



City Council

Regular Meeting

~ Draft ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Gladys Oyola-Lopez
413-787-6096

Monday, October 3, 2022

7:00 PM

Springfield City Hall -- Council Chambers

Call to Order

7:00 PM Meeting called to order on October 3, 2022 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Maria Perez		Remote	
Lavar Click-Bruce	Ward 5 City Councilor	Present	
Sean Curran	At-Large Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Remote	
Malo Brown	Ward 4 Councilor	Remote	
Victor Davila	Ward 6 Councilor	Present	
Justin Hurst	At Large Councilor	Remote	
Melvin A. Edwards	Ward 3 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Zaida Govan	Ward 8 City Councilor	Remote	
Michael A. Fenton	Ward 2 Councilor	Present	
Tracye Whitfield	At Large City Councilor	Remote	
Jesse Lederman	President	Present	

Reports of Committee

Councilor Walsh reported on Springfield Women's Commission recognizing domestic violence as a top priority/October will be recognized as Domestic Violence Awareness Month.

Councilor Govan reported October 5th will be Energy Efficient day & Month.

Councilor Davila reported Public Safety Committee & Joint Committee meeting re: Sumner Ave/Friendly's building.

Councilor Fenton reported on Councilor Lederman's proposal on the posting and filling of vacancy on municipal boards & commission, on change to the ordinance that controls the fee structure for permitting of dumpster's & on the speed hump ordinance.

Councilor Whitfield reported on joint Public Safety Finance Committee Meeting re: Friendly's location/parking lot & the Finance Committee Meeting regarding ARPA funds.

Councilor Edwards reported on the Planning and Eco Dev Committee

Informational

1. Order (ID # 7033)

FY 2022 June Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Pat Burns - Comptroller - Requesting that this is sent to committee

Provide a build up of what is making up the 69 million - 42 million is from Eversource.

Councilor Whitfield made a motion to refer report to the Finance Committee.

Councilor Davila and Allen asked questions.

ATTACHMENTS:

- June Revenue Vs. Expenditure Report (PDF)

RESULT:	REFER COMMITTEE VOTE [UNANIMOUS]
MOVER:	Tracye Whitfield, At Large City Councilor
SECONDER:	Maria Perez
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

2. Order (ID # 7034)

August Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Pat Burns, Comptroller, Presented FY 2023 August Revenue Expenditure Report which represents the first two months of the fiscal year.

ATTACHMENTS:

- August Revenue Vs. Expenditure Report (PDF)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Orders

3. Order (ID # 7019)

Collective Bargaining Agreement Ratification - National Association of Government Employees (NAGE) Local 1-021

COMMENTS - Current Meeting:

Bill Mahoney, HR Director.

Spoke on the Collective Bargaining Agreement for NAGE.

Councilor Walsh commented on the military leave.

ATTACHMENTS:

- 2022-08-25 Letter to City Council re NAGE Report for ratification (PDF)
- 2022-08-17 Tentative Agreement final (PDF)
- CAFO-CERT - NAGE (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

4. Order (ID # 7020)

Collective Bargaining Agreement Ratification - Springfield Public Health Nurses (PHN)

COMMENTS - Current Meeting:

Bill Mahoney, HR Director spoke on this item.

2 employees in this bargaining unit.

ATTACHMENTS:

- 08-29-2022 PH CC Report (PDF)
- 2022-08-29 PHN Signed TA & CC order (PDF)
- CAFO-CERT - Springfield Public Health Nurses (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

5. Order (ID # 7024)

FFY23 Municipal Road Safety Grant - No Match - \$64,950.00

COMMENTS - Current Meeting:

SPD Traffic Bureau LT (Name not heard)

Supporting high visibility enforcement via directed mobilization.

Referenced number of motor vehicle fatalities. 12,488 citations given out 36% of these were by the Traffic Bureau.

Councilor Davila asked questions regarding how the grant will be expended.

LT - specifically for Traffic Bureau used for C3, overtime and targeted enforcement.

Councilor Walsh - Great detailed presentation

Councilor Hurst - How is the program's success gauged? How do you measure it's effectiveness.

LT- Office of Public Safety measures the success of the program. He reported statistical references and the reduction of crashes/fatalities. Types of citations are also a measure of the effectiveness. Offered to provide the council with the statistics from last year.

ATTACHMENTS:

- MRS23 Grant Request (PDF)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

6. Order (ID # 7029)

Bills of Prior Year - Thomas J. O'Connor - \$593.45

COMMENTS - Current Meeting:

Lindsay Hackett presented an order to request funding from FY2023 budget for 6 invoices for services rendered on FY2022 for TJO, the vendor is Wedgewood Pharmacy.

ATTACHMENTS:

- TJO - Wedgewood Pharmacy CAFO Cert (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Motion To: Suspension of Rule 19

COMMENTS - Current Meeting:

Suspension of Rule 19 - Passed by a unanimous voice vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael A. Fenton, Ward 2 Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

7. Order (ID # 7030)

Department of Elder Affairs Donation - \$225.00

COMMENTS - Current Meeting:

Lindsay Hackett presented

9 \$25 gift cards - Hungry Hill Senior Center

ATTACHMENTS:

- Elders- Donated Gift Cards (PDF)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Special Permits**8. Special Permit (ID # 6883)**

For a Special Permit for a Temporary Truck or Truck Body Storage Lot at the Properties Known as 146 Verge Street (11840-0031)(Book#24540/Page#430), NS Verge Street (11840-0035)(Book#24540/Page#430) and NS Verge Street (11840-0038) (Book#24540/Page#426) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.5(2) and M.G.L.

Request:	See Above
Owner:	Mr. Master, LLC
By:	Karim Radzhabov
Petitioner:	Mr. Master, LLC
By:	Karim Radzhabov

HISTORY:**08/22/22****City Council****CONTINUE VOTE****Next: 10/24/22****COMMENTS - Current Meeting:**

Rebecca Lee, 40 School Street-Westfield, MA presented on behalf of Mr. Master LLC - Mia Azatova & Karim Radzhabov. Request for special permit for the propose temporary truck storage lot located at 146 Verge St. Property is currently zoned industrial A, the current conditions of the property are heavily wooded w/ an existing building. The applicant proposes to re-use the existing building & construct a new parking lot for tractor trailers & for personnel vehicles. Included with the proposed site, improvements include a new perimeter fence to enhance security with a controlled access gate & surveillance around the property. A new dumpster area will also be included & a new drainage management system to improve water quality & treats the run off on site. Positive recommendation from Mr. Dromey who prepared a well written and detailed analysis on site review. Also, there has been communication with the DPW engineering dept & working with them to resolve their comments.

Ms. Lee gave detailed summary on the petition.

Maya Izatova - spoke on the petition.

Councilor Click-Bruce - asked the petitioners if they were able to meet with the neighborhood council in reference to the change.

Ms. Lee - Did not meet with the Neighborhood Council

Councilor Govan - Invited the petitioners to meet with the IOCC. She also asked where the lot was located and encouraged the petitioners to host a site visit for the council and neighbors.

Councilor Allen mentioned that there are several concerns in the write up given by Planning. Have you met with Mr. Dromey and how are you prepared to deal with the recommendations?

Ms. Lee - met with tree warden and changed the entrance to save tree. The applicant willing to comply with the conditions proposed by Phil Dromey and the Planning Department. In regards to the building the applicant is proposing to do renovations, planning to have the office on site and add a repair shop included with that building. They are planning on

making significant renovations to this building to improve the current conditions. Hours of operation will be abide by the hours Jeremy has recommended.

Councilor Davila asked how many trucks are proposed to be there. Will the truck drivers be able to sleep there overnight? Will the parking lot be paved?

Ms. Lee - 21 spaces. Most drivers are local so this will be a drop off and parking site for the trucks. Asphalt and concrete.

Councilor Allen asked for Phil to come out to answer some questions. Asked if the Council approves tonight will Phil help with the next steps in the process.

Councilor Govan asked if it would be appropriate to send this to committee?

Councilor Lederman reminded the body that it could be continued

Councilor Davila spoke on the motion and suggested the council be consistent in ensuring councils be heard.

ATTACHMENTS:

- Verge_St_146_Tax_Formal (PDF)
- Verge_St_146_2022 (PDF)

RESULT:	CONTINUE VOTE [UNANIMOUS]
MOVER:	Zaida Govan, Ward 8 City Councilor
SECONDER:	Tracye Whitfield, At Large City Councilor
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Zone Change Referral Vote

9. Zoning Change (ID # 6951)

To Change the Zoning of the Property Known as 435-455 Cottage Street (03310-0292) from Industrial Park to Industrial A.

PETITIONER:	Edward Young
ADDRESS:	435-455 Cottage Street
CHANGE REQUESTED:	Industrial P to Industrial A

HISTORY:

09/21/22 **Planning Board** **APPROVED**

COMMENTS - Current Meeting:

President Lederman- This item is on for a first reading and parliamentary referral to the planning board.

ATTACHMENTS:

- 3233_435_Cottage_St_Formal (PDF)
- 3233_435_Cottage_St_2022 (PDF)
- 3233_435_455_Cottage_St_PB_Report_2022 (PDF)

Ordinances**(10.) ORD-2022-3 Code Enforcement Inspection Ordinance**

- A. The City of Springfield Departments such as the Department of Code Enforcement, assessor's Department and the Building Department in carrying out the duties as imposed by **G. L. c 111, G. L. c 59, G. L. C 143** and all other applicable statutes shall apply for a warrant to enter the property if entry has been denied by the landowner or business owner, in order to perform an inspection or for assessment of valuation when ensuring compliance with the State sanitary Code, State Building Code, City Zoning ordinance or enforcement of any other applicable Laws.
- B An administration search warrant is not required if any of the following are applicable.
1. Consent from person over 18 years of age authorized to permit entry onto the property based on joint access or control over the premises.
 2. Plain View Areas; areas that can be seen from the public way without entering the property.
 - 3 Exigent circumstances; Emergency situation calling for a need to protect or preserve life or to avoid serious injury or property damage.

A P P R O V E D 9/13/2022 Law Department .

RESULT: REFERRED TO COMMITTEE

COMMENTS - Current Meeting:
REF TO GEN GOV COMMITTEE
ATTACHMENTS:

- Code Enforcement Inspections-Warrant Requirement (PDF)

Invoke 22C - Passage of Item 11 in One Vote

Motion made by Councilor Lederman

Seconded by Councilor Davila

Rule 22C was invoked by a unanimous vote.

(11.) ORD-2022-6 An Ordinance Amending Chapter 16 of the City Code by Inserting a New Article XXI Board, Commission & Committee Appointment Posting Vacancy Announcement, and Application

Be it ordained by the City Council of the City of Springfield, in session assembled, that the Code of Ordinances of the City of Springfield, is hereby amended by inserting the following new provisions, in Chapter 16, a new Article XXI:

CHAPTER 16 - Boards, Commissions, and Committees

ARTICLE XXI

Board, Commission, & Committee Appointment Posting Vacancy Announcement, & Application

Sec. 16-79. Purpose.

The purpose of this ordinance is to ensure that the status of all seats on Municipal Boards, Commissions, and Committees is easily available to the public, to ensure vacancies on Boards, Commissions, and Committees are posted on the City's website, so that residents who have interest in being appointed to serve on a Municipal Board, Commission, or Committee have the opportunity to be considered.

Sec. 16-80. Definitions.

Municipal Board, Commission, and Committee. A Municipal Board, Commission, and Committee shall be defined as any appointed body codified in the Code of Ordinances of the City of Springfield and/or Massachusetts General Law, including but not limited to those defined in Chapter 16 of the Code of Ordinances of the City of Springfield, and including, but not limited to, the Historic Commission, the License Commission, the Ethics Commission, the Zoning Board of Appeals, the Board of Police Commissioners, the Springfield Redevelopment Authority, the Springfield Water & Sewer Commission, the Springfield Parking Authority, and the Springfield Housing Authority.

Sec. 16-81. Requirements.

- A. Publication of Municipal Boards, Commissions, & Committees.* Within thirty (30) days of passage, the City Clerk shall publish accessibly on the city's official website a listing of all Municipal Boards, Commissions, and Committees. Such posting shall include the name of the appointed body, a description of the body's function, the names of members currently serving, the length of each member's term, and the appointing authority. The City Clerk shall review such publication monthly to ensure accuracy, and shall update such posting within five (5) business days of a new appointment or vacancy.
- B. Application for Appointment.* Within thirty (30) days of passage, the City Clerk shall develop a public application for consideration for appointment to Municipal Boards, Commissions, or Committees. The General Government Sub-Committee of the Springfield City Council shall review the application. The application shall be posted on the city website, and applications shall be collected by the City Clerk and forwarded to the appropriate appointing authority for consideration at the discretion of the appointing authority. Nothing in this section shall be interpreted as interfering with or limiting the ability of the respective appointing authority to carry out their power to appoint.

Sec. 16-82. Severability

If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jesse Lederman, President
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

COMMENTS - Current Meeting:

Councilor Lederman stepped down to speak on the item and Councilor Edwards assumed the podium.

Councilor Lederman shared responses relative to whether the name of the person applying to the Board/Commission is a public record. Asked Attorney Shea to elaborate on the public records piece

Councilor Lederman did reach out to the Chief of Staff regarding ordinance and received a positive response.

Councilor Davila - is the position that the person will be applying for be public record. Will the applicants be fully aware that their information will be a public record if chosen.

Attorney Shea - said yes.

Councilor Lederman - the application developed by the City Clerk's office have a clear disclosure that the applicants information could be considered a public record.

() ORD-2022-5 An Ordinance Amending Chapter 178 of the Code of the City of Springfield, as Amended, By Inserting a New Section 178-18, Combustible Waste and Refuse

An Ordinance Amending Chapter 178 of the Code of the City of Springfield, as Amended, By Inserting a New Section 178-18, Combustible Waste and Refuse

Be it Ordained by the City Council, in Session Assembled, that the Following Amendment to the Code of the City of Springfield, as Amended, be Enacted:

1. CHAPTER 178- FIRE PREVENTION of the Code of the City of Springfield, as Amended, is Hereby Further Amended to Include a New Section 178-18, as Follows:

"Chapter 178, § 178-18, Combustible Waste and Refuse

In Accordance with 527 CMR 1.0, Section 1.05, Chapter 1, Section 1.12.8.5, Every Dumpster that is Six (6) Cubic Yards or Greater Shall Have a Permit. it Shall be the Responsibility of the Dumpster Hauler To: (I) Supply the Springfield Fire Department with an Annual List of the Current Dumpsters in Use Throughout the City, and the Locations Thereof, on or Before January 1st of Each Year; and (Ii) to Pay the Required Permit Fee of \$50.00 Per Dumpster (Annual Fee). During the Calendar Year, on a Quarterly Basis, the Dumpster Hauler Shall Submit a Written Report to the Springfield Fire Department of All New Contracts for Dumpsters Within the City, and the Locations Thereof, and Shall Pay the Required Annual Permit Fee of \$50.00 for Each New Dumpster Contract, with Each Quarterly Report. See Code of the City of Springfield, Chapter 100, Article I, Section 100-7 Fire Department Fees, Section (U)."

2. Upon passage, the effective date for the Amendment shall be _____, 2022.

Ordinance amendment requested by the Springfield Fire Department, Fire Prevention. Change would required dumpster haulers to pay annual permit fees. Draft approved by the Law Department.

RESULT:	REFERRED TO COMMITTEE [5 TO 8]
AYES:	Perez, Walsh, Hurst, Govan, Whitfield
NAYS:	Click-Bruce, Curran, Brown, Davila, Edwards, Allen, Fenton, Lederman

COMMENTS - Current Meeting:

Commissioner BJ Calvi was present to speak in favor of the item

Councilor Hurst voiced concerns on having Steve Desilets included in on the process. If the permit process is going through the Fire Department he stated that he was more comfortable with the process. Would still like to hear from the dumpster haulers.

Councilor Davila asked additional questions on the permitting process.

Comm. BJ Calvi - 6 CY dumpsters and up. Permits are given upon application. Once dumpster is placed an inspection is done.

Councilor Fenton opposes the return of this item to committee. Permanent Dumpsters, Temporary Dumpsters and Dumpsters located in a right of way are the three types of dumpsters. Thinks there should be a more broad discussion on how each of these types of dumpsters are . Supports Commissioners Calvi's request.

Councilor Walsh supports sending it to committee.

Councilor Whitfield said business owners need to be made aware. Item should go back to general government.

Councilor Perez recommended it go back to the original committee that heard the item.

Councilor Davila echoed Councilor Fenton's support for the ordinance. if item is sent to committee it should be referred to the original committee.

Motion to refer to committee failed.

Councilor Whitfield asked Councilor Fenton how are we adding a fee and it is not increasing the fee.

Councilor Fenton referred to the current existing fee. It doesn't add to the fee it makes the business owners responsible for paying a fee that they know exists.

Councilor Whitfield is concerned that the fee will trickle down to the consumer.

Councilor Curran asked how many fires originate from dumpsters.

Commissioner Calvi - Weekly that can be put out. Yearly there are several that spread to the property. Non-permitted dumpsters are typically not covered by insurance.

Councilor Hurst - Asked for the reasoning behind \$50. A warning or progressive increase should take place.

BJ Calvi - the \$50 fee has existed for over a decade.

Councilor Walsh - agrees with colleagues that the cost will be passed on the consumer
Stated that she will not support the item

Councilor Perez is concerned with the dumping if residents will have to pay for this fee.
Concerned about the environmental impact. Will not support the item.

Councilor Govan wanted the item to go to committee to get the input of the haulers.

Councilor Davila

Councilor Brown

(12.) ORD-2022-5 An Ordinance Amending Chapter 178 of the Code of the City of Springfield, as Amended, By Inserting a New Section 178-18, Combustible Waste and Refuse

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By Inserting a New Section 178-18, Combustible Waste and Refuse

Be it Ordained by the City Council, in Session Assembled, that the Following Amendment to the Code of the City of Springfield, as Amended, be Enacted:

1. CHAPTER 178- FIRE PREVENTION of the Code of the City of Springfield, as Amended, is Hereby Further Amended to Include a New Section 178-18, as Follows:

"Chapter 178, § 178-18, Combustible Waste and Refuse

In Accordance with 527 CMR 1.0, Section 1.05, Chapter 1, Section 1.12.8.5, Every Dumpster that is Six (6) Cubic Yards or Greater Shall Have a Permit. it Shall be the Responsibility of the Dumpster Hauler To: (I) Supply the Springfield Fire Department with an Annual List of the Current Dumpsters in Use Throughout the City, and the Locations Thereof, on or Before January 1St of Each Year; and (Ii) to Pay the Required Permit Fee of \$50.00 Per Dumpster (Annual Fee). During the Calendar Year, on a Quarterly Basis, the Dumpster Hauler Shall Submit a Written Report to the Springfield Fire Department of All New Contracts for Dumpsters Within the City, and the Locations Thereof, and Shall Pay the Required Annual Permit Fee of \$50.00 for Each New Dumpster Contract, with Each Quarterly Report. See Code of the City of Springfield, Chapter 100, Article I, Section 100-7 Fire Department Fees, Section (U)."

2. Upon passage, the effective date for the Amendment shall be _____, 2022.

Ordinance amendment requested by the Springfield Fire Department, Fire Prevention.
Change would required dumpster haulers to pay annual permit fees. Draft approved by the Law Department.

RESULT:	FIRST STEP
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COMMENTS - Current Meeting:
Councilor Brown - will support the item.

Councilor Whitfield - voiced concerns regarding small business owners. Encourage council to consider the small business owners.

Councilor Allen asked the Commissioner to clarify that we are not raising fees just enforcing the current fee.

BJ Calvi - this fee is part of the state code that was passed a decade ago and many communities have already adopted this fee.

Councilor Hurst asserted that the fees will be greater than \$50 due to the handling fee of the permitting process.

Councilor Perez spoke again in opposition

Councilor Walsh questioned "what's the rush"? Cannot understand why the move to committee is not being supported.

Councilor Davila doesn't believe passage of this ordinance will increase dumping. Haulers are aware of this permitting fee.

Councilor Whitfield stated that she is not opposed to the ordinance. However, she is opposed to passing without hearing from business owners. Asked Commissioner Calvi how many unpermitted dumpsters have caused fires in the past two years.

Councilor Fenton asked for the next hearing to consider how Councilors are called in person versus remotely. Councilor Fenton reminded the body that this is the third time that we are hearing this ordinance. If this passes first steps tonight we still have time to have another hearing,

(13.) ORD-2022-7 An Ordinance Amending Chapter 385 of the Revised Ordinances of the City of Springfield, 1986, as Amended, by Adding Article Xi Thereof ord. No. ____

AN ORDINANCE AMENDING CHAPTER 385 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED, BY ADDING ARTICLE XI THEREOF

ORD. NO. ____

Be it ordained by the Council of the City of Springfield, as follows:

Chapter 385, VEHICLES AND TRAFFIC, of the Code of the City of Springfield, is hereby amended by adding Article XI thereto to state as follows:

ARTICLE XI

§385-53. Speed Hump Petition.

Petition to the Board of Public Works and subject to City Council final approval required: No speed hump shall be installed or established within a public way, except upon petition to the Board of Public Works signed by at least two-thirds of the property owners (as listed with the Springfield Board of Assessors) or two-thirds of the registered voters (as listed with the Springfield Election Commission) within the "impacted segment" of a proposed speed hump street. As part of the petition process, the petitioner must submit appropriate mapping showing the exact location of the proposed speed hump location with the support of the property owner(s) who are immediately contiguous with the proposed location. The petition will also

require signatures from property owners / registered voters from at least two parallel streets in either direction of the street where the request is being made. The signatures from the other streets must make up at least 1/4 of the total signatures generated. When there are multiple property owners, the signature of one shall be sufficient to count that property towards the required two-thirds. Said petition shall be referred by the City Clerk to the Fire Department, the Police Department and the Department of Public Works Engineering division for review, and if approved then forwarded to the Board of Public Works for necessary hearing / viewing. Each request must provide the name of the street for which the speed hump(s) are requested and the boundaries of the intended street segment to be impacted. Each petition will be reviewed by the Board of Public Works based upon its own merits and taking into consideration the recommendations of the Police, Fire, and Public Works departments. For purposes of this section "impacted segment" shall mean 300 feet to either side of the zone proposed by the residents for the location of the hump(s), or to the nearest fully signalized intersection or end of the street in that direction, whichever comes first. The "impacted segment" may be extended and / or reduced, at the direction of the DPW / Engineering Division, Police , Fire, etc as part of the preliminary review of the petition, based upon general traffic flows, traffic patterns in a particular neighborhood. Full justification of the modified "impacted segment" will be provided by the DPW / Engineering Division. All correspondence and communication with residents regarding the petition and process shall be through the Board of Public Works. The application to the Board of Public Works must also include a letter of support from the appropriate Neighborhood Council.

As part of the review of a petition submitted to the Board of Public Works, upon consultation with Police and Fire Department and the Engineering Division of the Department of Public Works, the Director of the Department of Public Works may reject an application if, in his opinion, the location, road layout, roadway grade, etc. is not appropriate for installation. If the application is rejected, the Director must provide the applicant with justification for denial in writing within 21 days of the petition being received.

The petition that is submitted to the Board of Public Works must have a single person as the point of contact and this person will be considered the "applicant".

§385-54 Reports upon petition of property owners.

The Engineering division of the Department of Public Works upon receiving any such petition shall report to the Board of Public Works whether, in their judgement, the proposed speed hump location conforms to the Manual On Uniform Traffic Control Devices for Street and Highways (MUTCD) issued by the US Department of Transportation Federal Highway Administration, City of Springfield Ordinances and good engineering practice. Within thirty (30) days, the police department, the fire department and the department of public works shall report to the Board of Public Works regarding the proposed speed hump, including potential impacts on the daily and emergency operations of those departments.

§385-55 Location Requirements.

In order to be eligible for speed humps pursuant to this Ordinance, a street must have a Roadway Functional Classification of "Local Road" as shown on the most recent "Roadway Functional Classification " map on file with the DPW and must have a posted or de facto speed limit of 25 miles per hour or less.

§385-56 Hearing.

- A. Before any order to install or establish a speed hump shall be passed, a written notice of the intention of the Board of Public Works to hold a viewing to install or establish a speed hump shall be posted a minimum of 15 days in advance of the viewing date, and registered letters shall be sent to all property owners within a 300-foot radius of the impacted segment of the street under review for speed hump installation and such notice shall specify the time and place for such hearing before the City Council. It will be the “applicants” responsibility to be financially responsible for the payment of any and all mailing of registered letters to abutters. The applicant shall, upon a request from the DPW, provide evidence of notices being sent via registered mail.
- B. After the hearing has been held, the Board of Public Works will refer the petition to the City Council for their review and action.

§385-57 Specifications.

Speed humps and related signage and pavement marking will be installed in conformance with the applicable specifications in the most current editions of:

- A. the Manual on Uniform Traffic Control Devices for Streets and Highways (“MUTCD”) issued by the U.S. Department of Transportation Federal Highway Administration;
- B. the Massachusetts Project Development and Design Guide issued by the Massachusetts Department of Transportation; and
any applicable standards on file with the Springfield Department of Public Works.
- C. Speed Humps will be placed in a manner so as not to impede drainage flow in the street. This will mean that the speed hump will not go all the way to the curb. Please be advised that it will be the immediate property abutters responsibility to clear snow from the gutters adjacent to the speed hump, after any and all snowstorms to ensure proper drainage flows. Also please be advised that due to the geometric configuration of the speed humps, plowing for snow storms in the area of the speed humps will be away from the curb to protect the plowing equipment.
- D. Speed Humps will not be placed within 10 feet of any residential or commercial driveway.
- E. Based upon the installation requirements of the speed hump, there will be a no parking of a minimum of 18 feet in each direction of the speed hump on both sides of the street. The locations will be posted as “No Parking Any Time”.
- F. Speed Humps will not be installed on any street that is determined to be critical access paths for police, fire, ambulance or any other public safety vehicles.

§385-58 Temporary Trial Period.

Residents submitting a petition pursuant to §385-58 may request that a temporary portable rubber speed hump with portable signs on stands and no pavement markings be installed anytime between May 1st and July 15 (to allow for removal by October 15th), before the installation of a permanent speed hump as a temporary trial period. The temporary humps will remain in place for a period of ninety (90) days. If, at the conclusion of the trial period, there are not written objections from more than one quarter ($\frac{1}{4}$) of the property owners or registered voters within the impacted segment of the proposed speed hump, then the

permanent speed humps shall be installed as weather and climate conditions permit. Any written objections from property owners must be filed in writing with the City Council.

Approved as to form:

Associate City Solicitor

RESULT:	FIRST STEP
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COMMENTS - Current Meeting:

Councilor Fenton spoke on the Ordinance.

Councilor Cignoli submitted amendments to the ordinance which have been given

All councilors voted unanimously to pass first steps on this Ordinance.

Resolutions

14. Resolution (ID # 7035)

NStar Electric D/B/A Eversource Energy

COMMENTS - Current Meeting:

Councilor Allen spoke on the resolution and read the resolution into the record.

Councilor Allen spoke to Assessor Patrick Greenhalgh seeking support.

Councilor Fenton summarized the history of the \$16 million dollar interest bill paid by Eversource. They are looking to impose a rate increase of \$8.3 million. Time value of money lost is the \$16 million dollars paid.

Councilor Davila congratulated Councilors Allen and Fenton. Asked to be added as a co-sponsor to this resolution. Shame on Eversource.

Councilor Govan asked to be added as a Co-Sponsor.

Councilor Perez thanked all councilors involved. Resolution will bring awareness. Is in support and asked to be listed as a co-sponsor.

Councilor Whitfield thanked Councilor Fenton and Councilor Allen. Asked to be added as a co-sponsor.

Councilor Edwards thanked both Councilors Fenton and Allen for their work on this resolution.

Councilor Lederman asked to be added to the resolution.

RESULT:	ADOPTED
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