

City of Somerville, Massachusetts
Matters of Business of the City Council

REGULAR MEETING MINUTES

October 8, 2020, 7:00 PM
 Meeting by Remote Participation

NOTICE: This is NOT the official version of the City Council's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

Note that a draft transcription of this meeting begins on Page 24.

OPENING CEREMONIES

The meeting was called to order at 7:00 PM by Ward One City Councilor Matthew McLaughlin.

Attendee Name	Title	Status	Arrived
Wilfred N. Mbah	City Councilor At Large	Present	
Mary Jo Rossetti	City Councilor At Large	Present	
Kristen Strezo	City Councilor at Large	Present	
William A. White Jr.	City Councilor At Large	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	
Mark Niedergang	Ward Five City Councilor	Present	
Lance L. Davis	Ward Six City Councilor	Present	
Katjana Ballantyne	Ward Seven City Councilor	Present	

1. Roll Call Call of the Roll.
 210678
 (ID:23574) **RESULT: PLACED ON FILE**

2. Remembrances Remembrances.
 210679
 (ID:23577) Councilor Clingan sponsored a moment of silence for Kathryn Rodrigues.
 Councilor Davis sponsored a moment of silence for Louis Schneider.
 RESULT: APPROVED

3. Minutes Approval of the Minutes of the Regular Meeting, September 10, 2020.
 210680
 (ID:23576) **RESULT: APPROVED. [UNANIMOUS]**
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen,
 Clingan, Niedergang, Davis, Ballantyne

CITATIONS

PUBLIC HEARINGS

- 4. Grant of Location 210681 (ID:23586)

Submitted by Eversource to install 89 feet of conduit in Mossland Street, from Pole 241/4 to a point of pickup st 15 Mossland Street (interim approval granted).

Jacqui Duffy from Eversource spoke in favor of the item. Stephen Huff asked about the traffic impact and Ms. Duffy said the work would take no more than 2 days. With no other speakers, the President closed the public hearing. Councilor Niedergang expressed concern about traffic during rush hour and moved approval of a condition that work not begin before 10:00 AM. The condition was unanimously approved.

RESULT: APPROVED WITH CONDITIONS. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
CONDITION: Work may not begin before 10:00 AM.

- 5. Grant of Location 210682 (ID:23588)

Submitted by Eversource to install new Manhole 30893 near 56 Webster Avenue.

Jacqui Duffy from Eversource spoke in favor of the item. With no other speakers, the President closed the public hearing.

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

- 6. Grant of Location 210683 (ID:23590)

Submitted by Eversource to install 41 feet of conduit in Prospect Street from Manhole 25406 to a point of pickup at 50 Prospect Street.

Jacqui Duffy from Eversource spoke in favor of the item. With no other speakers, the President closed the public hearing.

RESULT: APPROVED. [10 TO 0]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
RECUSED: Scott

- 7. Grant of Location 210684 (ID:23583)

Submitted by Extenet to install 256 feet of conduit on Inner Belt Road from Manhole 24106 to a proposed handhole, then continuing 3 feet to a replacement pole near the intersection of Washington Street and Inner Belt Road.

Rosanna Ferranti from Extenet spoke in favor of the item. With no other speakers, the President closed the public hearing.

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

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8. Grant of Location 210685 (ID:23584) Submitted by Extenet to install 31 feet of conduit in Pearl Street from Manhole 4550 to a proposed handhole, then continuing 4 feet to a replacement pole near the intersection of Florence and Pearl Streets.
- No one spoke in favor of the item. The President closed the public hearing. Rosanna Ferranti from Extenet later explained that she was experiencing technical difficulties.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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9. Grant of Location 210686 (ID:23585) Submitted by Extenet to install 101 feet of conduit in Broadway from Manhole 1905 to a proposed handhole, then continuing 3 feet to a replacement pole near 332 Broadway.
- Rosanna Ferranti from Extenet spoke in favor of the item. With no other speakers, the President closed the public hearing.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

10. Order 210687 (ID:23552) By City Councilor Davis, Strezo, Ballantyne, Scott That the Director of Health and Human Services advise this Council what services are available to our neighbors experiencing homelessness, mental illness, and addiction, and where additional funding could improve those services or enable new services.
- Councilor Davis explained that this was not an indictment of the Police Department and wants a conversation with the Administration about how to best assist those in need.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Public Health and Public Safety Committee
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11. Order 210688 (ID:23571) By City Councilor Ewen-Campen That the Director of Communications or the appropriate department remove the electronic Soofa signs from sidewalks in Ward 3.
- Councilor Ewen-Campen said he doesn't think the signs are being widely used, and they serve advertisers rather than residents. Councilor Scott agreed and urged removal of the signs.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Housing and Community Development Committee
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12. Order 210689 (ID:23572) By City Councilor Ewen-Campen That the Director of Public Space and Urban Forestry work with the Ward 3 Councilor to facilitate a community meeting to plan a replacement tree(s) for the large Elm tree in Prospect Hill Park that appears to be succumbing to Dutch Elm disease.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Open Space, Environment and Energy Committee
13. Order 210690 (ID:23551) By City Councilor Ballantyne That the Director of Infrastructure and Asset Management prioritize Conwell Avenue for paving as soon as possible.
- Councilor Ballantyne said the street was in poor repair. Councilor Davis asked if Council requests for street paving are back on the table. Councilor Scott said more focus is needed on the entire street paving program, with only 1 of the city's 100 miles of streets being resurfaced annually, and he will not support this item. Councilor McLaughlin said this isn't how street repaving should be handled, but given the system in place, he supports it.
- RESULT: APPROVED. [10 TO 1]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
NAYS: Scott
14. Order 210691 (ID:23573) By City Councilor Strezo That the Election Commissioner and the Chief of Police inform this Council what is being done to address possible voter intimidation at the polls and elsewhere during the month-long election process.
- Councilor Strezo sponsored Election Commissioner Nick Salerno to address this item, and he explained that there is a Police Officer at each polling location for the duration of voting. He said he's working with the Police Department on a comprehensive plan.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
15. Communication 210692 (ID:23549) By City Councilor Strezo Reporting on the demographic breakdown of employees in the E-911 dispatch, Fire Alarm dispatch, and Constituent Services Departments.
- Councilor Strezo asked that this item be tabled for the next Council meeting.
- RESULT: LAID ON THE TABLE**
FOLLOWUP: City Council

UNFINISHED BUSINESS

16. Ordinance 210185 (ID:23037) By City Councilor Niedergang Proposing an amendment to the zoning map to change 56 Murdock Street from the Neighborhood Residence to the Urban Residence district.
- Councilor Niedergang urged adoption of this ordinance.
RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
17. Mayor's Request 210597 (ID:23426) Submitted by Acting Mayor McLaughlin, requesting approval of an amendment to the Zoning Ordinance to the standards of Subsection 9.2.4.d for Cannabis Retail Sales uses.
- Councilor McLaughlin explained that this wording change, if not approved, would prevent cannabis retail sales from taking place in the city.
RESULT: ORDINANCE ORDAINED. [10 TO 0]
AYES: Mbah, Rossetti, Strezo, White Jr., Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
RECUSED: McLaughlin

REPORTS OF COMMITTEES

18. FINANCE COMMITTEE

- A. Committee Report 210693 (ID:23567) Report of the Committee on Finance, meeting on October 6, 2020.
- Councilor Scott summarized the Committee's activities and encouraged interested individuals to view the meeting video. He reviewed pandemic funding from the CARES Act, and said he anticipated a joint meeting with the School Committee's Finance Committee about School Department funding in the near future. The Committee discussed business license fees, which the administration is not prepared to waive, and vacant property ordinance fees, which after much discussion the Committee reduced from a proposed \$500 to \$50. The Committee heard the Police Department explain that they hadn't responded to requests for information about military hardware and equipment transfers to employees because of Covid and because the requests were either too broad or too specific or both. Councilor Rossetti explained her stance against the new fee for vacant buildings and for reduced licensing fees. Councilor Mbah urged an increase in internet access.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

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- B. Mayor's Request 209490 (ID:22329) Requesting approval of an annual Vacant Property Registration Fee of \$500.
RESULT: APPROVED AS AMENDED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
AMENDED: The Registration Fee is set at \$50.00.
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- C. Order 209562 (ID:22439) By City Councilor McLaughlin, Ewen-Campen, Scott, Clingan, Ballantyne, Davis, Rossetti, Hirsch, Mbah, White Jr.
That the Director of Finance, or the appropriate department, consider raising the limit on assets seniors may claim to qualify for senior tax exemptions.
RESULT: WORK COMPLETED
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- D. Order 209567 (ID:22428) By City Councilor Ewen-Campen
That the City Treasurer, the Chief Assessor and the Director of Finance discuss with this Council the possibility of switching to bi-annual tax bills, and including a simple "explainer" with each bill.
RESULT: WORK COMPLETED
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- E. Order 210035 (ID:22889) By City Councilor Rossetti
That the Director of Finance update this Council on all money received to date related to the COVID-19 situation.
RESULT: WORK COMPLETED
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- F. Order 210036 (ID:22890) By City Councilor Rossetti
That the Director of Finance update this Council on all expenditures, encumbrances and anticipated expenses to date related to the COVID-19 situation.
RESULT: WORK COMPLETED
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- G. Order 210117 (ID:22976) By City Councilor Ballantyne
That the Director of Finance provide a written rolling cash flow analysis every 2 weeks during this COVID-19 emergency and include forecasts to ensure sufficient operating liquidity by estimating the available cash deposits, expected inflows, and required disbursements.
RESULT: WORK COMPLETED
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- H. Order 210438 (ID:23315) By City Councilor Rossetti
That the Director of Finance report to this Council, all actual state aid appropriations versus budgeted (anticipated) state aid.
RESULT: WORK COMPLETED
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- I. Mayor's Request 210564 (ID:23449) Requesting the appropriation of \$240,000 from the Capital Stabilization Fund for the FY21 Tree planting program.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- J. Mayor's Request 210565 (ID:23445) Requesting a transfer of \$13,228 from the Fire Department Ordinary Maintenance Account to the Fire Alarm Ordinary Maintenance Account to fund a technical service agreement for a 911 line into Fire Alarm.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- K. Mayor's Request 210566 (ID:23374) Requesting approval to pay a prior year invoice totaling \$2,332.89 unencumbered using available funds in the DPW Lights and Lines budget.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- L. Mayor's Request 210567 (ID:23353) Requesting acceptance of a \$298,280 grant with no new match required, from the MA Department of Mental Health to the Police Department, for Crisis Intervention Team training.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- M. Mayor's Request 210568 (ID:23438) Requesting acceptance of a \$99,605 grant with no new match required, from the MA Department of Energy Resources Green Communities program to the Office of Sustainability & Environment for energy efficiency projects.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- N. Mayor's Request 210569 (ID:23355) Requesting acceptance of a \$25,602 grant that requires a match, from the Metro Mayors Shannon Initiative to the Police Department for youth violence prevention.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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| O. Mayor's Request
210570
(ID:23439) | Requesting acceptance of a \$2,250 grant with no new match required, from the MA Cultural Council to the Arts Council for operational and programming support. |
| <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> | |
| P. Mayor's Communication
210580
(ID:23447) | Conveying the executed Memorandum of Agreement with DCR for the Dilboy Complex. |
| <p>RESULT: WORK COMPLETED</p> | |
| Q. Order
210591
(ID:23475) | By City Councilor Ballantyne, Strezo, Davis
That the Director of Finance and the City Assessor consider a property tax abatement for landlords who lease to artists and arts and cultural organizations, tying the property tax reductions to rental relief for those tenants. |
| <p>RESULT: WORK COMPLETED</p> | |
| R. Order
210592
(ID:23476) | By City Councilor Ballantyne
That the Director of Finance share financial updates for YTD revenues and expenditures for all Covid-related line items. |
| <p>RESULT: WORK COMPLETED</p> | |
| S. Mayor's Request
210598
(ID:23442) | Requesting acceptance of a \$111,500 grant with no new match required, from MADot to the SPCD Mobility Division for Mystic Avenue Shared Streets improvements. |
| <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> | |
| T. Mayor's Request
210599
(ID:23451) | Requesting approval of a time-only extension for the FY17 Morse Kelley Playground CPA Grant for an additional 3 years. |
| <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> | |
| U. Mayor's Request
210600
(ID:23452) | Requesting approval of a time-only extension for the FY17 Healey Schoolyard Design CPA contract for an additional 3 years. |
| <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> | |

<p>V. Mayor's Request 210601 (ID:23453)</p>	<p>Requesting approval of a time-only extension for the FY17 CPA grant contract for the Henry Hansen Park Design for an additional 3 years.</p>
<p>RESULT: APPROVED. [UNANIMOUS] AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p>	
<p>W. Mayor's Request 210602 (ID:23454)</p>	<p>Requesting approval for a time-only extension of the FY17 Milk Row Cemetery Open Space Master Plan CPA contract through October 2021.</p>
<p>RESULT: APPROVED. [UNANIMOUS] AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p>	
<p>X. Order 210625 (ID:23508)</p>	<p>By City Councilor Ballantyne That all Department Heads share their FY21 missions and goals and FY20 achievements at this Council's next meeting on October 8, 2020.</p>
<p>RESULT: WORK COMPLETED</p>	
<p>Y. Order 210626 (ID:23509)</p>	<p>By City Councilor Ballantyne That the Director of Finance and the Budget Director discuss ways to improve the user experience for OpenGov.</p>
<p>RESULT: WORK COMPLETED</p>	
<p>Z. Order 210628 (ID:23511)</p>	<p>By City Councilor Ballantyne That the Director of Finance and the Director of SPCD discuss potential appropriations for requests from Somerville Cares (see attachment), restaurants and bars, arts and cultural organizations, and other groups.</p>
<p>RESULT: WORK COMPLETED</p>	
<p>AA. Mayor's Request 210646 (ID:23371)</p>	<p>Requesting approval to pay prior year invoices totaling \$106,292.07 unencumbered using available funds in the DPW Building and Grounds budget.</p>
<p>RESULT: APPROVED. [UNANIMOUS] AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p>	
<p>AB. Mayor's Request 210647 (ID:23372)</p>	<p>Requesting approval to pay prior year invoices totaling \$30,210.49 unencumbered using available funds in the DPW Highway budget.</p>
<p>RESULT: APPROVED. [UNANIMOUS] AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p>	

- AC. Mayor's Request 210648 (ID:23358) Requesting approval to pay a variety of prior year invoices totaling \$17,214.11 using available funds in the DPW Administration budget.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- AD. Mayor's Request 210649 (ID:23373) Requesting approval to pay prior year invoices totaling \$4,014.19 unencumbered using available funds in the DPW Fleet budget.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- AE. Mayor's Request 210650 (ID:23505) Requesting approval to pay a prior year invoice for \$220 using available funds in the Inspectional Services Department's Staff Development Account for staff training.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- AF. Mayor's Request 210651 (ID:23466) Requesting approval to pay a prior year invoice totaling \$96 using available funds in the Health and Human Services Professional & Technical Account for interpreter services.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- AG. Mayor's Request 210652 (ID:23467) Requesting acceptance of a \$46,800 grant with no new match required, from Metropolitan Area Planning Council to the Health and Human Services Department to reduce transportation barriers to food access.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- AH. Mayor's Request 210653 (ID:23354) Requesting acceptance of a \$37,315 grant with no new match required, from the MA Department of Mental Health to the Police Department for the Jail Diversion Program.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

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- AI. Mayor's Request 210654 (ID:23485) Requesting acceptance of a \$5,000 grant with no new match required, from the MA Emergency Management Agency to the Fire Department for emergency management equipment.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- AJ. Mayor's Request 210655 (ID:23500) Requesting approval to enter into a power purchase agreement with Solect Energy Development for a solar system at the East Somerville Community School.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- AK. Mayor's Request 210656 (ID:23501) Requesting approval to enter into a power purchase agreement with Solect Energy Development for a solar system at the High School.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- AL. Mayor's Request 210657 (ID:23502) Requesting approval of an easement to Solect Energy Development for installation, maintenance, and operation of a roof-top solar energy system at the East Somerville Community School.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- AM. Mayor's Request 210658 (ID:23503) Requesting approval of an easement to Solect Energy Development for installation, maintenance, and operation of a roof-top solar energy system at the High School.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- AN. Mayor's Request 210659 (ID:23488) Requesting approval of a time-only contract extension for the 2017 street resurfacing contract with D&R General Contracting Inc.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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AO. Mayor's Request 210660 (ID:23487) Requesting approval of the 2020-2021 HUD One Year Action Plan, for CDBG, HOME, and ESG programming.

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

AP. Officer's Communication 210661 (ID:23479) City Solicitor seeking approval of the settlement of a pending claim for \$249,713.69, for damages to the City Hall Annex in 2018.

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

19. LAND USE COMMITTEE

A. Committee Report 210694 (ID:23563) Report of the Committee on Land Use, meeting on September 29, 2020.

Councilor Ewen-Campen said the Committee deliberated an affordable housing overlay district, which would only apply to 100% affordable-housing buildings. It would authorize them by right and allow for larger buildings, depending on the underlying zoning. The proposal was kept in committee. The Committee also recommended approval of a citizens petition to upzone certain parcels in Gilman Square. The Homans property was changed to civic, and an adjoining property was left unchanged, so with the new GLX station, there is a rare opportunity to do something above and beyond what the private real estate market would deliver.

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

B. Public Communication 210364 (ID:23230) 15 registered voters requesting the adoption of an amendment to the Zoning map to re-zone six parcels along Medford Street between School Street and Marshall Street.

RESULT: ORDINANCE ORDAINED AS AMENDED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
AMENDED: - 360 Medford Street (61-G-1) is NOT re-zoned.
- 350 Medford Street (61-G-2) is re-zoned Civic.

20. LEGISLATIVE MATTERS COMMITTEE

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| <p>A. Committee Report
210695
(ID:23565)</p> | <p>Report of the Committee on Legislative Matters, meeting on October 1, 2020.</p> <p>Councilor Davis said the Committee reviewed a number of items. First was a home rule petition to repeal so-called antigang loitering state legislation, to complete the Council’s work after last meeting’s repeal of a similar ordinance. Next was a proposed ordinance to prohibit the use of prison labor for city projects. The Committee couldn’t identify any good programs that employ incarcerated folks, and agreed they should be banned. The Committee also took action on amending the tree ordinance, to effectively protect the invasive Norway Maple species. The Council discussed prison labor, and considered defining "good" programs that could be used, but decided to leave the ordinance unchanged.</p> <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
| <p>B. Public Communication
204422
(ID:17147)</p> | <p>Alan Bingham submitting comments re: #204278, the Demolition Review ordinance.</p> <p>RESULT: WORK COMPLETED</p> |
| <p>C. Public Communication
205151
(ID:17891)</p> | <p>Alan Bingham submitting comments re: the draft Demolition Review Ordinance.</p> <p>RESULT: WORK COMPLETED</p> |
| <p>D. Public Communication
205791
(ID:18552)</p> | <p>Chamber of Commerce submitting comments re: #204278, the proposed demolition review ordinance.</p> <p>RESULT: WORK COMPLETED</p> |
| <p>E. Public Communication
206483
(ID:19262)</p> | <p>Somerville YIMBY Committee submitting comments re: #204278, the Demolition Review ordinance.</p> <p>RESULT: WORK COMPLETED</p> |
| <p>F. Public Communication
206484
(ID:19263)</p> | <p>Justin Rank submitting comments re: #204278, the Demolition Review ordinance.</p> <p>RESULT: WORK COMPLETED</p> |

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- G. Ordinance 209190 (ID:22058) By City Councilor Niedergang
Proposing an amendment to Tree Preservation Ordinance 12-102 - Definitions, to add to the definition of Invasive Plant the following sentence: "However, Norway Maples and other trees larger than 24" diameter at breast height shall not be considered Invasive Plants."
-
- For the approved Ordinance see #210724.
RESULT: PLACED ON FILE. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
- H. Public Communication 210161 (ID:23014) Chamber of Commerce submitting comments re: #204278, the Demolition Review ordinance.
-
- RESULT: WORK COMPLETED**
-
- I. Order 210454 (ID:23328) By City Councilor Scott, Rossetti, McLaughlin, Ewen-Campen, Strezo, Clingan
That the City Solicitor draft language to prohibit the use of prison labor of any kind for city projects, including the Middlesex Sheriff's Community Work Program.
-
- For the approved Ordinance see #210711.
RESULT: WORK COMPLETED
-
- J. Order 210555 (ID:23459) By City Councilor Ewen-Campen, Clingan
That the City Solicitor draft an ordinance to require municipal licensing of rental car businesses, to address the issue of these businesses illegally parking their rental fleet on residential streets.
-
- RESULT: WORK COMPLETED**
-
- K. Order 210561 (ID:23443) By City Councilor McLaughlin
That the City Solicitor prepare a Home Rule Petition to repeal Chapter 327 of the Acts of 2004, which follows up on the so-called anti-gang loitering ordinance.
-
- For the approved Home Rule Petition see #210710.
RESULT: WORK COMPLETED
-

21. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report 210696 (ID:23566) Report of the Committee on Public Health and Public Safety, meeting as a Committee of the Whole on October 5, 2020.
- Councilor Davis reported that the Committee discussed the status of Covid-19 in the city. Somerville had just moved back into the Green category, but Public Health Director Doug Kress pointed out that there are significant concerns, with more and more activities moving indoors, and the city could easily slip into the Red category. Just yesterday, Councilor Davis said, it appears we moved to the Yellow category. So we need to continue following best practices: maintain distances, wear masks, wash hands, and be smart with our choices.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

22. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. Committee Report 210697 (ID:23564) Report of the Committee on Public Utilities and Public Works, meeting as a Committee of the Whole on September 30, 2020.
- Councilor Clingan reported that the meeting started with a public hearing on two items related to the enforcement of conditions on special permits to control developers. 13 residents spoke about their concerns regarding different developments, and a lack of compliance and enforcement. The Committee learned that there are 4 vacancies in the Inspectional Services Department, so that creates a deficiency. Councilor White referenced Ordinance 8.3, which enables the city to deny a permit, with a 12-month wait, and he said he would proposed a reduced timeframe.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- B. Order 210162 (ID:23020) By City Councilor Rossetti, Niedergang, Davis, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr.
That the Director of Inspectional Services explain why Stop Work Orders are not accompanied by a fine.
- RESULT: WORK COMPLETED**
- C. Resolution 210186 (ID:23038) By City Councilor Niedergang, Davis, Rossetti, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr.
That the Director of Inspectional Services, the City Solicitor, and the Mayor appear before this Council to explain why a development at 21 Cherry Street was deemed essential and granted a temporary Certificate of Occupancy despite a history of building code violations and physical violations of the Special Permit granted by the Zoning Board of Appeals.
- RESULT: WORK COMPLETED**

- D. Resolution 210187 (ID:23039) By City Councilor Niedergang, Davis, Rossetti, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, McLaughlin, Mbah, White Jr. That the Administration explain in writing to this Council, upon granting a permanent Certificate of Occupancy or extending a temporary Certificate of Occupancy to the 21 Cherry Street development, why het COO was granted given the many built violations of the Special Permit granted by the Zoning Board of Appeals.

RESULT: WORK COMPLETED

- E. Order 210219 (ID:23080) By City Councilor White Jr., Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, Davis, Niedergang, Rossetti, McLaughlin, Mbah That the Director of Inspectional Services provide the Committee on Public Utilities and Public Works with the building jacket for the development project at 21 Cherry Street, prior to the Committee's June meeting.

RESULT: WORK COMPLETED

- F. Order 210595 (ID:23477) By City Councilor Clingan, Niedergang, White Jr., Rossetti, Ballantyne, Davis, Scott That the Director of Inspectional Services appear before the Committee on Public Utilities and Public Works to discuss ensuring that all conditions of a special permit are met prior to the final signoff by the Inspectional Services Department and the issuance of a certificate of occupancy.

RESULT: WORK COMPLETED

- G. Order 210596 (ID:23478) By City Councilor Clingan, Niedergang, White Jr., Rossetti, Davis, Scott That the Committee on Public Utilities and Public Works hold a public hearing on developers' compliance with the conditions of special permits and the Inspectional Services Department's enforcement of those conditions.

RESULT: WORK COMPLETED

COMMUNICATIONS OF THE MAYOR

23. Mayor's Request 210698 (ID:23557) Requesting an appropriation and authorization to borrow \$1,440,000 in a bond for the renovation and construction of the West Branch Library.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

-
24. Mayor's Request 210699 (ID:23561) Requesting approval to pay a prior year invoice totaling \$36,000 using available funds in the DPW Fleet Division Professional and Technical Maintenance Account for Stoneham Motor Company, for the rental of plow trucks.
- Councilor Scott recommended approval. Councilor McLaughlin expressed concern in light of the recent investigation into the city's Fleet Department and referred the item to the Finance Committee for further consideration.
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-
25. Mayor's Request 210700 (ID:23524) Requesting approval to pay a prior year invoice totaling \$421.65 using available funds in the Parking Department Meter Repair Account, for parking meter batteries.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
26. Mayor's Request 210701 (ID:23537) Requesting approval to pay a prior year invoice totaling \$126 using available funds in the Health and Human Services Department's Professional and Technical Services Account for interpreting services.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
27. Mayor's Request 210702 (ID:23568) Requesting acceptance of a \$53,437.50 grant with no new match required, from the Center for Tech and Civic Life Cares Act to the Elections Department for postage to cover mailing out voting ballots.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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28. Mayor's Request 210703 (ID:23550) Requesting acceptance of a \$6,744.50 grant with no new match required from the MA Department of Public Health (through the Cambridge Health Alliance) to the Health and Human Services Department for 2020 Seasonal Flu Vaccine Clinic support.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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| 29. Mayor's Request
210704
(ID:23570) | <p>Requesting approval of a 5-year Lease to procure equipment for IT network upgrades.</p> <hr/> <p>Councilor Scott asked that this item be referred to the Finance Committee, noting that the lease wasn't attached to the request.</p> <p>RESULT: REFERRED FOR RECOMMENDATION</p> <p>FOLLOWUP: Finance Committee</p> |
| 30. Mayor's Request
210705
(ID:23554) | <p>Requesting approval of a time-only contract extension for Design Technique for construction administration at the West Branch Library through 4/30/21.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION</p> <p>FOLLOWUP: Finance Committee</p> |
| 31. Mayor's Request
210706
(ID:23555) | <p>Requesting approval of a time-only extension for Designlab for construction administration at the West Branch Library until 4/30/21.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION</p> <p>FOLLOWUP: Finance Committee</p> |
| 32. Mayor's Request
210707
(ID:23578) | <p>Requesting the change of 3 voting locations: W5 P2 from the Brown School to the Kennedy School Gym, W5 P3 from the Highland Ave Fire Station to the Kennedy School Gym, and W2 P3 from Lowell St Fire Station to the Argenziano School.</p> <hr/> <p>Councilor Niedergang approved of the change, and asked about signage in advance of election day to inform residents of the polling location change. Election Commissioner Nick Salerno said that signage will be posted at both the old and new locations on election day, and the city will also inform residents via CTY calls.</p> <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |

COMMUNICATIONS OF CITY OFFICERS

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| 33. Officer's Communication
210708
(ID:23559) | <p>City Solicitor requesting to appear in Executive Session to discuss litigation strategy and a negotiating position in the matter of 9-11 Aldersey Street.</p> <hr/> <p>The President sponsored Assistant City Solicitor David Shapiro, who said the item was appropriate for Executive Session. The Council moved to Executive Session at 7:30 PM, and reconvened at 8:05 PM. The President reported that no votes were taken in Executive Session.</p> <p>RESULT: APPROVED. [10 TO 0]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Clingan, Niedergang, Davis, Ballantyne</p> <p>RECUSED: Ewen-Campen</p> |
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| <p>34. Officer's Communication
210709
(ID:23558)</p> | <p>City Solicitor requesting approval to retain outside legal counsel to represent the City in the matter of 9-11 Aldersey Street.</p> <hr/> <p>Following the Executive Session (see #210708), the Council took up this item.</p> <p>RESULT: APPROVED. [10 TO 0]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Clingan, Niedergang, Davis, Ballantyne
 RECUSED: Ewen-Campen</p> |
| <p>35. Officer's Communication
210710
(ID:23560)</p> | <p>Assistant City Solicitor submitting a Home Rule Petition to repeal Chapter 327 of the Acts of 2004, relative to gang loitering.</p> <hr/> <p>For discussion of this item see #210561.</p> <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
| <p>36. Officer's Communication
210711
(ID:23592)</p> | <p>Chief Labor Counsel submitting an ordinance prohibiting the use of prison labor, as approved by the Committee on Legislative Matters on 10/1/20.</p> <hr/> <p>For discussion of this item see #210454.</p> <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
| <p>37. Officer's Communication
210712
(ID:23556)</p> | <p>Acting Director of Personnel responding to #210382 re: staffing in the E-911, Fire Alarm, and Constituent Services Departments.</p> <hr/> <p>RESULT: PLACED ON FILE. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
 FOLLOWUP: Housing and Community Development Committee</p> |
| <p>38. Officer's Communication
210713
(ID:23424)</p> | <p>DPW Commissioner responding to #210475 re: the broken street light on Woods Ave.</p> <hr/> <p>RESULT: PLACED ON FILE. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
| <p>39. Officer's Communication
210714
(ID:23579)</p> | <p>Director of Economic Development conveying the Notice of Environmental Notification Form Submission for the Winter Hill Urban Renewal Plan.</p> <hr/> <p>RESULT: PLACED ON FILE. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |

40. Officer's Communication 210715 (ID:23589) Planning Board conveying its recommendations re: #s 210185, 210364, and 210597, 3 requests for zoning amendments.
-
- Councilor McLaughlin recused himself from the portion of this item dealing with marijuana issues.
- RESULT: PLACED ON FILE. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

NEW BUSINESS

41. License/Permit 210716 (ID:23580) Renewing Drainlayer's License, BSI Engineering Inc.
-
- Councilor White moved to waive the readings and approve items 41 and 42.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

42. License/Permit 210717 (ID:23581) Renewing Outdoor Seating License, 130 Broadway LLC for Fat Hen and Perfect Dental.
-
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

43. Public Communication 210718 (ID:23587) Anthony Martignetti proposing a zoning amendment to re-zone his property at 360 Medford St to High Rise.
-
- Also referred to the Planning Board.
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Land Use Committee

SUPPLEMENTAL ITEMS

44. Ordinance 210719 (ID:23593) By City Councilor White Jr., Clingan, Strezo That the provisions of Sec. 8-3(1) be amended by changing "for not less than a twelve month period" to "not less than a one month period"
-
- Councilor White explained that this proposal came out of the public hearing held by the Committee on Public Utilities and Public Health on developer noncompliance with the conditions on special permits (210697). He wanted to reduce the timeframe for enforcement under Ordinance 8-3.
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Legislative Matters Committee

-
45. Order 210720 (ID:23594) By City Councilor Scott, Rossetti, Ewen-Campen, Clingan, Ballantyne, Strezo, Davis, Niedergang, McLaughlin, Mbah, White Jr. That the Director of Inspectional Services review Zoning Ordinance 1.7 and act accordingly.
- Councilor Rossetti explained that the intent of this item was to bolster the enforcement of Stop Work Orders.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
46. Order 210721 (ID:23598) By City Councilor Rossetti That this Council prepare for interviews of applicants to the Wage Theft Advisory Committee.
- Councilor Rossetti said no city staff would be assigned to this committee, so it will be under the purview of this Council. She said she expects members to be appointed by the Mayor and the various organizations with appointing authority, and she'll set up a meeting of the Committee on Confirmation of Appointments and Personnel Matters to consider them.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee
-
47. Mayor's Request 210722 (ID:23553) Requesting approval of a transfer of \$40,000 in the City Council's budget, from the Professional and Technical Services Account to the Salaries and Wages Temporary Account, to fund staff to develop a civilian oversight process for the Police Department.
- Councilor Scott said this was a straightforward transfer to fund the Council's positions to develop a policy for civilian review of the Police Department. Councilor Davis explained that this was an estimate of the cost needed to accomplish the task.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
48. Mayor's Request 210723 (ID:23596) Requesting confirmation of the appointment of Kenneth Silva to the position of District Fire Chief.
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee
-

- 49. Officer's Communication 210724 (ID:23601) City Clerk submitting an ordinance to amend the definition of invasive plants in Ordinance 12-102 of the Tree Preservation Ordinance, as approved by the Committee on Legislative Matters on 10/1/20.

For discussion of this item see #209190.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- 50. Officer's Communication 210725 (ID:23591) Planning Division requesting to present a SomerVision 2040 update.

Planner Melissa Woods said an updated SomerVision 2040 plan would be provided to the Council in the next 30 days and would include a spotlight on senior issues. She said the Council would have an opportunity to comment prior to its submission to the Planning Board.

RESULT: PLACED ON FILE. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- 51. Officer's Communication 210726 (ID:23595) Chief Assessor responding to #209562 re: senior tax exemptions and #210591 re: tax abatements for arts organizations.

RESULT: PLACED ON FILE. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- 52. Public Communication 210727 (ID:23600) Tufts President responding to #210623 re: Tufts' Dining Workers.

RESULT: PLACED ON FILE. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
- 53. Public Communication 210728 (ID:23599) 2 residents submitting comments re: #210645, Conway Park remediation and renovation.

RESULT: PLACED ON FILE. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

FOLLOWUP: Finance Committee

LATE ITEMS

- 54. Order 210729 (ID:23603) By City Councilor McLaughlin That the Director of Parking place NO PARKING signs on the corner of Cross St and Chester Ave.

RESULT: APPROVED. [UNANIMOUS]

AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

FOLLOWUP: Traffic and Parking Committee

55. Order By City Councilor McLaughlin
210730 That the Director of Public Works trim the tree at 21 Mt. Vernon St.
(ID:23602)

RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

56. Public 2 residents submitting comments re: #210364, a residents' petition to rezone 6
Communication parcels in the Gilman Sq area.
210731
(ID:23604)

RESULT: PLACED ON FILE. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Land Use Committee

ADJOURNMENT

The meeting was Adjourned at 11:00 PM.

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*****Disclaimer!*****

>> Ladies and gentlemen I now declare this meeting of the City Council open. Please note that pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the City Council will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels. Now Mr. Clerk.

>> Let's begin this meeting with a prayer, God grant this City Council the serenity to accept the things that cannot be changed, the courage to change the things that can be changed and the wisdom to know the difference. And now let's join in a salute to the flag. I pledge allegiance to the flag of the United States of America. And to the republic for which it stands, one nation, under God, indivisible with liberty and justice for all.

>> Please be seated. And Mr. Clerk, please call the roll.

>> This is roll call. Councilor Clingan.

>> I am present.

>> Councilor Mbah.

>> Present.

>> Councilor White.

>> Here.

>> Councilor Ballantyne.

>> Present.

>> Councilor Strezo.

>> Present.

>> Councilor Niedergang.

>> Here.

>> Councilor Davis.

>> Here.

>> Councilor Scott.

>> Present.

>> Councilor Ewen-Campen.

>> Here.

>> Councilor Rossetti. Councilor Rossetti? I don't hear a response from Councilor Rossetti, Councilor McLaughlin.

>> Here.

>> Mr. President, ten Councilors are present. One is absent. We have a quorum.

>> Councilor Rossetti is having problems with the link so we will hear from her soon. Any moments of silence. Councilor Clingan.

>> I ask that we hold a moment of silence for Cathy Rodrigues. A long time resident of my ward. Mom to Keri Rodrigues, we all know, great Somervillian herself and her partner Tim L. and her other son David Rodrigues and his wife Melissa. She passed away on September 17th. Suddenly. She was at her home. And Kathy -- I want to say a little bit about Kathy because I think it's definitely a -- important to remember her as she was extremely active in her community. She was born local. She's the daughter of the late Thomas and Joan. Grew up in Charleston, attended St. Catherine's parochial school and graduated

from St. Mary's in '72 and further education by getting her bachelor's of science from Suffolk University and her master's of education there. Where she worked as an administrative coordinator for over 20 years. She was very, very active. A member of the Appalachian mountain club, a volunteer at the Lowell house in Boston I remember, she was an 888 member. Union sister and I remember her -- seeing her all the time, getting off the train on Sullivan, on her way to get the boys and I know that she and Keri, she was a very active Nana and so I just want to -- I remember her as just being this really, really, like a real light -- she had a real spark about her. She was a really nice woman and she will be missed by all that loved her. So I please ask that you remember her this evening. Thank you.

>> All right, Councilor White and Ballantyne would like to sign on and I would like to sign on as Keri is a neighbor. And Councilor Davis, you have a moment of silence.

>> Yeah, thank you, Mr. President and I would also like to sign onto that previous one. So I would like to remember Lou Schneider this evening, Lou was a crossing guard at the Brown school for many years and he passed this past week at the age of 95. He was -- he continued to work as a crossing guard into his 90s. He was a force of nature if there ever was one. And he -- I'll just share a few sort of my personal memories of Lou, he was -- known for having a nickname for just about everybody and for a man at his point in life to have the amount of energy and with that he maintained into his 90s, and remembering the kids and their parents and remembering the individual nicknames he had for all of them was really something else and the kids just absolutely loved him and the parents did as well as I know the school community also did. Lou was I believe the very first member inducted into the newly created Brown school hall of fame whether there is a prior edition over the one hundred years would surprise me but I know upon his retirement a few years ago he was inducted into the Brown school hall of fame and if there's anything other than just the smiles and the clear outward love and care he had for all the kids. That is -- that really speaks to Lou's commitment is in 2015, as many will remember, during that winter, that winter, a portion of the roof at the Brown school collapsed at night thankfully no one was injured. But the kids had to attend school at the Edgerly school for a significant period of time. Edgerly of course being at the opposite end of town. In the morning, this was a challenge in terms of, you know, traffic and community and just logistics for everyone but Lou came along and he wanted to be certain that he was there as well. So he made his way from his house in the very western end of the city all the way to the Edgerly school every morning to see those kids. He wouldn't have it any other way. And you can't help but instantly smiling and laughing when you think about Lou and the energy he brought to that job. He leaves a large family, but I will mention the names of his seven great grandkids, Tommy, Derrick, Teddy, maybe I counted it wrong. Lou would want it that way and the names that we read. I know that -- I don't know if Councilor Rossetti has been into the committee yet but I know she mentioned -- I know she would want to sign on if she is not connected yet. So I ask that on behalf of the City Council and the entire community that Lou be remembered today.

>> Councilor Rossetti and Strezo would like to sign onto this do we have any other moments of silence? Hearing none, please rise for the moment of silence. Please be seated. Mr. Clerk, please read the next item.

>> Mr. President, item number three is the approval of the minutes of the regular meeting of September 10th.

>> This item is laid on the table for approval.

>> Item number four is a public hearing grant of location application submitted by ever source to install 89 feet of conduit in Mossland Street from pole to a point of pickup to 15 Mossland Street.

>> We're now approving these permits if there aren't objections from any councilors. I now declare this public hearing open is there anyone in attendance to speak on this item.

Please use the hand emoji icon? And let me see. There's a little hand icon you can press and I'll call on you and I see Jackie Duffy. Ms. Duffy.

>> How are you tonight.

>> Doing all right. How are you doing?

>> Good, thank you, I would like to install 89 feet of conduit to supply service to 15 Mossland Street.

>> Is there anyone else in the audience who wishes to speak on this? Going once, going twice, oh, Steven Huff. Steven, you have the floor.

>> Howdy, folks, I live at 52 Elm Street and I am curious how long is this work likely to take and how disruptive will it be to traffic?

>> Ms. Duffy.
>> It would only take maybe two days, weather permitting and we would have a police detail that would direct the traffic if any -- if we needed traffic.
>> Sounds good. Thank you.
>> All right.
>> You're welcome.
>> Is there anyone else in the audience who wishes to speak on this? Seeing none, I now declare this public hearing closed. Do any councilors have any comment.
>> Yes, Mr. Chairman, Mr. President, yes, I'd like to speak.
>> Yes, Councilor Niedergang.
>> This is in my ward and I did approve, give interim approval for it as I believe Councilor White as chairman of license and permits as well. I have one concern that I would like Ms. Duffy to address. Mossland Street is a narrow street which has intensely heavy traffic during the morning rush hour. People heading through Somerville and down Beacon Street and into Boston to Cambridge and Boston. The backup there in the morning rush hour is terrible. And I just want to make sure that work does not begin on this project in the morning no earlier than 9:30 and preferably 10 o'clock because the morning rush hour at this location is just so jammed up. So I would like to ask Ms. Duffy to speak to this or if we could put a condition on it, I would like to do that. That work not start until 9:30 at the earliest.
>> Yeah, you can put a condition on it.
>> Mr. President I would like to move that this be conditioned that work not start until 10 o'clock in the morning.
>> Very good. Do you have that, Mr. Clerk?
>> Yes, I do, Mr. President.
>> All right, do we need a vote on that?
>> Yeah. We should have a vote on it. This will be a vote on the condition that we can do the overall vote later with the others.
>> Okay. So let's do roll call vote on the condition. Please, I guess, read that. And then call the roll.
>> The roll call vote is on adding a condition to item number four of the ever source grant of location request that work is not to start until 10 a.m. on the project. On that item, Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.
>> And Councilor McLaughlin.
>> Yes.
>> Mr. President, all have voted in favor of that condition, that condition has been approved so now before this body is the grant location with that condition.
>> Okay, is there anymore discussion on this item? Hearing none, this item will be laid on the table for approval. Next --

>> Item number five, then is a public hearing grant of location submitted by Eversource to install a new manhole near 56 within Webster Avenue.

>> Anyone who wishes to speak on this item. Ms. Duffy.

>> Yes, would like to install a new manhole on Webster Avenue and this is for the GLX project.

>> Anyone else in the audience who wish to speak on this item. Please use the hand icon. Going once, going twice. All right, seeing no further discussion, I now declare this public hearing closed. Is there any questions from the council? Councilor Scott.

>> Thank you Mr. President, I reviewed the application, it appears to be in order. I don't have any problem approving it this evening, thank you.

>> Seeing no further discussion, this item is laid on the table for approval.

>> Item number six is a public hearing of grant of location application submitted by Eversource to install 41 feet of conduit in Prospect Street from a manhole to a point of pickup at 50 Prospect Street.

>> Anyone wishing to speak on this.

>> Jackie Duffy to install 41 feet of conduit also.

>> Anyone in the audience who wishes to speak on this item, please use the hand icon. Going once, going twice. All right. I -- Councilor Scott would like to note that he's recused from this item. I declare this public hearing closed. Is there any comment from the council? Hearing no further comment this item is laid on the table for approval.

>> Thank you.

>> Thank you.

>> Mr. President, item number seven is a public hearing grant of location application submitted by Extenet which seeks to install 256 feet of conduit on Inner Belt Road from manhole to a proposed hand hole, then continuing three feet to a replacement pole.

>> I declare this public hearing open. Is there anyone who wishes to speak on this item. Please use the hand icon. I see Rosanna Ferrante. You have the floor.

>> Yes, good evening, Rosanna on behalf of Extenet to install 256 feet of conduit. Then continuing three feet to a replacement pole near --

>> All right, is anyone else in the audience who wishes to speak on this item? Please use the hand icon. Seeing no further discussion, I declare this public hearing closed. Any comments from city council? Hearing no comment from the council, this item is laid on the table for approval.

>> Item number eight is a public hearing of grant location application submitted by Extenet to install 31 feet of conduit in Pearl Street from manhole to a proposed handhole.

>> Anyone in the audience who wishes to speak on this item? Rosanna, is that you again? Did you want to speak on this item?

>> Mr. President, it appears that Rosanna is currently offline. I don't know what happened to her connection but I do not believe she is available to us right now.

>> Okay. She is still offline. I now declare this public hearing closed. Well before that, is there anyone else in the audience who wishes to speak on this? Seeing none, I declare this public hearing open, is there any discussion from the council? Hearing no discussion, this item is laid on the table for approval.

>> Mr. President, item number nine is a public hearing of grant of location application submitted by Extenet to install 101 feet of conduit in Broadway from a manhole to a proposed handhole and then continuing three feet to another replacement pole near 332 Broadway.

>> I now declare this public hearing open. Anyone wishing to speak, Rosanna.

>> Yes, on behalf of Extenet proposing to install 101 feet of conduit in Broadway from manhole 1905 to a proposed handhole then continuing three feet to a replacement pole near 332 Broadway, again, to support a previously approved small cell location.

>> All right. Is there anyone else in the audience who wishes to speak on this item? Please use the hand icon. Seeing no further discussion I declare this public hearing closed. Is there any comment from the council? Hearing no discussion from the council this item is laid on the table for approval and why don't we take the items on the table and do a roll call vote.

>> Mr. President, this then is a roll call vote on the approval of item 4 with the condition and the approval of items 5, 6, 7, 8, and 9. On that motion, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Ballantyne. Councilor Ballantyne. I do not record a vote for Councilor Ballantyne.
- >> Yes, sorry I couldn't -- yes.
- >> Very good, Councilor Strezo.
- >> Yes. Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yes.
- >> Councilor McLaughlin.
- >> Yes.
- >> All have voted in favor of that motion, the motion has been approved.
- >> We have an executive session meeting on the agenda and Councilor Clingan would like to take item 33 and 34 out of order. Is there any discussion on taking these items out of order? Hearing none, please, Mr. Clerk, please read the two items.
- >> Mr. President, item number 33 is a communication from the city solicitor requesting to appear in executive session to discuss litigation strategy in a negotiating position in a matter of 9-11 Alderson street.
- >> Attorney David Shapiro, is this an item you think is appropriate for executive session?
- >> Yes, I do.
- >> Thank you Mr. President, please note I am recused from this discussion. Please let me know when this executive session is over.
- >> Okay, very good. Any further discussion? All right, Councilor Clingan moves to adjourn so we can enter into executive session. Please call the roll for adjournment.
- >> This is a recess, Mr. President. It's important to note that the council will be reconvening following this executive session.
- >> Yes, thank you.
- >> Wishful thinking, Mr. President.
- >> I know.
- >> So on the motion to move to executive session, Councilor Clingan.
- >> Yes.
- >> Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.

>> Yes.
>> Councilor Rossetti.
>> Yeah.
>> Councilor McLaughlin.
>> Yes.
>> Mr. President I have voted eleven votes of moving into executive session. Before we recess this meeting, let me inform folks that you should have a link for the councilors and invited guests to attend the session. You should find a link in your inbox. I will send another one as soon as we move to recess so that you can pick up that link and join the executive session.
>> Okay. Thank you very much. See you all in executive session. (Standing by for link to executive session) (35 minutes elapse).
>> I suggest we do a roll call.
>> Okay. One more second. And -- make sure Ben knows we're back.
>> I'm here.
>> All right. All right, everybody's here. I now call this City Council meeting back into session. Are we recording, Mr. Clerk?
>> Yes, Mr. President.
>> I now call the City Council meeting back into open session following our executive session. No votes were taken except to adjourn. Mr. Clerk, please call the roll for returning to session. To regular session.
>> This is a roll call. Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yeah.
>> Councilor McLaughlin.
>> Yes.
>> President, all the councilors are present. We have a quorum to resume the council meeting.
>> We met in executive session to talk about hiring outside counsel is there any discussion? Hearing none, Councilor Clingan move to approve. Mr. Clerk please call the roll.
>> Mr. President? Before the roll call. Thank you. I'm just wondering and, you know, for you the city clerk, shouldn't the statement be made that no votes were made in executive session?
>> I did make that statement.
>> I'm sorry, thank you.
>> Mr. President, I would like to point out that we are talking about item number 34 which is communication from the city solicitor requesting approval to retain outside legal counsel from the matter of 9-11 Aldersey Street.
>> Thank you very much, call the roll.
>> It's a roll call vote on the approval of that item. Councilor Clingan.
>> Yes.

>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen. I do not record a vote for Councilor Ewen-Campen. Councilor Rossetti.
>> Yes.
>> And Councilor McLaughlin.
>> Yes.
>> Ten have voted in favor.
>> Next item, Mr. Clerk.
>> Let me take a minute to get there.
>> Somebody calling?
>> Yes, can the record please show I am recused not absent from the previous vote?
>> Thank you.
>> Very good. Okay returning to the regular order of business we move to item number ten which is an order submitted by Davis and Strezo that the director of health and human services advise this council what services are available to our neighbors experiencing homelessness, mental illness, and addiction.
>> On the item.
>> Mr. President.
>> Councilor Davis.
>> Thank you. So this item is more or less self-explanatory. You know, as we all are aware, we are undergoing a process to -- re-envision how we respond to various circumstances around the city that currently are -- or historically are addressed at least in part by our police force and I will note that I've had lots of conversations with Captain Donovan over the years and I appreciate his soft touch on the issues. And I know that -- it's -- by no means is this intended to be an indictment or a response to anything specifically to issues that have come to me about -- by the police department. We have seen nationwide, worldwide the impact of the current health crisis and whether that is a causal or a correlation, there -- I have received as well as other councilors some calls and communications asking for effectively to do something about folks spending time in the square who may be experiencing homelessness or mental illness or addiction. Of course I don't know whether that's the case but I want to respond to that by appealing to the administration to first just clearly, you know, let's have a conversation about what we're doing right now, how we are able to respond, and if there were more resources available what can we do? That will be a key part of our reimagining process. Of course, we are all eagerly awaiting the hiring of a director of racial justice. I hope that process will happen soon. And I think this ultimately will be part of that larger conversation but I wanted to bring it up now in this context and I would request consolidated discussion that this item be referred to the committee on public health and safety. Thank you.
>> All right, Councilor Ballantyne would like to sign onto the item. Any further discussion? Hearing no further discussion, Councilor would like to sign on and this will be referred to public health and safety.
>> Item number 11 is an order by Councilor Ewen-Campen that the director of communications or the appropriate department remove the electronic Soofa signs from the sidewalks.
>> Thank you Mr. President so earlier this year, economic development rolled out three pilot tech collaborations in Somerville.

And one of them was these Soofa signs when you may recognize, the metal solar powered pedestrian signs that have a digital screen on one side. The pilot has been going on since January. I want to share my feedback. I appreciate the idea. You know, of a community based digital idea sign that can share updates. The basic concern is pretty straightforward. These are large signs. They take up a lot of precious space on the public sidewalks. They reduce visibility. In my experience, they don't seem to be very widely used. And, you know, they advertise certain businesses but not others. So, you know, altogether to me they give off the sense more of an advertising platform than as a public good. I would be happy to have a discussion about this in committee.

>> Committee?

>> I guess housing and community development would be a good fit.

>> Very good. Councilor Scott would like to comment.

>> I would just like to thank the Councilor for bringing this up. I agree, the form of a pilot is to evaluate and then make modifications, I have not seen it being that good and work too either. While I don't serve on housing and community development I trust my colleagues to take this conversation forward and hope we can see some action to remove these. Thank you.

>> All right. Any further discussion? Seeing none, this item is laid on the table for approval and referred to housing and community development.

>> Item number 12, Mr. President, is an order by Councilor Ewen-Campen that the director of public space and urban forestry work with the ward three councilor to facilitate a community meeting to plan a replacement tree for the large elm tree in prospect hill park.

>> This item will be laid for approval for open space.

>> Item 13 is an item by Councilor Ballantyne to prioritize Conwell Avenue for paving as soon as possible.

>> Councilor Ballantyne.

>> Thank you. Just Mr. President, if this could be approved.

>> All right. Seeing -- Councilor Davis would like to comment.

>> Yeah, thank you, Mr. President, just a question, is -- council -- the city council requesting back on the table for prioritizing certain streets for paving? I wasn't aware that was the case. For the administration perhaps.

>> I think this is the Councilor's order. Councilor Scott has a comment?

>> I know I'm up to my ears in streets and there's two that need to get repaved and as of our last update, we are only paving one out of the city's hundred miles of streets every year. We need to dramatically change the way that we're doing our tree repaving program and I know that the engineering department has been working very hard to establish a more rigorous and more aggressive schedule. So while I -- I appreciate the request, I won't be voting to support this particular imploring for one given street. I think we need to have more focus on our entire street repaving program and perhaps have some kind of organized structure. I don't see the harm in approving it because I don't think it will go anywhere given the advocacy of the streets I award to but I don't want members of the public to be under the impression that there is a way to prioritize their given street. Thank you.

>> Any further discussion?

>> Yes, Mr. President, the request for this -- may I speak?

>> Yes. You have the floor.

>> Thank you. This request has been going on for a very long time. There was discussion in one of our meetings. Probably last year. Probably two years ago. That there was the potential and possibility of depending on what happens in the city that maybe there is a little movement, and so as I have been advocating for my constituents who have been asking every year for ten years and this is a very poor street. I just thought I would remind the director of IMM that this is a street that is in great need.

>> All right, any further discussion? And Councilor Clingan?

>> Yes, thank you, Mr. President, you know, as you all know I have many streets in any ward that need paving. I do want to just speak to the whole -- the point of -- the actual program it as they call it. The paving program. To Councilor Ballantyne's point. I'm not sure the formula they use, which is how bad of shape it's in times the type -- how much use the street gets, how often it's traveled. I don't know if that -- the number they come up with, whether it's 65 or whatever. This number, if you continually get bumped back, based on, again, that equation, so I also, you know, I hear you, ten years is a long time and I think

that -- I know that the engineering department has heard us on relooking at this program they use and the formula they use and really I think it's a matter of resources. I appreciate your efforts through your constituents. I do the same for my street. Solidarity. Thank you.

>> Councilor Mbah.

>> Thank you Mr. President and Councilor Ballantyne. I think this is the way to go as far as the city is concerned about those mechanics and processes. There's a lot of walking for most people. I myself have seen countless e-mails like Councilor Clingan, he's also been on some of the e-mails. People are begging for their street to be repaved so I don't know the entire process, where things are, the timelines for repaving, so I just, if there's a way that we can clearly know, like, ten years is a long time. So but if the process is really streamlined, clear, that everybody can understand, you can just go there and say, okay, maybe this is where, you know, I am, you know, look, this street is -- would take maybe a year or two like -- but there's nothing. So the only thing that people have is starting to say, you know, orders to have their street repaved. Thank you, Mr. President.

>> All right any further discussion. I agree with Councilor Scott that we shouldn't have to do it this way and this probably won't go anywhere unfortunately but this is also the way that -- councilors have to deal with these problems sometimes. I support it. And since there might be a split vote on this why don't we do a roll call vote on this one item.

>> Very good, Mr. President, this is a roll call vote on agenda item number 13. The order by Councilor Ballantyne. Councilor Clingan?

>> Yes.

>> A yes vote is a vote in favor of the order.

>> Councilor Mbah.

>> Yes, please.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> I guess I have to vote no since this is roll call, right? No.

>> You asked for it.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

>> Yes.

>> Mr. President, ten councilors have voted in favor one is opposed. That order has been approved.

>> Next item, please.

>> Item number 14 is an order submitted by Councilor Strezo that the election commissioner and the chief of police inform this council what is being done to address possible voter intimidation at the polls.

>> I put this order in because I heard from constituents that are concerned of what's going on nationally and thought it would be good too that we check in about this. And I was pleased to hear back from -- Two folks. Chief Fallon said he was working on a response and I saw that in the panel that Mr. Salerno is here. Am I able to sponsor him to speak or -- Mr. President?

>> Yes, you are.

>> Okay. Thank you.

>> I would also suggest that we have another elections item on the agenda. We could have Mr. Salerno come up for that as well.

>> Yeah, with Mr. Salerno here but also that this order be tabled for now as well. Or kept on the agenda but, yes.

>> Well, if you want to sponsor David Shapiro to speak, we can do that right now.

>> Mr. Salerno, yes, I sponsor Mr. Salerno to speak on this item.

>> Okay. So let's lay this item on the table for approval and then, Mr. Clerk, we have an item on polling locations. Could you -- Councilor Strezo wants to take that item out of order. Could you read that item, please?

>> Yes, Mr. President, that item is 32 on the agenda which is the mayor requesting the change of three voting locations. Ward five, precinct two moving from the Brown to Kennedy and then ward three. And ward two precinct three, moving from the Lowell Street fire station to the Argenziano School.

>> Now Councilor Strezo would like to sponsor Mr. Salerno to speak. I hear no objections, Mr. Salerno are you there.

>> I am here.

>> Maybe start with the previous order about safety and then talk about the polling locations?

>> Sure. As I spoke through the chair -- as I spoke with Councilor Strezo yesterday, I want to -- I wanted to be sure that she knew and it's just a matter of going over things that each polling location throughout the city, of which we have 21, there is always a police officer present. In addition to the police officer who is present at each polling location we have a captain who is commanding those officers all day long. And also in the morning when they line up here in city hall the police officers report around 6 o'clock in the morning. There's a briefing. So this would be the appropriate time to give the briefing that might, you know, be worthwhile for the day to address Councilor Strezo's concerns. So they can be addressed. I have not spoken with the chief today but apparently Councilor Strezo has and I am sure between the chief and law department there'll be something in writing that can be transferred to the police who are going to be on duty at all of the polling locations for purposes of helping things that day.

>> Mr. President, thank you, Mr. Shapiro -- I'm sorry, Mr. Salerno. Thank you Mr. President and I do want to emphasize that I have confidence in Somerville residents and voters. I don't think that -- I have confidence in us. But I always think it's best to be safe and this is 2020. So -- that's all I'm going to say. Thank you.

>> Any discussion on election safety before we go to polling locations? Hearing no further discussion, Councilor Niedergang, you had a question about the polling locations?

>> Yes, thank you Mr. President, Mr. Salerno did consult with me and I am fine with these changes. I understand they're necessary. I had a question because this has never happened before in ward five in the how many fifteen years I've been elected official now representing ward five. Will there be signage? I know there's ads and city communications. But will there be signage in front of the polling places say at least a week or two weeks before November 3rd just alerting people that the polling place is being moved? Thank you.

>> Through the chair, yes, we always put signage in place. I have never, just -- I have never done it two weeks in advance because of the weather reasons. However, once we get -- the signage will go at both the old location and the new location. So at the old location, let's just say in the case of the Brown School it will direct people to the Kennedy School and at the Kennedy School there'll be signage saying this is the voting location for ward five precinct two in that case. Once the council does vote on this we will immediately have our communications department take over, the aspect of their communicating to the public through, excuse me, the website, social media, cable, all the changes that are taking place. We will also, Councilor, be doing a robo call prior to the election letting people know that in-person voting will now be at these new locations. And that will happen for ward five precinct two and for ward two precinct three.

>> Okay. Thank you, Mr. Salerno, thank you Mr. President, that seems sufficient.

>> Thank you.

>> Okay. Any further discussion on the polling locations?

>> May I make a comment?

If you do need additional help with signage I hear there's Soofa signs in ward three that need to be moved. That was a joke.

>> Bada Bing. All right. Any further discussion? Hearing none, why don't we do a roll call vote on this one item? Item 32.

>> Very good Mr. President, this is a roll call vote on the approval of moving the three polling locations just described. On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes, please.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

>> Yes.

>> All have voted in favor of that item. That request has been approved.

>> Thank you, all.

>> Councilor Scott?

>> Yes, sir, especially as we have commissioner Salerno here. There's item 27 and also items 24 and 29 if the council will indulge in handling those items so the city staff can go home.

>> Thank you.

>> Take 24, 27, 29 out of order. I hear no objections. Mr. Clerk, I guess we'll start with 27. You read item number 27 for us?

>> Requesting the mayor of a \$57,437.50 grant with no new match required from the center for tech and civic life cares act to the elections department for postage to cover mailing out the voting ballots.

>> Yes, thank you, I believe this is the grant that Commissioner Salerno found from his own source on this. I would ask that it be moved tonight and like to extend my personal thanks for Commissioner Salerno's hard work. I know I talked to him a lot this week. And the fact that he has to dig up additional funds to support our extraordinary election numbers is just exemplary service. I would like to move it for approval this evening.

>> Thank you.

>> Councilor Scott moves for approval. Let's move that item on the table for approval right now. Can you read the other two items Mr. Clerk. Any discussion on that item? Hearing no discussion, laid on the table for approval and please read items number 20 --

>> Item number 24 is a request approval to pay a prior year invoice totaling \$36,000 using available funds in the DPW fleet division professional and technical maintenance account for Stoneham Motor Company for the rental of plow trucks.

And did you want me to read 29 as well?

>> Well -- Councilor White has a question. We'll stick with that for now. Councilor Scott and then Councilor White.

>> This is an invoice that seems to have fallen through the cracks I know you've been contacted about it Mr. President. I did some investigating and we were able to uncover this. This is to pay for prior years snowplow rental so we can rent from the same company gain for this season. I ask that this gets approved this evening as it is a very long overdue request.

>> Councilor White?

>> Thank you Mr. President, I guess the question I had was this in the past we've discussed the

snowplowing process that, you know, we would use our own equipment and then also that we would hire outside, you know, contractors to also do the snowplowing, I'm wondering with regard to this, are we now renting outside plows which our own employees are driving and is it because we don't have sufficient plows and -- that question also it didn't seem like last year as far as snow removal was a heavy one. So if there's anybody there from the administration through the president, maybe they could help me out with these questions.

>> Yeah, anyone from the city who can speak on this?

>> I believe director Sicard from DPW, Mr. President, sir.

>> Let's see.

>> I'm sorry, what is the question?

>> Through --

>> I'm --

>> Yes, Mr. President, the question I basically had is this, in the past when we've discussed the snowplowing operations, usually it's been done by the city with our employees driving the city vehicles and then it's buttressed by outside vendors who are actually driving the snowplows themselves. I'm wondering with regard to this process, like with these vehicles, rented and then driven by city employees and was it because we didn't have sufficient ones -- vehicles of our own and then also with just -- my recollection is it wasn't a heavy year of snowfall which requires -- I'm just wondering the DPW process with regard to this.

>> I will have to inquire by the commissioner what the past process has been for the snowplowing vehicles. I do know that moving forward for this fiscal year it's a combination of yes, we do have snowplows that we went and we also have our own plows that we use for the city.

>> Okay, Mr. President -- this is through the president, this is a prior invoice so there's no reason to hold it up. I do have a question. Maybe in next year's budget I will just give a phone call to find out about this. So I'm all set. Thank you.

>> Oh, I should add that this particular invoice for the \$36,000, it is a part of your invoice for purchase and we actually -- we are currently -- these are vehicles housed that the city owns. They are here with the city and at DPW. So we are --

>> Um -- Mr. President, the item says for the rental of plow trucks it doesn't say for the purchase.

>> I'm sorry, for the rental, yes.

>> It's a prior invoice so I mean, I'm all set to approve it and I'll have a question with the commissioner about the process they're using.

>> Okay. I will add that this was a contractual obligation as well.

>> Councilor White, I don't blame you for having questions, I would like to approve this just because I know somebody's waiting to get paid. But this is coming from the fleet department and I already made aware my concerns about the management of money in the fleet department so I feel weird about approving money for this right now but I know there is a person who feels owed money and I don't want to keep them waiting. Any further --

>> Mr. President, I think I have a solution. Why don't we approve it and refer it to finance for follow up?

>> That sounds great. Any discussion on Councilor White's move to approve with a copy sent to the finance committee? Hearing no discussion, let's call the roll on that -- let's take all items laid on the table up and call a roll.

>> Mr. President, is there one more to come?

>> Yeah, we still got 27, huh? All right. Item 24 on the table for approval. And now read item number 27.

>> Hang on a sec.

>> Item 29 is a request of the mayor requesting approval of a five year lease to procure equipment for IT network upgrades.

>> On the item.

>> Thank you, Mr. President, this is requesting -- one presumes it's requesting permission to contract with a given company underneath the ordinance cited here. Unfortunately, the file is still not attached. So barring any communication from city staff on this, I asked questions asking to get this document, review it, earlier this week. Unfortunately, I -- this has to get referred to committee unless there's a very strong argument on why we should approve a multiyear contract that we literally cannot see this evening. Perhaps Director Goodridge could address that.

>> Thank you.

>> You have the floor.

>> Hi, what exactly do you need -- the quote that I received or?

>> Well, Mr. President, Councilor White may be able to provide more context on this but there's traditionally been some grave concern from members of this council about multiyear contracts and inquiring the City Council to have a role in approving those multiyear contracts was a change that was made. In this particular case, Director Goodridge, we don't have the item that was supposed to be attached to this order. There's no file. I would at least want to see the lease agreement, see the terms of what we've been asked to approve.

Otherwise we're being asked to approve something else.

>> I did attach a memo to that. I -- just didn't know to attach the actual quote to that as well. I can certainly do that if it's going to go to finance committee.

>> Director Goodridge I have no information from you on this lease.

So, yes, I would encourage you to please get the track item updated. Work with the clerks to see that it is -- and I'm happy to discuss this in finance committee.

>> Very good. My apologies.

>> Councilor White.

>> Thank you, I agree with the chair of finance. The question I have is Mr. Goodridge a couple times you mentioned there's a quote versus a contract.

I mean, I assume it's going to be a formal contract. You're not just agreeing to a quote, right?

>> Right. Right.

>> Okay. Thank you.

>> Yes. All right. Yes.

>> All right, Mr. President, this item I ask to be referred to committee.

>> Item 29 is going to be referred to the committee of finance and I just don't feel comfortable with item 24 so I will refer that to finance too. Any further discussion on these items? I would just like to have the answer to the questions before we approve it because it doesn't feel right to me if that's okay.

>> Yeah, okay, it is being approved and also being moved to finance, correct, sir?

>> I am just now going to refer it to finance without approval. Let's just see what this is about before we approve it. These two items will be referred to finance unless anyone would really like to approve them but right now I don't feel comfortable doing that.

>> Yes, on October 20th.

>> All right. I'll be there. Thank you. Okay. So these two items have been referred to committee. I guess we can go back to regular business and do the roll call when we're done. Can we approve -- are we good on these finance items?

>> There are more finance items up sir, but we can take them up in the regular order of business.

>> Well Councilor Clingan would like to take item 50 out of order which is regarding communications --

>> Mr. President.

>> I'm hearing numerous people.

>> You're right. This is Councilor Strezo.

>> Yes, Councilor Strezo.

>> If -- quickly, if we can finish the order that -- the last order I have to just place on the table and move on. That would be 15, yeah, sorry, 15, that was it.

>> That was the election safety?

>> No, communication 15 and then we're already finished with that section. It'll take a moment. Item 15.

>> I'll have to scroll back. Mr. Clerk, please read.

>> Communications submitted by Councilor Strezo reporting on the breakdown of employees on dispatch and departments.

>> Thank you Mr. President, can we please place this on the table on the agenda for the whole meeting.

>> You want this laid on the table with no vote taken?

>> Correct.

>> Thank you.

>> The item is laid on the table with no vote taken. Councilor Clingan wants to take item 50 on the table without discussion. Please read item number 50.

- >> A communication from the planning division requesting to present a SomerVision 2040 update.
- >> All right. Do we have a representative from the planning division here.
- >> Yes, Ms. Melissa Woods.
- >> You have the floor.
- >> Thank you so much for having me this evening. I submitted a memo about our update and moving towards endorsement and then adoption by the planning board. And we hope to have an updated document to you in the next 30 days. So I'm just here to answer any questions if you have those at this time.
- >> Any questions from the council?
- >> Yes.
- >> Councilor Strezo.
- >> Yes, it's Strezo again and this is on SomerVision.
- >> Yes.
- >> Okay. Ms. Woods, through you, Mr. President, to Ms. Woods, were there adjustments made to -- in the first original version, there were the seniors were -- any -- senior or aging in place in SomerVision I don't believe was included. Has that been adjusted?
- >> That will be over the next 30 days, we're hoping -- we will be putting in a spotlight of the AARP aging communities, a callout to those. Some of the specific line item edits that we requested will also be edited. Other places are less likely because it seems to call seniors unnecessarily when we use terms like "everyone" it didn't seem grammatically correct.
- >> Mr. President, through you to Ms. Woods, did you consult seniors and -- aside from AARP any other senior organizations that are local as you decided these changes?
- >> Through the chair, changes after the release of the draft version in January, we have not consulted. We've just received comments from numerous parties.
- >> Okay.
- >> In -- pardon me, through the outreach process we did engage seniors.
- >> In the second draft or the original draft?
- >> In the original draft.
- >> Through you Mr. President to Ms. Woods, we have items in committee that have mentioned that there are no -- that the oversight -- that there were no seniors included in the original draft as far as I understand.
- >> Through the president, I would disagree. We incorporated -- I'd have to look back at my notes but I know we had a focus group with a senior Portuguese speaking population. And have engaged a variety of demographics through our card game although demographic data wasn't collected.
- >> I'm really apprehensive with this. I'm just raising these concerns. I'm looking forward to seeing the next draft. Thank you, Mr. President.
- >> Any further discussion?
- >> Yes, Mr. President.
- >> Councilor Ballantyne.
- >> Thank you. Through you to Ms. Woods, when we get a revised version in 30 days to take a look at, will we have the opportunity to comment on it because we don't know if any of the suggestions that have been forward have been incorporated.
- >> Through the chair, yes, this -- that opportunity will definitely present itself. I have laid out a schedule to hopefully get an endorsement -- to get a document in front of you and an endorsement by the end of the year. But we can surely incorporate comments. Nothing is final until it's adopted by the planning board.
- >> Sure. Thank you. If I could just follow up on that, I want to be 100% clear. So there have been comments that have been made and you made -- you're making edits to that. We don't know of the comments that we submitted which ones you're taking until we actually see the draft. So we see the draft in 30 days how much time will the City Council be given to comment on that before anything is given to the planning board?
- >> Through the chair if I may, that really is up to your council and I would be happy to work with Councilor McLaughlin on any sort of schedule.
- >> Okay. So -- through you, you're willing to work with us to allow us the amount of time that we would need to see what the edits are, see if we want to tweak it a little or if we are okay with it before you pass it

onto the planning board.

>> Through the president, yes.

>> Thank you.

>> Councilor Mbah.

>> Thank you, Mr. President, and thank you, Melissa Woods that you do in the planning department and all the office has put into this. I just want to make a comment that, you know, since I was part of -- I was involved in the process, you know, this is -- it's called comprehensive revision and we all -- my understanding from, you know, the whole process and with the draft is that it's -- like, so, once -- so it's -- we need -- I need to understand the valid documentation because there's a lot of talk in there about values, about goals, but it didn't say how things would be implemented and so, once you leave issues like that you give room for like broad interpretation in that is what happens when, you know, like people -- when people interpret things their own way, what usually happens. You know? And I think also there was the part that was also addressed as open space but not green space and all those different nuances. It's good that this and just to echo Councilor Ballantyne, give us time to synthesize all this different terminologies. And see how they will be implemented. It's just a comment, you know, and -- but I really appreciate all the work, time and effort that you and your team have put into it. Thank you.

>> Councilor Rossetti.

>> Will the updated version be the similar format from the previous version?

>> Through the chair, yes.

>> Okay. Then through you, Mr. Chair, is it possible as we did with zoning, with the conversations and changes, I had asked for a red line version so I could draw attention to what was in the code and what was recommended for change and what we voted so it stuck out to me what we were switching. Is that possible with this version.

>> Through the president, I would like to try to do that for ease of readability for you all but that might cause a problem with how the pages flow from one section to another. That would really affect the design. If that's not possible, it will include sort of a separate memo when it's in front of you for noting the changes and calling your attention to different page numbers and what has changed on that page when the edits are more than grammatical or substantive, we would call your attention to it.

>> I would appreciate that, very much.

>> Any further discussion? This item is laid on the table and placed on file. Now let's take all items that are still on the table off and do a roll call vote.

>> Very good, Mr. President, this is a roll call vote on the approval of items three which was the minutes, 10, 11, 12, 14, and 27. And then placing the item we just complete item 50 on file. On that motion, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

- >> Yes.
- >> Mr. President, all voted in favor. That motion has been approved.
- >> All right. So it's almost 9 o'clock as I mentioned we're going to try to take a five minute recess at 9:00 so people can use the restroom. We are in recess.
- >> (Recess for five minutes).
- >> Next item.
- >> Mr. President, there is one item that I -- not that I have any control but it may be wise before we get into the items that are on the screen right now, it may be wise to take up item number 40 which is the planning board's recommendation with respect to these items. And others coming out of land use committee. Let me just get to that one in a minute.
- >> Are you saying you would like these items taken out of order.
- >> Mr. President, I -- the planning board has conveyed recommendations with respect to the two items of unfinished business. So it's probably wise to take up that report, those recommendations before moving into the unfinished business.
- >> Yeah I guess we don't need to do the land use report. Councilor Long would like to take these out of order and I am recuse from the marijuana item. And Councilor Rossetti are you there? I'm going to step down as president for this moment.
- >> Okay, Madam President, item number 40 is a communication of the planning board which is conveying its recommendations with regard to three items that are before the City Council. 210185, 210364, and 210597, three requests for zoning amendments.
- >> Colleagues, please be reminded I am via telephone with issues. If you wish to speak, please speak -- ask to be recognized.
- >> Madam President.
- >> Councilor Ewen-Campen.
- >> Thank you, Madam President, Mr. Clerk, through the president to Mr. Clerk, the two items of unfinished business are before us together with the planning board recommendations, correct?
- >> Through the chair, I actually have not read item 16 and 17 yet. They are not before us. Right now the only thing before us is the recommendation of the planning board and typically it's a good idea to accept the planning board's recommendations on a zoning ordinance -- or on a zoning amendment before taking a vote on it.
- >> Through the president, thank you Mr. Clerk, Madam President I ask that we accept the recommendations of the planning board.
- >> On the motion to accept the recommendations to the planning board. Any discussion? Hearing anyone, Mr. Clerk, would you call the roll on acceptance of item 40.
- >> Um -- Madam President item 40 is actually just a report. It does not itself contain any actionable items. So it may be appropriate to place item 40 on file.
- >> Okay, then, we will play item 40 on file and move then onto the regular order of business. Item 16, Mr. Clerk.
- >> Very good. Item number 16 is an item of unfinished business. The first of two zoning ordinances that were submitted by the land use committee last meeting. This is an ordinance submitted by Councilor Niedergang proposing an amendment to the zoning map to change 56 Murdock Street from the neighborhood residence to the urban residence district. This item could not be acted on last meeting because of the absence of the planning board of recommendation.
- >> Thank you, sir. Do you wish to speak to this item?
- >> Thank you, Madam Chair, Madam President, yes, I am in fully support of this. This is an item to change an NR lot to UR. Due to the fact that it's surrounded by UR lots and very close to the coming Lowell Street green line station and there was no opposition to it. The proponent is an owner occupant with a family who wants to redevelop the property, add an affordable unit so that his family can stay there. Thank you.
- >> So you move for approval then, Councilor Niedergang and.
- >> Yes, please.
- >> Any discussion on the motion? Hearing none is this a motion to approve.
- >> This was approved by the City Council at the last meeting.

And no further action was able to be taken because of a lack of a planning board recommendation but now with that in hand, enrollment is the next step in process of ordainment.

>> Okay, back to you Councilor Niedergang move to enroll on the enrollment, any discussion? Hearing none, Mr. Clerk, could you call the roll on enrollment.

>> This is a roll call vote on the amendment of the zoning map change on Murdock Street. On that item. Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti. Councilor Rossetti.

>> Yeah.

>> And Councilor McLaughlin.

>> Yes.

>> Eleven in favor of enrollment. That is now enrolled.

>> Thank you, now move for ordainment. Would you call the roll?

>> This is a roll call vote on the ordainment of the same zoning ordinance. On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White Councilor white.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

>> Yes.

>> Mr. President -- Madam President, all eleven councilors voted in favor. Item 16 has now been ordained.

>> Thank you. We will move onto item 17, please.

>> Item 17 is a request of the mayor submitted by acting Mayor McLaughlin requesting approval of an amendment to the zoning ordinance standards of subsection 9 at any time 2.4.d with respect to the cannabis retail sales uses.

And this has to do with removing the -- from the definition preprimary educational facilities.

>> Thank you, Mr. Clerk, I will remind my colleague in the community, the president had to recuse himself and in that regard we have our president acting mayor for this purpose. McLaughlin who has the reigns on this particular -- these particular items. So acting Mayor McLaughlin, do you have anything you wish to say to the committee? The council? Acting Mayor McLaughlin here, this is basically it's a very simple change. This would allow for cannabis retail to be near a child care facility. Basically if they do this there wouldn't be any facilities allowed in the city. It's just a change in the wording so that we can overcome this unintentional hurdle.

>> Thank you, sir, so colleagues, the way I interpreted the language, is that the kindergarten, the pre-Ks, are not included, it's the younger age groups, day cares that would be -- that the language change would impact. I believe I'm correct on that interpretation, am I not, acting Mayor McLaughlin?

>> You are correct.

>> Thank you. So colleagues, is there any discussion on this item now before us? Hearing no discussion, I will move to enroll the item. Mr. Clerk.

>> Madam President, on enrollment of item 17 requesting a zoning ordinance with respect to cannabis retail. On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin, oh -- absent, yeah. President, ten have voted in favor of enrollment. That item has been enrolled.

>> Okay, Mr. Clerk, I will now move to ordain. Would you call the roll?

>> On ordainment on the same item. Councilor Clingan?

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> Councilor McLaughlin. Ten councilors have voted in favor of ordainment. That item has now been ordained.

>> Thank you Mr. Clerk, we'll continue with the regular order of business moving onto item 18 if you could please --

>> Madam President, item 18 is a report on the committee of finance which met on October 6th.

>> Council president mayor McLaughlin back.

>> The finance committee met for three and a half hours and I guarantee the report will be shorter than that. The bulk of our meeting was on several policy items. And an extensive update on COVID finance status. We were joined by Director Bean and many other city staff who went through a great deal of minutia around funding sources. The big picture is that guidance continues to shift on what funds from FEMA can be used for. FEMA reimbursements. How much money is coming from the CARES Act and how that's being directed which is through the state since we're not a direct receiver of those funds. I encourage anybody interested in the topic to watch the first hour and a half or so maybe longer of the meeting. There are some outstanding questions that colleagues had for continuing discussion. Particularly, relating to questions with school department and coming out of this, the -- I anticipate that the finance committee will be having a joint meeting with the school committee or the school committee finance committee sometime in the near future, I'm in discussions with representatives from the administration of the school committee on that right now for a schedule. I anticipate November is probably the time when that will happen. There are -- related to that, there were a number of policy items around business licenses, and other city issue permit costs. Mr. Long was not available to join us that meeting for some of that discussion. I believe colleagues on the committee are following up with him for further information. That will continue to be an ongoing discussion but at this point the administration is not prepared to across the board waive fees, license fees and permit fees for businesses but it is a continuing point of conversation. Moving on from that, there were also a great number of requests for information, several of them revolved around the police department and what stockpiles, there was an order from four months ago requesting an accounting of military hardware held by the police department. Deputy Chief Stanford attended the meeting to get clarification on the request which was made four months ago as to what was meant by military hardware and the -- apparently our requests were either too broad or too specific or both. I also had put in a series of requests two months ago requesting a complete inventory of materials held by the police department as well as equipment that is purchased by the city that is then transferred to be the personal property of employees of the police department. I think that was an instructive conversation. I am hoping that we will get some responses, some substantive response at this point within 30 days because I'm having to make a public records request at this point. The reason given for the lack of response was COVID, requiring police and department personnel to undertake other responsibilities. There were other discussions that evening related to property tax abatement. There was a discussion from Councilor Ewen-Campen regarding biannual billing that was fervently opposed for cash flow reasons. I encourage members to check out that portion of the discussion and have requested that the treasurer reach out to the Councilor for further discussion of the rationale behind that. And there was some discussion about the current state of our budget process. Given that we moved last year to an online system. The traditional budget book which is a PDF has and will not be published thanks to our clerk Mr. Long who brought up the importance of a fixed record rather than a website. Having a requirement of a fixed record for the archives there has been a PDF generated of the proposed budget. Some of the changes that were made by the City Council have not been pushed to the current live website however the change to the police department budget have been. We anticipate a full updated PDF when the budget recap happens towards the end of the year which will be the final approved budget of the city of Somerville for FY 21. Again, those PDFs will be generated after the fact and I believe the Councilor Ballantyne also worked with the budget director to ensure some additional information was added to the pages. So there is -- there was an item regarding the adoption of a fee for the vacant property ordinance that this council passed. An

important step to implementing that ordinance is to approve the fee recommended by the mayor. On that recommendation, there was an extensive discussion of the committee as to whether or not that fee would be levied and was referred back for discussion. On what process would be used to handle exemptions, they returned and said a good process could be crafted but there was assurances from the mayor that the fee would not be unreasonably levied in the short-term. Many members were concerned about fees with the pandemic. The commissioner disagreed and would like to see a higher fee given. I believe it's going to be a burden on our inspectional services department but I would like to provide -- it was a policy discussion and in the end Councilor Ballantyne motioned and it was accepted to amend the fee amount from \$500 down to \$50 so this is a nominal fee. Councilor Rossetti was steadfast that she would like to see no fee at all at this current time. The mayor can still waive this fee. So at this point, the -- if it is accepted by the council this evening there will be a fee for any storefront vacant for 90 days or another for more than 90 days if the property is not registered, the city can fine the property owner for failure to register. So that is an item for acceptance tonight out of the report. There were many other informational requests, there was discussion around licenses, again, and then finally we handled approximately 37, 38 appropriation requests. This was about the last hour of the meeting. Similar to the ones we're handling this evening. Unfortunately most of these were sent to committee because of either a mistake made in their original presentation or lack of communication. Thankfully, Director Weber and I have a standing meeting now which will hopefully allow us to move most of these items. So yeah the majority of the funding items were a match or no match required. The only final item of interest was the approval of several solar power agreements. This is entering into power purchase agreements and providing easements for the rooftops of the East Somerville Community School and I believe the Somerville High School to install solar energy systems on both buildings. The company selected was development. After discussion with engineering and with the applicant, the council recommends -- or committee recommends adoption of both the easements and the purchase agreements. That was an interesting discussion that happened fairly late in the meeting. With that, I ask that the committee report be moved as presented. Thank you, sir.

>> All right, Councilor Scott moves to move the report on that.

>> Thank you, through you to chair of finance, thank you for the report. It was a lengthy and important meeting for a lot of different items. I appreciate you keeping us to task. I just wanted to explain to my colleagues that my vote about the vacant storefront and being in favor of the reduction of the fee was really prefaced on the voice of the economic development office. The mayor agreed if we did adopt this he would then -- his executive power is to waive the fee at this time. Because of the COVID times that all businesses are in. But we also had a healthy discussion around the fact that we could -- they would -- at minimum, the office would be -- the office would be able to collect registration and data to have a better data point for us of how many vacant properties there are and what period of time and inspectional services will of course remain on top of them and we can look at potentially amending and revising this section but if -- for now, I voted in favor of this for the collection of data and I hope that the mayor will be waiving the fee because of the COVID times. The second thing I wanted to comment on is another item, I'm not sure if Chairman Scott referenced at the beginning of his report or not but we talked about the potential of either forgiving or reducing the annual license fees to small business owners and Mr. Bean asked for additional time waiting for more financial numbers to come down from the state that he should have by the end of this month. So early November we're going to be I believe relooking at this. Because to remind everybody, when we asked about the difference in the state aid funding that came in for fiscal year 21 which was anticipated at the time of our vote and we all know this money came in higher than anticipated with the governor's decision in July or August, whichever it may have been. But what it meant for Somerville was greater than six million dollars came to us. Now Mr. Bean also reminded the committee that educational aspects of our city is really a driver for a lot of the COVID moneys and the unknowns and discussions that will be happening. So we asked for a potential of having the joint meeting between the school committee and the City Council or finance committee, so we could look at short-term, long-term, financial needs for the education division of our budget. And I also still do this day feel very strongly about aiding and assisting small business owners because some of their annual fees are greater than 7-10,000 dollars. If we can assist with that we should. So that is still in discussion and I wanted to explain where I stood on those two points. Thank you, Mr. President and the chair of finance.

>> Councilor Mbah.

>> Thank you Mr. President and I want to thank the Chairman of finance for a stellar job on that committee. I would also like to look at the order about broadband internet for the city. I kind of elaborated on the intent. And so we decided because the administration provide a response about some legal challenges and stuff. And so we kept it because we want to do, like it started to know what the people without internet access, to be able to streamline that and focus rather than free to everyone. Meanwhile a majority of people can be able to pay for their internet. I wanted to make sure that we highlight that. Thank you.

>> All right, that was a great team effort on the report.

>> Teamwork makes the dream work.

>> We'll call a roll on approving the committee report.

>> Thank you.

>> Mr. President, there's a roll call vote on the approval of item 18, the finance committee report as presented. On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin. All have voted in favor, it has been approved.

>> All right and we have some roll call votes Mr. Clerk.

>> Mr. President, there are three roll call votes coming out of the approval of the committee report. The first is on item number 210564 which appropriates \$240,000 from the capital stabilization fund for tree planting.

>> All right. Any discussion? Hearing none, please call the roll.

>> On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yeah.
- >> Councilor McLaughlin.
- >> Yeah.
- >> All eleven councilors have voted in favor of that item. It has been approved. Next is item number 210657. Which is an easement do select energy for solar energy system to be installed at the east Somerville school.
- >> Any discussion? Hearing none, please call the roll.
- >> On that item, Councilor Clingan.
- >> Yes.
- >> Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yeah.
- >> And Councilor McLaughlin.
- >> Yes. Again, Mr. President, with all eleven councils in favor that item has been approved and finally number 210658 is an easement to select energy for solar energy system to be installed at the high school.
- >> All right. I hear no discussion, please call the role.
- >> On that item, Councilor Clingan.
- >> Yes.
- >> Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.

>> Yes.

>> Councilor McLaughlin.

>> Yes.

>> Mr. President, on this final item of the three, all the councilors have voted in favor. That item has been approved.

>> All right. Next item.

>> Item number 19 is committee on land use which met on September 29th.

>> Councilor Ewen-Campen.

>> Thank you very much, Mr. President. The land use committee met on September 29th and considered two items. We considered deliberation on the overlay district and we discussed and took a vote to recommend approval of a citizen's petition to zones in the square. I will briefly outline the overlay. Dan Bartman from the planning department presented to the committee a draft proposal which represents a starting point that represents where the planning department thinks is a good place to start and the committee largely agrees. This is available at Somervillezoning.com. You can see the presentation and the proposal. Very briefly, the proposal is citywide and only applies to those that are 100% affordable housing buildings. It makes those projects by right and also allows for larger buildings, depending on what the underlying zoning district is. For the NR district, the neighborhood residents it does not increase the height or setbacks but would allow triple deckers, backyards, cottages up to the apartment building and residents would still not be allowed in neighborhood residents. In UR district it would remove the density. And in the MR districts, for buildings within half mile of the transit stations it would allow up to seven stories. Outside of that the proposal that's before us now would just remove the density limitation within the building but not the building structure itself. So the document itself is very straightforward. It's -- the page of text in classic Dan Bartman style but a presentation outlining what is before us is available at Somervillezoning.com. This is before the committee has made any proposed amendments. So in terms of procedure, I know that there are many councilors interested in getting involved in this process which I'm excited about. My plan is to spend our meeting this coming Tuesday with the committee proposing amendments and discussing them. If the committee is ready to vote on those, we'll vote on those Tuesday, if not, we have another meeting two weeks from Tuesday where we can continue discussing that. And then soon after that, I want to schedule a committee of the whole public hearing which will also be with the planning board. It takes a little while to advertise these. The calendar would place that at November 3rd which is the presidential election date so we will not be doing it on that day. So tentatively we are -- I'm planning a public hearing for November 17th, and my hope is that this will represent a draft with the committee is ready to present to the public and as a committee of the whole, all of us can hear directly from the public and members of the council who have not had a chance yet to make amendment to deliberate in detail. We can begin that. So that item was kept in committee. The other item we took up was a citizens position to look at the petitions. These are part of the square association who have been working closely with Councilor Clingan and staff. This was presented at public hearing two weeks prior and we discussed it in this council at our last meeting when Councilor Clingan added his perspective. And at our most recent land use committee meeting we deliberated further. I moved two amendments as a ward councilor. Focused on the building and the lot next to it. The petition had sought to upzone those properties as well and I moved to keep the building as a civics space. And right next to sit a lot that is currently zoned for MR 4 and I move to keep it at that for the time being with the premise of this is that this is one of the few large city owned lots right next to a new train station in the heart of a new square, well, Gilman Square's not new but it's going to be changed a lot by the new train station. I really feel like this is a rare opportunity for us to do something above and beyond what I think the private real estate market will deliver and I think it's important that we don't preclude the possibility of including both of those properties. The process by which that happens is not set by any means but I think it's important before we open those two parcels for, you know, kind of "standard" private developments that we have a dedicated planning process which I'm excited to start soon. So I made those two motions, both of which were approved unanimously. And then after relatively brief discussion, there is remaining opposition from a property owner in Gilman Square who is opposed to this and after continuing discussions on that, the committee voted unanimously to recommend approval of this citizens petition and I am quite excited as this doesn't happen a lot. The citizens asked us to upzone the properties because they want to -- they want to light a fire under city staff and the City Council to get this planning process and developments

moving forward. With that, I ask the committee report be accepted as submitted.

>> Literally, Councilor Ewen-Campen asks to move the report.

>> Thank you Mr. President and thank you to the chair of land use for that excellent report just the information that can be difficult to find that presentation. Just so for anybody in the public looking for that, you have to scroll down past all of the existing adopted Somerville zoning ordinance materials from last year and look for the presentation on 9/20. It's in small font. When it comes to -- first of all I'm very supportive of the conversation and also the Gilman Square change. I just would like to continue to give my encouragement to this council and to the committee when discussing affordable housing overlay to be bulk. As I look at the twelve story buildings on Cambridge that provide affordable housing for an incredible number of people. It's just an amazing resource and the more we can do to encourage a large-scale, 100% affordable housing, we should be able to implement. I would like to see this council and this committee very aggressive in their considerations on this. Thank you.

>> Fortune favors the bold. Any discussion? Hearing none, the roll call to accept the report and then we have to enroll and ordainment.

>> Mr. President, this is a roll call vote on the acceptance on the land use committee report just presented. On that item, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> Councilor McLaughlin.

>> Yes.

>> Mr. President, all of the councilors have voted in favor. That committee report has been approved.

>> Do we have an item to approve in the committee report?

>> Mr. President, we have the ordinance from the registered voters up-zoning some parcels along Medford Street and I am displaying this because it explains the amendments approved in the committee.

>> All right. On enrollment. We do a roll call to enroll?

>> We do. I was waiting for any discussion to occur.

>> I apologize. Hearing no further discussion, please call the roll.

>> On enrollment of that ordinance, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Counselor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.
>> Councilor McLaughlin.
>> Yes.
>> All have voted in favor, that item has been enrolled.
>> All right, on ordainment.
>> Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.
>> Councilor McLaughlin.
>> Yes.
>> That item has been ordained.
>> All right. Next item.
>> We move to item number 20 which is the report on the committee of legislative matters which met on October 1.
>> Councilor Davis.
>> Okay, thank you, Mr. Chair, president. Committee on legislative matters did meet on October 1st, all members were present and we went through quite a number of items. I will skip the updates although I encourage folk to read. There's an agency where I indicated that job postings for the two City Council positions that are proposed and for which the budget has already been allocated would be imminent if they hadn't happened already. I learned yesterday or the day before that actually hasn't happened and the mayor raised questions and effectively those posting -- even the job postings are on hold. So we remain in a holding pattern and I have to figure out how to rectify those issues or, you know, open concerns such as they may be as soon as possible and so that we can get this process moving because we are way overdue to get moving forward on that. The information presented at the meeting is now not accurate anymore. We have -- we will have three separate items on which to vote following the report. I will provide those numbers afterwards. The first of which though is a proposed partition to repeal a previously granted home rule petition from 2004. This is the antigang -- so-called antigang loitering ordinance. President McLaughlin has originally proposed that we remove the municipal ordinance of this same ilk which we did through our last meeting. The office noted that there was also a petition that requires another petition to get rid of that one. Just trying to clean all this up. There'll be a home rule petition before us on that

which is item number 35 I believe which I will take up following the report. We also deliberated on a proposed ordinance that was proposed by Councilor Scott to prohibit the use of prison labor for any city projects. There was a bit of back and forth on the specific language but there was recommended approval on that. That will be item 36, sorry, the antiloitering was 35. That's item 36. Just to be clear, this is very straightforward and prohibits the city from employing incarcerated folks through whatever program that might be. There is -- we did discuss whether there are programs that are good. There are none that we know about for the record as I think I mentioned at the last meeting. The city is not currently doing this so this is not in response to anything that we think the administration is doing wrong. The intent is to put this ordinance on the book so that in the future we won't have that occur without there being further discussion if there is in future time something we think is appropriate. And then the -- I guess we did talk about a few other things. I won't go into a lot. We sort of -- we level set on the community benefits ordinance, the description of that discussion is lengthy in detail so I will let that speak for itself. We also discussed the concerns with -- LED lights and the temperature level, the color. Those were kept in committee, we'll come back to those as appropriate. The third item we actually took action item was a proposed amendment to the tree ordinance. This effectively, as submitted it would effectively protect the invasive maple species. The ordinance as it currently stands, it exempts invasive species from the ordinance so effectively you don't have to jump through the hoops in the ordinance to remove the species, the rationale for that is that they're bad and they don't want them. This this amendment would sort of exempt from that exemption, trees largely than 24 inches in diameter. We had a discussion on this and we also had received -- the committee had received communication from the urban forestry commission with sort of a discussion of both sides with some suggestions. We discussed actually whether -- you know, any large tree is worth protecting or at least being subject to the ordinance regardless of the invasive nature and the negative effects it might have. The senior planner and -- sorry, I'm getting the fame wrong. The arborist, while there clearly is some value to large trees given the scarcity of -- Of, you know, really massive trees that we have in the city and the values they provide despite the innovative nature there was one species, the tree of heaven which if you look it up you'll all recognize it that they tend to grow along fence lines. They are particularly concerned, even more so than the much maligned and in my opinion correctly so Norway maple because there is a specific -- I believe it's a spotted lantern fly, an invasive bug that while not yet discovered in the area alive, there have been at least recently dead bugs found and they can target this species, that combined with the horribly invasive nature was enough to compel the committee to keep the exclusion or keep the exemption of that species. So in other words, if you want to cut down a tree of heaven you could still go ahead and do it otherwise the effect of the amendment that was ultimately recommended is that any tree over 24 inches is no longer within the definition of an invasive species. Since that is the exemption. So a little bit of a different approach than one of the recommendations of the urban forestry committee but to the same effect. And that is what we will have before us in item number 49. That. So the short version is this would no longer exempt any trees. That are 24 inches or greater. So cutting down an Atlantis is okay. If you have a giant Norway maple or another invasive species, you know, the larger Norway maples are now subject to the ordinance. And we did also have some discussion about the effect of the ordinance and how effective it has been. And noted that we really ought to take a look and consider strengthening it because it -- in the opinion of some of the folks who spoke to the committee as well as the doctor doesn't seem to be perhaps as strong as it could be but the doctor did reiterate that it is a great step towards tree protection and something we've never had and, you know, never hurts to come back and take another look so we'll come back to that at a later time, with that, Mr. President, I would request that the committee report be approved as accepted and then that we take items 35, 36, and 49 out of order and I would then move for a moment and ordinance -- actually I think we need reading and enrollment. So I will defer to the clerk on that. First on the report, thank you.

>> Councilor Davis, on that, Councilor Scott.

>> I would like to thank the chair and the committee for their excellent work on this. And absolutely the urban forestry committee for the many hours they put in on the question of large species and invasive species here. I appreciate the collaborative effort here and I appreciate that we listen when they take the time to write a memo. Also I want to point out how incredibly proud I am of this council for moving swiftly with the support of the mayor's staff to ensure that Somerville will not be complicit to use prison labor in the way it has been in past years. Very proud of this work this evening and very geared to vote for approval. Thank you.

>> Councilor Ballantyne.

>> Thank you. For you, Mr. President, to the chair of the committee, in regards to the ordinance on prohibiting the use of prison labor services, I just have a couple of questions. Well, a few questions.

>> Okay.

>> How often did the city use this prison labor?

>> So the discussion that we had at committee and actually my conversations with Ms. McKenzie prior to that are that we aren't -- and have not been using prison labor in any way that would, you know, be relevant to this ordinance. And, Councilor Scott I believe was in agreement with that. In fact, the council -- you just alluded to prior use. So you may have more -- more fresh recollection of the city's history so I would defer to you on that. As I said, right now, we're not -- my understanding from everything that we've been told is that this is not something we're doing nor intend to do if it is merely a precautionary measure. That it cannot happen without action by council.

>> So I -- there's some language there that I'm trying to understand then also. Because the first thing I thought of when this was brought up was Roca. So could you confirm that the cities -- is the city still allowed to work with Roca?

>> Yes. So to be clear the city is still allowed to work with Roca, a program that effectively keeps folks from being incarcerated.

It is a diversion program. The language in the ordinance is people who are serving a residential sentence. That's the key differentiator there.

>> Okay. And then -- thank you for that. So then I not used to this language, what does it mean it to have a residential sentence? It means actually living at the residences that have been outlaid -- outlined in the ordinance?

>> That is how I understood it. I don't know if Counselor McKenzie is with us and can add to that or articulate better the intent there. But that's certainly how I understood. We can have a conversation about -- you know, some of the language and frankly, the -- sort of the other examples of facilities and made a tweak to have that list be qualified to be -- like facilities -- so facilities like the correction operated by those other entities so we talk about folks serving a residential sentence.

>> Okay. So then you also mentioned in your comments at the beginning about there aren't any good programs out there. And I want to understand what that means.

>> Excellent question, you hit exactly on the point that ultimately led to this being drafted the way it was. Folks from McKenzie raised the question as to whether -- so -- whether there might be a program in the future we would feel it would be appropriate to use and this was in conversation with Councilor Scott and McKenzie and myself. And none of us were aware of a program that exists that we would like to even begin to fit that bill nor could we articulate what a good program might be. We don't even know. That was -- the question was whether we want to include something in the ordinance now that would allow for a program to be used in the future but because we really just couldn't articulate what a good program would be, I don't know, it -- we'd have to see something -- there has to be something before us specifically because right now, there isn't a model out there of which -- we were aware, that would give us the sort of clarity to put something into an ordinance. In ordinance language, so that's why it doesn't address that. I mention that only to sort of give detail orientation. If there is a "good" program in the future that will be up to the council to see if it is worth it. And leave it at that. There was nothing that we could base appropriate language right now to try and address that. Make sense?

>> Yes, I understand. But I still don't know what a good program is. And having worked and managed workforce development programs, for people who are underserved, and working with formally incarcerated a number of years ago, it is extremely difficult to convince people now once they're out of prison to even give them the slightest chance of skills improvement or -- to try to get employment. And so any skills that they can learn while they're incarcerated, puts them ten times further ahead by the time they get out of prison. So I'm still trying to understand what model you're defining as good or did you speak to, I think, when this was first put forward there was reference to the sheriff's office. Did someone from the sheriff's office talk about how the program works or the -- what would help define a good program versus a bad program.

>> I think you certainly hit on some of the impact -- that was a quality that was mentioned, you know, potentially, or -- or potential benefit of a program if it was structured in a way that a future council felt was appropriate that, you know, job training or something to transition out of incarceration into the

workforce. As I said, because, there's so many other variables that might be involved, we did not feel it was appropriate to try and include that and that's why it's not for us. So, I think your point is valid and relevant and I agree, but what's before us, it is not really relevant to what's before us. And -- unless -- I guess, if you thought we need to concoct an exemption but we didn't feel there was a model out there or enough clarity that would enable us to put something in the ordinance now. We felt it was more appropriate to leave it to a future council. If you achieve the goals, for example, and realize it was structured in a way that future council felt was important they could make that determination at the time.

>> Okay, I'm thinking a little bit but I am seeing my colleague from ward two has his hand raised and he said he could speak on this so I would like to yield and allow him, Mr. President to make some comments.

>> I would love to allow him as well, Councilor Scott on this point.

>> Certainly the question my colleague from ward seven asked first. We have used the sheriff's program as recently as 2016. We have not been provide of how many times that program was used or a similar program.

We just haven't been provided that information. The reason that I know about it is because it was referenced in public meetings, in budget meetings. So this is not purely hypothetical, this is a case where we were using the labor of incarcerated people who were being paid less than \$2 an hour to come in and paint city buildings. Labor for which they were not very well compensated and did not receive skills training and labor that we could pay people to do. The residents of the city to do. So -- it does not any way interfere with Roca or any program for previously incarcerated people. Obviously, Roca is a diversion program and so the language around a residential sentence is particularly important because it addresses people who may have been sentenced to probation, right? A residential sentence. I appreciate the work done here and what is quickly tailored to accomplish what we want to accomplish. I feel it is important and sufficient for today to say that we will not be using the labor of incarcerated people. If my colleague does collaborate with one of our correctional state institutions to create a program that does pay people a fair living wage. And reduces their sentence and does job training for their hopeful speedy release I would be happy under the terms of -- to modify this ordinance to enable it. But that's not the situation we're in. So given that this is a practice that was actually under consideration for use this year by the city, I think it's important that we address it. Thank you.

>> Mr. President, I would like to hear what my other colleagues have to say and then I'll say something at the end if that's okay.

>> Councilor Mbah.

>> Thank you Mr. President, thank you Chair Davis for your hard work in this committee and for your exhaustive and elaborative report. Myself, I think it went -- when this was put forward for the preservation is excellent but this prison level, I'm a little torn because it's -- this is where our heart is in the right place, we want to do the right thing because incarcerated people are paid 33 cents for 41.01 dollars an hour. So this is a perfect fit. I'm thinking about how do we, you know, like, set our standards straight by also listening, like, from Councilor Ballantyne, I think -- my intention was before even any -- when I read it again I thought do we create a system where we can say, you know, we want them to be paid, you know, a decent living wage and not just ban, you know, like say, okay, yes, they're doing their own thing, how do we create an ordinance on how to do the right thing so incentivize our own city to do the right thing and not just strip, like, we can set the model. We can say, you know, we modify this to say, you know, we prohibit no incarcerated level of service, you know, without the input, you know, of decent living wage because we also want them to be trained, want them to earn a living wage and we also see how the city can take it up to the next level and set those standards and also be a model to other states and others say we are fine and then -- maybe more than that takes them and they do the same thing. We are proud of the city that we're not using those services meanwhile we can still bring those people and help them. Give them a chance in life, ensure them we can do better. Modify the ordinance to say, our ordinance prohibiting the use of prison level service without, you know, the living wage, put something that is -- that will help people and not just make them say, okay, we don't do -- we -- because I mean, it's really demoralizing that -- they earn .33 cents to 1.41 -- 1.01 dollars. It's mind blowing. This is a slavery in another form. You know? So -- but we can optimize this to show that we are ready to still use this services but pay them at the same wage, create skills and give them a life. Thank you, Mr. President.

>> I'm strongly in favor of the ordinance as written. I understand the questions and comments. From my

perspective, it is not -- it's not an accident or coincidence that prison services now do not pay incarcerated people a living wage. That's kind of the concept here, right? It's cheap labor as Councilor Mbah said, it's slavery in another form. What we are doing tonight is we are saying, if hypothetically in the future, a program comes around where people are paid well. All of us are fully invested in supporting the lives of people who are incarcerated. And easing the transition to come back. What this is saying is that we are not going to participate in labor exploitation while they're incarcerated and if hypothetically a program in the future decides to pay a living wage to have, you know, to meet some standards that frankly I have a hard time imagining, we can consider that at the point. At that time. What I would do -- do not want to do is to have a loophole for that now. To say well, hypothetically there might be a point in the future that we want to approve of. In the meantime, we'll allow this totally unacceptable status quo to continue. I'm strongly in support of this. We're changing the status quo from an opt out to an opt in. If we really believe if there is a program worthwhile we should be able to face our constituents in public and say, we support this and are able to firmly vote to have it in Somerville as opposed to have this happen by default, none of us have to take responsibility and, you know, the program continues. These types of programs. I'll be voting for this as-is. Thank you.

>> Councilor Clingan.

>> Thank you, Mr. President, I wasn't going to comment, I'm in favor of this, you know, we're kind of faced with sort of this fundamental question of whether or not you think that anybody who is incarcerated should, you know, be working for a less than human wage. And as a friend of labor I feel those jobs take away from jobs on the outside but I also see the benefit for the folks that are incarcerated being that it's a choice. So I appreciate this discussion, but I think because we don't have -- there's no program -- maybe if we could -- I actually was sitting here thinking what if we put in there whatever the job was, we pay minimum wage, we know that won't happen but maybe some of them will give the sheriff's department or something work up to -- whatever minimum wage is now, I think we should just pass this as-is and get this over with.

>> All right. Councilor Mbah would like to speak again. And keep in mind we still haven't approved the committee report. We haven't gotten to a vote on this item yet. Any further discussion? Councilor Mbah. And Councilor White, Councilor White. Councilor White, you there?

>> I am, Mr. President, thank you, given late hour I'll be brief but Councilor Ewen-Campen said it much better than I could so he's convinced me to cast my vote in favor of it.

>> Councilor Mbah.

>> Yeah, thank you, Mr. President. It's so funny that, you know -- so the point even of this -- if -- I wasn't speak against, so we don't have anything. So it's not about against -- I don't really think that somebody, we don't have anything right now. I don't think anybody would be voting against something like this. So I mean, so it wasn't about how, you know, I was just thinking about also like to make it a little more broad and say, here, how do we, you know, do X, Y, Z but right now, yeah, this is great, but if there was that possibility, or another chance to do better, which of course, you know, we can do it, you know, in the future, this is -- so, it wasn't about, like saying, this is bad. I was just trying to think about it in, like, how can this thing, you know, capture almost everything I want to see, so, you know, it's not about whether this was, you know, like -- I was supporting or not supporting. So, yeah, I will be supporting this one.

>> Any further discussion?

>> Mr. President, I'm all set, thank you.

>> You're all set? Anybody else wish to speak before we move for the committee report?

>> Mr. President it's just --

>> I --

>> Point of procedure. Yeah, if --

>> Yeah. (Inaudible).

>> Well, the clerk had advised that we --

>> I'm going to get to that.

>> -- very good, thank you.

>> Yes. Yeah, I just wanted to say real quick that I support this. Like Councilor Ballantyne I worked in job placement programs for people who were convicted of crimes. I helped a guy get a job as a painter in the painter's union and he wrote me a nice letter for helping him. I thought what if this job had a guy before he got sent to jail. So I really feel like maybe there's a good prison program out there that pays

people a reasonable wage and gives them an opportunity to get back to work in the public world. I haven't seen that yet and when we find that program, I encourage any councilors to make an amendment to revise this. So if there's no further discussion let's see, we're going to, Mr. Clerk, can we take items 35, 36 and 49 out of order and incorporate them by substitution into the committee report.

>> Item 35 is a communication submitted by the assistant city solicitor submitting a home rule petition. 36 is chief labor council submitting an ordinance prohibiting the use of prison labor and item 49 is a communication submitted by the city clerk submitting an ordinance to amend the definition of invasive plants in ordinance 12-102 of the tree preservation ordinance. Each of these three items is merely a clean presentation of items that were approved in committee.

>> All right do we need a roll call vote?

>> We can -- we can vote on -- accepting these three at the same time as the committee report.

>> So to accept these three items and the committee report itself.

>> On that motion, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yeah.

>> And Councilor McLaughlin.

>> Yes.

>> All of the councilors have voted in favor of that item. The committee report with those three clean items has been approved.

>> All right, so now we have items to enroll and ordain.

>> Mr. President, yes we do, the first item is the tree preservation ordinance. On enrollment of the tree preservation enrollment?

>> On enrollment.

>> Okay, on enrollment. Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yep.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.
>> And Councilor McLaughlin.
>> Yes.
>> That item has been enrolled.
>> On ordainment.
>> On ordainment of that same item, Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yep.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.
>> And Councilor McLaughlin.
>> Yes.
>> With all in favor, that item has been ordained.
>> All right. Next item for enrollment.
>> This is on enrollment of the prison labor ordinance. On enrollment, Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Counselor Niedergang.
>> Yes.
>> Councilor Davis.
>> Yes.
>> Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> Councilor Rossetti.
>> Yes.

- >> And Councilor McLaughlin.
- >> Yes.
- >> All have voted in favor of enrollment. That item has been enrolled.
- >> On ordainment.
- >> On ordainment of that same ordinance Councilor Clingan.
- >> Yes.
- >> Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Counselor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yes.
- >> Councilor McLaughlin.
- >> Yes.
- >> Mr. President, all eleven have voted in favor of ordainment. That item has been ordained.
- >> All right. Next item for enrollment.
- >> The final item, it's actually not up for enrollment, but it's the home role petition to repeal the antigang loitering special act of the legislature.
- >> Any discussion, hearing none, please call the roll.
- >> Councilor Clingan.
- >> Yes.
- >> Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yeah.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yes.
- >> And Councilor McLaughlin.
- >> Yes.
- >> Mr. President all eleven councilors have voted in favor and the item has been approved by City

Council.

>> All right. Any further discussion there. If not, we will move onto the next item.

>> Next item being number 21 which is report of the committee on public health and public safety which met as a whole on October 5.

>> Councilor Davis.

>> Thank you, Mr. President, the committee on public health, public safety did meet on October 5th, all members were present. A few things I do want to note, the minutes are always extensive and excellent. I encourage folks to take a look. We had a good discussion about data and how when you take different pieces of data and it can sort of change the story. And so -- we encourage folks to take a look at the city's data dashboard and think about that in the discussion we had described. The two -- so two things came out of it. One, we, at the time, at the meeting, Somerville, within the state's color code map, Somerville was back into the green which indicates less than 4 people per thousand I believe it's looking back. Forgive me if it's not exact. The key point is that we were at a 3.8 and the -- the dataset and the slides that were presented by our folks from SomerStat, you know, the news sounds good. And the data sounds good, and we're all sort of -- the professional wisdom is that in Massachusetts we're doing great but if you really look at that data, there is -- there's significant things to be concerned about and Director Kress really reiterated that you know -- There are some upticks or there's some levelling. Ms. Noonan who presented the data slides also note that had if you look recently. While the overall lines may be down recently you're hitting more of that median range more consistently. Does suggest perhaps that -- and this is cases, et cetera, positive tests, positive test rate. And so it's important that we all -- what was emphasized by the director of the Department of Public Health -- of health and human services is that we really need to remain vigilant and that we are in a position where it -- you know, with -- if you look at the data combined with the -- the calendar frankly, knowing that we're coming into the season where outside activity and gathering and all that is as easy to do and activities will be moving back inside, you know, it's easy to see where things could go bad quite quickly. And it -- I wanted to reiterate that here. It was what I assume is probably a broader forum. Just to hammer that point home. We are now as of yesterday I believe Somerville is back in the yellow. Two weeks ago we were frankly just shy of the red. So yellow is 4-8. Red is 8 or higher cases per thousand. So, you know, we need to continue to follow all of the best practices, maintaining distancing, wearing masks, washing hands. Being smart about the choices that we make and it's very easy to sort of point to the others, whether that's young folks coming back to the community over a few months back to college or whomever but, you know, look at our own activities and how we're going about our day because as we've seen, these things can get out of hand quickly and there's too many states elsewhere in the country that are experiencing a significant upticks right now if we aren't careful, we certainly are in the position where we could -- that could be the case as well. I did point out that at the time at least, I might have to check it today but I haven't. There's the RT live website that tracks the rate of spreads. So the number of other people and the infected person will infect. And honestly if that number is one or below you're not going to have a spread. If it's above one you start to see spread and at the time Massachusetts was above 1.21 and that was towards the high-end of all the states in the country. So we are still in a place where we need to be very careful and that goes to all of us. So that was the message, that's the takeaway, I'll leave it at that otherwise the report is detailed and I would encourage folks to take a look at it. I did note that the next meeting of this committee will be a regular committee meeting next Monday where we will take up a number of items other than the coronavirus response. With that, Mr. President, I request that the report be accepted.

>> Councilor Davis moves to accept the committee report. Hearing none, this will be laid on the table for approval.

>> Mr. President, just a quick clarification, if I may, I -- want to say next Monday, that is Indigenous Peoples' Day. I meant the following Monday.

>> Two weeks from now. Thank you. Next item.

>> Item 22 is report of committee on public utilities and public works committee which met on September 30th.

>> Thank you Mr. President. Through you the -- public utilities of the whole all councilors were present. In addition others from city staff was the directors, David Shapiro, and Peter was the clerk. We started things off with a public hearing on two items. One was of the director of inspectional services appeared before the committee on public utility to discuss that all conditions of special permit are met prior to final

sign-off by inspectional services. We then heard from 13 residents. About a number of concerns they've had regarding different developments, and what they felt like was the slipping through the cracks, noncompliance and nonenforcement on the city's end and noncompliance on the development. So all around, breakdown. And that kind of informed the conversation. We had someone come before us and understood the concerns expressed here since he's been on. He's been monitoring these things and with the new zoning that's been enacted and the new zoning overall there is actual enforcement baked in and he's looking at how -- how to create a system where all the departments talk in such a proper manner that there's checks and balances on whether or not, you know, how we're tracking these conditional approvals, how they're being enforced, what mechanisms they're using, and just how it's all being tracked and one of the things that before noted by some of our colleagues, by Councilor Niedergang, said that we need -- he needs the tools to do -- to get the job done to which Councilor Rossetti asked about the vacancies. There were four at this present time. So there's four unfilled positions in that department and also Councilor Rossetti asked about zoning to which the response is there's two vacancies. There's a major deficiency with regards to manpower. Those resources are much needed in order to be able to carry out any specific enforcement systems but in the meantime, you know, we see -- acknowledged that there's been major breakdowns, you heard from my constituents as well as councilors of certain instances of, you know, noncompliance and some things were said straight, there were questions about certain, occupancy permits that may or may not have been given out and those questions were answered. It's all on video, it's great, great discussion, Councilor White referenced section 8.3 of the code of ordinances which enables the city to deny a permit. There's a 12 month wait time to which Councilor White will submit an amendment to lessen that timeframe. It was asked what if a project is not in compliance with an ordinance like the drainage ordinance to which was explained there are three options available to the builder. One would be to appeal to the director of planning which Councilor Scott to a specific project underway where there's a large storm water system to be installed but it wasn't. Again, speaking to the breakdown and sort of the noncompliance and non-follow-through on the part of many of these issues. I do have some hope that with proper resources and just with the vast knowledge that he had coming into this position and just his former job. I made the comment of saying I just hope we don't burn him out. Especially, this has been such a strenuous time with COVID and stuff that we really need somebody at the helm there. Because every time we lose a director, you know, but he seems to be in good spirits and seem to have a really positive attitude and being able to get a lot of this -- get a handle on these concerns and problems that need addressing by city staff. By the city departments. ISD as well as the planning department and the liaison, the way they speak to each other. So -- there was a variety of other things discussed. Just a couple of things, regarding specific properties and those were addressed and you can see that on the video. And with that, I ask that the city council approve the minutes.

>> Councilor moves to move the report. This is moved on the table. Next item.

>> Mr. President?

>> Is that Councilor Rossetti

>> Yeah, thank you, sir, can we take 45 out of order. It goes hand in hand now that the report has been accepted.

>> Councilor looks to take 45 out of order. If there's no discussion Mr. Clerk please read.

>> Item 45 is an order submitted by Councilor Scott and Rossetti that the director of inspectional services review zoning ordinance 1.7.

>> Thank you, sir, I am sure my colleague Councilor Scott wants to speak and I apologize to my other colleagues who probably I should have put this out through the clerk. It's not just he and I who will follow on this. This reflects conversation held at evening during the meeting when I had concern about stop work orders and the fact that the sign did not come with it and I promised to follow through and submit an order to have an amendment or to relook at language in our ordinances. I spoke with the legal office and Councilor Scott will tell you he spoke with the zoning and planning people and lo and behold, it is in place already. It's under the zoning code and I will let Councilor Scott elaborate but I just wanted to bring to it the community's attention and especially to our inspectional services department that every stop work order should be receiving a fine and it's there already in print and it's a reminder here this evening. So I would ask that the clerk submit this particular order to that director and with the language that this especially relates to reflects our stop work orders that the Councilor had. I yield to Councilor Scott.

>> Councilor Scott.

>> Thank you, Mr. President, to be clear, this is the section that is here is zoning ordinance 1.7 which relate to any violations of a special permit condition. So violation of a special permit condition for example operating hours. If the condition indicates that you have to only have construction on a site between 9 a.m. and 5 p.m. on a Monday and there they're working at 6 a.m. That's a violation of special permit condition. A violation of special permit condition under zoning ordinance 1.7 indicates that it is punishable by a \$300 fine and is enforceable under 40D I want to say. It does not necessarily -- I think it would be an interesting question about whether or not it would go into a stop work order issued in relation to a broader noise ordinance prohibiting all work on Sundays if it wasn't established as a special condition and -- in the zoning through special zoning condition implemented by a board but all of those are granted a special permit. Are functionally subordinate to the zoning ordinance. All of those are punishable via 1.7. I think the planning department and Councilor Rossetti's determination digging into this and making sure we get the right thing here. Thank you.

>> All right, Councilor Strezo and Clingan would like to sign on. Any further discussion?

>> Mr. President, Councilor Davis here I would like to sign on.

>> Councilor Mbah, you want to sign on?

>> Yes, please.

>> All right, the whole council's going to sign onto this one. We're going to lay this item on the table for approval. Next item.

>> Returning to the regular order of business we move to item number 23 which is a request of the mayor requesting appropriation and authorization to borrow \$1,444,000 in a bond for the renovation and construction of the west branch library.

>> I ask this is sent to finance committee along with items 30 and 31 which are time extensions of contracts related to West Branch Library.

>> All right, Councilor Scott moves to waive the readings of 30 and 31. Hearing no --

>> Mr. President, quick question on that if I may?

>> Yes.

>> On those items, thank you, to the chair of finance, just to confirm, I assume this is the case because I know you're very diligent, there's no urgency on any of those item to get the project moving.

>> No, thank you, Councilor Davis. I did check the extensions are to cover the period from January to April of 2021. So it's not -- they're not urgent. I checked with Director Weber.

>> Very good. Thank you.

>> All right. These items are referred to the finance committee.

>> Mr. President, I move to waive the readings of items 25, 26, 28, and move for approval on this evening, they are all approvals for either paying previous -- no, not previous invoices, yes, either paying a previous invoice or paying invoices that quite frankly I'm not certain why they've been sent to us for approval and having a discussion with Director Weber and finance about why they were sent to us but these are straightforward invoices to pay.

>> Okay. Councilor Scott moves for approval on which numbers again?

>> 25, 26 and 28 -- oh, 25, 26, 28 is the acceptance of a match, a grant with no match required to expand our flu clinic support this season?

>> On approval, any discussion? Hearing no discussion, let's lay these items on the table for approval.

>> That brings us up to item number 37. Which is communication from the acting director of personnel responding to a board item with regard to staffing in the E-911, fire alarm and constituent services departments.

>> If there's no discussion I will place this on file and refer -- and have a copy sent to housing community and development.

>> Let's see -- Mr. President, yes can we please table this for next meeting, please?

>> Well, we can also just refer to committee for discussion.

>> Okay.

>> Yeah, that's what -- we're going to place it on file and have a copy sent to housing community development.

>> Okay. Thank you, Mr. President.

>> Thank you. Next item.

>> Item number 38, is communication for the DPW commissioner responding to a board item, I should

say council item, about the broken street light on Woods Avenue.

>> I will lay this on the table and place it on file.

>> Item 39 is communication of the director of economic development conveying the notice of environmental notification form submission for the winter hill urban renewal plan.

>> This item is placed on file. Laid on the table. Placed on file.

>> That brings us to item number 41 which is an item of new business. The renew --

>> President -- Mr. President, move to waive the reading -- I guess it's already been read to I move to approve that and move to waive the reading of the following item and have that approved as well.

>> All right. Councilor moves to approve items 41 and 42.

>> That brings us to item 43 which is a communication submitted by Anthony Martignetti.

>> This item will be referred to the planning board.

>> This brings us to item 44 which is an ordinance submitted by Councilor White that the provisions of section 8-3 (1) be amended by changing "for not less than a twelve month period" to "not less than a one month period".

>> Councilor White.

>> At our last council meeting discussion of the committee on housing and community development that was addressing some of the issues pertaining to inspectional services in the enforcement of our ordinances, section 8.3 basically provides for the denial of a permit to someone or an entity that has failed to pay a municipal tax, municipal charge, which also would include fines and in the discussion, ordinance requires first at a period of twelve months past before that can be implemented and our ordinance actually was placed on a previous version of state law that had that requirement and currently state law does not have that requirement and the last council meeting I said I would introduce an amendment to our zoning ordinance, to our section 8.3, so basically -- instead of just not putting any period in, I thought about maybe we put in a one month period just to give a little grace period but, you know, I ask that this goes to legislative matters and they can weigh the issue of whether we want the one month period or not. I ask this be referred to the committee and legislative matters.

>> Councilor Clingan and Strezo would like to sign on. This will be laid on the table for approval. Referred to legislative matters.

>> This is an ordinance, Mr. President, if it's referred it's not approved this evening.

>> I thought he said he wanted it referred.

>> Yeah, I don't see the urgency on it and especially I don't think it will take that long. Just for folks to weigh in on whether we should have the limitation on one month or none. Or they want us more period. No, it's my intention not to have a voter on this evening.

>> So refer to legislative matters.

>> Mr. President, this is actually not laid on the table for approval. If there's going to be no vote tonight.

>> I thought we still approve it though so that we can discuss it in committee.

>> No, referring it to committee is what allows the committee to discuss it.

>> Okay. Well, in the past we have approved but this item is referred to legislative matters.

>> Thank you for bearing with me. Item number 46 is an order submitted by Councilor Rossetti, this this council prepare for interviews of applicant to the wage theft advisory committee.

>> Councilor Rossetti.

>> Mr. President, thank you, as you know we had introduced this legislation last year. And there are a number -- eleven members that serve on this committee and I have had some contact by representatives of the various groups who are close to submitting their names for recommendation for approval by this council as the ordinance is written to form this committee and one of the eleven members would be appointed by the mayor and I have had communication with his offices and have been informed that the mayor intends to have his recommend appointment to be also a member of the public. Nobody from the staff will be assigned to the committee. Therefore this will be under the total purview of this City Council. This is happening hopefully within the next month and given that this will be our drive, I would like us to have our ducks in order and be prepared for the interviews soon thereafter so my next meeting which will be in the next couple of weeks, I intend to put this item on the agenda.

>> All right, any discussion? Hearing no discussion, this item is laid on the table for approval.

>> Item number 47 is the requesting approval of a transfer of \$40,000 in the City Council's budget to the salaries and wait a minutes temporary account to fund staff, develop the civilian oversight process for the

police department.

>> On the item. Hearing no discussion.

>> Yeah.

>> Councilor Scott.

>> It's a straightforward finance transfer to make sure it's in the right account. The Councilor can speak more to it but this should complete costs projected for it. I would ask for it to be approved this evening. Thank you.

>> Councilor Davis?

>> Yes. Just briefly, this is sort of an estimation based on the hourly rate that we estimated as it so happens that this directly relates to that open question that I eluded to earlier of what is the appropriate rate. But based on our calculations and input from the city clerk, this would be, you know, a -- hopefully about the amount that we would need for these two positions to go through, you know, a few -- several months' process. It wouldn't -- you know, if we went beyond that, I think we would be in a different territory and have to come back but the reason for this amount is as I said, it's the two positions based on a -- up to 19 hours per week at a -- various hourly rates and so that will shed some light on it.

>> Any further discussion? Laid on the table for approval.

>> Number 48 is going confirmation of appointment for Kenneth Silva.

>> This will go to confirmation of appointments.

>> Item 51 is a chief assessor responding to board item regarding senior tax exemptions and a different item regarding tax abatement organizations.

>> This is laid on the table and placed on file.

>> Item 52 is communication from the president of Tufts responding to the Council's items about Tufts dining workers.

>> This is laid on the table and placed on file.

>> And item 53 is a communication from two residents submitting comments on the Conway Park remediation and renovation project.

>> This is placed with the finance committee. Should we take all the remaining items that are still laid on the table and do a roll call vote?

>> There's a lot built up.

>> Mr. President I want to be sure that my item is referred to confirmation of appointments and not just approved which was item number 46.

>> 46? We'll lay it on the table for approval, refer to the confirmation of appointments committee.

>> Thank you.

>> In that case, this is a motion to approve item numbers 21, 22, 25, 26, 28, 41, 42, 45, 46 and 47 and place items 37-40 and 51, 52, and 53 on file. On that motion, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Counselor Strezio.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

- >> And Councilor McLaughlin.
- >> Yes.
- >> Mr. President, all eleven councilors have voted in favor. That motion has been approved.
- >> All right, do we have any late items?
- >> Mr. President, just a couple, we have an order submitted by Councilor McLaughlin, the director of parking place no parking signs on the corner of Cross Street and Chester Avenue.
- >> This is set for approval with traffic and parking.
- >> Next we have an order that the public works trim the tree another 21 Vernon Street.
- >> This item the is laid on the table for approval.
- >> Finally we have a late item by two residents submitting comments about the up zoning.
- >> This item is laid on the table. With -- I will lay it on the table with a copy sent to the land use committee and planning. Lay it on the table, place on file, copy sent to land use and planning board.
- >> Very good. They're not zoning proposals, they're simply comments.
- >> Okay. Then land use committee.
- >> Very good. Mr. President, there are no further items before this council right now except for these three.
- >> Can we approve those and do a roll call adjournment or do them separate?
- >> Let's go for it.
- >> All right. Go ahead.
- >> This is going to be a roll call vote on the approval of the two late items submitted by Councilor McLaughlin and placing on file the residents comments. On that motion, Councilor Clingan. And moving to adjourn. That's the bonus.
- >> Yes.
- >> Oh, I'm sorry, Councilor Clingan, again.
- >> Yes on those.
- >> Councilor Mbah.
- >> Yes, please.
- >> Councilor White.
- >> Yes, especially for the bonus.
- >> Councilor Ballantyne.
- >> Yes.
- >> Councilor Strezo.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Counselor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yes.
- >> And Councilor McLaughlin.
- >> Yes.
- >> Mr. President, all eleven councilors have voted in favor of the package so those items have been approved including adjournment.
- >> Two minutes into sudden death and we have a goal, ladies and gentlemen, we are adjourned.