

Monday, November 10, 2014
Council Chambers – City Hall
Ordinance Committee Meeting
6:30 PM

The Ordinance Committee meeting was called to order at 6:38 PM by Committee Chairman Coughlin. Present were Councillor Croall, Councillor Hughes, Councillor Laforest, Councillor McFarland and Councillor McNamee. Councillor Gutro and Councillor Palmucci were absent.

▶ Committee Chairman Coughlin read Open Meeting Law

2014 – 197 – Rules and Regulations Governing the Practice of Bodywork

Speaking on the subject - Jim Timmons – City Solicitor

Joseph Shea – City Clerk

Drew Scheele – Public Health Commissioner

Detective Leo Coppens – Quincy Police Department

Jay Duca – Inspectional Services

Joseph Shea – Licensing Board Chairman & City Clerk - 2008 State adopted regulations on Bodyworks but the State does not look at who is doing the work and where they are operating and do not inspect. Currently there are 49 establishments that have received business certificates but there are many that have not. This Ordinance has been advertised. Currently they are not Cori checked, inspected or regulated. Many are not in business area but in residential areas.

Solicitor Timmons recommends the committee take testimony from Commissioner Scheele & Detective Coppens

Commissioner Scheele – Bodyworks was left to town & cities in 2008 by the State to regulate if needed.

Bodyworks vs. Massage – Bodywork shall mean various forms of therapies that may use touch, works or directed movement to deepen awareness of patterns of movement in the body or the affection of the human energy system or acupoints or Qi meridians of the human body. Such services shall not be designated or implied to be message or massage therapy. Bodywork practices shall include, but not limited to: the Feldenkrais Method; Reflexology; The Targer Approach, Rolf Structural Integration; Polarity or Polarity Therapy; Polarity Therapy Bodywork; Acupressure; Jin Shin Do; Qi Gong; Tui Na; Shiatsu; and Body-Mind Centering.

Message – Message Therapy and Deep Tissue

Health Dept. Draft version requires that establishments and practitioners come before the License Board and have full Cori checks done, training requirements as well as pictures on licenses. Cori check would use national database. Hours of Operation should be included in which ever version is adopted. Doctors and Physical Therapists would be exempt from regulations.

Detective Leo Coppens – Quincy Police Department - Numerous complaints to the Quincy Police Department and it has shut down numerous establishments over the past few years. Generally issues after midnight and other illegal activities taking place. The more specific the ordinance is the better for police.

Councillor McNamee – Would like the reference to geographic location in the definition portion (E.) of the Mayors version to be removed. There are many other cultures that have bodyworks that are not listed.

E. *Bodywork* shall refer to the practice of Reflexology and/or **Asian** Bodywork (including, but not limited to: Acupressure, AMMA Therapy®, Chi Nei Tsang, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Jin Shin Do®, Bodymind Acupressure™, Macrobiotic Shiatsu, Shiatsu Amma Therapy, Traditional Thai Massage, Tuina , Zen Shiatsu, and Ayurvedic medicine).

Councillor Coughlin – Can the ordinance read “What the State does not regulate the City will regulate” to keep a balance between being vague and to specific so Council does not need to add missing types of bodywork we have not encountered

Councillor Laforest – How would we get the current establishments to comply with the new ordinance?

Commissioner Sheele – There would be a timeframe determined to give everyone a chance to comply and get all information to the License Board. Mailings of a notice of the new ordinance would be sent to all business certificate holders.

Councillor Laforest – What happens to those operating in residential locations?

Commissioner Sheele – Those fall under Inspectional Services – Jay Duca and would be closed when they are discovered.

Councillor Laforest – How are off premise operations handled?

Commissioner Sheele – Board needs to be notified and a doctors note that they cant travel. Three day licenses are also available for events

Councillor Laforest – Are we monitoring advertisements on craigslist and other websites?

Detective Leo Coppens – QPD has discovered roughly 6 operations via backdoor webpages over the last year and have investigated them and shut them down

City Clerk Joseph Shea - Any comments or suggestions are welcomed but this is a critical tool to regulate this activity

Councillor Finn would like a combined document that includes both versions that preamble and has addressed definitions

Councillor Coughlin would also like a combined document and his preference is to have the License Board oversee with Cori and pictures, educational requirements as well as hours of training.

Adjourned at 7:23 PM

Regular Council Meeting 7:30 PM

The City Council of the City of Quincy met on Monday, November 10, 2014 at 7:30 pm in the City Hall Council Chambers with Council President Joseph G. Finn presiding. Present were Councillor Coughlin, Councillor Croall, Councillor Gutro, Councillor Hughes, Councillor Laforest, Councillor McFarland and Councillor McNamee. Councillor Palmucci was absent

▶ Moment of Silence for Divine Inspiration

Pledge of Allegiance

City Clerk Shea began the meeting by reading the Open Meeting Law

▶ **Honoring of the Former Park & Recreation Board Members - Josephine Shea & Jack**

Nigro

Councillor Croall and Recreation Director Barry Welch spoke as well as Councillors Gutro and Councillor Laforest

▶ 2014 – 223 – Rice Road Sewer Improvements – Appropriation of \$83,856.17 from Sewer Stabilization Fund to the Sewer Enterprise Contractual Fund

Motion by Councillor McFarland, Seconded by Hughes

Motion passed by -8-0 roll call vote, Councillor Palmucci was absent

▶ 2014 – 224 – City of Quincy Accept Provisions of MGL Chap. 26 - 40U – Act Re: Collection of Unpaid Municipal Fines

Councillor Coughlin – Feb 2010 Governor Patrick signed MGL Chap. 26 - 40U allows for municipalities ability to collect fines. This process is similar procedure for collecting parking citations and will set procedures for collecting fines. This has been adopted by numerous municipalities across the commonwealth since its passage

Jay Duca- Inspectional Services – This would streamline fine appeal process. City could handle in-house and the city's ability to hold violators accountable and gives them an incentive to cooperate and remedy the situation.

Councillor Croall – How would this help bank owned properties?

Jay Duca - Inspectional Services – This ordinance wouldnt help until properties are sold and can be used to leverage when new owners look for permits. This will be discretionary but a needed tool.

Councillor Gutro – Practical and useful tool for the Inspectional Services department. Requested the City Council be provided a list of properties going forward that this ordinance is used on.

Jay Duca – Currently 20-30 properties per year and will update council

Councillor Laforest – Chronic blight properties fee is \$200. How do we get accruing fines? Would it be retroactive?

Can only be used on new tickets and there is a more comprehensive. Tickets will be tied into viewpoint system and will be implemented at beginning of the year.

Jay Duca – No fines will only take affect going forward

Motion to adopt by Councillor Coughlin, Seconded by Councillor Gutro

Order was adopted by 8-0 roll call vote, Councillor Palmucci was absent

2014 – 225 – \$1,000 from Carva Donuts LLC dba Dunkin Donuts to D.A.R.E.

Motion to accept the gift

Thank you to be sent

Motion by Councillor McFarland, Seconded by Councillor Croall

Motion passed by 8-0 roll call vote, Councillor Palmucci was absent

2014 – 226 – \$1,500 from Barry Phillips to Quincy Fire Department

Motion to accept the gift

Thank you to be sent

Motion by Councillor McFarland, Seconded by Councillor Coughlin

Motion passed by 8 -0 roll call vote, Councillor Palmucci was absent

► 2014 – 227 – Request for Executive to Establish a DIF Revenue Account

Councillor Gutro – 10/27/14 Downtown & Economic Growth Committee Meet. Planning Director and Auditor suggested the establishment of a DIF Revenue account to effectively manage DIF-eligible revenue.

Councillor Gutro asked that the resolve be changed to reflect a Sinking fund not Revenue

Administration has created the sinking account for the DIF District since the 10/27/14 meeting

Referred to Downtown Committee, Oversight Committee and Finance Committee

City Council would like updates on deposits into this account and possible next update could be at

the budget meetings
Is have it

▶ 2014 – 228 – Request for Municipal Technology and Information Management Committee to Review All Aspects of Technology within the City Council Office
Meeting is scheduled for later in month – 11/17/14 at 6:30 pm
Referred to Municipal Technology Information Management Committee

▶ Steward Health Care; QMC – Councillor Coughlin
Councillor Coughlin requested that representatives of Quincy Medical Center/Steward Health Care, Manet Community Health Care, the Massachusetts Nurses Association and SEIU Local 1199 come to the November 17th City Council meeting at 7:30 pm to address the City Council concerns.
Vincent Pivnieny, PhD - Wollaston Resident – Spoke regarding history of QMC
Councillor Gutro expressed concern and disappointment in how was handled
Public Hearing maybe held on December 2, 2014 but this has not been confirmed
Add this item to agenda of next meeting on 11/17/14
All in favor

Approval of October 20, 2014 Minutes
Motion to accept minutes by Councillor McFarland, Seconded by Councillor Coughlin
Is have it

Communications & Reports-

From Traffic Department –

Councillor Croall –

Install Handicap Parking at 121 Martenson Street Appleton Street

Councillor McNamee –

Install Handicap Parking at 100 Hamilton Street

All of the above referred to Ordinance Committee for advertising

Councillor Coughlin –

Install No Parking Anytime – Hillside Avenue South Side – from Summit Avenue 200ft East of Summit Avenue

Install No Parking Anytime – Summit Avenue East Side – from Hillside Avenue 117ft South of Hillside Avenue

Councillor Coughlin – Hold in Committee

All of the above referred to Ordinance Committee for advertising

Councillor Coughlin – Constituent received a letter from their insurance company (Commerce Insurance) regarding changes in home owner insurance relative to named storms and tree damage. Increases in deductible costs from typical \$500 to 1% of dwelling coverage
Moved to Mayors Office and Public Works Department

Unfinished Business from Previous Meeting-

None

Report of Committees –

▶ Ordinance Committee: Traffic & Parking –

#2014 – 222 – No Parking Anytime Summit Avenue East Side 22 Ft Section – 95 Ft South of Hillside Ave. to 117 Ft South of Hillside Ave.

Positive recommendation made by Councillor Coughlin

Motion by Councilor Coughlin, Seconded by Councillor

Motion passed by 8-0 roll call vote Councillor Palmucci was absent

#2014 – 221 – Install Handicap Parking at 15 Appleton Street

Positive recommendation made by Councillor Coughlin

Motion by Councilor Coughlin, Seconded by Councillor McNamee

Motion passed by 8-0 roll call vote Councillor Palmucci

▶ Ordinance Committee – Councillor Coughlin – Ordinance Committee met this evening prior to the council meeting and will be scheduling a committee meeting once a merged version of 2014 – 197 – Rules and Regulations Governing the Practice of Bodywork has been compiled

▶ Downtown & Economic Growth Committee Meeting – Councillor Gutro – Downtown & Economic Growth Committee met on October 27, 2014 and reviewed expenditures under the DIF. An additional meeting may be scheduled at a later date if needed

Petitions, Memorial, Remonstrance –

- ▶ Councillor Gutro – Local 792 - Thank you for the recent fire training for elected officials
- ▶ Councillor Hughes – Reminder tomorrow is Veterans Day tomorrow and the Veterans Day Parade will begin at 10:30 AM

Motions, Orders, Resolutions -

None

Scheduling of Committee Meetings & Public Hearings –

Monday, November 17, 2014 6:30 PM Municipal Technology Information Management Committee Meeting
7:30 PM City Council Meeting

Monday, December 1, 2014 7:00 PM Tentative - Public Hearing Tax Classification
7:30 PM City Council Meeting

Wednesday, December 3, 2014 7:30 PM Special Permit Granting Authority Meeting – Highpoint/Avalon Bay Communities, Inc.

Monday, December 15, 2014 7:30 PM City Council Meeting

Adjournment at 8:51 pm