



***Waltham City Council
Ordinances and Rules
Committee
Minutes
Monday December 3, 2018***

***Hoover Committee Room
City Hall, 610 Main Street
Waltham, Massachusetts***

Chairman McLaughlin called the meeting to order at 8:06 pm.

Attendance

Present: Fowler, Harris, Logan, McLaughlin, Stanley

Absent: None

Councillor Logan moved approval of the minute from 11/19/2018. The motion was approved on a voice vote.

New matters:

Zoning Amendment Marijuana Moratorium Extension (Recommitted)

Councillor Logan moved to send the matter to the Law Department for review. The motion was approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Zoning Amendment Fast Casual as permitted use in Limited Commercial Revitalization District (Recommitted)

Councillor Logan moved to send the matter to the Law Department for review. The motion was approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Zoning Amendment Parking Requirements Fast Casual (Recommitted)

Councillor Logan moved to send the matter to the Law Department for review. The motion was approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Zoning Amendment Fast Casual Defined Use and table Reference (Recommitted)

Councillor Logan moved to send the matter to the Law Department for review. The motion was approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Tabled matters:

Proposal for Citations

Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Councillor Logan said this should be a rule change done by resolution. Councillor Logan read the resolution. Councillor Logan explained that the President would be the gate keeper for making sure that the Citations are non-controversial. Councillor Harris asked questions about the rule. Councillor Logan said he would amend the resolution to say that all Councillors will be provided with a copy of any such Citation issued. Councillor Stanley said that sometimes Councillor would invite groups in without notifying other councilors. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Zoning Amendment Bridge in HR-2 District

Chair McLaughlin asked if anything came in. The Clerk said a law opinion was emailed and passed out paper copies. Councillor Logan reviewed the opinion. Councillor Logan moved to hear from Attorney Robert Connors. The motion was approved on a voice vote. Attorney Connors presented a letter from former City Clerk Peter Koutoujian saying that air rights were approved. Mr. Connors said that Children's Hospital owns the property on both sides of the bridge and presented Zoning Board of Appeals decision. Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Councillor Logan moved to amend consistent with track changes presented by Attorney Connors. The motion was approved on a voice vote. Councillor Logan moved that the matter be given a second reading. The motion was approved on a voice vote.

Zoning Amendment Detached garage in HR-2 District

Councillor Logan moved to take the matter from the table. Councillor Logan reviewed how detached garages are defined. Attorney Connors said that the Building Inspector views the parking garage as a detached garage and is illegal. Councillor Logan moved that the matter be given a second reading and that the petitioner receive a copy of the Law Department opinion and that any amendments can be made prior to the meeting. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Zone Change 17 Prospect, 17-NX Prospect, and 105-111 Russell St.to Business B

Councillor Logan moved to take from the table. The motion was approved on a voice vote. Attorney McCourt asked to be recognized. Councillor Logan moved to hear from Attorney McCourt. Attorney McCourt said he would file leave to withdraw for next week. Councillor Logan moved to approve the request to leave next week. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Early Voting Resolution

Councillor Logan moved to take the matter from the table. Councillor Mackin passed out copies of a special act from Cambridge. Councillor Mackin reviewed the Cambridge legislation and reviewed a possible process for Waltham to follow. Councillor Logan moved to hear from Clerk Waddick. Clerk Waddick expressed concern that an 11 day period may be too long. He also said that the lack of a buffer between early voting and Election Day would be helpful rather than in the state system where it ends on Friday. Clerk Waddick mentioned that there would be 9 ballots rather than 2 in the state elections. Clerk Waddick said it would require a location outside the Clerk's Office. Clerk Waddick said that we would need to include the Board of Registrars of voters in some of the decision making. Clerk Waddick said that we would need funding for election workers and police for security. Clerk Waddick reviewed other challenges. The Clerk reviewed the need for new voting machines. Assistant Clerk Vizard reviewed how ballots are processed. Councillor Stanley said he was not sure if the increase in participation was related to early voting but he is in favor of making early voting as convenient as possible. Councillor Stanley asked if there was another way to process the votes. Clerks Vizard and Waddick reviewed central tabulation. Councillor Stanley asked if Clerk could provide cost information on early voting. Councillor Logan said he brought in early voting resolution. Councillor Logan asked about different changes that could be made to make this work in Waltham. Councillor Harris asked that a detailed accounting of what is involved be provided to the Committee. Councillor Harris asked further questions about the early voting process. Councillor Stanley asked if there was a percentage of early voting by precinct was it a detriment to having it at Bright. Request that costs be provided as well as councillor Harris's questions as well as a buffer. The Request approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Park Ranger

Clerk Vizard asked if it should be advertised again. The Committee agreed that it should be re-advertised. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Councillor Logan moved to adjourn 9:23. The motion was approved on a voice vote.

Respectfully submitted,
Joseph W. Vizard
Assistant City Clerk