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City Council Ordinance & Administration Subcommittee Meeting Minutes

February 20, 2025, at 7:00 PM

Virtual Meeting

Councilor Gilday called the meeting to order at 7:01 PM

Roll was called and present were: Councilor Gilday, Councilor Rinaldi and Councilor Wheeler

Also Present: Attorney Bethany Raffa, Director of OCED Nick Cracknell, Chief of Staff Ann Marie Casey, and Administrative Assistant Allie Connolly

Minutes for Approval: Councilor Rinaldi offered a motion to approve the minutes from the January 15th meeting as presented. The motion was seconded by Councilor Wheeler and passed 3-0.

Communication and Updates: None

Public Comment: None

****Attorney Leonard Johnson joined the meeting at 7:05 PM****

2025-016 An Order to authorize the Mayor to enter into an intermunicipal agreement pursuant to the provisions of MGL CH.40 § 4A for the provisions of participation in the Public Health Excellence (PHE) for Shared Services Grant from the Massachusetts Executive Office of Health and Human Services Department of Public Health. – **Mayor Sponsor**

- Chief of Staff Ann Marie Casey gave a brief overview of the ordinance and explained this was part of 2 other bills that have already been passed. She stated that a write up of how the previous budget has been spent will be available to them for the next City Council Meeting. Ann Marie also shared that they had recently hired a regional health inspector and that this ordinance had already been reviewed by KP Law.
- Attorney Raffa and Councilor Wheeler suggested some minor typographical edits to be made, which Ann Marie Casey agreed with.

Councilor Wheeler made the motion to send 2025-016 back to City Council with a positive recommendation providing that the 4 suggested edits be incorporated. Councilor Rinaldi 2nd the motion and it passed 3-0 unanimous with the 3 voting members present.

The 4 suggested edits be incorporated are:

- 3 instances of “for the provisions of participation” that follow the MGL Chapter 40 section 4A citation be changed to simply “for participation”
- the Summary phrase “Amesbury serves as the lead municipality” be changed to “Amesbury shall continue to serve as the lead municipality”

2025-017 An Ordinance to amend the Amesbury Code of Ordinances by inserting therein Chapter 397, entitled “Outdoor Dining Ordinance”, to regulate the temporary private use of City-owned property and establish a usage fee schedule therefor. – **Mayor Sponsor**

- Director of OCED Nick Cracknell gave an overview of how this ordinance came to be over the past year. He shared his collaboration with the Technical Review Committee which ensured members of planning board/fire/police also weighed on this project.
- Councilor Wheeler asked if 2025-017 had been positively received by the Chamber of Commerce. Director Nick Cracknell shared that a previous snowstorm caused a meeting with the Chamber to be cancelled, and they have not been given the extent of information yet that he shared with Council tonight. They have a meeting rescheduled for the first week of March.
- Conversation followed between the Councilors whether 2025-017 was ready to be passed at the next Council Meeting without the Chamber's direct input.
- Councilor Wheeler and Attorney Raffa suggested some edits regarding language in the bill.
- Attorney Raffa suggested a revision to add a separate definition for Outdoor Dining Usage Fee - similar to the stand-alone definition for Jersey Barrier Usage Fee. The definition for Outdoor Dining Usage Fee is contained in Section 397-5(2). Section 397-5(3) discusses the Jersey Barrier Usage Fee but relies on its separate definition in the Definitions Section - 397-3. This change was discussed for the purposes of having continuity in the Ordinance relative to these two separate fees.
- Councilor Wheeler asked if TRC is the licensing agent or the legal authority on this or if it is the Mayor's Office. Chief of Staff Ann Marie Casey answered she believed it to be the Mayor's Office.
- Councilor Gilday asked if an applicant is to be rejected would they receive back the \$100 filing fee as a refund. OCED Director Nick Cracknell answered no, this is a standard administration fee for the filing. Councilor Gilday also asked who is liable if an accident were to occur with a car hitting a diner, Nick Cracknell answered that the restaurant has their own insurance.
- Councilor Wheeler asked a few more follow up questions about language in the document.

Councilor Rinaldi made the motion to send 2025-017 back to City Council with a positive recommendation to include the edits discussed during the meeting. Councilor Wheeler 2nd the motion and it passed 3-0 unanimous with the 3 voting members present.

2025-018 An Ordinance to amend Amesbury Code of Ordinances Chapter 20, Budget and Finance, Article V, Revolving Funds, § 20-24 Establishment of Revolving Funds to amend departmental revolving funds pursuant to the provisions of M.G.L. c. 44, § 53E1/2. – **Mayor Sponsor**

- Chief of Staff Ann Marie Casey gave a summary of the ordinance.
- Councilor Wheeler asked about the table missing a column for expenditure limits as outlined in the past. Ann Marie Casey said she would amend the table to add this column.
- Attorney Raffa and Councilor Gilday suggested a few more typographical edits to the document.

Councilor Wheeler made the motion to send -018 back to City Council with a positive recommendation providing that the suggested edits be incorporated. Councilor Rinaldi 2nd the motion and it passed 3-0 unanimous with the 3 voting members present.

Adjourn

Councilor Rinaldi made a motion to adjourn at 8:15 PM. Councilor Wheeler seconded, and the motion passed unanimously (3-0)

Respectfully Submitted,
Allie Connolly