

COMMITTEE ON BILLS ON SECOND READING

June 2, 1998

6:30 PM

Chairman Wihby called the meeting to order.

The Clerk called the roll.

Present: Aldermen Wihby, Klock, Sysyn, Shea, and Cashin

Messrs: Asst. Solicitor Arnold

Chairman Wihby addressed Item 3 of the agenda:

Communication from Deputy City Clerk Bergeron submitting an ordinance amendment re-numbering and re-incorporating the Procurement code into Chapter 35 of the Code of Ordinances.

Chairman Wihby asked do you have amendments that you want us to approve.

Clerk Bernier answered no.

Chairman Wihby stated so this is all set and has been looked over by who.

Clerk Bernier replied the City Solicitor and Paul Bergeron.

Chairman Wihby asked what does it do.

Clerk Bernier answered it is re-numbering the old procurement code with different numbers.

Asst. Solicitor Arnold stated I haven't looked at these particular ones. I understand that it is a re-numbering and basically passing in the renumbered form what existed before. There are no changes of substance that I am aware of. Again, I haven't had a chance to look at them.

On motion of Alderman Cashin, duly seconded by Alderman Shea, it was voted that the ordinance amendment ought to pass.

Chairman Wihby addressed Item 4 of the agenda:

Ordinance Amendment:

“Amending the Zoning Ordinances of the City of Manchester by extending the B-2 (General Business) zoning district into an area currently zoned I-3 (General Industrial) on portions of two lots on the east side of South Willow Street and south of Huse Road (Map 852 - Lots 28 28-1). The expansion would bring the B-2 zone southerly along South Willow Street up to Dexter Shoe and easterly up to the I-2 (Industrial Park) zoning district located approximately 900 feet from South Willow Street.”

Chairman Wihby noted the Planning Board’s recommendation was to approve the request and I think they are saying that up until Cohas Brook it is probably okay but they would not want to see it past Cohas Brook.

On motion of Aldermen Sysyn, duly seconded by Alderman Wihby, it was voted that the ordinance amendment ought to pass.

TABLED ITEMS

On motion of Aldermen Cashin, duly seconded by Alderman Shea, it was voted to remove Item 7 from the table.

Proposed Anti-Cruising Ordinance for Elm Street submitted by Alderman Reiniger, and the Committee on Traffic.
(Tabled - March 23, 1998)

Alderman Reiniger stated this was submitted to the Traffic Committee a number of months ago and was passed and the City Solicitor has been reviewing it to make sure it is worded in the correct way to comply with the City ordinances and to change some things like the definition of street and using the word street versus thoroughfare. The biggest change is applying a penalty provision, letter H. The Solicitor felt that it would be a sensible addition.

Alderman Cashin asked Asst. Solicitor Arnold if he had any problems with it.

Asst. Solicitor Arnold answered no, I have reviewed it and at this point it is a policy decision. Basically it provides that no single car with the exception of

those exceptions listed in the ordinance shall drive upon a street that has been designated as congested by the Traffic Committee any more than twice between the hours that the Traffic Committee finds that it is congested.

Chairman Wihby asked who finds that it is congested.

Asst. Solicitor Arnold answered the Traffic Committee.

Chairman Wihby asked so the Traffic Committee is going to set up fines.

Asst. Solicitor Arnold answered when it finds that a street is congested, yes.

Alderman Sysyn asked how is it going to decide.

Chairman Wihby asked so one day it is going to be one thing and the next day it is going to be something else.

Asst. Solicitor Arnold answered no. I would imagine that the time would be consistent.

Chairman Wihby stated so the Traffic Committee is going to determine what time this anti-cruising thing will take into effect.

Asst. Solicitor Arnold replied and which streets it will affect.

Chairman Wihby stated so when the Traffic Committee meets again they are going to say okay the anti-cruising ordinance passed and we think from 12-2 Elm Street is congested so we shouldn't have cruising. What is congested?

Asst. Solicitor Arnold replied that is a finding of the Traffic Committee.

Chairman Wihby stated congested to me means the street is so full you can't use it. Can there be another word used?

Asst. Solicitor Arnold replied there are a number of different words you can use. The term congestion, I think, was chosen to convey that at that time that particular street is busy such that people shouldn't be allowed to cruise up and down it during the time periods.

Chairman Wihby asked so if there are a lot of cars cruising up and down the street but they are moving, is that congested.

Asst. Solicitor Arnold replied the Committee could find that, yes. Say the determination as to whether a street is congested or not is made by the Traffic Committee.

Chairman Wihby asked different streets could have different times.

Asst. Solicitor Arnold answered yes.

Chairman Wihby stated by it says the ordinance is for Elm Street. Is the intent just for Elm Street?

Alderman Reiniger replied you can apply it anywhere else there is a problem but this came up as an emergency. This has been a problem for years and years. This was based on the city of Eugene, Oregon. There are a lot of cities that have this problem and others have found this to be a successful approach. I have spoken to police in other cities and our Police Department here does support this.

Alderman Cashin stated the Police Department supports it. Couldn't we just have this for Elm Street and nowhere else for now. I think we are just going to muddy the waters. Who is to say that someone is not going to say that South Willow Street is congested and the next thing you know you can't...I think we should try it and if it works then we will go with it and if it doesn't work we can always change it rather than doing it all at one time.

Alderman Cashin moved to amend the ordinance to refer to just Elm Street.

Alderman Shea asked Elm Street from one end to the other or Elm Street from Bridge to...

Alderman Cashin answered Elm Street

Alderman Shea replied I don't know if the word congested is a word that really suits it or whether it should be...in other words if somebody is going from Citizens Bank to lunch and then back again and they are an adult obviously there is going to be consideration, is it going to be hours or is it just going to be...

Alderman Sysyn stated they are looking at the night cruising.

Alderman Cashin stated the ordinance, if I understand it correctly, was written primarily to stop cruising up and down Elm Street in the evening.

Alderman Shea replied correct so would it be more logical then to have it during certain hours.

Chairman Wihby stated my understanding is that the Traffic Committee will set the hours.

Alderman Cashin stated as I understand it, all we are doing is authorizing the Traffic Committee to set the hours that this should go into effect. We have restricted it to Elm Street. Lets try it. If it works, fine. If it doesn't, we can change it.

Alderman Sysyn duly seconded the motion. Chairman Wihby called for a vote. There being none opposed, the motion carried.

On motion of Alderman Cashin, duly seconded by Alderman Sysyn, it was voted to recommend that the ordinance, as amended, ought to pass.

Clerk Bernier stated for the record, you are talking about the ordinance that was handed out. Members concurred.

Alderman Sysyn stated for your information, next Tuesday we are having a Personnel Meeting.

There being no further business to come before the Committee, on motion of Alderman Shea, duly seconded by Alderman Cashin, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee