in the officer's personnel file.

Any officer, who so wishes, may place in his or her personnel file anything that, refutes any

discipline taken against him or her, within 45 days. All personnel files must be handled in a manner proscribed by law.

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 - ii. Members of the city council and its employees should always treat others with the appropriate level of respect and courtesy
 - iii. Members of the city council and its employees should refrain from making any derogatory or demeaning comments or statements about others based on creed, faith, national origin, sexual orientation, physical or mental disabilities or family heritage.

- iv. Postings or entries made by any member via social media outlets shall constitute public comments that are subject to this rule. Violation of this may result in the removal of Committee assignments as per the President of the City Councils discretion.

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- 1. This Code, as amended from time to time, shall be fully enforced by the City Council and/or the President of the City Council. All provisions are to be presumed to be lawful. If this Code shall be declared unconstitutional or unlawful, only so much of the provision as is necessary to ensure compliance shall be stricken and the balance of the Code shall remain intact and fully enforceable.

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APPENDIX:
SALARY RANGE FOR EXEMPTED CITY COUNCIL OFFICERS
 (All Salaries and Stipends (even ones not included in this code but are received by City Council Officers) are not including cola increases to be added as prescribed in the legislative code)

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City Clerk Salary	\$102,190	\$105,546	\$108,980	\$110,590	\$113,850

Assistant City Clerk Salary	\$75,734-\$89,097 Salary Range
Legislative Aide Salary	\$51,250-\$61,500 Salary Range
Clerk of Committees Stipend	Salary may be changed to reflect the same amount as a City Councilor Stipend at the separation from the City of the current Clerk of Committees as of 2022
Part Time(as needed)	\$20.00-\$25.50 per hour: Hourly Range
Clerk of Council Stipend	\$13,000

Legislative Code Acknowledgement sign off sheet

I, _____, an employee of the Everett City Council,
(First and last name)
hereby acknowledge that I received a copy of the Legislative Code of the City of
Everett City Council, adopted December 11, 2017 and amended on April 25,
2022.

Date:

Signature:



C0084-22

To: Mayor and City Council

From: Councilor Michael K. Marchese

Date: February 14, 2022

Agenda Item:

That the City of Everett's City Council hereby recommends a two year moratorium be placed on demolishing buildings that are 100 years or older, so that the City and through it's Historical Commission can access and create an ordinance establishing authority for issuing requirements on demolishing buildings by the Historical Commission of Everett.

Background and Explanation:

Attachments:

1.



C0089-22

To: Mayor and City Council
From: Councilor Anthony DiPierro
Date: February 14, 2022

Agenda Item:

An ordinance pursuant to the implementation of a city-wide 25 MPH speed limit in the City of Everett on any road that is not a state highway.

Background and Explanation:

Attachments:

1.

Part I	ADMINISTRATION OF THE GOVERNMENT
Title XIV	PUBLIC WAYS AND WORKS
Chapter 90	MOTOR VEHICLES AND AIRCRAFT
Section 17C	ESTABLISHMENT OF 25-MILES-PER-HOUR SPEED LIMIT IN THICKLY SETTLED OR BUSINESS DISTRICT IN CITY OR TOWN; VIOLATION

Section 17C. (a) Notwithstanding section 17 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway.

(b) Upon establishing a speed limit under this section, the city or town shall notify the department. The operation of a motor vehicle at a speed in excess of a speed limit established under this section shall be a violation of section 17.

That the Everett City Council hereby adopts MGL c. 90 § 17C to create a City-wide 25 mph speed limit on any road that is not a state highway.

Language like this could be added to section 18:

No person shall operate a motor vehicle on a public way in the City of Everett in excess of twenty-five (25) miles per hour, unless on a State Highway.

It shall be the duty of the chief of police to enforce the provisions of this chapter. Such officers as may be designated by him are hereby authorized and shall be empowered to enforce this regulation on any public way meeting these requirements.

The City of Everett shall post this speed limit on all public ways entering the city which are under the jurisdiction of the city, or at a location as near to an entry point that is under jurisdiction of the city to alert motorists of the speed limit.

Whoever violates the provisions of this section shall be fined in accordance with section [1-8](#).

#5-C0089-22

Legislative Affairs & Election Committee
March 14, 2022

The Committee on Legislative Affairs & Elections met on Monday, March 14, 2022 at 6pm in the Everett High School Library.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Alfred Lattanzi, Stephanie Smith and Anthony DiPierro.

The Committee considered an Ordinance offered by Councilor Anthony DiPierro: An Ordinance pursuant to the implementation of a city-wide 25 MPH speed limit.

Councilor DiPierro provided the Committee with a proposed Ordinance for a new Section 18-105 that was drafted by Assistant City Solicitor Keith Slattery with the assistance of Traffic Commission Chairman Joe Gaff.

--

Section 18-105

No person shall operate a motor vehicle on a public way in the City of Everett in excess of twenty-five (25) miles per hour, unless on a State Highway, Chelsea Street, Ferry Street and Second Street.

It shall be the duty of the chief of police to enforce the provisions of this chapter. Such officers as may be designated by him are hereby authorized and shall be empowered to enforce this regulation on any public way meeting these requirements.

The City of Everett shall post this speed limit on all public ways entering the city which are under the jurisdiction of the city, or at a location as near to an entry point that is under jurisdiction of the city to alert motorists of the speed limit.

Whoever violates the provisions of this section shall be fined in accordance with section [1-8](#).

The Ordinance would limit the speed on all streets in the City of Everett to 25 MPH with the exceptions of State Highways, Chelsea Street, Ferry Street and Second Street. Councilor DiPierro remarked that he was hopeful that this Ordinance would help keep our neighborhoods safer.

The Committee voted: to report back to the City Council with a recommendation of favorable action on the proposed Ordinance.

Respectfully Submitted,

John W. Burley
Clerk of Committees

ENROLLED ORDINANCE

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF
EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.*

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. C0089-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

**AN ORDINANCE PURSUANT TO THE ENFORCEMENT OF A CITY-WIDE 25 MPH
SPEED LIMIT**

Councilor /s/ Anthony DiPierro

Whereas: Everett is a densely populated community; and

Whereas: A speed limit of 30 MPH is too dangerously fast for most of Everett's streets; and

Whereas: Many residents have expressed concern over vehicles speeding in Everett; and

Whereas: Since the city has already adopted MGL Chapter 90, Section 17C to set a city-wide 25 MPH speed limit, an ordinance is required to specify how such speed limit shall be enforced.

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make ordinances:

Be it Ordained by the City Council of the City of Everett, Massachusetts that the Revised Ordinances of the City of Everett be amended as follows:

Chapter 18, Article IV Operations of Vehicles is hereby amended by adding a new Section 18-105 as follows:

Section 18-105. Enforcement of a city-wide twenty-five mph speed limit
(C0089-22)

- (a) No person shall operate a motor vehicle on a public way in the city in excess of twenty-five (25) miles per hour, unless on a state highway, Chelsea Street, Ferry Street and Second Street.
- (b) It shall be the duty of the chief of police to enforce the provisions of this section. Officers designated by the chief of police are hereby authorized and shall be empowered to enforce this regulation on any public way meeting these requirements.

- (c) The city shall post this speed limit on all public ways entering the city which are under the jurisdiction of the city, or at a location as near to an entry point that is under jurisdiction of the city to alert motorists of the speed limit.
- (d) Whoever violates the provisions of this section shall be fined in accordance with Section 1-8 of these Revised Ordinances.

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor.



A true copy attest

A handwritten signature in black ink that reads "Sergio Cornelio". The signature is written in a cursive, flowing style.

Sergio Cornelio, City Clerk



C0169-22

To: Mayor and City Council

From: Councilor Vivian Nguyen, Councilor Irene M. Cardillo, Councilor Stephanie Martins

Date: March 28, 2022

Agenda Item:

A resolution requesting that the administration provide information on the current resources available to address homelessness in the City of Everett.

Background and Explanation:

Attachments:

1.



C0193-22

To: Mayor and City Council

From: Councilor Richard J. Dell Isola, Jr.

Date: April 11, 2022

Agenda Item:

That the City Services Department update the Council at the next regularly scheduled meeting on the repairing of potholes throughout the City.

Background and Explanation:

Attachments:

1.



C0198-22

To: Mayor and City Council

From: Councilor Stephanie Martins

Date: April 11, 2022

Agenda Item:

That a representative from the Planning Department appear at the next meeting to discuss current Climate Mitigation projects that focus on clean energy.

Background and Explanation:

Attachments:

1.



C0199-22

To: Mayor and City Council

From: Councilor Alfred J. Lattanzi, Councilor Stephanie Martins

Date: April 11, 2022

Agenda Item:

That the administration provide an update on the action items following the completion of the Digital Divide Study by the MAPC.

Background and Explanation:

Attachments:

1.



City of
Everett
Massachusetts

C0201-22

To: Mayor and City Council
From: Councilor Anthony DiPierro
Date: April 11, 2022

Agenda Item:

sdfghj

Background and Explanation:

Attachments:

1.

ENROLLED ORDINANCE

PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. C0201-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ORDINANCE PLACING A RESTRICTION ON THE SALE OF CATALYTIC CONVERTERS TO PRECIOUS METALS DEALERS

Councilor /s/ Anthony DiPierro

Whereas: The theft of catalytic converters has been on the rise; and

Whereas: The Everett Police Department have expressed the need for stricter regulations; and

Whereas: The City Council has a duty to address this growing concern among residents.

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make ordinances;

Be it Ordained by the City Council of the City of Everett, Massachusetts that the Revised Ordinances of the City of Everett be amended as follows:

Chapter 12, Article XI, Division 25 of the Revised Ordinances of the City of Everett is hereby amended by inserting a new version of Section 12-555(d) as follows and resequencing the current version of said subsection accordingly:

- (d) Catalytic converter transactions restrictions
(C0077-22)

No precious metals dealer shall, directly or indirectly, either purchase or receive, by way of barter or exchange, catalytic converters from any business or individual who is not a representative of a licensed motor vehicle body shop or motor vehicle repair shop.

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor.

A true copy attest



Sergio Cornelio

Sergio Cornelio, City Clerk

Docket Number: C0201-22

APPROVALS

Presentation

Date Presented to His Honor the Mayor: _____

Presented to His Honor the Mayor By: _____

Mayoral Action

Signature: _____

Date: _____



A true copy attest

Sergio Cornelio

Sergio Cornelio, City Clerk



City of
Everett
Massachusetts

C0205-22

To: Mayor and City Council

From: Councilor Richard J. Dell Isola, Jr.

Date: April 25, 2022

Agenda Item:

That the City implement closed captioning for City Council Meetings.

Background and Explanation:

Attachments:



C0206-22

To: Mayor and City Council

From: Councilor Richard J. Dell Isola, Jr.

Date: April 25, 2022

Agenda Item:

That the Administration and the Fire Department consider swearing in the nineteen new members of the EFD at an upcoming meeting of the City Council.

Background and Explanation:

Attachments:



C0207-22

To: Mayor and City Council
From: Councilor Stephanie Martins
Date: April 25, 2022

Agenda Item:

That the Administration/Inspectional Services/Clerk's Office provide an update on the implementation of the Plastic Bag Ban set to take effect in April.

Background and Explanation:

Attachments:



C0211-22

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 25, 2022

Agenda Item:

An ordinance addressing vacancies in the offices of the City Clerk and Assistant City Clerk

Background and Explanation:

Attachments:

ENROLLED ORDINANCE

PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. C0211-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ORDINANCE ADDRESSING VACANCIES IN THE OFFICES OF THE CITY CLERK AND ASSISTANT CITY CLERK

Councilor /s/ Stephanie V. Smith

Whereas: Under the prior City Charter, the offices of the city clerk and the assistant city clerk received lifetime appointments; and

Whereas: When the corresponding ordinances were modified to reflect the change from a lifetime appointment, not enough thought was given as to how reappointments to either of these offices should be handled; and

Whereas: In order to be able to fully address how reappointments to these offices should be handled, it is necessary to determine when a vacancy or pending vacancy should be declared in either of these offices.

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make ordinances:

Be it Ordained by the City Council of the City of Everett, Massachusetts that the Revised Ordinances of the City of Everett be amended as follows:

Chapter 2, Article II, Division 3 of the Revised Ordinances of the City of Everett is hereby amended as follows:

Section 2-61 is hereby amended by deleting the existing version of the section and replacing it with the following new version of the section:

Section 2-61. Appointment; term of office; vacancy; other duties

- (a) The city council shall appoint a city clerk in accordance with Section 2-8(a) of the Charter.

- (b) The city clerk's term of office shall be in accordance with the provisions of Sections 2-8(a) and 10-5(c) of the Charter.
- (c) Unless the office of the city clerk has been deemed to be vacated, the city clerk, once qualified, may continue to serve in the office until their term of office expires.
- (d) The office of the city clerk shall be declared to be vacant immediately in the following occurrences:
 - (1) Death of the office holder;
 - (2) Incapacity of the office holder;
 - (3) Final conviction of the officer holder of a state or federal felony;
 - (4) Expiration of the officer holder's term of office with no vote for reappointment having been taken by the city council prior to such expiration; or
 - (5) Removal of the office holder by the city council for cause.
- (e) The office of the city clerk shall be declared to be vacant at the close of business on the effective date of the following actions:
 - (1) Resignation of the officer holder; or
 - (2) Retirement of the office holder.
- (f) A pending vacancy in the office of the city clerk shall be declared after any of the following actions/occurrences:
 - (1) The city council's acceptance of a notice of resignation from the officer holder;
 - (2) The city council's acceptance of a notice of retirement from the office holder; or
 - (3) A vote of the city council not to reappoint the office holder for an additional term of office.
- (g) When a declared vacancy in the office of the city clerk occurs, the city council shall begin to take action to fill such vacancy as soon as possible; when a pending vacancy in the office of the city clerk occurs, the city council shall begin to take action to fill such vacancy when the body determines it would be in the best interests of the city.
- (h) When acting on a declared or pending vacancy in the office of the city clerk, the city council shall seek qualified residents of the city to fill such vacancy by having notice of such vacancy posted for a period of two (2) weeks in a one (1) or more local newspapers, on the city's website, on the city's local cable access channel and on any other media the body deems appropriate.
- (i) Candidates for the city clerk's position shall submit resumes to the city council office as instructed in such notice of vacancy.
- (j) After the close of the resume submission period, as specified in such notice of vacancy, the city council's committee on legislative affairs & elections shall
 - (1) Review all submitted resumes;

- (2) Interview qualified candidates for such position; and
- (3) Report its recommendation(s) back to the city council.
- (k) The city council shall act on the recommendation of the committee on legislative affairs in a manner that it determines would be in the best interests of the city.
- (l) The city clerk shall also serve as the clerk of the city council.

(Rev. Ords. 1976, Pt. 2, Ch. 2, § 27; Ord. of 05-02-01; A0173-12; C0032-14, C0211-22)

Section 2-68(a) is hereby amended by deleting the existing version of the sub-section and replacing it with the following new version of the sub-section:

(a) Appointment; term of office; vacancy

- (1) The city council shall appoint an assistant city clerk in accordance with Section 2-8(a) of the Charter.
- (2) The assistant city clerk's term of office shall be in accordance with the provisions of Sections 2-8(a) and 10-5(c) of the Charter.
- (3) Unless the office of the assistant city clerk has been deemed to be vacated, the assistant city clerk, once qualified, may continue to serve in their office until their term of office expires.
- (4) The office of the assistant city clerk shall be declared to be vacant immediately in the following occurrences:
 - a. Death of the office holder;
 - b. Incapacity of the office holder;
 - c. Final conviction of the officer holder of a state or federal felony;
 - d. Expiration of the officer holder's term of office with no vote for reappointment having been taken by the city council prior to such expiration; or
 - e. Removal of the office holder by the city council for cause.
- (5) The office of the assistant city clerk shall be declared to be vacant at the close of business on the effective date of the following actions:
 - a. Resignation of the officer holder; or
 - b. Retirement of the office holder.
- (6) A pending vacancy in the office of the assistant city clerk shall be declared after any of the following actions/occurrences:
 - a. The city council's acceptance of a notice of resignation from the officer holder;
 - b. The city council's acceptance of a notice of retirement from the office holder; or

- c. A vote of the city council not to reappoint the office holder for an additional term of office.
- (7) When a declared vacancy in the office of the assistant city clerk occurs, the city council shall begin to take action to fill such vacancy as soon as possible; when a pending vacancy in the office of the assistant city clerk occurs, the city council shall begin to take action to fill such vacancy when the body determines it would be in the best interests of the city.
- (8) When acting on a declared or pending vacancy in the office of the assistant city clerk, the city council shall seek qualified residents of the city to fill such vacancy by having notice of such vacancy posted for a period of two (2) weeks in a one (1) or more local newspapers, on the city's website, on the city's local cable access channel and on any other media the body deems appropriate.
- (9) Candidates for the city clerk's position shall submit resumes to the city council office as instructed in such notice of vacancy.
- (10) After the close of the resume submission period, as specified in such notice of vacancy, the city council's committee on legislative affairs & elections shall:
 - a. Review all submitted resumes;
 - b. Interview qualified candidates for such position; and
 - c. Report its recommendation(s) back to the city council.
- (11) The city council shall act on the recommendation of the committee on legislative affairs in a manner that it determines would be in the best interests of the city.

(A0173-12; C0032-14, C0211-22)

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor.

Docket Number: C0211-22

LEGISLATIVE HISTORY

Date

Body

Action

APPROVALS

Presentation

Date Presented to His Honor the Mayor: _____

Presented to His Honor the Mayor By: _____

Mayoral Action

Signature: _____

Date: _____



A true copy attest

Sergio Cornelio

Sergio Cornelio, City Clerk



City of
Everett
Massachusetts

C0212-22

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 25, 2022

Agenda Item:

To dedicate a square in honor of Everett resident & US Army Corporal Robert Colameta. Location of Spruce St at Madison Avenue.

Background and Explanation:

Attachments:



City of
Everett
Massachusetts

C0215-22

To: Mayor and City Council

From: Councilor Wayne A. Matewsky

Date: April 25, 2022

Agenda Item:

That the Traffic Commission look at the intersection of Plumer, Revere, & Chelsea St in the interest of public safety.

Background and Explanation:

Attachments:



C0217-22

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 25, 2022

Agenda Item:

That the administration share what the process is for local organizations to apply for CDBG funds through the city.

Background and Explanation:

Attachments:



C0219-22

To: Mayor and City Council

From: Councilor Alfred J. Lattanzi, Councilor Vivian Nguyen

Date: April 25, 2022

Agenda Item:

That the Everett Police Department investigate the recent graffiti tags around the City.

Background and Explanation:

Attachments:

Nana's Pizzeria

Item Number 32 617

es • Thin Crust • Sicillian Trays • Deep Dish • Calzones • App-ers • Salads

OPEN

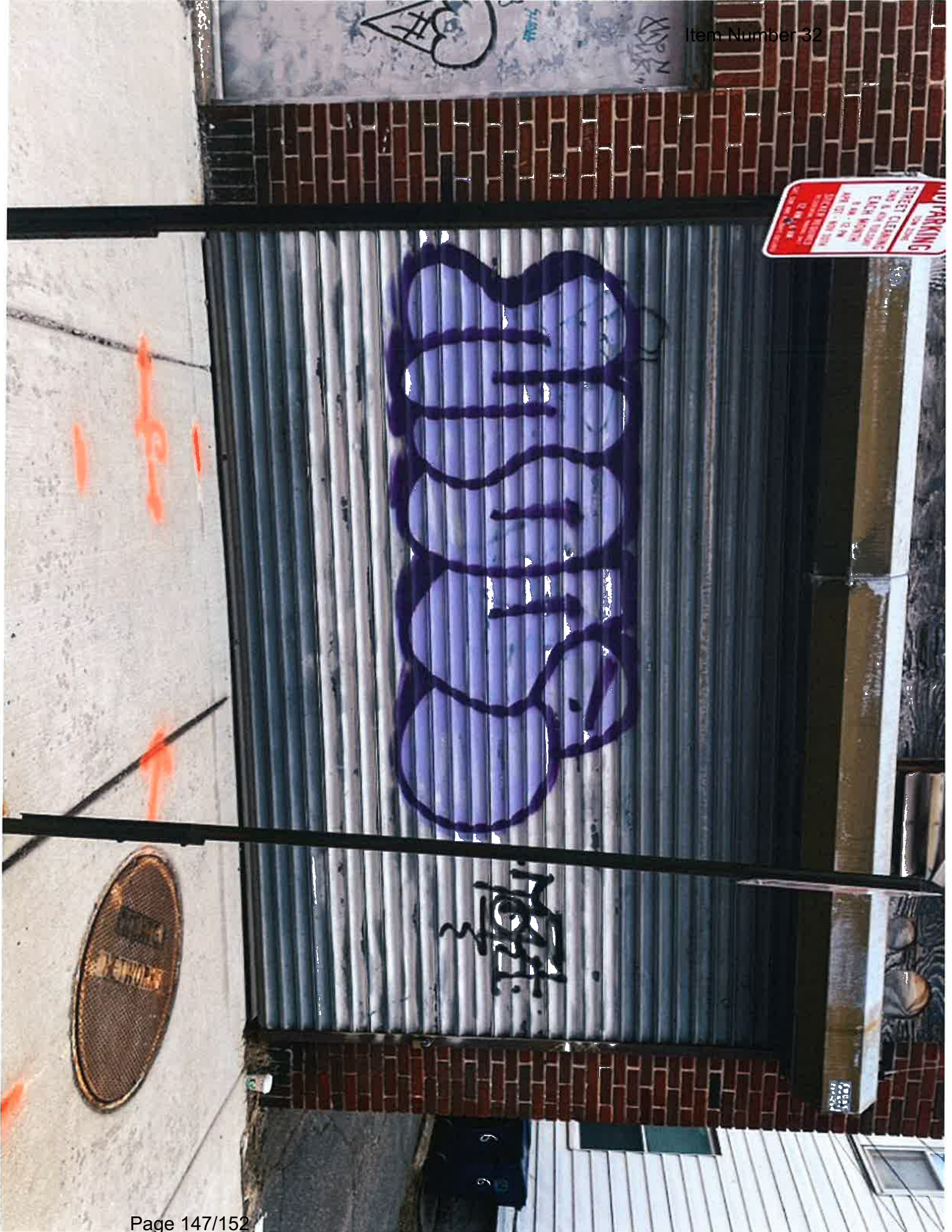
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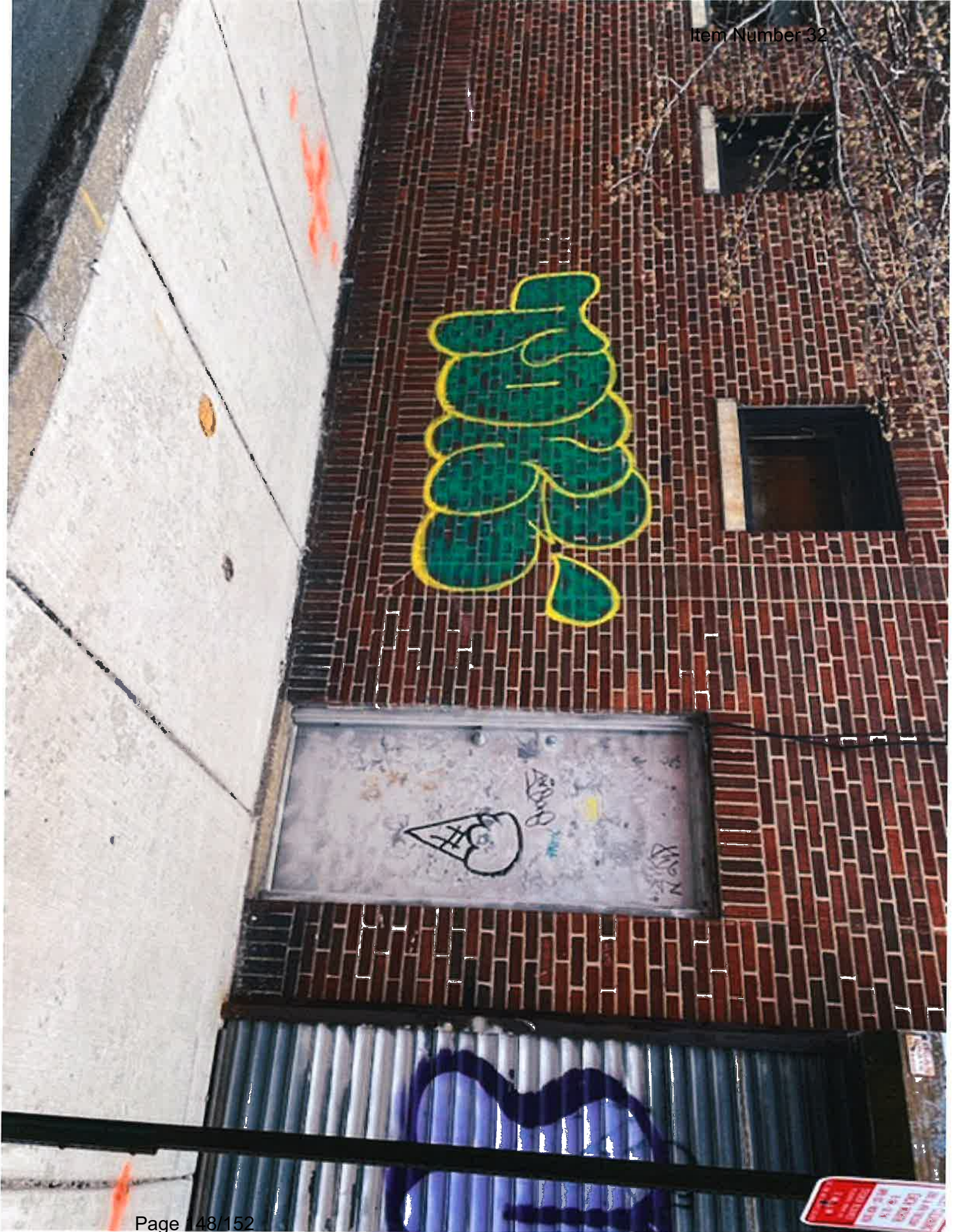
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C0227-22

To: Mayor and City Council

From: Councilor Michael K. Marchese

Date: April 25, 2022

Agenda Item:

That the Mayor, City Solicitor, Chief Financial Officer, & City Clerk appear at the next meeting to discuss the \$180,000 overpayment on longevity to His Honor the Mayor.

Background and Explanation:

Attachments: