

COMMITTEE ON BILLS ON SECOND READING

July 16, 1996

5:30 PM

Chairman Wihby called the meeting to order.

The Clerk called the roll.

PRESENT: Ald. Wihby, Elise, Clancy, Pariseau, Cashin

MESSRS.: R. MacKenzie, H. Moran, Chief Kane, Acting Chief Driscoll

Chairman Wihby addressed item 3 of the agenda:

Ratify and confirm poll conducted June 20, 1996 regarding a public hearing held on June 17th relative to a rezoning petition submitted by Realty Acquisitions, Inc. described below as follows:

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include a parcel currently zoned R-2 (Two-family Residential) located at the southwest corner of South Main Street and Varney Street and having an area of approximately 3.16 acres."

On motion of Ald. Cashin, duly seconded by Ald. Clancy, it was voted to ratify and confirm the poll conducted.

Chairman Wihby addressed item 4 of the agenda:

Ordinance:

"Amending Section 18-31 Vacant Positions of the Code of Ordinances of the City of Manchester."

Chairman Wihby stated his proposal would be to let the Personnel Director decide and if he said no they could appeal to the Personnel Committee and felt if any time the Committee wanted to place a freeze they would tell the Personnel Director to be submitted to the Personnel Committee who would then decide which positions to pick, etc.

Ald. Clancy stated some people would have the money in their budget for the job(s), would put the jobs off for a while in order to save money.

Chairman Wihby stated Mr. Moran would make sure there was money available so as to make sure there were no problems.

Ald. Clancy said they should screen them to see if they had the money in the budget.

Chairman Wihby stated if for some reason the Personnel Director did not okay the budgeted position, then it should go to the Personnel Committee and then the Board of Aldermen noting if department heads could go to the Personnel Committee, however, the Board of Aldermen if they wanted could put a freeze.

Mr. Girard stated the position(s) should not be filled without the approval of the Personnel Director and the Mayor.

Chairman Wihby stated it was only the Personnel Director and if in the event he did not approve it, then such requests would be submitted to the Personnel Committee after which it would then be referred to the Board of Mayor and Aldermen; that if there was any directives sent by the Board indicating to not fill the position it would then go to Personnel.

Mr. Moran stated he would submit the revised Ordinance to the City Clerk tomorrow.

Chairman Wihby asked if this would now help to expedite forms so that they would not have to go through Personnel.

Mr. Moran replied he had no problem with that.

Mr. Girard stated he had one point for the Committee to consider which was the reason why the Mayor wanted the ability to approve or not approve; that the Mayor received an update on the financial conditions of all departments monthly, therefore, it would be a lot easier to question and call departments on the carpet when they indicate they may have funds when in reality there were none noting the Personnel Director might not have access to such information.

Chairman Wihby stated he would check with Finance.

Mr. Girard stated there were times when departments did not know the conditions of their budgets at the time such requests were being made.

Ald. Cashin inquired of Mr. Girard why he did not send a copy to them the first time.

Mr. Girard replied because he received it from Finance.

Chairman Wihby stated that Mr. Moran had indicated they would work with the Finance Department to make sure that all of the funding was available.

Ald. Clancy asked if anyone had any questions, why didn't they call Finance.

Chairman Wihby stated Mr. Moran would undertake all the necessary steps in order to assure all went smoothly.

Mr. Girard stated he could not understand why the Mayor's Office could not have access to financial reports that the Personnel Director had.

Ald. Cashin stated the Finance Department send all departments their own departmental budgets noting that the Mayor's Office received copies of each department's as well due to the Mayor's oversight responsibilities.

Mr. Girard stated he would go along with what had been suggested.

On motion of Ald. Clancy, duly seconded by Ald. Cashin, it was voted to recommend that the Ordinance be ought to pass as amended.

Chairman Wihby addressed item 5 of the agenda:

Ordinance:

"Amending Sections 18-24 and 25 (Police Crime Analyst and Public Health Translator/HIV Specialist) of the Code of Ordinances of the City of Manchester."

On motion of Ald. Clancy, duly seconded by Ald. Elise, it was voted to recommend that the Ordinance ought to pass.

Chairman Wihby addressed item 6 of the agenda:

Ordinance:

"Amending Chapter 9, Fire Protection and Prevention of the Code of Ordinances by adding Article VII to Establish an Office of Emergency Management for the City of Manchester."

Chief Kane stated simply that it was a formality making the Ordinance go down in the City's records.

On motion of Ald. Elise, duly seconded by Ald. Clancy, it was voted to recommend that the Ordinance ought to pass.

Chairman Wihby addressed item 7 of the agenda:

Proposed amendment to compensation for boards and commissions of the City of Manchester referred to Committee by the Committee on Finance.

(Note: referred to City Solicitor's Office for review on 6/10/96.

On motion of Ald. Cashin, duly seconded by Ald. Clancy, it was voted to table item 7.

Chairman Wihby addressed item 8 of the agenda:

Communication from the Director of Planning, submitting proposed changes to the Zoning Ordinance relative to limiting parking lots for business uses within residential zones.

Chairman Wihby asked Mr. MacKenzie if it had already been approved by the Planning Board

Mr. MacKenzie replied that traffic had nothing to do with it noting they had recommended it to the Board of Mayor and Aldermen to be sent to public hearing.

On motion of Ald. Elise, duly seconded by Ald. Cashin, it was voted to recommend that the proposed changes to the Zoning Ordinance be referred to public hearing on Monday, August 26, 1996 at 7:00 PM in the Aldermanic Chambers.

TABLED ITEMS

On motion of Ald. Clancy, duly seconded by Ald. Wihby, it was voted to remove the following item from the table for discussion.

Proposed City penalties referred to Committee by the Committee on Traffic/Public Safety.

Acting Chief Driscoll stated they had come up with a new schedule whereby the office would issue a summons for all of the offenses listed noting she could write it out immediately and give it to the individual without having to be taken into custody; that there would be three things of benefit: one would be the convenience to the person receiving the summons because they could handle it like a parking ticket, would know the amount, and would be able to send it in with his plea to the Ordinance Violations Bureau so they could eventually pay the fine without ever having to appear on the first two offenses; that secondly, it would be simple for the officer, and third, it would provide revenues to the City.

Chairman Wihby asked if it had been approved by the Traffic/
Public Safety Committee.

Acting Chief Driscoll replied he believed it had been referred to
Committee by the full Board, but that they were uncomfortable
with some of the fines which was why they had tabled it noting
that there was a new fine schedule and that the Finance
Department would like to see the fine schedule implemented.

Chairman Wihby asked if there were a lot of changes with respect
to the new fine schedule.

Acting Chief Driscoll replied there were a few.

Ald. Cashin asked if it should be referred back to the Committee
on Traffic/Public Safety.

Chairman Wihby replied that he believed the Committee had wanted
it to be implemented during the summer.

Ald. Clancy noted that some of them say that the third violations
will appear in court rather than paying another fine.

Acting Chief Driscoll stated he does not feel anyone should do
that without appearing before the judge.

Chairman Wihby suggested this Committee act on it noting that if
the Committee on Traffic/Public Safety had any questions and
wished to revisit the issue they could refer it back to Committee
at the Board level.

Ald. Cashin asked about what happened to those persons who
lounged in public, passageways or near doorways.

Ald. Clancy stated the man he was referring to was Donald
O'Connor.

Acting Chief Driscoll stated that depending on the circumstances,
they could use it to address whoever it might be.

Ald. Cashin asked what were they going to do, put him in jail.

Acting Chief Driscoll replied, no.

Ald. Clancy stated he did not think they would bother him.

Ald. Cashin stated that if they were going to pass laws they
should be passed for everybody.

Acting Chief Driscoll stated they did apply to everyone, but
there was always discretion in the laws; that, for example, if
someone was blocking a door so Ald. Wihby or someone else could
not pass thru they would certainly take him into custody.

Ald. Cashin stated it made a bad impression on the City to have this guy hanging around; that he understood he came into the building and disturbed those around him and actually went into the men's room and messed it up and felt that the average constituent would not go into the Mayor's Office asking for the key.

Acting Chief Driscoll stated he knew that Donald annoyed the Board when they were in session and had been escorted out.

On motion of Ald. Clancy, duly seconded by Ald. Wihby, it was voted to recommend that the proposed City penalties ought to pass.

TABLED ITEMS

On motion of Ald. Clancy, duly seconded by Ald. Wihby, it was voted to remove the following item from the table for discussion.

Communication from Ald. Elise relative to the proposed Heritage Commission Ordinance.

(Note: communications from the Planning Director and Aurore Eaton enclosed.)

Chairman Wihby stated communications had been received from Mr. MacKenzie and Ms. Aurore Eaton noting it was a good idea.

Mr. MacKenzie stated he had forwarded under separate cover a further communication to the Committee.

Ald. Elise asked Mr. MacKenzie to address what was the opinion of the Planning Board.

Chairman Wihby asked Mr. MacKenzie what the changes were between the two letters.

Mr. MacKenzie replied that the changes would bring C & D closer to the State Statute.

On motion of Ald. Elise, duly seconded by Ald. Cashin, it was voted to recommend that the Heritage Commission Ordinance be referred to public hearing on Monday, August 26, 1996 at 7:00 PM in the Aldermanic Chambers.

Ordinance:

"An Ordinance imposing restrictions on parking in designated residential districts and authorizing the conditional issuance of parking permits to residents of such districts."

This item remained on the table.

7/16/96 B2R

7

There being no further business to come before the Committee on Bills on Second Reading, on motion of Ald. Cashin, duly seconded by Ald. Clancy, it was voted to adjourn.

A True Record. Attest.

Shob. Berman
Clerk of Committee

