

A report from the Traffic Commission on a petition from Councilor Morandi requesting that under Article V, addition a new section 13-55.2 – two hour parking on Tyler Street, recommending that the petition be referred to the Committee on Ordinances and Rules for amendment to ordinance was read. Councilor Morandi moved to refer the petition to the Committee on Ordinances and Rules and it was passed by unanimous vote of the eleven members present.

A report from the Traffic Commission on a petition from Councilor Morandi requesting that under Article V, adding a new section 13-55.3 – three hour parking on Tyler Street, recommending that the petition be referred to Ordinances and Rules for amendment to ordinance, was read. Councilor Morandi moved to refer the petition to the Committee on Ordinances and Rules and it was passed by unanimous vote of the eleven members present.

A report from the Traffic Commission on a petition from Councilor Clairmont requesting that a No Right on Red sign be installed on the corner of Lebanon Avenue where it meets West Housatonic Street, recommending that the petition be filed, was read. Councilor Clairmont stated that he still believes that the sign should be installed in this dangerous intersection; however this particular intersection is a state highway and the state will not allow the sign. Councilor Clairmont moved to file the petition and it was passed by unanimous vote of the eleven members present.

A report from the Committee on Ordinances and Rules on a petition from Paul Schack and Frank Farkas, et. al. requesting that Pittsfield City Council pass a resolution calling on the U.S. Congress to pass and send to the states for ratification a constitutional amendment overturning the Supreme Court decision on Citizens United v. Federal Election Commission, recommending approval, was read. Councilor Connell moved to approve the resolution and it was passed by unanimous vote of the eleven members present.

A report from the Committee on Ordinance and Rules on a petition from Councilor Mazzeo requesting that the City Council amend Chapter 9, Section 18(c), Hawkers, Peddlers, and Transient Vendors, recommending that the petition be referred back to the full council amended as follows: that any reference to 300 feet be stricken, was read. Councilor Mazzeo stated that the committee report should read that the vote to amend the petition was 4 to 0 and the motion to approve as amended was 2 to 2. Councilor Mazzeo stated that the City Clerk did not amend the ordinance on her own and she apologized; the City Clerk was working on a directive from the mayor and at the same time there were changes to state law regarding promoters licenses; the City Clerk worked with Attorney Dohoney to prepare the proposal. Councilor Mazzeo stated that there was an ordinance on the books prior to this ordinance and it did not include the 300 foot buffer or the hearing before the Zoning Board of Appeals. Councilor Mazzeo spoke with the city solicitor and it is the city solicitor's opinion is that the word transient vendor is somebody who moves about and they are not a normal business and the state has regulations but it does not say that they have to be in certain district but they do have to follow city regulations and laws. Councilor Mazzeo stated that some communities do include specific areas for use but it is contained in the zoning ordinance and those with licenses prior to the change in the zoning laws are grandfathered. Councilor Mazzeo moved for a first reading. City Solicitor, Kathleen Degnan, stated that this ordinance does not permit transient vendors to operate in a residential area or within 300 feet of residential lot; the ordinance does not separate out Third Thursday; some other communities have specified where they can operate. Ms. Degnan stated that if Pittsfield is going to regulate transient vendors it should be through zoning. Councilor Connell stated that the current 300 feet is restrictive to business growth; he would be willing to consider 50 feet since it is the average frontage for an inner city lot; he does not want it to be so restrictive that the small business can't grow. Councilor Cotton stated that he is in favor of removing the 300 foot restriction because is it too large and Pittsfield should do things to encourage business growth. Councilor Morandi stated that he will support removal of the 300 feet, these are hard economic times and the city has to be business friendly; 300 feet is too restrictive. Councilor