



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

March 5, 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	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	

The meeting was held in the Committee Room and was called to order by Chair Davis at 6:02pm and adjourned at 7:16pm.

Others present: Frank Wright - Law; Brad Rawson - OSPCD; Jesse Moos - IAM; Ted Louis-Jacques - Veterans; Kimberly Wells - Assistant Clerk of Committees

Approval of the February 20, 2020 Minutes

RESULT:	ACCEPTED
----------------	-----------------

208806: That the City Solicitor draft a Home Rule Petition to establish Broadway as a 25 mph roadway, and include any other municipal roadways within the city which currently exceed 25 mph.

Mr. Wright shared that Ms. Pappenheim was asked to contact Representative Provost's office following a discussion in a previous meeting, and the representative noted that the Municipal Modernization Act was intended to allow municipalities to establish a 25 mph speed limit on non-state highways, regardless of the existence of a prior special law establishing a speed zone. Therefore, a Home Rule Petition would be unnecessary to apply the city wide 25 mph speed limit to streets (other than state highways, which are discussed in item 208909 below) that currently are above 25 mph. The Act also allows the city to establish 20 mph safety zones. The Law Department agrees with this interpretation.

Councilor Niedergang clarified that a State Highway refers to roadways under control of the state. It would include McGrath Highway, Mystic Avenue, Alewife Brook Parkway, but would not include Broadway. Mr. Rawson added that Broadway, a section of Washington Street, Cameron Avenue, and Middlesex Avenue are subject to a special speed zone regulation that currently sets their speed limit at more than 25 mph.

Mr. Rawson outlined that there are traffic calming measures in place in addition to the posted speed limits, that constrain operation such as speed. Absent traffic calming, the regulatory signs are only

effective if they are enforced. He suggested that support of traffic calming measures have more transformative impact and these programmatic changes should be coupled with any new regulations. Chair Davis agreed that these are important, but does not want to delay changing the signs from 30 mph to 25 mph until traffic calming measures are in place, as the signage may have an impact, however small. Mr. Rawson will follow up with Ms. Rinfret and the sign crew as soon as possible. Councilor Niedergang noted that these signs should be a priority, as these roadways are much more dangerous.

Chair Davis moved that the administration enact these changes without delay, including changing any existing 30 mph signs on these roads and contacting navigation companies to update the information on file.

The motion was approved.

RESULT:

WORK COMPLETED

208909: That the City Solicitor advise this Council on the process to request the lowering of speed limits on state roadways within the city.

Mr Wright reminded the committee that the MGL Chapter 90 Section 17(c) states that (...) the City Council (...) 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.

Because this discussion is regarding state highways, that law does not apply. Mr. Wright noted that it would take petitioning the legislature to change the speed limits on these state highways. Mr. Rawson clarified that sections of Mystic Avenue that are posted with 35 mph speed limit and others that are posted with a 30 mph speed limit. Councilor Clingan wondered if safety zones could be established here, and if flashing lights could be utilized. Mr. Rawson will include this in conversations with DOT.

RESULT:

WORK COMPLETED

209692: Requesting approval of an amendment to Ordinance 2-309.5 to clarify the roles and responsibilities of the Veterans Commission on Monuments, Memorials and Dedications.

Mr. Moos shared a memo from SomerStat Director Stelljes, highlighting that the Mayor is proposing to amend the ordinance for the Veterans Commission to provide a focus on the establishment of hero squares and monuments and memorials that honor Somerville's residents that served our country during times of war, as well as to create a new Memorialization Committee to develop the policy and procedures for the naming of public buildings, spaces, and streets and naming them per their established process.

Chair Davis clarified that this would allow the Veterans Commission to better focus on issues affecting veterans. He also elaborated that the changes to the ordinance removes the memorialization duties, and shifts them to the new ordinance creating a Memorialization Committee. He asked about whether there are any branches of the service omitted, such as the National Guard, and Mr. Louis-Jacques clarified that reserves are included within the listing of each branch of the military (Army, Navy, Marines, Air Force, and Coast Guard).

Councilor Ewen-Campen noted that the ordinance specifies that the cost of memorials is to be covered by the requestor and wondered if this has always been the case and if it is standard practice. Mr. Moos explained that in most cases, the City is the requestor. Councilor Scott elaborated that this could also

apply to families making requests for benches and other memorials. Mr. Louis-Jacques noted that currently the requestor pays for the placard itself, but the City incurs the costs of installation.

Councilor Clingan asked what the process for making a request would be and Mr. Moos intends to create a new email for submissions and direct requests to his office, but the details of the process will be determined by the Committee once created. Councilor Scott asked whether the statement in the Veterans Commission ordinance that "The commission shall have charge and control of the construction of any such monument, memorial or dedication and shall have custody and care thereof after its construction." would prohibit a private entity from designing and sourcing a memorial, and whether it would trigger the procurement requirements. Mr. Wright noted that he can research further, but it seems like it would be a City project, paid for with funds donated for that purpose, and would have to follow all relevant laws.

Councilor Ewen-Campen suggested that it be explicitly stated that a public space cannot be named for a corporation. Chair Davis asked whether the Veterans Commission would only name hero squares, and Mr. Moos clarified that they could propose anything to be named for a veteran. The Veterans Commission will have complete jurisdiction over hero squares, and other items will flow through the Memorialization Committee, which will have a Veterans Commission representative.

Councilor Ewen-Campen suggested amending the Memorialization Committee ordinance section (4) to add section (4)(b) to read "No public building, space, or street shall be named after the trade name of a corporation or business." Councilor Davis suggested that it be a new section (5), with the current sections (5) and (6) becoming sections (6) and (7).

Chair Davis wondered what would happen if an individual shared the name of a business by chance. Councilor Ewen-Campen clarified that it could be identified with a full name, rather than a branding. Mr. Moos also wondered whether this would prohibit the naming on wayfinding signs, such as Ikea Way or Bow Market Way. Councilor Ewen-Campen noted that the lack of this name on the street would not affect the success of Bow Market.

Councilor Scott noted that a prohibition on trade names would not necessarily prohibit a corporate product name. The committee agreed that the general desire is to prohibit naming municipal assets after corporations or associated corporate trade marks.

Chair Davis moved to amend the Memorialization Committee ordinance to add a new paragraph section (5) reading "Nothing named pursuant to this ordinance shall be the trade name or other trade mark of any business or other commercial entity." and change the references to section (5) to section (6) and section (6) to section (7).

The motion was approved.

RESULT:	APPROVED
----------------	-----------------

209711: Director of Infrastructure and Asset Management submitting a draft Ordinance to establish a Memorialization Committee.

See 209692.

RESULT:	APPROVED AS AMENDED
----------------	----------------------------

Handout:

- Memo (with 209692, 209711)