



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

September 17, 2020
REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	

Others present: Nick Antanavica - ISD, Luisa Oliveira - OSPCD, Nick Schonberger - OSPCD, Hannah Payne - OSPCD, Sarah White - OSPCD, David Shapiro - Law, Julie McKenzie - Law, Khushbu Webber - Legislative Liaison, Peter Forcellese - Legislative Clerk.

The meeting took place virtually via GoToWebinar and was called to order at 6:00 PM by Chairman Davis and adjourned at 7:10 PM on a roll call vote of 5 in favor (Councilors Clingan, McLaughlin, Ewen-Campen, Niedergang and Davis), none against and none absent.

Approval of the September 3, 2020 Minutes

RESULT:	ACCEPTED
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204278: Requesting the replacement of Ordinance 7-28 with a new Demolition Review Ordinance. with relevant updates to Ordinance 1-11 for violations.

Councilor Ewen Campen was recused from all discussion and votes on this item.

The committee reviewed the latest version of the ordinance dated 9-17-20 and Ms. White reviewed the changes made. Councilor Niedergang commented that everything in the revised version appears to be in order, but he had a question about the exemption of buildings in the D blocks in Union Square. Ms. White explained that those parcels have been excluded for several years and have been part of the Union Square development plan that was approved by the Council. She did note that the Post Office building has already been historically protected by making it a single structure local historic district, therefore, there is no possibility of it being demolished.

Councilor Niedergang made a motion to approve the item.

RESULT:	APPROVED. [UNANIMOUS]
AYES:	Davis, Niedergang, McLaughlin, Clingan
EXCUSED:	Ewen-Campen

209020: Historic Preservation Planner responding to #204278 with a presentation regarding the draft Demolition Review Ordinance.

RESULT:	WORK COMPLETED. [UNANIMOUS]
AYES:	Davis, Niedergang, Ewen-Campen, McLaughlin, Clingan

209740: Requesting approval of an ordinance authorizing participation in the MA Commercial Property Assessed Clean Energy Program.

Mr. Schonberger spoke on this item and explained that the language before the committee allows the City Council to permit the city to participate in the program. Councilor Niedergang asked for follow-up information on how the cost analysis is conducted. Mr. Schonberger said that the cost savings of a project, over 20 years, must be greater than the cost of the project. Ms. Payne offered to provide additional information if desired. Councilor Niedergang noted that religious institutions don't pay taxes, and asked how their tax breaks are applied.

RESULT:	APPROVED. [UNANIMOUS]
AYES:	Davis, Niedergang, Ewen-Campen, McLaughlin, Clingan

209224: That the City Solicitor draft an ordinance to address the Black Swallow-wort problem.

Ms. Oliveira spoke on this item and gave a brief background of the dangers of this weed. She stated that residents collected numerous plants over the past few weeks. Ms. Oliveira said that the weed is difficult to identify when it's small, and she doesn't feel that property owners should be fined for not removing it when found. She feels that education is a softer and more positive way to achieve the goal of eradicating the weed. Mr. Antanavica was in agreement with Ms. Oliveira's comments. Councilor Ewen-Campen agrees that the situation should be monitored, and if the situation warrants, the need for an ordinance could be revisited. Ms. Oliveira said that she has seen the weed all over the city with some properties being worse than others and she pointed out that printable flyers are available online for residents' information and/or for residents to place on the porches of affected properties. Chair Davis stated that the item will remain in committee as a reference point.

RESULT:	KEPT IN COMMITTEE
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210561: That the City Solicitor prepare a Home Rule Petition to repeal Chapter 327 of the Acts of 2004, which follows up on the so-called anti-gang loitering ordinance.

RESULT:	KEPT IN COMMITTEE
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210454: That the City Solicitor draft language to prohibit the use of prison labor of any kind for city projects, including the Middlesex Sheriff's Community Work Program.

Ms. McKenzie told the committee that she has not prepared the language for this yet. Chair Davis had a discussion with Councilor Scott and Ms. Webber earlier in the week about this item and he asked members if they wanted a straight up prohibition or if they might want to leave the door open for participation in an acceptable program down the line. Councilors McLaughlin and Ewen-Campen stated their preferences for a total prohibition. Ms. McKenzie noted that her research showed that the city has not participated in a program of this type for several years.

RESULT:

KEPT IN COMMITTEE

210555: That the City Solicitor draft an ordinance to require municipal licensing of rental car businesses, to address the issue of these businesses illegally parking their rental fleet on residential streets.

Councilor Ewen-Campen spoke about this item and said that it's an issue that has come and gone and that has generated much communication from constituents. The intent would be that a license from the city would be needed to conduct a rental car business. Mr. Shapiro told the members that he would research the matter and come back to the committee with a draft ordinance.

RESULT:

KEPT IN COMMITTEE

Handouts:

- DRO - LM 9-17-2020 Clean (with 204278)
- DRO - LM 9-17-2020 with highlights (with 204278)
- DRO Map - exempt areas (with 204278)