

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

REGULAR MEETING MINUTES

September 10, 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 22.

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.
 210545
 (ID:23461) **RESULT: PLACED ON FILE**

2. Remembrances Remembrances.
 210546
 (ID:23462) Councilor Rossetti sponsored a moment of silence for Julia DiPasquale and Robert McNary. Councilor Niedergang sponsored a moment of silence for Robert Regan.
 RESULT: APPROVED

3. Minutes Approval of the Minutes of the Special Meeting, June 30, 2020, and the Regular Meeting, July 14, 2020.
 210547
 (ID:23463) **RESULT: APPROVED. [UNANIMOUS]**
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

CITATIONS

PUBLIC HEARINGS

- | | |
|---|---|
| <p>4. Grant of Location 210548 (ID:23435)</p> | <p>Submitted by Eversource to install 26 feet of conduit in Indiana Avenue, from manhole 4712 to a point of pickup at 26-28 Indiana Avenue.</p> |
| | <p>President McLaughlin opened the public hearing. Eversource representative Jackie Duffy described the work to be completed. With no other speakers, the President closed the public hearing.</p> <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

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| <p>5. Order 210549 (ID:23441)</p> | <p>By City Councilor Strezo, Clingan
That the Chief of Police increase traffic monitoring of the Ward 4 bus lanes on Broadway for the next 6 weeks, especially at high traffic times, to educate the public on the purpose and use of these lanes.</p> |
| | <p>Councilor Clingan said monitoring of the bus lanes is ongoing and a decision will be made on their utility.</p> <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
| <p>6. Order 210550 (ID:23455)</p> | <p>By City Councilor Strezo, Niedergang, Ballantyne
That the Director of Personnel provide a written demographic breakdown of employees in the E-911, Fire Alarm, and Constituent Services Departments. (2nd request)</p> |
| | <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> <p>FOLLOWUP: Housing and Community Development Committee</p> |
| <p>7. Order 210551 (ID:23450)</p> | <p>By City Councilor Ballantyne
That the Director of Finance update the City Council at its September 10, 2020 meeting regarding the municipal financial trends and overview of the city's finances.</p> |
| | <p>For discussion of this item see #210592.</p> <p>RESULT: APPROVED. [UNANIMOUS]</p> <p>AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |

8. Order 210552 (ID:23465) By City Councilor Rossetti, Ballantyne That the appointments of Clerks of Committees Rose Durham, Peter Forcellese, and Kim Wells (#s 207414, 207415, 209505, 209506, 209507) be discharged from the Committee on Confirmation of Appointments and Personnel Matters and approved.

Councilor Rossetti said that following the re-appointment of City Clerk John Long, she wanted to do the same with the Clerks of Committee. Their rapid shift to new technologies in the wake of Covid-19 and remote meetings has been great.

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

9. Resolution 210553 (ID:23456) By City Councilor Ewen-Campen, Ballantyne, Davis That the Administration and this Council create safe guidelines for this year’s Halloween so kids can have a safe and spooky holiday.

Councilor Ewen-Campen urged the creation of safe guidelines to make sure that Halloween this year is safe and spooky.

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

10. Order 210554 (ID:23457) By City Councilor Ewen-Campen, Mbah That the Director of SPCD and the Director of Parking work with the Ward 3 City Councilor, Riverside Community Care, and residents on mitigating the parking and traffic issues associated with the new Riverside facility at 117 Summer Street.

Councilor Ewen-Campen said the neighborhood is concerned about parking, with the recent opening of the Riverside Community Care facility.

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

11. 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.

Councilor Ewen-Campen said a specific car rental agency is basically parking its fleet on public streets. He’d like to make sure that car rental agencies are regulated. Councilor White expressed his support.

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

12. Order 210556 (ID:23460) By City Councilor Ewen-Campen That the Director of Inspectional Services ensure the fencing around the former gas station at 73 Summer Street is secure, and take enforcement actions if it is not.

RESULT: APPROVED. [UNANIMOUS]

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

13. Resolution 210557 (ID:23458) By City Councilor Ewen-Campen, Scott, Davis, Ballantyne Congratulating the Administration on a very successful rehabilitation and re-opening of Prospect Hill Park, and requesting a reduction in the excessively bright lighting from the new lamp posts.

Councilor Ewen-Campen commended the city for the beautiful new Prospect Hill Park, but said that the lighting is very bright. Councilor Scott said that inappropriately bright and blue lighting continues to be a problem, and he said a resident who is a lighting expert has urged adoption of an ordinance to restrict the light tones that can be used. Councilor Davis noted that past attempts to change lighting tones have failed, and he moved that the City Solicitor draft an ordinance to do just that (see #210605). Councilor Clingan noted past Council actions on a dark-sky ordinance, and Councilor Ballantyne said that such language is embedded in the new zoning ordinance.

RESULT: APPROVED. [UNANIMOUS]

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

FOLLOWUP: Legislative Matters Committee

UNFINISHED BUSINESS

14. Resolution 209284 (ID:22154) By City Councilor Scott, Ballantyne, Clingan, Davis, Strezo Supporting House Resolution 702, The People's Justice Guarantee.

Councilor Scott noted that Congresswoman Pressley proved to be prescient when she proposed the People's Justice Guarantee in November, 2019. He recommended approval of the updated text he submitted today. Councilor Rossetti supported the aims of the resolution, but objected to Clause 6 calling for the removal of Police Officers from schools. Councilor Niedergang also objected to Clause 6, arguing that the School Department isn't criminalizing Black and brown students. Councilor Ballantyne agreed that Clause 6 was problematic, and said students should have a chance to provide input. Councilors Mbah and Ewen-Campen and supported the entirety of the resolution. Councilor Clingan opposed Clause 6. Councilor Strezo said that criminalization of Black and brown students does happen, and she'd like to hear from students. Councilor White urged that Clause 6 not be adopted without hearings or evidence, and said that the School Committee should be left to address school matters. He did urge support for the last part of Clause 6, to increase funding for trauma support, comprehensive mental health, and restorative services. Councilor Davis said a vote for the resolution is an act of support for the School Committee's ongoing work. President McLaughlin said that the School Committee is working on these issues, and supported amending Clause 6.

During debate, Councilor Niedergang moved to amend the Resolution. The amendment was approved with 7 members in favor (Clingan, Mbah, White Jr., Ballantyne, Niedergang, Rossetti and McLaughlin) and 4 members opposed (Strezo, Davis, Scott and Ewen-Campen).

RESULT: APPROVED AS AMENDED. [UNANIMOUS]

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

AMENDED: In the next-to-last Resolution, the original text ". . . the City Council calls upon the Somerville School Committee and School Department to end the criminalization of Black and brown students in school, including ending any zero-tolerance school discipline policies, the removal of police and school resource officers, the decriminalization of truancy, and requesting increased funds . . ." was replaced by the phrase ". . . the City Council calls for increased funds . . .".

15. Communication By City Councilor Strezo
210468 Reporting on the Affordable Housing Trust Fund meeting of August 13, 2020.
(ID:23341)

Councilor Strezo said the Covid-19 relief fund has been exhausted. It can take up to two months between application and the receipt of assistance. Applications have largely come from households who aren't eligible for government benefits. Of the 1,200 applications for funds, 2/3 were for rental assistance, totaling \$1,500,000.

RESULT: PLACED ON FILE. [UNANIMOUS]

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

REPORTS OF COMMITTEES

16. FINANCE COMMITTEE

- A. Committee Report
210558 Report of the Committee on Finance, meeting on September 8, 2020.
(ID:23433)

Councilor Scott reported that the Committee's discussed the remediation of Conway Park, and the funding differential between 18" remediation and 36" remediation. The Committee discussed the vacant property registration fee, and the Mayor's recommendation of a \$500 fee. The Committee considered a range of fees between \$0 and \$1,000, and is awaiting further information. The Director of ISD updated the Committee on rodent control, saying the city is preparing a new pest management plan. The Committee also discussed a request from arts organizations for governmental assistance during the pandemic. Councilor Ewen-Campen noted that the Labor Counsel's opinion on the Council's role in collective bargaining agreements (#210582) indicates that the Council can only vote to approve or deny the funding.

RESULT: APPROVED. [UNANIMOUS]

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

- B. Order 209753 (ID:22604) By City Councilor Ballantyne
That the Director of Communications and the Director of Finance discuss all telecom contracts, their renewal, and how they affect the city budget, PEG, and the Somerville Media Center.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- C. Order 209805 (ID:22734) By City Councilor Niedergang, Scott, Ballantyne
That the Administration present to this Council a more-detailed estimate of the cost of remediating Conway Field down to 36” rather than 18”, with a timeline for the additional digging and any other relevant information.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- D. Order 209814 (ID:22769) By City Councilor Ballantyne
That the Director of Finance and the Director of Parks and Recreation advise this Council on the disposition of funds for the boat house.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- E. Order 209815 (ID:22770) By City Councilor Scott
That the Director of SPCD provide a comprehensive description of DIF funds and uses on projects in Assembly Square and independently by FRIT.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- F. Order 209816 (ID:22771) By City Councilor White Jr.
That the Director of SPCD provide this Council with the terms of the recent approval of the State's I-Cubed bonds at Assembly Square to FRIT, including any changes from what the Board of Aldermen approved.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- G. Order 210220 (ID:23076) By City Councilor Ballantyne, Strezo
That the Director of Finance and the Budget Director provide funding equity for girls in the FY21 budget with respect to Parks and Recreation Department sports and activities as well as High School varsity sports and activities.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- H. Order 210252 (ID:23143) By City Councilor Ballantyne, McLaughlin
That the Director of Finance submit to this Council by June 17, 2020, an updated FY21 Capital Projects Plan, taking into account the Administration's freeze on all capital projects during the COVID-19 health emergency.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- I. Order 210253 (ID:23144) By City Councilor Ballantyne, Scott, McLaughlin
That the Director of Finance submit to this Council, a list of all anticipated new and renewal contracts to be signed in July 2020.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- J. Order 210292 (ID:23163) By City Councilor Niedergang
That the Chief of Police or the Director of Personnel report to this Council, no later than June 18, the number and rank of all sworn officers and civilian employees (including job titles) in the Police Department, yearly from 1987 to 2020.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- K. Order 210293 (ID:23165) By City Councilor Niedergang, Ballantyne
That the Chief of Police verify whether the Marshall Project website's report that the Police Department received 26 5.56 millimeter rifles worth \$4,257 from the federal government is accurate, whether those rifles are currently in the Department's possession, and what their purpose and potential use is.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- L. Order 210305 (ID:23175) By City Councilor Ballantyne That the Director of Finance and Director of Budgeting update and submit the 10-year budget forecast in preparation for the FY21 budget review.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- M. Order 210332 (ID:23206) By City Councilor Ewen-Campen, Ballantyne, Clingan, Rossetti, Scott, Strezo, Davis, Niedergang, McLaughlin, Mbah, White Jr. That the City Solicitor explain in writing prior to July 1, how Chapter 589 of the Acts of 1987, "An Act Relative to Dispute Resolution" may provide this Council with the ability to modify or reject components of collective bargaining agreements that reached an impasse and entered arbitration.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- N. Order 210342 (ID:23198) By City Councilor White Jr. That the Director of Finance address the Finance Committee on the status of the Central Hill bond appropriation, and whether it should be reduced by \$206,000 as a result of applying CPA funds to the project.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- O. Resolution 210358 (ID:23227) By City Councilor McLaughlin, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, Davis, Niedergang, Rossetti, Mbah, White Jr. That the Mayor move the Rodent Home Assistance Program from the Department of Inspectional Services to the Department of Health and Human Services to streamline rodent assistance for neighbors.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- P. Mayor's Request 210441 (ID:23302) Requesting approval to appropriate \$170,000 from the Union Sq Community Benefits Stabilization Fund to fund a Main Streets Small Business Liaison and job placement and career navigation services for residents.
- RESULT: WORK COMPLETED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
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- Q. Order 210458 (ID:23332) By City Councilor Ballantyne, Strezo, Niedergang That the Director of Finance and the Director of the Arts Council discuss with this Council’s Finance Committee several suggestions for assistance proposed by a group of Somerville arts and cultural organizations.

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

17. LAND USE COMMITTEE

- A. Committee Report 210559 (ID:23431) Report of the Committee on Land Use, meeting on September 1, 2020.

Councilor Ewen-Campen said the Committee focused on a proposed affordable housing overlay district. A panel of housing developers addressed the Committee about affordable housing development in the city. The panel’s consensus was that 100% affordable projects should be made “by-right.” Otherwise as much clarity as possible is needed so projects are not easily appealable. They said requirements for site plan review, to mitigate site-specific issues, could ensure high-quality construction. Current market funding prefers projects in the 25-50 unit range in a 7-story building, but 7-story buildings aren’t allowed in any district in the city. They said ground floor retail is also an issue.

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

- B. Officer's Communication 200688 (ID:13303) Planning Director submitting the Housing Needs Assessment required by Zoning Ordinance 13.8 as a pre-requisite to the completion of any amendments to the Inclusionary Zoning requirements.

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

18. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report 210560 (ID:23432) Report of the Committee on Legislative Matters, meeting on September 3, 2020.

Councilor Davis said the Committee took up the revision to the demolition review ordinance. The language was ready to go, but a demolition review delay period of 18 to 24 months was discussed. The Committee will await a final draft from the Administration. The Committee also discussed repealing the so-called anti-gang loitering ordinance, and moved to approve #210581. The Committee will await a Law Office draft of a Home Rule Petition to repeal the State’s Special Act on anti-gang loitering.

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

- B. Order 210437 (ID:23316) By City Councilor McLaughlin, Clingan, Davis, Ewen-Campen, Niedergang, Scott, White Jr., Rossetti, Ballantyne, Strezo, Mbah That the City Solicitor appear before this Council’s Committee on Legislative Matters with draft language to repeal Ordinance 9-120, the so-called Anti-Gang Loitering Ordinance.

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

- C. 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.

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

19. LICENSES AND PERMITS COMMITTEE

- A. Committee Report 210562 (ID:23434) Report of the Committee on Licenses and Permits, meeting on September 9, 2020.

Councilor White said the Committee discussed outdoor seating, with the Licensing Commission’s authority to regulate it ending on November 1. He said he would propose extending that authority, for discussion at the next Committee meeting. The Committee then addressed Tufts lodging house license renewals. Tufts representatives reviewed the precautions they’re taking to control the pandemic on campus. Councilor Scott asked about disciplinary actions, and the Committee asked for information from the Tufts and Somerville police for review at the next meeting. Councilor White asked the City Solicitor and Health Director to draft a condition giving the city the ability to conduct a show-cause hearing to repeal a lodging house license if safety conditions were not met. The Council discussed possible fines for safety violations.

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

20. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

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| <p>A. Committee Report
210563
(ID:23430)</p> | <p>Report of the Committee on Public Health and Public Safety, meeting as a Committee of the Whole, on August 31, 2020.</p> <hr/> <p>Councilor Davis reported that the Committee met mostly with respect to Tufts re-opening its campus, and learned that compliance with Tufts protocols is voluntary for the 130 students living off-campus in Somerville.</p> <p>RESULT: APPROVED. [UNANIMOUS]
 AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne</p> |
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COMMUNICATIONS OF THE MAYOR

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| <p>21. Mayor's Request
210564
(ID:23449)</p> | <p>Requesting the appropriation of \$240,000 from the Capital Stabilization Fund for the FY21 Tree planting program.</p> <hr/> <p>Councilor Scott moved to waive the readings of #s 21-27 and refer them to the Finance Committee.</p> <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> |
| <p>22. Mayor's Request
210565
(ID:23445)</p> | <p>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.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> |
| <p>23. Mayor's Request
210566
(ID:23374)</p> | <p>Requesting approval to pay a prior year invoice totaling \$2,332.89 unencumbered using available funds in the DPW Lights and Lines budget.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> |
| <p>24. Mayor's Request
210567
(ID:23353)</p> | <p>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.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> |
| <p>25. Mayor's Request
210568
(ID:23438)</p> | <p>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.</p> <hr/> <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> |

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| 26. 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. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> | |
| 27. 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: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Finance Committee</p> | |
| 28. Mayor's Request 210571 (ID:23118) | Requesting confirmation of the appointment of Giovanna Lorenzet Marin to the position of Reserve Police Officer.

Councilor Rossetti moved to waive the readings of #s 28-36 and refer them to the Confirmation of Appointments Committee. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee</p> | |
| 29. Mayor's Request 210572 (ID:23119) | Requesting confirmation of the appointment of Jamey Thompson to the position of Reserve Police Officer. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee</p> | |
| 30. Mayor's Request 210573 (ID:23120) | Requesting confirmation of the appointment of Jose DaCosta to the position of Reserve Police Officer. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee</p> | |
| 31. Mayor's Request 210574 (ID:23121) | Requesting confirmation of the appointment of Kelsey Malloy-Ripley to the position of Reserve Police Officer. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee</p> | |
| 32. Mayor's Request 210575 (ID:23122) | Requesting confirmation of the appointment of Kevin Henriquez to the position of Reserve Police Officer. |
| <p>RESULT: REFERRED FOR RECOMMENDATION
 FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee</p> | |

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| 33. Mayor's Request
210576
(ID:23123) | Requesting confirmation of the appointment of Kyle Lentini to the position of Reserve Police Officer. |
| RESULT: REFERRED FOR RECOMMENDATION
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee | |
| 34. Mayor's Request
210577
(ID:23124) | Requesting confirmation of the appointment of Matthew Fairchild to the position of Reserve Police Officer. |
| RESULT: REFERRED FOR RECOMMENDATION
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee | |
| 35. Mayor's Request
210578
(ID:23125) | Requesting confirmation of the appointment of Richard Lavey III to the position of Reserve Police Officer. |
| RESULT: REFERRED FOR RECOMMENDATION
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee | |
| 36. Mayor's Request
210579
(ID:23126) | Requesting confirmation of the appointment of William Wood to the position of Reserve Police Officer. |
| RESULT: REFERRED FOR RECOMMENDATION
FOLLOWUP: Confirmation of Appointments and Personnel Matters Committee | |
| 37. Mayor's Communication
210580
(ID:23447) | Conveying the executed Memorandum of Agreement with DCR for the Dilboy Complex. |
| RESULT: PLACED ON FILE. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Finance Committee | |

COMMUNICATIONS OF CITY OFFICERS

- | | |
|--|---|
| 38. Officer's Communication
210581
(ID:23444) | Assistant City Solicitor submitting an Ordinance to repeal Ordinance 9-120, the "Criminal Street Gang Activity as Public Nuisance" ordinance. |
| For discussion of this item see #210560. | |
| RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne | |

39. Officer's Communication 210582 (ID:23464) City Solicitor responding to #210332 re: this Council's ability to modify or reject components of collective bargaining agreements that have reached an impasse and entered arbitration (pursuant to Ch. 589, Acts of 1987).

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

40. Officer's Communication 210583 (ID:23448) Arts Council Director responding to #210458 re: support for arts and cultural organizations.

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

NEW BUSINESS

41. License/Permit 210584 (ID:23437) Small Wireless Facility License, Extenet Systems attaching small wireless facilities on an existing pole at 76 Jaques Street.

Councilor White moved approval, saying that the City Clerk had assured him that all departmental approvals have been made.

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

42. License/Permit 210585 (ID:23436) New Garage License, Arco Tire Auto Service Repair LLC, 18 Clarendon Avenue, 3 autos inside, 3 outside, for mechanical repair only.

Councilor White moved to waive the reading of #42 and refer it to the Licenses and Permits Committee.

RESULT: REFERRED FOR RECOMMENDATION
FOLLOWUP: Licenses and Permits Committee

SUPPLEMENTAL ITEMS

43. Resolution 210586 (ID:23470) By City Councilor McLaughlin That the Mayor update this Council, in Executive Session, on alleged suspicious activity in the DPW Fleet yard in March of 2020.

Councilor McLaughlin said that since the mayor wasn't here to address this item, it would be left on the table.

RESULT: LAID ON THE TABLE
FOLLOWUP: City Council

44. Order 210587 (ID:23471) By City Councilor McLaughlin, Davis, Ballantyne, Clingan, Mbah That the Commissioner of Public Works submit a recycling plan for all buildings that do not receive city solid waste collection services, pursuant to Ordinance 11-40.
- Councilor McLaughlin said that common belief is that the city can't require large developments, houses, and commercial buildings to recycle. But upon further inspection, there's an ordinance to do exactly that. So this order is for the Commissioner of Public Work to enforce the law.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Public Utilities and Public Works Committee
-
45. Order 210588 (ID:23472) By City Councilor McLaughlin That the Director of Inspectional Services update this Council on the implementation of the Short-Term Rental Ordinance.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Public Utilities and Public Works Committee
-
46. Order 210589 (ID:23473) By City Councilor McLaughlin That the Director of Inspectional Services update this Council on the implementation of the Vacant Properties Ordinance.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Public Utilities and Public Works Committee
-
47. Order 210590 (ID:23474) By City Councilor McLaughlin That the Director of SPCD install curb cuts on the ends of Edward Leathers Park to enable bike and ADA accessibility.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
48. 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.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Finance Committee
-

49. 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.
- Councilor Ballantyne sponsored Finance Director Ed Bean, who briefly reported on Covid-19 related finances. Mr. Bean said that not much has changed since July. The State passed an interim budget, but the Federal government has not committed any fiscal relief. He said the city is waiting for DOR to determine the city’s property valuations and new growth. Projected revenues will become clearer in the next few months. The city has access to CARES Act money, and the biggest expense for reimbursement will be the cost of reopening schools. He noted that the city will soon issue bonds for the High School project, and current low interest rates will be beneficial.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Finance Committee
-
50. Order 210593 (ID:23468) By City Councilor Ballantyne, Strezo
That the Director of Constituent Services and the Chief of Police discuss tracking bicycle crashes and how 311 and 911 staff are trained to handle such calls.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Traffic and Parking Committee
-
51. Order 210594 (ID:23469) By City Councilor White Jr., Rossetti, Ballantyne
That the City Solicitor work with the Director of Inspectional Services with regard to violations of the Building Code and the Zoning Ordinance to ensure compliance with a recent court decision (Michael J Moroney Trustee v Planning Board of Haverhill et al).
- Councilor White said it was important to make sure that the city adheres to the requirements of this court decision, which lays out clear requirements for the issuance of building code violations.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Housing and Community Development Committee

52. 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.

Councilor Clingan commented on how developers run roughshod over neighborhoods when they develop properties. There is little follow-up or enforcement by the city. He said that while ISD is overtaxed, residents want developers to be reined in. The conditions on a Planning Board or Zoning Board decision need to be enforced. He said the Public Utilities and Public Works Committee would hold a public hearing on these matters on September 30. Councilor Niedergang urged attendance at this public hearing.

RESULT: APPROVED. [UNANIMOUS]

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

FOLLOWUP: Public Utilities and Public Works Committee

53. 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.

See #210595 for discussion of this item.

RESULT: APPROVED. [UNANIMOUS]

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

FOLLOWUP: Public Utilities and Public Works Committee

54. 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.

Also referred to the Planning Board.

President McLaughlin announced that as acting Mayor, he had to step down from the Chair during the deliberation of this item. Vice President Rossetti assumed the Chair. SPCD Director George Proakis reported that this item corrected an error made in the zoning overhaul. In drafting the new code, the term “pre-primary” was added to the definition of schools, which dramatically and unintentionally extended the school zone buffer around adult-use marijuana establishments.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Land Use Committee

-
55. 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.
-
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-
56. 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.
-
- Councilor Scott moved to waive the readings of #s 57-59 and refer #s 55-59 to the Finance Committee.
-
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-
57. 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.
-
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-
58. Mayor's Request 210601 (ID:23453) Requesting approval of a time-only extension for the FY17 CPA grant contract for the Henry Hansen Park Design for an additional 3 years.
-
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-
59. Mayor's Request 210602 (ID:23454) Requesting approval for a time-only extension of the FY17 Milk Row Cemetery Open Space Master Plan CPA contract through October 2021.
-
- RESULT: REFERRED FOR RECOMMENDATION**
FOLLOWUP: Finance Committee
-

60. License/Permit 210603 (ID:23480) Public Event License, Oak St Block Party to design and paint a Black Lives Matter banner between Prospect and Bolton Sts, Sept. 27, 1pm-5pm.
- Councilor Scott moved to approve this item, as a resident had his house sprayed with racist graffiti, and the neighborhood wants to paint a Black Lives Matter mural on the street. Councilor Davis expressed concern that there is a ban on public events in the city. He said he supports Black Lives Matter, but this event isn't consistent with city policy. Legislative Liaison Khushbu Webber said the Mayor supports the application, saying it is not a large public event. Councilor Rossetti said that this was establishing a precedent, and supported Councilor Davis' position. Councilor Mbah supported the item. Councilor Davis said the next application will be to paint "Let's Go Trump" on the street and there will be no basis to deny it. Councilor Scott said these matters are in the Council's purview. Councilor Niedergang said he thinks the event is well thought out in terms of public health and safety, and he isn't concerned with the free speech issues. Councilor Ballantyne wondered how other street-painting applications would be considered. Ms. Webber said they would receive the same consideration and ultimately be up to the Council. Councilor McLaughlin pointed out that a Hudson Street mural painted a few years ago led to a process for street painting, and he wondered if it had been followed. Councilor Mbah called the question, but the President recognized Councilor Clingan, who said that allowing these words would amount to allowing any words. Councilors White and Scott discussed the type of paint to be applied. Councilor Davis pointed out that the question was called. The President then called for a vote on ending debate. The motion failed, with 5 members in favor (Mbah, Strezo, Niedergang, Scott and Ewen-Campen) and 6 members opposed (Clingan, White Jr., Ballantyne, Davis, Rossetti and McLaughlin). Councilor Strezo said the "event" is not truly a block party. Councilor Ewen-Campen noted that Black Lives Matter is not political speech, but a statement of fact.
- RESULT: APPROVED. [7 TO 4]**
AYES: Mbah, Strezo, White Jr., Scott, Ewen-Campen, Niedergang, Ballantyne
NAYS: Rossetti, McLaughlin, Clingan, Davis

61. License/Permit 210604 (ID:23481) Renewing Garage License, Automotive Transport Service, 40 Joy St.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

LATE ITEMS

62. Mayor's Request 207414 (ID:20164) Requesting confirmation of the re-appointment of Rose Durham as Clerk of Committees.
- Discharged from the Committee on Confirmation of Appointments and Personnel Matters pursuant to #210552.
- RESULT: APPROVED. [UNANIMOUS]**
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne

-
63. Mayor's Request 207415 (ID:20165) Requesting confirmation of the re-appointment of Peter Forcellese, Sr. as Legislative Clerk.
Discharged from the Committee on Confirmation of Appointments and Personnel Matters pursuant to #210552.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
64. Mayor's Request 209505 (ID:22341) Requesting confirmation of the re-appointment of Rose Durham as Clerk of Committees.
Discharged from the Committee on Confirmation of Appointments and Personnel Matters pursuant to #210552.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
65. Mayor's Request 209506 (ID:22342) Requesting confirmation of the re-appointment of Peter Forcellese, Sr. as Legislative Clerk.
Discharged from the Committee on Confirmation of Appointments and Personnel Matters pursuant to #210552.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
66. Mayor's Request 209507 (ID:22343) Requesting confirmation of the re-appointment of Kimberly Wells as Assistant Clerk of Committees.
Discharged from the Committee on Confirmation of Appointments and Personnel Matters pursuant to #210552.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
-
67. Order 210605 (ID:23483) By City Councilor Davis
That the City Solicitor draft an ordinance prohibiting the installation of public lighting in excess of a temperature level to be determined.
For discussion of this item see #210557.
RESULT: APPROVED. [UNANIMOUS]
AYES: Mbah, Rossetti, Strezo, White Jr., McLaughlin, Scott, Ewen-Campen, Clingan, Niedergang, Davis, Ballantyne
FOLLOWUP: Legislative Matters Committee
-

68. Resolution 210606 (ID:23482) By City Councilor Ballantyne, Davis, Rossetti
That the Director of Health and Human Services and Tufts University provide this Council with weekly updates on the number of unique COVID-19 tests administered to Tufts undergraduate and graduate students until all students have been tested.

Councilor Ballantyne noted that from the Tufts Covid-19 dashboard it appears that to date 2,600 students have been tested, but the dashboard hasn't been updated daily. It isn't clear whether the dashboard refers to the number of test results or unduplicated individuals tested. Councilor Ewen-Campen said it would be discussed at Monday's Public Health and Safety Committee meeting.

RESULT: APPROVED. [UNANIMOUS]

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

FOLLOWUP: Public Health and Public Safety Committee

ADJOURNMENT

The meeting was Adjourned at 10:55 PM.

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The webinar will begin shortly, please remain on the line.

>> And the governor's March 12, 2020 order suspending certain provisions of the open meeting law, GLC 30A, 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's declaration of emergency, dated March 15, 2020, this meeting of the city council will be conducted via remote participation. Please rise for the Pledge of Allegiance.

>> Mr. President, let's begin this meeting with a prayer. God grant this city council the serenity 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?

>> Present.

>> Councilor Mbah?

>> Present.

>> Councilor White?

>> Here.

>> Councilor Ballantyne?

>> Here.

>> Councilor Strezo?

>> Here.

>> Councilor Niedergang?

>> Present. Can you hear me? I am having audio.

>> Loud and clear.

>> Great. Thank you.

>> Councilor Davis?

>> Here.

>> Councilor Scott?

>> Present.

>> Councilor Ewen-Campen?

>> Here.

>> Councilor Rossetti?

>> Present.

>> Councilor McLaughlin?

>> Here.

>> All 11 Councilors are present. We have a quorum.

>> Do we have any moments of silence, counselor.

>> It's with heavy heart I ask that we please remember for this evening's meeting two members of our community. Please being Julia, we know her as Julie. She passed unexpectedly on August 31st. She was the beloved wife of the late Paul and mom to Patricia of Somerville who had been in our school system. Julia, Jasper and also the city of Michael and the late Matthew. She additionally had three beautiful grandchildren who adored her. Julie, we know was very active in the Somerville community two members of the community who may be listening tonight. I want to let know she was a retired employee of the city. And later on in the treasurer's department at city hall. She's a former PTA president for the

community school as well as a long-standing school committee member representing ward six. She also served as a youth minister. Donations are being asked to be made to -- in Julia's memory to the PTA Somerville scholarship fund. That was an honor for her to have scholarships in her name. I got to know her back in 1999 running for school committee and she pulled me aside and read me the lecture if I really wanted to be a member I better do my homework in advance and she had been -- and she instilled in me knowing Robert's Rules of Order and knowing how to run and conduct a meeting. And every time I would see her through the years, even this past summer it -- this past spring, excuse me, it -- last summer at a block party I thanked her for that lesson she taught me because it did prove so important to me 20 odd years later here in government. I will miss Julie terribly. She was a rock to the community and so many others. Additionally I ask that we always remember Robert of Somerville. Passed away peacefully surrounded by his family August 24th. The devoted husband of 56 years to Shala. Also an active member of the community. Her and her daughter Meg, also her children Leslie and Shaun. Loving grandfather of three children and his family and he and he supported his wife and his family who committed hundreds of volunteer hours in our school system by being very active in the PTA so I ask that we also remember Bob this evening. Thank you, sir.

>> Councilor Ballantyne would like to sign on and then I have Councilor Davis and Councilor White.

>> Mr. President, can I say a few words?

>> Yes, it's your turn, Councilor Davis.

>> Thank you, yes, I would like to sign onto both of those and just -- I'm chuckling when you were read at the school committee. I didn't know her well but for my first campaign but -- I remember the first time that I knocked on her door and, you know, knowing the family, I knew her daughter Jasper now through the school committee and Paul was on the porch and it was one of those days that you put the rest of your list away and realize that you're going to sit on the porch for the rest of the evening and spend time far more valuably than even if you had finished the list and, you know, it's just she, as you said, she was so involved in the community and had such a deep passion and level of care for the workings of the community and of the city. Just, you know, your words I think really captured it beautifully. And I was so, so sad to hear of her passing. So my condolences to the entire family and if I could sign onto that as well, please. Thank you.

>> Councilor White and if everyone could please silence your microphone until you're speaking.

>> Thank you, Mr. President, I thought Councilor Rossetti did a great job in eulogizing Julie.

I actually met her back in 1973 when I ran against her brother-in-law Frank for the school committee. At that time it was probably before many of the folks here on the city council were born. Even though I lost to Frank who subsequently became an alderman I sort of got to know the family and had much contact with Julie and was able to see her achievements on the school committee. I want to offer my condolences and keeping in mind her brother-in-law was Frank who served and was on the school committee.

>> Counselor.

>> This is about somebody else, not about Julie.

>> There's no one else on the queue so it's your turn.

>> Oh, okay, thank you. Thank you Mr. President. I just found out about this today. This is -- but I want us to remember Robert Reagan of Warwick Street who passed away at the age of 72 with a combination of cancer and COVID-19. He was born in Somerville in 1947, was a star athlete in football and basketball winning many athletic awards including high school all American for football after enlisting in the U.S. Navy during the Vietnam War he graduated with a degree in political science, worked as a legislative aid and was highly engaged in politics after. I knew him as a neighbor. One of his neighbors on Warwick Street, Sandy Resnick wrote to me and said it was really, really sad and everyone is missing him terribly. He'd been my neighbor friend since January 1983 a long time so a big personal loss. He was a consistent, kind and wise presence for everyone helping each of us with his generous sweet nature. He is survived by his wife and son, Matthew. Thank you, Mr. President.

>> Do we have any further moments of silence? Hearing none, please rise for moment of silence. Please be seated. Next item, Mr. Clerk.

>> Mr. President the next item is the approval of the minutes of the special meeting, June 30th and the regular meeting July 14th.

>> This item will be laid on the table for approval.

>> Item number four is a public hearing and the grant location from a manhole to a point of pickup at 26-28 Indiana Avenue.

>> Before we get into this previously we would have the public hearing today open for a few weeks when we were trying to figure out this process. Now I think it's fair that we figured out the process pretty well so I think I will leave situations up to the ward councilor or any councilor who may object but if there's no objections, we will approve items after discussion but I now declare this public hearing open. Is there anyone here to speak on the item. Please use the little hand emoji and I will call on you and I see Jackie Duffy. Jackie you're there and if anyone else is able to speak on this item please use the little hand icon.

>> I would like to install to supply electric service to 24-26 Indiana Avenue.

>> Is there anyone else here to discuss this item? Seeing no, going once, going twice. Seeing no one here to discuss this item I now declare this public hearing closed. Any discussion from the city council? Hearing no discussion this is an item in my ward. I have had no objections to it and I don't see a problem with it.

Councilor moves for approval. Any discussion? Hearing none, this item will be laid on the table for approval.

>> Very good.

>> Thank you.

>> Thank you. Next item.

>> Continuing with the next order of business, Mr. President.

>> We have a couple items that people wanted to take out of order. Do you have those numbers already?

>> I believe the first one is now visible.

>> Yes, thank you. So we have a couple items for city staff to be here. And item number 54, we would like to take out of order. Any discussion? As acting mayor, I have to step down on this one and the Councilor will step up as president.

>> Thank you, could you please read item 54.

>> Item 54 is a request of the mayor submitted by acting Mayor McLaughlin requesting approval to the amendment of the zoning ordinance to the standards of subsection 9.2.4.d for cannabis retail sales uses.

>> I have George in the audience but this is just an error in the zoning code that we're looking to fix and this item I would hope to be referred to the land use committee for discussion but I would like to sponsor him to discuss this.

>> Mr. Proakis are you in the room.

>> I am here.

>> Please, thank you, could you explain this?

>> So the item here, 54, we're asking to be referred to land use committee and planning board for a joint hearing as we do with zoning ordinance amendments. By way of information, it appears that what we're dealing with is a -- an accidental error of sorts made in conversion between the old and the new code. We had an extensive number of meetings that I participated in with you on the old code where we focused on how we did or didn't necessarily want buffers around various locations. When we looked at medical, I'm sorry, adult use marijuana facilities. And the counsel as a whole determined that they wanted a buffer around elementary and secondary schools. When the definitions were convert blood the new code, the words got transferred into preprimary, primary and secondary schools. Primary includes day care centers if we draw those circles and did all those studies long ago and draw them around day care centers it takes a substantial portion of the city out that we did not intend to that I don't believe the counsel intended to and that suddenly up ended the applicants going through the marijuana review process. So the essential part of this process is to remove the word preprimary in the places where it's in. That's the essence of it and we ask that it's referred to the committee for a public hearing. That's it. If you have questions, please ask, if not, our staff will be at the hearing to discuss it.

>> Okay, thank you, acting Mayor McLaughlin, do you have anything further you'd like to state, some of our colleagues have questions.

>> No, I have nothing further to say. We'll go through the whole process in public hearing and everything.

>> Okay, thank you. Councilor Ewen-Campen.

>> This will be on the meeting for next Tuesday. So members to the public and colleagues can attend that 6 p.m., next Tuesday, the 15th.

>> Thank you for that. Any further discussion on the item? Hearing none, this item will be referred to land use and kept on the table. I will return this back to President McLaughlin and Mr. President I did want to make that Councilor Ballantyne has asked for item 48 to be taken out of order.

>> Yes, indeed. Councilor Ballantyne would like to take item 48 out of order? Any objection? Hearing none, Mr. Clerk, please read item 48.

>> Excuse me, Mr. President, I made a mistake, it's item 49.

>> Okay. Please read item 49.

>> It's an order submitted by Councilor Ballantyne. That the director of finance share financial updates for year to date revenues and expenditures for all COVID related line items.

>> I would like to sponsor Mr. Ed Bean to give us an update on the financial trends and COVID related sort of general trends that have been going on since we met and how they impact us financially.

>> Councilor Ballantyne would like to sponsor Mr. Bean. Any objections? We have none, Mr. Bean, you have the floor.

>> Thank you, Mr. President, I'm just seeing sort of -- for the first time, on COVID, I was asked to give a brief update on the financial picture and I would say that there's not much that has truly changed since we last talked in July. As you know, the legislature the governor passed an interim state budget until August 31st, citing difficulty in projecting tax collections. There's some questions about whether the federal government will provide fiscal relief. The unknown impact of the coronavirus here in the fall. So the final revenue forecast for fiscal 2021 has not been updated by the state and I don't expect to see that happen until October. So for the state to have final numbers. Still being projected to be somewhere in the 6-8 billion dollar deficit statewide, state revenue shortfall. And also on the federal level I think as we know the House and Senate are dead locked and not reached agreements on the relief. Which directly impacts us with this issue of COVID-19. Obviously democrats and republicans not reaching consensus on that. This is certainly a reason why there's been a hold back. Which is why we can't reach a revenue item until the resolution of that. As we all know the governor of legislature did baseline and restricted general government aid in chapter 70 education aid which was a very positive move which was a swing of 6.6 million for us but until the state budgets pass we don't have final revenue numbers thus the assessments haven't been dictated. Like the SBA assessment for the charter school. We don't know those numbers at this particular time. I think the other questions were will the state tap into their rainy day fund to help the state budget deficit. That's on the state and federal level. So from our situation, on the city side the city assessor has submitted assessments to the DOR and the DOR will determine that over the next few week to determine -- validate our property valuations and that will -- the outcome for that will be new growth. As you remember, we estimated ten million dollars new growth for the budget here in fiscal 2021. Hotel, motel and meals tax revenues, just to remind you is that those moneys flow to the state and they reported to us quarterly. So we have no data on those revenue sources. We won't be seeing the first report until September 30th. We got to watch that very, very closely. Obviously the slow reopening is going to affect those revenues. We downgrade very substantially in this year's budget by well over 45% so we got to look and see where those numbers come in and then our operating for revenues on the city side we only closed for one month. The month of July. We need to see a few more months on that one. As we move forward in terms of the operating budget we got to look at all the revenues, appropriations, expenses and come up with a balanced budget sometime in November to set the tax rate. In terms of the COVID team revenues. We are going to receive 7.1 million dollars in CARES Act money. A very important distinction here. As the recipient and Massachusetts is only the recipients. The city of Boston and Plymouth County. There's a lot of discretion on the state's part in terms of determining what are eligible expenses so we are actually discussing this with the state ANF now in terms of what we -- they propagated categories that you can use to spend on, but we are looking for ultimate flexibility because the community needs a tremendous and the 7.1 certainly is not going to meet all of our needs. And that's why it's important that the state funnel more down when they possibly can and that we see something on the federal level to bring it down. The state received 2.7 billion in CARES Act money. They distributed approximately 25% back to municipalities. This is very, very important. Unquestionably the biggest expense that we'll need out of the CARES money will be reopening schools. The school tax force has been meeting monthly. Plans are underway to get class estimates. Things like the adjustment to the HVAC systems. The schools have to be safe to return schools and teachers. That's going to be very, very costly, virus testing and surveillance plan, cleaning and sanitation services and all of these, every community's facing this and all

of this feedback has gone back to the state government. So we are hoping we get, you know -- a better response from the state. In terms of, you know, I wasn't prepared to give detailed numbers but we can certainly pull that together with the team in terms of revenues and expenditures for COVID related items. I wasn't prepared to do that today. But also I want to say how important is that the state give us flexibility on the CARES money and that's something we're going to be pursuing as the needs are great. The other significant event taking part is we will bond for the new school. That's a 100.3 million dollar. With the low interest rates, they're very, very low at that point. And it certainly will save the taxpayers a lot of money with the plan we put forward in 2016 after that borrowing in October we'll be able to determine what the impact will be for the property taxpayers in the city in terms of debt exclusion. That's all I have for now and I'm happy to give more detailed presentation when, you know, look forward, as we get more information coming in.

>> Mr. President.

>> Councilor Ballantyne.

>> Thank you, I'd say thank you very much Mr. Bean, it was a pretty comprehensive brief update. So thank you very much for that. I would -- I'm all set and I would just ask the president for this item to be moved to the finance committee. Thank you.

>> All good. Councilor Scott?

>> Thank you Mr. Chair and thank you director Bean. All of these COVID funding items remain in committee so hopefully you'll be able to join us, director.

>> Certainly, I was just returning from vacation on Tuesday. The first vacation I've had all year so I'll be at every finance committee meeting.

>> Sounds great, you can tell me what a vacation's like, sir. Thank you.

>> The vacation suited you, Mr. Bean, any further discussion?

>> Yes.

>> Hearing none, this item will be laid on the table.

>> Item number five which is in order submitted by Councilor Strezo and cling an for the chief of police increase traffic monitoring of the ward 4 bus lanes on Broadway for the next six week to educate the public on the purpose and the use of these lanes.

>> Any discussion? Hearing none, the item is laid on the table. Councilor Clingan.

>> Yeah. Thank you, Mr. President, through you I just want to thank Councilor Strezo for -- what I would say is a duplicate order.

I have not so much the chief of police but we do have the city's mobility team monitoring the situation with the bus lane that's an ongoing situation so, you know, I can't see how a little more monitoring will hurt. I appreciate her getting involved in my bus lane saga and I look forward to whatever data comes back and hopefully -- when we look at this thing at some point in the future as to whether or not it's been helpful because at this point I hear people are driving in the bus lane and there's zero enforcement up there. I think police presence up there will be most helpful.

>> Any further discussion? Hearing none, this item will be laid on the table for further approval and a copy sent to the police of chief. Next item.

>> Item six is by the city Councilor Strezo that the director of personnel provide a written demographic breakdown of employees in the E-911, fire alarm and constituent services departments. This is a second request.

>> This item is laid on the table for approval and let's refer that to housing community development.

>> Thank you, Mr. President.

>> Thank you. Next item.

>> Mr. President. If you could waive the reading on this. Actually this was the number. I'm sorry, I thought all my orders were together. So Mr. Bean spoke on this. So we can waive the reading and if you would approve this, thank you.

>> Councilor Ballantyne moves to waive the reading, hearing no discussion the item is laid on the table for approval.

>> Item number eight then is an order submitted by Councilor Rossetti to the appointments of clerks of committee Rose Durham, Peter Forcellese.

>> Any discussion.

>> Yes, as I stated at our last council meeting when we did approve Clerk Long's contract with us my

heart felt heavy for the other clerks who we now have authority over the hiring process and reappointing. And giving these times of COVID and the changes in their style of clerking for us and their quick turnaround of learning and being very great at their work with the technology I have no reservation in recommending all of their approvals for reappointments and encourage and I hope my colleagues feel the same I did mention this at the last council meeting this was my intention for this meeting so this should not come as a surprise to any of my colleagues, Mr. President, so I do ask for these items to be discharged and approved.

>> All right, Councilor Rossetti moves for approval. Any discussion? Hearing no discussion, let's do a roll call vote on just this item.

>> Very good, Mr. President. This is a roll call vote on the discharge of the five items listed in the order, and the approval of those five items. On that motion, Councilor --

>> President, elementary question on this, don't we need two separate votes, one to actually discharge it before we can take the vote?

>> Yeah, that's what you just said, right, Mr. Clerk.

>> No, that was for the confirmation of their appointment. We need two votes. The first one should be a roll call on discharge and the second one should be a matter of approving the appointments. At least that's my humble opinion.

>> Okay. I respect your opinion. So we will do a roll call vote on discharging and then a roll call vote on approval. Thank you.

>> Very good. There's a roll call vote on discharging those five items that were listed in the order. On that motion, Councilor Clingan.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Counselor.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> All councilors have voted in favor of discharging these items.

>> Any discussion? Did I hear someone? Please call the roll for approval.

>> This is on the approval of those five items. Councilor Clingan.

>> Yes.

>> Counselor.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Rossetti.

>> Yes. And Councilor McLaughlin.

>> Yes.

>> Mr. President, again, all of the councilors have voted in favor. Those appointments have been approved.

>> All right next item, Mr. Clerk.

>> Next Mr. President we have item number nine which is a resolution submitted by Councilor Ewen-Campen that the administration and this council create safe guidelines for this year's Halloween so kids can have a safe and spooky holiday.

>> Councilor Ewen-Campen.

>> Thank you Mr. President, I submitted this order on behalf of some very young and very worried residents in ward three who are understandably concerned about what the pandemic could mean for trick or treating this year. I put this in in advance so that all of us and the administration can work together with the time that we have to create safe guidelines and make sure that Halloween this year will be safe and incredibly spooky, thank you.

>> If Councilor Ballantyne would like to sign on and Councilor Davis would like to sign on and Bobby would like to sign on. This item is laid on the table for approval. Next item.

>> Item ten's an order submitted by Councilor Ewen-Campen and the director of SPCD and the director of parking work with the ward three city counselor, Riverside community care, and residents on mitigating the parking and traffic issues associated with the new Riverside facility at 117 Summer Street.

>> Any discussion?

>> Yes, please. Thank you, Mr. President the summer go home which was a rest home for the elderly and was forced to close their doors last year and their executive board reached out and found a new owner, the Riverside Community Care that does a lot of behavioral and mental health care work to take over this facility as their new Somerville headquarters. And while there is much to be happy about this site with remaining facility. The issue that I know the neighborhood is concerned about is parking and this is just based on what we already know about the number of employees, the numbers of daily visitors and the really quite limited summer parking. We had our first meeting last week and it was clear from everything we heard from Riverside and from the community that this is an issue that is going to need active mitigation and I am optimistic that Riverside will be cooperative in that. So I put this in to ask that members of the administration work with myself, with members of the neighborhood and Riverside to come up with the mitigation strategy because what we really don't want to have happen here is that their operations get, you know affected in any way just over something as simple as a parking issue. I'm sure that there are solutions but it's going to take some work to find them out so I ask that this please go to traffic and parking.

>> Councilor would like to sign on any further discussion? Hearing nothing, this item is laid on the table for approval and referred to traffic and parking, next item.

>> Next item, Mr. President, is item number 11. Which is an order submitted by Councilor Ewen-Campen that the city solicitor draft an ordinance to require municipal licensing of rental car businesses, to address the issue of these businesses illegally parked on their residential streets.

>> Thank you, I asked this sent to legislative matters and just as way of background I will say that for many years there's a specific rental car agency right across the street. And for years we've been dealing with the issue that they basically park their fleet on the street illegally and it seems that they can cover the cost of the tickets and that is cheaper than whatever the other option would be for them and it's a huge hassle for the neighborhood. And I learned that car agencies are not licensed by the city council. And we have little leverage besides ticketing. I ask that we deal with this in committee to license these so that the city council has the ability to get these businesses in front of us and making sure they are acting lawfully. Thank you.

>> On the item, Councilor White.

>> Thank you, Mr. President. Yeah, I'm familiar with the facility in question. I think it's an excellent idea from Councilor Ewen-Campen to have that ordinance. I welcome a little more business of the committee so I'm certainly in favor of it. Thank you.

>> Did we say licensing and permits or legislative matters.

>> Legislative matters, please.

>> Any further discussion? Hearing none, this item is laid on the table for approval and referred to the legislative matters committee. Next item.

>> Item number twelve is an order submitted by Councilor Ewen-Campen ensuring that the fencing around the former gas station at 73 Summer Street is secure and take enforcement actions if it is not.

>> On the item, Councilor Ewen-Campen.

>> No comment on this. I have a brief comment on the next item.

>> Item 13 is congratulating the administration on a very successful rehabilitation and reopening of prospect hill park and requesting a reduction in the excessively bright lighting from the new lamp posts.

>> Thank you, Mr. President, I am thrilled to report that the park is open to the public.

For anyone who has not been there it is hard to describe how beautiful it is. How wonderful it is to have the park reopened. We had an event two Fridays ago and within minutes of the fencing going down we had people coming in with conversations about how wonderful it is. This work was delayed several months by COVID during which time the park had to be closed so the neighborhood is understandably very ready for the park to reopen and we are thrilled about that. I would say the major issue which I know at this point the director has worked on and I wanted to put this in to follow up on it is there are new lamp posts throughout the park that are just incredibly bright, and I welcome anybody who hasn't been there to go by. Added light plus (echo) the extent of brightness is really, really striking to me and to many residents. I put this in to -- so that we can make sure that something is done to make sure that the lighting is reasonable. Thank you very much.

>> On the item, Councilor Clingan wants to sign to item eleven and Councilor Ballantyne on item eight.

>> Thank you Mr. President, this, I also would like to sign onto this and I would like to emphasize that this issue the installation of inappropriately bright, inappropriately blue hued lighting is something we have been discussing for years. And in fact run resident who is a legendary silicon integrated circuit designer in Boston owns a business doing that and has specialized in lighting for at least two decades. Has repeatedly urged this council to implement an ordinance that restricts the hues and tones of lights that can be installed. There's an enormous body of work about the benefits of more amber hued lighting. Exemplary of the older generation of markets. The hazards to natural wildlife that happens from these bright hued lights T detriment to human sleep cycles and patterns. It is enormously frustrating to see us continue these mistakes when we have urged a change in direction for many years. I wholeheartedly support this order, you could say the fourth or fifth order at this point. An unfortunate example that it is been implemented. While I congratulate you on the completion of this project.

>> I would like to sign on, any further discussion? Hearing none, I will lay this item on the table to public utility and public works. Next item.

>> Mr. President, the next item is item 14 which is a resolution --

>> I'm sorry, Mr. President.

>> I apologize, Mr. Clerk, can I just speak to the disposition of that previous item.

>> Sure and Councilor Ballantyne would like to sign on as well. Thank you to Councilor Scott for the tip of the cap to the futile efforts that myself and others have made for many years to get them to install lights that are such a high temperature. You know, I am open to suggestions. I think this one might be more appropriate in public health, public safety or legislative matters unless that person is to draft an ordinance. All due respect to everyone with whom I've spoken over the years in the DPW but the answer that we've gotten is just that's what they told us to install so I don't think that's where the problem lies. I think it's a matter of the administration and the council ultimately if it requires an ordinance prohibiting such installation taking a legislative approach to this.

>> I don't have a problem with that but this order resolution doesn't say anything about creating an ordinance so maybe we should have a separate order to address that.

>> You're right because it was specifically something to do about the existing bright lights. If I may, make a motion, Mr. President?

>> Please go ahead.

>> The city council -- the city solicitor drafts an ordinance prohibiting the installation of public lighting over a temperature level to be determined, something like that. I don't want to say the number because I don't know what it is.

>> Do you have that, Mr. Clerk?

>> Yes I do, Mr. President.

>> You had a comment before does this fall into this.

>> Yeah, it was just, Mr. President, it's just on Councilor Davis's suggestion. As former chair of the public utility public works committee I do remember a few different orders in there surrounding bright sky ordinance and it makes sense to keep it in there and it definitely seems like it's beyond DPW so I agree with Councilor Davis and I agree with dark sky ordinances.

>> Okay. Any further discussion? Councilor Ballantyne.

>> Thank you. So specific to the dark sky ordinance because I had put in an order to create one a number of years ago. It is in the new zoning so you'll just need to take a look at that as we craft a larger one for the municipal ordinance.

>> All right. Any further discussion? Hearing none, Councilor Davis's order is laid on the table for approval and referred to legislative matters. Councilor Ewen-Campen, item number 13 is laid on the table for approval and referred to legislative matters as well and since we're moving onto unfinished business why don't we do a roll call vote for all items laid on the table.

>> Very good Mr. President, this is a roll call vote on the approval of items 3-7. 9-13. Item 49 and the item submitted with regard to installing outdoor lighting with a temperature level to be determined. On the approval of those items. Yeah, that's it. Nothing placed on file so far. On approval of those items, Councilor Clingan?

>> Yes.

>> Councilor.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> All councilors voted in favor. That motion has been approved.

>> Next item.

>> Item number 14, is an item of unfinished business. It's a resolution submitted by Scott, Ballantyne, Clingan, Davis and Strezo supporting House resolution 702 being the people's justice guarantee.

>> All right. I think we got something today. Any discussion?

>> Thank you for your patience and thank you for everybody's support to this point on this resolution. People's justice guarantee was submitted back in November 2019, and I immediately put forth this resolution supporting it. Not knowing how absolutely prescient and relevant the work that Representative Pressley -- Congressman Pressley was since then the events in our nation have made these items even more relevant and immediate. The resolution text that was submitted tonight to be amended and approved, is simply captured of a small piece of the 31 pages of the federal resolution that Congressman Pressley put forth. Many of which have been discussed by this council and this community in terms of their necessity and urgency. I appreciate all the support and patience and I pray that you support this resolution this evening so we can forward a copy to our legislation to support in all endeavors to get this passed. Thank you.

>> On the item, Councilor Rossetti?

>> Mr. President, thank you, I did speak with Councilor Scott out of respect for him having this before us. That although I wholeheartedly support 95% of this in reading the language, resolution number six which asks for the removal of police officers in our schools. I cannot support. I would support language that, you know, our task force will consider, you know discussion of the police officers who are in our schools today and the attendance officers or the actual title is escaping me and my technology is failing so I'm not able to pull it up but by legislation, that particular person must be in the school. So that is up for debate. And I am not questioning that but what I am concerned about for Somerville there are schools with police in them that aren't quite doing we would want them to do and I understand that concern. But here in Somerville over the number of years I've been serving both on school committee and now as a councilor. We had very strong discussion with the police department about wanting to encourage more minority becoming police officers, in our district and when the current chief became chief, one of the changes he brought as chief, was incorporating more dialogue by the officers with all of the students and staff in all our schools. And by linking officers with a certain grade beginning I believe it's grade six and they stay with that grade going up the ladder until graduation. To become mentors, to have the students be comfortable with the police officers in our community. To become their friends, to be able to reach out to them in any need without being afraid of a police officer. Now if we're -- if I'm going to be signing onto

this tonight that's saying I agree that we yank our police officers out of school. I can't agree with that. Not in Somerville. I agree that other regions are having situations that are ghastly of Somerville. For that reason I will not be able to support this tonight.

>> Councilor.

>> I also object to resolve number six in this. As a former member in the school committee like Councilor Rossetti, this is really school committee business, not our business.

I remember resenting the school committee when the board would infringe upon our prerogatives. I also about to this language that the city council calls upon the Somerville school committee and school department to end the criminalization of black and brown students in the school it makes it sound like we are criminalizing black and brown students in our school. I won't support language that says that. I would recommend we cut section six from this and the rest of this I am happy to support but I can't vote for this with this paragraph that infringes the powers and the rights of the school committee and makes statements that I don't believe to be true when the time is appropriate I would like to make a motion to cut paragraphs resolve six from this resolution. Thank you.

>> I have Councilor Ballantyne.

>> So thank you, I have similar concerns as Councilor Rossetti and Councilor Niedergang have and I will say when this was first discussed, and I'm not clear on this but my understanding is that the power of having the police in here comes through the state and not through the city of Somerville.

I guess I would need a clarification on that that it is true. And I had also heard that there is one community resource officer who is at the high school and that school committee member Andre Greene had mentioned at the time that we should get the students together at the high school to be engaged in the community discussion on this and not take their voice away on this particular issue. Thank you.

>> Councilor.

>> Thank you, Mr. President. Thank you to everyone who has spoken. For me the way I see this is the intent. Because this is not an actual law that was crafted. This is a resolution and when you are not going through the details of the mechanics of it, I personally don't think that -- even if you are a police officer in school, they don't belong there with guns. You know? With all the different conversations that we are having around policing, this is -- we want to, like, dissect all that and reduce some of that as possibilities. Just take, for example, the war on opioid, if you had it through the police, meanwhile, it's a mental health crisis so they should not be dealing with all that. So the way I see this, it's -- I mean just the intent is what matters and that's why I'm supporting this. Thank you.

>> Okay. We have councilor and Strezo and then I'm going to turn it back to White. Let's do that.

Councilor Ewen-Campen.

>> Thank you, Mr. President. Thank you to the councilors who brought this forward. I am fully in support of this. You know, I just want to emphasize. I think it's wonderful that of all these resolutions there's only one that's even come up for comment and I think there is transformative and revolutionary language in here that I'm very glad to see many other councilors support as well. On the issue of policing in schools I very much share the desire to hear from students and appreciate the jurisdiction of the school committee over this. I view this as voicing my own opinion which is that we should get police out of schools. That is my opinion. This is not a knock on the credibility of the officers who have served this role. This is more about -- for me, I believe during -- the budget process, a parent told me a story about a former school police officer who had reached out to her. Concerned about her daughter because this officer had monitored her on Facebook and was associated with what the officer deemed to be a bad kid to me that was the end of the story. I can't support a program where we have police officers at least in one instance that we've heard of intervening into the lives -- this is not about just forming relationships to go forward. This is evidence of intervening in the lives of these young people and I don't know another way to describe that except for criminalizing these young high school students. I recognize that this is a conversation that needs to have the voices of high school students directly here. And I certainly want the school committee and the administration to weigh in but I view this as voicing my opinion which is strongly in support. Thank you.

>> Councilor Clingan.

>> Thank you, Mr. President, through you, I would also like to ask that we strike section six from this particular document in order for me to support it. I agree with what my colleagues have said that it definitely infers quite a bit and accuses our sort of school system of something that I don't think is

necessarily fair. Especially since I hear quite the opposite in schools. This is on the school committee as well as the superintendent and the major. And also don't think it's very clear. You have different things you have resource offices and you have the step program. I think it's called step program. You have, you know, a variety of different things that programs that may in fact, including Tina who does the walking dialogues. I mean, if we're really trying to just kind of disconnect the community from any type of police relationship then I think this is the way to go but I would first like to hear from students and again, have your school committee sort of - weigh in on this. As to the social media stuff on this, whether it's a cop or a guidance councilor, I think anybody who's doing things on social media, they should be on notice that, you know, that's all pretty much fair game. I think that, you know, if you're going to be a criminal, probably, don't broadcast on social media but that said, I think it's -- I understand the concerns of the sort of the police and the boundary issues but I would think that, you know, we oftentimes hear things after the fact and say, I wish people were more involved. I don't know what the right answer is. I definitely was also concerned when I heard that story so I'm a little bit sort of conflicted on that but I don't think that that warrants a call to say we need to get police officers out of the school because it could very well have been a guidance councilor. Everybody's looking at these social media sites in order to do their job. So that's all.

>> All right. Councilor Strezo, White, and Davis.

>> Thank you, Mr. President. Where am I? So I'm going to quickly throw my thoughts in it. While I want to believe that this isn't happening in Somerville we don't know that for sure. I do want to hear from the students but I will support this because as validation that this does happen and that that number six, number six does happen and I support it. Pardon me, Mr. President, I support this but I do want to hear from students and would love to hear further conversation about that from my colleagues and hearing from high school students about this.

>> All right, Councilor White.

>> Thank you, Mr. President, I have been listening to the arguments on this and having served on the school committee and also being on the board of alderman on city council, if this passes I don't look at it as an individual statement by me. I look at it as a declaration by the city council, that the city of Somerville that -- this is very problematic as a city council to state that without ourselves for instance holding any hearings or discussion on that. And then the second aspect of it is generally there's a sense where the school committee doesn't get involved and pass resolutions asking the city council to do anything. Pretty much there's been a respect for each body's jurisdiction. And there are other items that I believe should be less in the school committee and also after input from students. Part of this is also good regarding the mental health and restorative justices. On all of those things I think all of us would be in favor but there is a portion of six that I'm not comfortable voting for because to me it's a declaration by the city council and not me individually. So if Councilor Niedergang does make a motion to strike that I would at least ask him to keep in the last sentence about requesting increased funds to support trauma informed comprehensive mental health and restorative services. Thank you.

>> Councilor Strezo do you have a question on the comment.

>> No, it's more a question to -- if I may.

>> Well, I -- Councilor Davis is before you and I will call on you after that, Councilor Davis.

>> Thank you, Mr. Davis. I appreciate the -- this discussion, you know, I understand and I think the concerns with some of the phrasing in this item number six are well articulated. And I know that our school committee has been working on issues of racial inequity in our school system as most of you all know as well. And so while I think some of the concerns here are with the -- just really the way this is worded, but I would support it as drafted. With the caveat that, you know, to be very clear that this is, I would view this as my intent to -- in voicing my support. For those ongoing efforts. For the work that the school committee is doing to look at structural inequities in our education system, how those translate into some of the public schools and what can be done to address those. That is work that they've been, you know, undertaking for some time now. And so we can soften the language if we want to but short of that I will support it as drafted with the caveat that it is not intended to be a, you know, to include any implication that this isn't happening and the work isn't already being undertaken by the school committee but rather to support that and to the extent that we support that.

>> Councilor Strezo has a question and then Councilor Scott if no one else is speaking and then I will entertain a motion.

>> As the newest councilor here, would there be the option for a public hearing on this or can the city

council present the option of that first?

>> That's complicated. This is a resolution so we have no power to enforce any of this. And it's kind of just expressing the direction we'd like to go so wouldn't say it's a public hearing related items but any of these items that people want to pursue and develop into a policy that would justify a public hearing.

>> Thank you, Mr. President.

>> Councilor Ewen-Campen, you have a comment?

>> I do, Mr. President, thank you, I wanted to briefly respond to an issue that my good colleague Clingan raised regarding the monitor of alleged crime on social media. I want to quickly clarify the issue that I'm talking about. This was not an issue of the police using social media to investigate a crime. That is an issue unto itself. This is an issue of a police officer speaking to a member of the public about, I don't know if it was an investigation or not. Who knows if it was. That's certainly a violation of policy. This was just -- police officers are not allowed to discuss the content of ongoing investigations with members of the public. This was -- so that is what I'm talking about is a school officer talking to the member of the public and just generally saying, I'm concerned about what I see on Facebook implying that they know something based on their role as a law enforcement officer. I think the specifics are very important about this and I don't want this to get misconstrued as just monitoring crime on social media. That is not the issue. I do remember the story and I remember it as creepy. I completely remember what you're saying. But ultimately what you're saying is that, you know, I'm sure that -- I'm just reminding kids and everybody that everything you put on social media is pretty much open. Whether or not police or teachers or employers or anyone should look on social media, that's another issue on itself. I was only speaking if that warrants saying that we should not have any relationship between our students police. So I just want to make that clear but I completely agree with you on that story and I'm the mother who blurted that story out probably wish she could take it back and I was listening.

>> Any further comment before I turn it to Councilor Scott? Councilor Mbah.

>> I wanted to speak to my colleagues. This is just an opinion. It might not be in this direction but just the intent. Trying to follow a path. This is a way to reimagine how society should work, and like I mentioned, that as soon as this maybe at the end of the day, even if we approve this, we might have police in the school. But without guns. So it's, like, kids, we need to reimagine how society has been moving. Because police are the gateway to society and so what we have seen from other counties and other communities we have seen what happens. Like if someone have an opioid problem, the police get involved, it becomes federal and that kid's life is over when it is actually a mental health crisis. Maybe we need to train them. Or we need to send police there but without guns. That's why I said I'm supporting this but at the end of the day we may have a broader conversation where we will have meaningful policing in the schools. Thank you, Mr. President. We have Councilor Rossetti.

>> Mr. President, thank you, I heard Councilor Niedergang move to a motion and then you began a discussion.

>> He didn't make the motion. I was waiting for him to make the motion.

>> No, I didn't make the motion. I said I would at the appropriate time.

>> Okay. My apologies, thank you. I encourage you to make that motion.

>> Okay. Councilor Scott.

>> Thank you, Mr. Chair. I want to thank you for the discussion and the engagement and the nuance. I want to bring three points to our attention. One of which is the text of item six is pulled directly from page 14 of the resolution. That Congress put forward by Representative Pressley who represents all of us in 804. This is not language I printed. This is language that Representative Pressley has put forth on our behalf. The language that calls upon the school department and the school committee is their indifference to their authority, to their ability to analyze the situation and make the changes and while I appreciate the engagement in that and the requiring of law whether it's a sworn police officer or some other form of police officer. I think that's an important conversation and one ongoing. I would support having a public hearing about this but this language is directly from the people's justice guarantee. The resolution is whether or not to support the people's justice guarantee in its entirety. And finally, I would say that this particular academic, to have the police removed from schools is not just one from Ayanna Pressley, but also from the communities of color here in Somerville. That demand was made loud and clear at the rally that was held earlier this year. I appreciate the nuance and I concur with Councilor Mbah. This is a recognition of what is a problem in many places. And with Councilor Strezo to say it is naive to think it

doesn't exist here. I support the language as written by Representative Pressley, I support Congresswoman Pressley without reservation on this and I would encourage us to vote tonight on this item. So if there is a motion to be made to strike that language I encourage that amendment to be put forward. I will vote in the negative on it. And then I would call after any amendments have been brought forward I would like to call a question on this resolution this evening. Thank you, Mr. President, and thank you, again, to all my colleagues for your care and thoughtful consideration.

>> I agree on the path forward, Councilor White, do you have a question? Councilor white?

>> Sorry about that, Mr. President, I'm always slow on the trigger for my mute button. I guess the question I have is this Congressman Pressley's language I don't believe calls upon the city council to ask the Somerville city police department. So that is the concern I have. I don't want to have people believe that we're voting against it and I don't view that language as being in exaltation to the school committee. That is the problem I have and I want to alert folks in response to Councilor Scott's proposed action, that if Councilor Niedergang's motion fails I will make a motion to sever number six from the resolution so if all of us who feel comfortable voting for items 1-5 and then 7 can vote for that and if a majority of city council supports six that can be done separately. So that's my thoughts. And, again, this is a response to Councilor Scott and then Councilor Niedergang in the event that that motion fails. Thank you.

>> Councilor Niedergang.

>> Thank you, Mr. President. I didn't appropriately appreciate the Councilor Scott, and the others who brought this resolution which, again, as Councilor Rossetti said, 95% of this I think is exemplary and I agree with it.

So thank you for that. Secondly, you know, there's something that's been happening for a while that I find really disturbing about our practice here and that is to talk about things as if they're not literal. As if they're just intent. Well that's what we mean but that's not what it actually says. But, you know, we've worked really hard since I've been on this council to make the power that belongs in this council, and to exercise it. And to balance out our city government with the power of the executive which is tremendous in this city. And now that we've done that and people take what we do seriously, to say to them, well we don't really mean this, don't look at what we wrote and what we approve, but look at what our intent is. I think that is a terrible thing to do. I think everything we approve in past we should feel good about how it sits in the page in writing because that is our legacy. That's what people interpret now which is most important but in 20 years, people will look at -- look back and say, how could they pass this? They won't know what our intent was. They'll know what we put on paper. I take these things literally and I think all of you should as well. With that being said, I want to make a motion on resolve number six. To cut, so that it reads as the following, that the city council calls for increased funds to support trauma informed comprehensive mental health and restorative services and further, so basically, every word from upon in the first line to and requesting in the fourth line that whole section would be cut out. Again, that the city council calls for increased funds to support trauma informed comprehensive mental health and restorative services and further. Thank you.

>> You have all that, Mr. Clerk?

>> Yes, Mr. President, I don't I thank councilor for the clarity. I'm trying to update the text now.

>> All right. On the motion, any discussion?

>> Roll call please.

>> I have something to say. I will support this amendment, and I will tell you why, as someone who is sitting on the school committee right now I do know that this conversation about the role of police in schools is big discussed. It is in their version of the legislative matters committee so I believe the school committee is taking this very seriously and I know there's that times tension between the school committee and the school council and while this is just a resolution to express what we'd like to see, if we could strike it and still have everything that still be supporting the resolution, still supporting Congresswoman Pressley but reflecting the fact that the school committee has a role as well and that they're taking that seriously. Then I'd support that. If there's no further discussion, please call the roll. Councilor Scott, please go right ahead.

>> I want to make it very clear this is in no way impinging upon or imputing the efforts happening in school committee right now. I do point out in the red line version before us, this amendment does eliminate any reference to zero tolerance school discipline policies as well as the criminalization of truancy and explicitly the criminalization of black and brown student s in school. I respect the delicacy in

which the council seeks to approach the matter and I have no intention to cause offense to the school committee. I appreciate the spirit in which the amendment's made. Thank you.

>> Mr. Clerk, please call the roll.

>> Very good, Mr. President, this is a roll call vote on updating making the change of the red line version of the screen to the amendment to item 209284 as proposed by Councilor Scott.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> So if I vote, I am here. If I vote yes, I am voting --

>> A yes vote is to approve the changes that Councilor Niedergang has set in front of all of us right now. A no vote would be to keep it the same.

>> No.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> No.

>> Councilor Scott.

>> No.

>> Councilor Ewen-Campen.

>> No.

>> Councilor Rossetti.

>> Yes.

>> Councilor McLaughlin.

>> Yes.

>> Mr. President, seven councilors voted in favor of that amendment, the red line marks, four are opposed that amendment is approved.

>> All right. Do a -- we have a motion on the item before us now.

>> I vote for approval.

>> Any discussion? Let's call the roll on that.

>> I'll amend the point, Mr. President. Point of parliamentary procedure, Mr. President technically it should be voted on the item as amended. Basically it's always been to make it clear that the item being approved as amended.

>> Okay. Any discussion? Hearing none, we'll call the roll.

>> Mr. President, at the risk of being unpopular tonight. I believe the vote was to amend what was to the city council some time ago.

>> Yes. Okay.

>> So would --

>> One at a time, please. Mr. Clerk.

>> Are we clear to call the roll, Mr. President?

>> I have a question.

>> I got Councilor White and then Councilor Strezo.

>> Mr. President, to the -- through the president to the city clerk, didn't we just take a vote on the amendment? Wasn't the Councilor Niedergang's motion that you called a question on the amendment in red, that was approved, correct? So the next vote to be the motion to approve the motion as amended.

>> Here, here.

>> Through the president. If that's the wish of the president, that's fine. It was my understanding that this item was originally submitted to the councilor last November and what Councilor Scott proposed was an amendment to that original submission and this change to resolution six was a change to the amendment that Councilor Scott has proposed but has not yet been adopted.

>> Any further comment, Councilor White.

>> Unfortunately I don't see what's -- we have an item that was before us. Okay? That item is before us, it was then amended by a vote that we just took upon Councilor Niedergang's motion. So whatever the vote

is, has to be amended by what we just approved via Councilor Niedergang's amendment.

>> Could I ask Councilor White to make the motion for approval because I don't have it.

>> Before that, Councilor Strezo do you have a question?

>> I do, thank you, Mr. President.

So can someone elaborate exactly then what are we voting on at this point?

>> Councilor White is about to make a motion to approve -- to basically approve what is before us and then we're going have another vote to approve the whole item.

>> Mr. President, question.

>> Yes, councilor.

>> For Councilor Scott, the language that -- the motion on the table's from Councilor Scott as I understand it. So Councilor Scott is the language that you have moved to approve the same language that was submitted exactly as it was back in November but for the amendment that was just passed from Councilor Niedergang?

>> Mr. President --

>> Did you change this from the November version?

>> With your permission, Mr. President, the version that was submitted. Thank you, Mr. President, the version that was submitted in November was a stub that did not contain versions of whereas and with clauses. The version tonight was the text to the original stub item with the clauses before us for the first time this evening. As such I believe the city clerk is correct that we would need to amend the original item to add the whereas and resolve clauses and need to move to approve all of those whereas and resolve clauses. The action taken by Councilor Niedergang was to amend my amendment to we need to act on both. But that's my understanding and I defer to our parliamentarian and the de facto parliamentarian councilor.

>> As I see it the vote that was just taken, it seem to me is de facto removed because it was taken on language not before us. That -- that is what it is but I would suggest that if we were to take up a motion from Councilor Scott to amend the item on the table to include language as -- as presented by for the change that was previously discussed then take a motion to approve that as the clerk suggested I think is the appropriate step. We don't have this language -- we never adopted the language from Councilor Scott. We couldn't take the step to change the language because we haven't adapted was before us.

>> Councilor White.

>> Thank you, technically when an item is put in the agenda in red it is before the body. So when the clerk read this item which was on the agenda, this proposed amendment by Councilor Scott was before us. So it was appropriate for Councilor Niedergang to move to amend it as an item that was before us. So technically, I believe who the clerk should call is the approval of this item as amended by Councilor Niedergang and then if this further amended what was originally submitted, then it will be to approve that. But ultimately the process should be first the approval of the amendment by Councilor Niedergang because again, the item is before us when it is put in the August in red.

>> Mr. President, if I may, so if the item is before us is the full text then Councilor Niedergang's amendment was valid and next is to take a vote on approval of the entire amendment. If that's what is before us that's what is before us, if it's not, it's not. It can't be both. We have that language before us. 1-7 is what is actually before us. It is now been amended by Councilor Niedergang's motion. I don't understand what other motion we need other than to approve what is currently before us.

>> And I thought the school conversation was difficult. Do I have any motions to proceed.

>> Councilor's motion is before us.

>> On that -- Mr. President, I don't want to belabor this. Councilor Scott's item was read that had an agenda item. Whatever we vote on you simply add the language as amended to incorporate the amendment made by Councilor Niedergang. As long as everybody understands. Generally that is when the process is done. When an item is before the body and amended that final vote calls for the adoption of the item as amended.

>> All right.

>> I'll leave it up to the clerk.

>> I feel we can approve the item before us and then have a second vote. That seems like a way forward.

On Councilor Scott's motion, roll call vote.

>> On Councilor Scott's motion as amended by Councilor Niedergang's amendment, on that item,

Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

>> Yes.

>> Mr. President, eleven councilors have voted in favor of the amendment item 209284 as amended is now before this body.

>> We have an item before us now ready for approval. Do I hear any motions to approve?

>> Mr. President.

>> Councilor Scott. Move to require the school committee to add parliamentary procedure to the curriculum. I kid. Move for approval.

>> Councilor Scott moves for approval. Any discussion? Please call the roll.

>> As amended. Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Still yes.

>> Councilor Scott.

>> Yes.

>> Councilor Scott was yes?

>> Yes.

>> Okay. Councilor Ewen-Campen.

>> Yes.

>> Councilor McLaughlin.

>> Yes.

>> All have voted in favor of the item. The item has been approved.

>> Okay. Next item.

>> We move to item number 15 which is communications submitted by Councilor Strezo reporting in the affordable housing fund meeting August 13th.

>> Mr. President, okay, so this was for the council's information and our audience. I wanted to go over the minutes of the August 13th affordable housing trust fund meeting. To give you some (echo) there's an echo. Okay. Give you an update of what has been happening. This was August 13th so this is a little outdated at this point. The numbers are still probably -- while they may still be updated. The latest meeting was today. But I have the meeting minutes here so I prefer to give you this information than

nothing at all I will have updated information soon so Clarendon Hill project has been going forward. The Clarendon Hill residents, housing opportunities were talking about tenant relocation and have established a relocation timeline of the lottery to determine the order in which residents have moved. If they've been assigned status for relocation. I want to share with the council some numbers. On local need in the city, so CAAS reported that the funds of the COVID relief fund have been exhausted. Some of the -- the -- yeah, the home -- some of the homeless coalition has spent down other sources of funds up to the end of FY 20 and used 3,244 of trust funds for client assistance. There's a -- some of our housing coalition went onto say that it has been extremely challenging for applicant who is are applying to receive rental assistance right now. The needs have increased dramatically, even more so. It's challenging for applicants to provide documentation remotely during the pandemic and it's hard for some of the housing coalition, homeless coalition to maintain staff capacity for assistance in multiple languages. There's an extreme need for that right now and while working remotely it can take up to two months before the date of application and the date they receive rental assistance. This is happening right now in our community. There's been an influx of applications since March that have largely come from households who are not eligible for government benefits such as unemployment and now that the government resources have been cut significantly the homeless coalition are seeing a new round of applicants. CAAS reported 1,200 applications to the Somerville CARES Act funds asking for rental assistance that totaled 1.5 million dollars. Note that CAAS had 800 applications for rental assistance pending at that time many of which cast would support using the city's CDBG and ESG funding awarded that day. So there continues to be an extreme need of housing and rental assistance out there. This will continue on. I submit this to the council.

>> Hearing discussion of this item. This is placed on file.

>> Number sixteen is reported on the committee of finance which met on September 8th.

>> Councilor Scott.

>> Thank you Mr. President, I will try to keep it brief we had 37 items before us that evening. We met for just over two hours. And addressed most of them. There were a great many items that were marked work completed because they were addressed during budget season or during that meeting. We did also have a number of informational items. Where information came back to the finance committee relevant ones include some people may be concerned in seeing the items about Conway Field being marked as complete there's still an open question if we're looking for a remediation on the site. It was communicated to us that the administration's intention was to pursue an 18 inch remediation and all that was requested the funding differential will be brought to the city council at that time as part of the presentation. We anticipate that happening in two weeks. All of the items to the police department were left to the committee because no members of the police department had no time to file requests that this council made for inventories of military hardware so we are still pending on those answers. There was an item that has been marked complete regarding chapter 598. That is directly related to the city council's ability to influence or have any sway in the negotiation over police union contracts which are to remind the audience and the colleagues solely the purview of the mayor and the city solicitor's office. And there's a written comment which I believe is an item before the city council tonight as communication. The substantive discussions to catch everybody up on were multifold. The first of which was the vacant property registration fee. We have a vacant property ordinance, it was adopted earlier this year. All that was pending was waiting on the mayor's recommendation of what the fee would be. It's not a tax or a fine but having a fee for entering the system for registering and inspecting those properties. After a discussion with the services and the staff, I was prepared to move to amend that up to one thousand dollars. Several members of the committee were distressed and would like that amount to go down to 0 dollars. There was significant conversation. It has remained in committee right now. Pending some input from directors to make explicit, the policy that would be followed by inspectional services. The language in the ordinance allows for an exemption due to unforeseen or extraordinary circumstances. For example, if the structure you live in, your two family house, catches on fire and is uninhabitable for a year, it is unfair and unreasonable and no one want to have to pay a vacant property registration fee as you're trying to recover. The question is how COVID and displacement of businesses or residents in this pandemic should also be taken into account by inspection services. So there's still ongoing discussion. We anticipate receiving language for the next meeting of this committee which should be on the 22nd at which point we will review and I hope bring this out of committee with a recommendation. As soon as we're able to bring this out of committee with recommendation and the city council adopts it, then we will get this

recommendation in business which also needs the inspectional services and economic development in particular that are keen to see this happen so we can track these vacant properties and encourage action upon them as well as just keeping public health and public safety of the city well guarded. We are awaiting input from the school committee on their broadband internet investigations, there was discussion about the motion to move the rodent home assistance program to health and human services. Those are items marked as complete tonight. The update from the director of ISD as well as from city staff is that they have increased their number of interdepartmental meetings and are working on finalizing a comprehensive integrated pest management plan. That plan will then be brought to council as soon as it is complete. The annual rodent patrol contract also went out today. I think it's a three year project. Went out this year and some more information will be provided to the council for additional requirements that were put into that contract. So it is more complete and we are awaiting the presentation of the integrated pest management plan. The bulk of the meeting, at least the first hour of it was devoted to discussion of a letter submitted by a collection of arts and cultural organizations. With thanks to Councilor Ballantyne who organized a set of speakers. The letter had been sent to the city councilor and the administration. There was provided a memo which was in response to those requests, there was a lot of great discussion and I think very productive discussion about how to move forward. The communication from director Jenkins I believe is an item before this council tonight as communication. While this is marked complete I do not believe it is the last time we will deal with these issues. And I anticipate several of these items after follow up and formation of a task force similar to industry specific task force that were created by development for different industry sectors. I anticipate there will be further items for this council to act on related to licensing and guidelines for operation in regards to our cultural events during this pandemic. Only the other thing I would add to this is there is a town hall meeting on September 15th, at 6:30 p.m. The link to which is in the minutes of the finance committee where any member of the arts and cultural community here in Somerville, people who perform, people who put on events, I would encourage everybody to attend that to both here from the city what the plans are at this point and also to get your voice heard and potentially get enrolled to engage in a task force to make sure we are able to support the arts and cultural organizations in the informants in general during this pandemic. There were no items that were recommended for approval. A number of items were kept in committee and a number of items were marked incomplete. With that summary, and thank you, also for Director Bean for coming here tonight. He wasn't able to provide on Tuesday. I would ask to accept the report as submitted.

>> Accept the committee report as submitted. On that, Councilor Ewen-Campen.

>> Thank you Mr. President and thank you to Councilor Scott.

I just wanted to briefly draw everybody's attention to the legal opinion that Ms. McKenzie provided us regarding the collective bargaining agreements. So I just wanted to emphasize that in this opinion, what Ms. McKenzie explained is that -- so for police and fire public safety unions if they go to mediation and come to an agreement after mediation, the city council can decline to fund a mediated agreement in which case the parties would return to mediation to continue bargaining, that's under the case of mediation. If it has gone to binding arbitration, meaning if the two sides cannot come to a mediated outcome and the JLMC issues binding arbitration, in that case if the city council declines to fund an award it will cease to be binding. And they will remand the mediation. I want to draw this council's attention to that fact that our role in the collective bargaining process comes down solely to the act of deciding whether or not to find the agreements but I think that can be wielded if there are substantive issues in an agreement that the council does not support. That is our leverage and I would also make a request to the administration that anytime these come to the council for funding approval that the full agreement is provided with sufficient time for the city council to actually go through it and think about it before we are asked to fund it thank you very much.

>> Any further discussion? Hearing none, the committee report will be laid on the table for approval. For acceptance.

>> Mr. President, item number 17 is a reported committee on land use which met on September 1st.

>> Councilor Ewen-Campen.

>> Thank you very much. We met on Tuesday September 1st and we proposed the overlay district. The video is online and I want to emphasize that the presentations and the documents that were provided by Dan Bartman of the planning department both for this meeting and for our previous meeting on this topic are available at Somervillezoning.com. As the affordable housing overlay district is an item of priority I

want to give a brief overview of our discussion. Before that I want to mention for my colleagues that this coming Tuesday, September 15th, will be a joint public hearing of the land use committee to consider a number of proposed map changes. I encourage you to check the agenda and share that with residents that would be interested in attending. Onto the affordable housing overlay. Over the summer, Dan as well as a number of members of our housing division interviewed a number of developers, both nonprofit housing developers and market rate developers to get comments and feedback both on the rough proposal that we had been discussing previously. So there's Dan Bartman presented a summary that the take home messages from these as a PowerPoint and also shared the raw notes from the interviews and both of those have been attached as an agenda item. For those who want to dig into the details these are helpful documents and we were joined in-person of a panel of three housing developers and one market rate developer who I want to commend to have the courage to come before the city council. And the purpose was to help the committee understand, to kind of do fact finding and to ask questions and hear from the horse's mouth what are the issues with affordable housing development in Somerville. So the meeting kind of focused on two tracks, one was focusing on 100% affordable housing developments. There was consensus from our panel that one of the most important issues that an overlay would need to address to be effective would be to essentially designate -- 100% affordable projects as by right meaning they are not appealable. Their existence is not appealable and in order to add clarity at the time that a nonprofit developer is acquiring the land because when they're going to their funders, they need to be able to be very clear about exactly what they are allowed to build and when there is an unclear path forward that is easily appealable that makes it much, much more difficult to nail down funding at the time of acquisition. Councilor White raised the question of whether doing so would take away the city's ability to control high quality projects and they explained the city would have a number of means to ensure high quality construction including the requirement for site plan review, to mitigate site specific issues. The almost certain involvement of the Somerville affordable housing trust fund which is very frequently provider of essential funding. And of course they're a municipal body and to quote one of the panelists, these projects are regulated up the wazoo, so I think there was -- Councilor White said he was convinced by that explanation. And another was what kind of bonuses to make these feasible in the city. The panel repeatedly mentions that due to the specifics of current funding availabilities there are certain types and sizes of projects are typically the most doable and these are often in the 25-50 unit range. And the most cost-effective type is a seven story building which was noted as currently not allowed in any district in Somerville because we don't have a mid rise seven. An MR7 district what's something to keep in mind. And they also mentioned ground floor retail is often an issue. So we also raised the issue and discussed the idea of expanding the overlay to outside of transit zones, we discussed at length how important it is to include NR and UR districts and whether it's most efficient to focus on mid-rise and high-rise and I would encourage everyone to listen to that conversation. When it come to market rate developers. This was sort of a separate conversation. The conversation was a bit more ambiguous about how effective an overlay would be. We began the process earlier this summer discussing ways to incentivize greater than 50% affordable projects ostensibly by giving away building space and according to Dan Bartman all of the developers interviewed agreed that there is no chance of that happening. And that it may be possible, emphasis on may, to get certain projects closer to 30%. But there was basically, unanimity that it was not possible to go above that. Councilor McLaughlin said we should include to get to 30% affordable and have incentives. The rest of the committee expressed interest in doing so at some point but the majority of the committee, including myself felt the most expeditious way to pass an overlay would be to focus for the time being on 100% affordable projects in the words of Councilor Davis. He described the overlay district as if you want to build 100% affordable project, do it. And then once we have done that we go back to the 30%. So we will have Dan Bartman will produce a draft of 100% affordable. And then moving towards a public process. If there are members of the council that have strong opinions on the details of this, I would recommend reaching out to Mr. Bartman, and make sure that your opinions are heard while he's drafting. And of course we will have a chance to discuss this in the committee and with the public and the full council and with that, I ask that the committee report be accepted as given.

>> Move to the report as written. Any discussion? This is laid on the table and accepted. Next item.

>> Mr. President item number 18 is reported committee on legislative matters which met on September 3rd.

>> Councilor Davis.

>> Thank you, Mr. President, committee on legislative matters did meet on September 3rd. All members were present but for Councilor Clingan who was at another meeting that evening. We got through a bunch of things. I encourage folks to read the report that is available. It is thorough in details. I have a few highlights, we took the proposed revisions. There's been a lot of work done by this committee. As well as by the administration. Both the committee members and the administration agree that for the most part the language is ready to go. If the commission and the developer didn't get to the agreement earlier which is always an option. Councilor Niedergang thought a delay of 24 months is appropriate. I expressed my support for that but at the end of the day to move this forward we will set a single delay period at 18 months. That motion was proposed and it passed. I should mention that Councilor Ewen-Campen was used in discussion of this on the item as a whole. So essentially we are ready to go because we have had this in committee for quite some time and there has been a good bit of public in this for the couple of years and because there's been a number of changes to the document, we felt it was appropriate not to take action that evening. But rather have the administration prepare a final -- proposed final version and submit the facts so that, you know, it's before us, the public can see it and we'll have a wrapped and ready version for next time. We took up a number of matters. I won't discuss them all but I wanted to hit two other ones actually, actually just one other one I guess. There was a proposal by Councilor McLaughlin to repeal an ordinance, a so-called antigang loitering ordinance and so we discussed this item and the solicitor's office advised that there's actually -- there's a city ordinance and then there's a petition that more or less do the same thing. And that we could take action on the municipal ordinance but have to repeal the petition. There is a separate item. I apologize, I didn't write down the number. While I finish the report, the clerk or perhaps the president or someone could take a peek at that number. The proposed language to repeal the antigang loitering ordinance. And this actually -- a question for the clerk, so Councilor McLaughlin moved that the city solicitor's office move a petition to repeal a special act. That is the antigang loitering petition. That would have to be something we do separately and we have a separate motion for that. My question for the clerk on that motion that's in the report. Will that then get pushed back into the committee such that it is in the box? As a separate item, Mr. Clerk or do we have to take other action for that to happen?

>> Through the chair, Councilor Davis that would happen as a matter of course and would not require a separate vote to approve the item. That would be approved as part of the approval of the legislative matters approval report.

>> Very good. Thank you. That will be taken up at our next meeting and when they have the petition requesting repeal of that petition. And then it looks like it's item 38 that after approval of the -- semi-approval of the report, I would like to request that we take out of order to take action on. So with that I move that the report be accepted as submitted.

>> Councilor Davis moves to accept the report as submitted. The report is admitted on the table for approval.

>> I would like to take item 38 out of order.

>> Councilor Davis would like to take item 38 out of order. Please read item 38, Mr. Clerk.

>> Item 38's communication from the assistant city solicitor submitting an ordinance to repeal ordinance 9-120 the criminal straight gang activity as public nuisance ordinance.

>> On the item.

>> This is the formal ordinance that we would need to repeal the municipal ordinance as I said, step one of the two step process necessary and I would move for approval this evening.

>> Councilor Davis moves for approval. Any discussion? Hearing no discussion, we're going to have a vote to approve in roll and then ordain. Hearing no discussion, let's do a roll call on approval.

>> As a roll call on approving the repeal of the ordinance, on that item, Councilor Clingan.

>> Yes.

>> Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yep. Yes.

- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor McLaughlin.
- >> Yes.
- >> All have voted in favor of approving that item. That item is now approved.
- >> On enrollment.
- >> On enrollment of that item, Councilor Clingan.
- >> 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.
- >> With all eleven councilors in favor, that item has now been enrolled.
- >> And on ordainment.
- >> On ordainment. Councilor Clingan Councilor Clingan. Councilor Mbah.
- >> Yes.
- >> Councilor White.
- >> Yes.
- >> Councilor Niedergang.
- >> Yes.
- >> Councilor Davis.
- >> Yes.
- >> Councilor Scott.
- >> Yes.
- >> Councilor Ewen-Campen.
- >> Yes.
- >> Councilor Rossetti.
- >> Yes.
- >> And Councilor McLaughlin.
- >> I thought I unmuted but I voted yes for that, sorry.
- >> Very good. Mr. President, all eleven councilors voted in favor of ordainment, that amendment has now been ordained.
- >> All right. Next item.
- >> Mr. President, returning to the regular order of business we move to item number 19 which is the

report of the committee on legislative matters which met on September 9th.

>> I believe that's licenses and permits, correct?

>> Yes. That's what I intended to say, I'm sorry.

>> You had me worried there for a second.

>> It's a little late.

>> Thank you Mr. President the legislative matters -- I'm sorry, the committee of licenses and permits met last evening with all members of attendance being the members of chair and Councilor Mbah and Councilor Scott. We want outdoor seating permits when they reach for renewal beyond November 1st. This city councilor previously approved an order which granted outdoor seating approval decisions to the licensing commission. And the concern is what happens after November 1st because that's when the licensing commission's authority ends. So I raise the question of the city council approval another order extending that grant this way folks who already have the permits from the licensing commission wouldn't have to scramble in October to then come before us and we would then have to hear them again with the thought that it would be much easier for those folks, especially who are experiencing economic crisis, and just continue going to the licensing commissions to those lines will remain in effect. There's still questions in the governor's order whether he will amend to approve alcoholic beverage consumption on the sidewalk, et cetera, but as far as the seating goes I did not think that is dependent on the governor's order and we could do it on our own. Not speaking for the city council but at least as chair of the committee I thought the most expeditious approach would be to retain the powers for outdoor seating beyond November 1st. That's going to be discussed at the next committee meeting. Then we addressed a number of proposed lodging houses committed by Tufts. Most of these were from the university, the precautions they are undertaking, there's concerns raised by Councilor Scott with regard to the disciplinary actions that Tufts has announced is how does one ensure that these are students. So the item is going to be further discussed in committee. We've requested information from both Somerville police and Tufts police, so there would be a level of assurance that in fact if Tufts students are involved in illegal groupings beyond the COVID-19 limits, that there would be a basis for that. The other concern that was raised by the committee, dealt with our ability to respond to concerns where these issues are raised by conduct in dormitories, our powers are limited with respect to the licensing so we could not disapprove them just as a general sense that we're not happy with Tufts overall policies what I asked is that the city solicitor and Doug Kress work for language that we will impose as a condition on the granting of any of these lodging house licenses. So essentially, if, in fact, any of these lodging houses depart from the COVID-19 regulations or policies propagated by Tufts raise help and safety concerns that the city council would be able to hold a show cause hearing to revoke any of these lodging permits that had been issued. So that is a general summary of what was discussed. The details are within the report itself.

And I ask that the report be accepted as submitted.

>> Councilor White moves to accept the committee report as submitted. Councilor Niedergang?

>> Thank you Mr. President, and thank you to the members of the committee.

I was present for most of the meeting listening but I had to go to another meeting so I didn't hear some of the things towards the end of the meeting. I just had a couple of questions of fact. Just so I understand the current status of these lodging house licenses. Did these licenses in fact, expire on July 30th? And if that is the case, then what is their current status? I know there was a question that city solicitor Frank Wright responded to in regards to that and he gave an answer that was not very definitive. Will he be looking further into the current status of these licenses? Which are, you know, kind of pending before the committee I also wonder about the fact if they did expire July 30th. They weren't submitted for reapproval I think until August 24th, at our August meeting. Any kind of clarification that anyone could offer on those issues would be appreciated.

>> Councilor White, you have a response?

>> Yes, thank you Mr. President. I believe solicitor Wright said he would look at it further. Because he didn't want to shoot from the hip. There is an indication that there are fines, there are possible fines for instance and I believe Councilor Scott looked it up. Criminal violation. But there's issues pertaining to the health and safety that inspectional services had assured that there were no health and safety problems with regard to the lodging houses. So I guess the question remains whether signs could be -- leveed and then whether the administration would levee those signs.

>> May I just follow up, Mr. President.

>> Yes, please.

>> Thank you for that answer, Councilor White, I appreciate that. I guess, does the administration have the legal power to decide whether to levee fines or not? I guess I always assumed if somebody broke the law they would be fined. And that it was not at the discretion of the executive as to whether the laws should be carried out or not. Thank you.

>> For the chair, I use the broad term administration, clearly someone has to take action if there's a perceived violation, a police officer has to arrest someone. What I meant was it was the confines of ISD as an authority who basically ensures compliance with the building code. So it wouldn't be anything the city council could vote to sign.

>> Okay. Thank you. Thank you, Councilor White, thank you, Mr. President.

>> All right. Councilor White.

>> Yeah, further to that, I don't believe we could deny the permits based on the fact that, let's say the term, you know, the term had expired and you know by the time it came to us the time was off. The claim has been raised that they delayed the formal submission because ISD had to undertake inspections there. And it was during the COVID crisis. So we will look at all avenues in the next committee meeting.

>> All right. I got Councilor Rossetti and then Councilor Scott.

>> Mr. President, thank you. Through you to the chair of the committee, I apologize to you for not being in attendance that evening. I had all intentions of being there because you know I have strong concerns and there was a family illness so I just couldn't join the meeting and listen in but I -- to my memory, when I was chaired this committee last year, we held this very discussion with Tufts about why they delayed so long in putting this request forward. I had a conversation with clerk John Long who intervenes with the paperwork and processing before it gets to our level. To my memory there was agreement that we have to get them to submit earlier on. Also I'm hoping that was part of the discussion in committee. It doesn't make any sense to me that the commission comes to us in late August and the students are rolling in the week after. I can't wrap my mind around that they are residing in a building that we have yet to give final approval to which is our role and our responsibility. And I just lost my train of thought of what I was going to request next. So aside from that additionally I would like ask the chair at the next meeting this will continue to be discussed so nothing yet has been permitted?

>> I will follow up Councilor Rossetti with the information you provide again through the chair with respect to last year and, again, as I mentioned, you know, Frank is looking into the ability for instance to fine. We couldn't order that moving vans be sent to facilities and have everybody removed. I'm as angry as you are with the fact that they did it but again we have to operate within the confines of the law and the authority is in situations like this, but I appreciate the input and, again, we will look further at it in our next meeting.

>> Okay. Through you through the chair, it sounds as though most of our power and authority with administration on this matter lies within your committee of public health and public safety. So if you could continue to make those of the whole, I know I'm one of eleven but this is something extremely critically important to me. The start of the college year we need to set serious rules and grounds. We need stronger discussion with Director Crest. Thank you Mr. President.

>> All right, councilor. Councilor Scott?

>> Thank you, Mr. President. Just as I was direct to reference there. For my colleagues the enabling legislation here is in section 24, well section 22. Section 24 lays out the penalty for operating a lodging house without a license. It says that they may be fined by a -- punished by a fine between \$100-500 or by imprisonment for not more than three months or both and that would have to be upon complaint of a party which could include a licensing authority or an officer in the city of town whereas it is conducted. So and the committee wanted to recommend to the city council to make such a complaint I suppose that could be done but it would go to the housing court division or superior court division. I look forward to the solicitor providing feedback on that. The part of my concern that was discussed at committee is about the assertion that these parties happening in ward seven have no Tufts students present. The location of all of these lodging house licenses being imminent proximity to parties that have been reported that have required Somerville Police Department to respond to. If anybody has a question about proximity or nature of these parties that are in the heart of campus, I'd be happy to put up a visual aid to show that. But this is not a distant problem. This is a major disruption that happened this week within 200 feet. Thank you. We have the graphic on. All of the blue area is owned by Tufts University, the yellow single

house is the place where the party where police dispatched to. Labeled in red are all the Greek organizations and dorms that they're asking for lodging for at this time. That's my concern and I appreciate diligence of the chair and the attention of the committee in trying to review this and create some accountability. Thank you. Thank you, Mr. Long.

>> Councilor Ballantyne.

>> Thank you Mr. President. Thank you, colleagues, for taking this up and really digging deep on this issue. As you know, it's a really important issue for me I could not -- I was at the meeting but I could only stay until about 10 of 7:00 because I had a community meeting scheduled at 7 o'clock. I would just like to ask a clarifying point to our clerk, so through you, Mr. President, to Mr. Clerk, could you remind me when the applications come in for Tufts University? For these lodging license? Is it actually August? I was under the impression that it was sometime in July but because the city council was on recess the first time we could take these lodging license up was our first meeting once we returned from recess. Am I correct in that?

>> Through the chair, the lodging house licenses were submitted by Tufts University this year in May. It was a little earlier than usual because of the COVID situation closing down the university and the houses being emptied early but those housing application were submitted in May.

>> So if they were submitted in May, if I may, why didn't we get them in May?

>> The applications are submitted to the city and then reviewed by the police department, the fire prevention, there's a number of inspections that happen and they do not come to the city council until those inspections are complete.

>> Did those -- through you Mr. President, to Mr. Long, did that process take longer than normal this year?

>> Through the chair.

>> I can follow up afterwards but I am actually, well, I'm sorry, I didn't mean to interrupt.

>> Well, through the chair, without -- stating as little of an opinion as I can, the applications were submitted in May and we were only able to get them into the August meeting. They weren't ready until August 24th. They weren't even ready at the August 5 special meeting.

>> Okay. Thank you. Thank you, Mr. President.

>> We have Councilor Davis and Rossetti.

>> Thank you, Mr. President. Just briefly, so the next meeting of the committee of public health and public safety, we certainly will take up the issues of these parties. Councilor Scott, please send that visual aid along, I had a conversation with someone from Tufts yesterday, the day before, to ensure that he would -- he and other Tufts representatives would be there at that meeting and I also advise -- requested that he be prepared to speak about disciplinary action that has been taken against any students that have been found in violation. So certainly a relevant follow up to the conversation this evening.

>> Councilor Rossetti.

>> Mr. President, thank you. First through you too Councilor Scott, I want to thank you very much for you doing the additional homework and in investigating the addresses that we had been given that there were calls made. That we were told were not related, Tufts related I find that one very hard to believe based on that map, that visual you presented this evening Councilor Davis I look forward to that meeting. I don't understand this at all and it's making me all nervous all over again. My second point is, Mr. President, I don't understand, now, if Tufts submitted their application in May, that makes me very happy that that's a follow through of what my memory is of the discussion last year that we wanted them to apply earlier. And I have been listening to my constituents and trying to answer to my ability all their concerns about how students are living there and the students haven't been approved by us yet and tonight having learning that they were submitted in May, I for the life of me will never understand why it took that many months before it finally came before us. Yes, COVID's among us, yes, things were different, but yes, we were going to have greater than five thousand students, parents and staff coming into our backyards. To infect us all. And I still feel that way and I still worry about the deaths and I was looking at the state overall. This is the time of the year that it went up 88. We need to know from the staff what took them so long. I've been yelling about Tufts and yelling at Tufts and now I feel like it was our hands for how many months before it finally got to our level? Something of this magnitude? You know, I haven't said it publicly. I've been telling the world I'm not running next election and this is one of the reasons why. I feel like all I do is bang my head and try to do all this homework and do all these calls and do my

own investigation and try to play nice and talk to people without putting in orders after orders and after orders and I feel like it's just a waste of my time. And I applaud the young people on this committee who have way more strength and I used to have that strength. I'm done.

>> Councilor White.

>> Thank you, Mr. President, you know, again, just to be brief on this, we did ask the superintendent of inspectional services last evening whether, you know, all the inspections had been done and he said yes so that there were no health and safety risks. You know, involved with regard to the COVID-19 situation, I share the concerns of Councilor Rossetti as well as the public at large and that is why I've asked that the specific language be drafted that will attach to any of these licenses and permits which will essentially provide the committee and this entire council with the ability to have a show cards hearing if there's any type of COVID-19 related problems in any of these facilities and we will then have the ability to revoke those permits. So at least with regard to that component of the whole issue involved with, you know, Tufts having on campus students for licenses and permits perspective, I think this is perhaps the strongest approach that we can take. Given that the meeting will be held two weeks from yesterday to follow up on these, if any counselors have suggestions, please e-mail them to me if they have questions. And, again, if it is the will of six members, and the president agrees, you know, we can have a committee of the whole, but perhaps the most expeditious approach would just be to send the questions, comments, things of that nature. Thank you, Mr. President.

>> Councilor Mbah and Strezo.

>> Thank you, Mr. President. I wasn't intending to speak because I was one of those committee members and most of the points have been raised already. I initiated given alongside Councilor White, you know, because first every time I think about reading all those e-mails. You know, I feel really sad to hear Councilor Rossetti, like everything that she's saying right from the heart, you know, first I don't know what powers we have. So it's clearly displayed that we cannot stop Tufts from hoping. We have to accept that fact. This is tough to hear. And all the -- from every -- the act is pointing toward one direction. The first thing I'm going to share is those conditions that we need to set so that if they're valid, if we have something in hand. Because at first, my reliance was on Director Kress because he's a health and human safety representative for the city but he said he did not involve so he didn't sign off but all the other departments signed off and the city is divided. There's the executive branch which you have all these different components that are also related. All of a sudden, you know, like one part is just focusing on all this component is right, is this component right? This is not just about it's a very comprehensive solving. This is not business as usual. We need to look at everything from the lens of public health and safety and look at all what we've been doing since this pandemic started. If something goes wrong we need to know who to hold accountable. I don't believe that is just Tufts. Even us. Somebody. We need to have those conditions. And also really want to thank Councilor Scott for also like always doing the legwork. Always doing his homework. But Councilor Rossetti, I feel what you are feeling but I don't know what we can do besides putting more conditions and if something goes wrong we have something that we need to take immediate action and that is it's, I don't know, I don't know what to say about this. I wasn't intending to speak but all what I'm hearing is just repetition. Maybe the public needs to hear this. Thank you, Mr. President.

>> Councilor Strezo.

>> Thank you, Mr. President. I'll be right back -- can I -- I want to quickly point out that -- I want to quickly point out that Tufts gave us these presentations after presentations after presentations about the COVID test and how they're going to do this and all these modifications they're making and preparing for students for in-person but we received absolutely no PowerPoint presentation from the get-go of any disciplinary action or any tiered response of what would happen when, when anything happened that -- when a party happened or when a gathering over ten Tufts students happened and we have these great ideas of student ambassadors but there's nothing in place, any form of disciplinary action aside from potentially expelling a student or potentially suspending a student and I think that's -- I just want to point that out to everyone that there was never -- that Tufts have yet to submitted any form of response to that or any planned course of action aside from soft possibilities that there may be any form of disciplinary action on this.

>> Any further discussion? Hearing none, this item is laid on the table for approval. Next item.

>> Item number 210 report of committee on public health and public safety which met as a committee of

the whole on August 31st.

>> Councilor Davis.

>> Thank you, Mr. President. The committee did meet on August 31st. All members were present. And there were -- the discussion obviously dealt with a lot of the issues that we've just been discussing. Tufts, no one from Tufts was present at this meeting. So we were primarily discussing with Director Kress and liaison Weber. The minutes are pretty extensive. I don't feel there's much else to hash through. We did discuss the testing and try to get some clarity on exactly how that's working. I think it became clear finally that of the Tufts claims that there are 130 students living in the general area that are living here but doing fully remote learning, so the key there is that their participation in the Tufts program is voluntary. If they want to access a building they have to participate but they don't have to do that. So other than that, you know we discussed a bit about the phase three opening which folks have read about or certainly can from all the administration's statements on that. That happened at the beginning of this week. And we had a bit of conversation from the Tufts police and the communication between them. And really just passed as prelude to the next Monday and bring your popcorn. With that, I request -- I move that the report be accepted as submitted.

>> This item is laid on the table for approval and let's take up all the items on the table and do a roll call vote.

>> Mr. President, there's a roll call vote on the approval of items 16, 17, 18, 19, and 20. And also placing item 15 on file. On that motion, Councilor Clingan.

>> Yes.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> 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 counselors have voted in favor. That motion has been approved.

>> Next item.

>> Mr. President?

>> Item 21 which is a request of the mayor, request the appropriation --

>> Mr. Clerk, one second.

>> I request that the reading of the finance items number 21-27 have their readings waived and be referred to finance committee.

>> Councilor Scott move to waive the readings and refer them to finance committee. Any discussion? Hearing none, the items are moved to the finance committee.

>> Then item number 28 is requested of the mayor requesting confirmation of the appointment of Giovanni.

>> This item will be moved to --

>> Yes, as chair of the committee of confirmation of the appointments I will move to refer these to committee, please.

>> Councilor Rossetti moves the items of 29-36. The items are referred to confirmation of appointments.

>> Item 37 is a communication from the mayor conveying the executed memorandum of agreement with

DCR for the Dilboy complex.

>> As this involves certain financial agreements with the city I would request that it be referred to finance committee for discussion.

>> Okay. Councilor Ballantyne.

>> I was going to make a similar request. Thank you.

>> All right. This item will be laid on the table, placed on file and referred to the finance committee. Next item. Clerk, you there?

>> Mr. President, I apologize, again item 39 is the next item before the council and it's a communication of the city solicitor responding to a board item with -- describing this council's ability to modify or reject components of collective bargaining agreements.

>> Any discussion? Hearing none, this item is laid on the table, placed on file.

>> Item 40 is communication of the director of the arts council regarding support for the arts and cultural organizations.

>> Any discussion? Hearing none this item is placed on the table placed on file.

>> Item 41 is an item of new business, it is a small wireless facility license application submitted by Extenet.

>> Thank you Mr. President and it's gone through all of the internal approves, and I believe everything is in order so it'll be appropriate to approve it this evening. So I move to approve. Again, with the assurance from the city clerk that all the necessary checkoffs have been done.

>> Mr. President.

>> Councilor Clingan.

>> I have no problem with moving forward on this permit, license permit tonight for 76 Jacques Street, that is in my ward.

>> Any discussion? Hearing none, Councilor White move to approve the two items and let's take all the items off the table.

>> I'm sorry, Mr. President? It was just item 41.

>> Oh, 41. So item number 42 is going to go to committee?

>> Yes. I waive the reading of that and have it go to committee.

>> Okay. Item number 42 laid on the table and gone to committee and let's do a roll call vote of all items on the table.

>> Mr. President this is a roll call vote on the approval of item number 41. And placing items 37, 39 and 40 on file on that motion, Councilor Clingan.

>> Yes. Councilor Mbah.

>> Yes. Councilor White.

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezio.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> Yes. Councilor Scott.

>> Yes. Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> Yes.

>> And Councilor McLaughlin.

>> Yes.

>> All eleven councilors have voted in favor of that motion. It's approved.

>> Next item.

>> Mr. President we move to item number 44 which is an order -- sorry we move to item 43 which is a resolution submitted by Councilor McLaughlin that the mayor update this council in executive session on alleged suspicious activity in the DPW fleet yard in March of 2020.

>> All right. The city, the mayor's not here to address this item, but we brought this up during the finance budget season. I've not heard anything about it yet so I'm going to lay this on the table with no vote taken and we'll just keep it on the agenda every council meeting until we get an answer. Our next item.

>> Item 44 is an item submitted by Councilor McLaughlin for all recycling plan for all buildings that do not receive city solid waste collection services.

>> I see others would like to sign on. I will file this under the category of things that just infuriate you and Councilor White and Mbah would like to sign on. You know, several of you who have been around for a few years remember conversations about why is it large developments, houses, commercial buildings, aren't required to recycle. We can't require them to do so so a constituent reached out to me about this. I gave her the answer given to me in the past and then upon further inspection with the health of the solicitor's office find there's an ordinance to do exactly what we've been trying to do the whole time. So this order is for the commissioner of public work to enforce the law that currently exists which requires all commercial -- all buildings that have a private contract outside of the city of Somerville's trash contract to have a recycling plan and submit to it the city and the fact that I have to do it this way is just infuriating. This item I see, yes, this item will be laid on the table for approval and I'm going send this to the public utilities, public works committee. Next item.

>> Item 45 is an order submitted by Councilor McLaughlin that the director of services update this council on the implementation of the short-term rental ordinance.

>> Same thing. Just curious if this is being enforced. Unless there's any discussion I should have filed a discussion on the previous item as well but seeing and hear nothing discussion this item will be laid on the table for approval and referred to the public utilities committee.

>> Very good, item number 46 is an order submitted by Councilor McLaughlin, the director of inspectional services update this council on the implementation of the vacant properties ordinance.

>> Same story different order. Any discussion? Yes, Councilor Scott.

>> Yeah. Just on that item. The only thing we're pending on that is the setting that fee which was discussed earlier and they report on finance committee. The ordinance is ready to go, we just need to approve the fee and we are pending some policy statement from inspectional services about waiving fees due to COVID related disciplines and other circumstances. So I appreciate the frustration, just to let you know it's in process.

>> Okay, thank you. Any further discussion? Hearing none this item will be laid on the table for approval and I'd still like to send it to the public utilities committee just for follow up. Next item.

>> Item 47 is an order submitted by Councilor McLaughlin. That the director of SPCD install curb cuts on the ends of Edward leathers park to enable bike and ADA accessibility.

>> This item will be laid on the table for approval. Next item.

>> Item 48 is an order submitted by Councilor Ballantyne -- I'm sorry, item 48's an order submitted by Councilor Ballantyne that the director of finance and chief assessor consider a property tax abatement for landlords who lease to artists and arts and cultural organizations tying to property tax reductions to rental relief for those tenants.

>> Thank you Mr. President. I think the order is self-explanatory and I would like it referred to finance. Thank you.

>> Any further discussion? Seeing none, this will be laid on the table for the finance committee.

>> Item 50 is submitted by Councilor Ballantyne, that the director of constituent services and the chief of police discuss tracking bicycle crashes and how 311 and 911 staff are trained to handle such calls.

>> Any discussion.

>> Yes, if this can be referred to traffic and parking and I would kindly ask the director of traffic and parking to put this on the next agenda.

>> Okay. Councilor Ballantyne -- Councilor Strezo would like to sign on. This item is laid on the table for approval and referred to the traffic and parking committee.

>> Very good item 51 is an order submitted by Councilor White that the city solicitor work with the director of inspectional services with regard to violations of the building code and zoning ordinance to ensure compliance with a recent court decision.

>> Very briefly, you know as a result of the concern of members of the public and also members of the council I put in a couple of things. One is adopt a state law that allows the city to impose leaves on properties for those who fail to pay city fines and then the second one was to have the treasurer meet with

the head of ISD and basically implement a procedure where those who have not paid fines are not given building permits until the fines are paid. There was a recent court decision that basically set some pretty specific requirements that have to be undertaken when a ticket is issued for building code violation and if those procedures aren't followed then the tickets are invalid. So it'll be a heck of a thing for us to go through all of this and then have somebody appeal, you know, a lien on their property or their inability to get a building permit because they didn't pay a fine and then have the court invalidate the initial tickets that -- ticket that was issued. So I think this is very important to make sure that this whole process is put in place so that all of the ISD inspectors, you know, comply with the requirements of the court in this decision. So -- my recollection is the president did refer a couple of the prior ones. I think it was housing and community development that addressed this sort of issue. So if that's where they went, you know, I would like this to go there as well so it's all in one package and we can ensure they're being enforced correctly.

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

>> Mr. President, and Mr. Clerk you can read 52 and 53. I can address both of them at the same time.

>> Councilor Clingan would like to waive the readings of items 52 and 53. Do you want to speak on this.

>> No, I'm fine, Mr. President, I was saying just read them both I'm going to take them up at the same time.

>> Please read items 52 and 53 and Councilor would like to sign onto 52 and 53.

>> An order submitted by Councilor Clingan, Niedergang and White that the director of inspectional services appear before public utilities and public works to discuss ensuring that all conditions of a special permit are met prior to the final sign-off by the building permit and the issuance of certificate occupancy and item 53 is by Councilor Clingan, Niedergang and White that the committee on public utilities and public works hold a public hearing on developers' compliance with the conditions of special permits and inspectional services department's enforcement of those conditions.

>> With your blessing, Mr. President, so this comes out of a long-standing, you know, grievance that many of us councilors have had with conditional approvals and enforcement of such approvals, many different projects, just even just with regards to developers, sort of running rough shot and kind of making the rules up as they go. The developer just drops a bunch of sand on the public way. These are the things that we, as councilors come up against, with developers and with sort of -- even when we have these public meetings and they have these conditional approvals the question is who is enforcing all of this and how is this being followed up on. I understand that ISD, you know, may be overtaxed to some degree but actually like people want answers, our constituents want answers to what is happening with these, who is enforcing them and this is coming out of the whole conversation and to put a bow on what this hearing is about. I'm announcing now, the city will be putting out an announcement for September 30th, public utilities, public works committee as a whole which all of us, plus the public hearing around these very issues. So a lot of our constituents, a lot of our residents have many, many different experiences around, you know, they go to these meetings, these conditions are put on. Now I know -- we could be talking zoning versus new zoning but either way, people want to know who's checking up on this? How are we following up? What's happening with, you know, with these conditional approvals? And it oftentimes seems developers will run rough shot and you get your permits of occupancy, people are moving on, people are questioning how are people moving in so there's a lot that needs to be reined in in these areas and I think that all of us would agree that it's high time to have this conversation. And perhaps -- just out of the conversation in the last couple of months, Mr. President you actually pointed out that there is a mechanism which would be to withhold future permits based on, you know, past performance situations. So all of this is kind of culminating to this September 30th public hearing. We want to hear from the public and we want to discuss these two orders and then some. Especially around specific projects that I have in the box around specific instances where things were not followed up on and we want to know what ISD is doing. What they plan to do. And how they plan to enforce these conditions especially with the new zoning we need some sort of mechanism and if that means withholding permits on future jobs which is what had come out of the last meeting that had come up I think that could be a viable option, but anyway, so this is all kind of, like, what's going to happen. I hope that everybody will be tuned in and I'm sure everybody, every one of my colleagues has their stories about their own ward and I hope we can address this. And fully and hopefully.

>> All right, Councilor Davis, Davis, Mbah, Ballantyne and Councilor Niedergang has a comment.

>> Thank you, Mr. President, I want to thank chairman Clingan for that introduction to the public hearing and for putting it in everybody's attention on everybody's calendar. And I just want to encourage everybody to, you know, inform your constituents about this and encourage them to attend at the speak out. Hopefully the administration will do a decent job of publicizing this as well. This is not going to be solved in one evening. But it needs to be high up on the city's agenda as a problem that needs to be dealt with and I hope that this will do that, thank you.

>> Any further discussion? Seeing none, these items will be laid on the table for approval and a copy sent to public utilities and public works. Next item.

>> Next item is item 55 requesting the acceptance of a \$111,500 grant with no new match required, from MA dot.

>> This will be referred to the finance committee.

>> The time only extension for the fiscal year 17 --

>> Mr. President, I -- thank you Mr. President, I would request that in absence of communication 55. -59 be given to finance.

>> Councilor Scott would like to refer to the finance committee.

>> Item 60 which is a public event license application submitted for an Oak Street block party to design and paint a Black Lives Matter banner.

>> On the item, Councilor Scott.

>> Yes, this is a group of residents who live on Oak Street one whose house was given racist graffiti it is not a traditional block party. These are residents to have a black lives mural with the support. I applaud their efforts and would request that this public event license be granted this evening.

>> So you have a motion to approve?

>> Yes, sir.

>> All right. Councilor Scott move to approve on that. Councilor White?

>> Thank you I was going to defer to Councilor Scott to I'm all set with his motion.

>> Okay. Councilor Scott moves to approve, any discussion?

>> Yes. Mr. President.

>> Councilor Davis is that?

>> Yes.

>> All right.

>> I'm troubled by this because it's an activity I would fully support but the reason that we're not issuing city licenses is for public health concerns. And that doesn't seem to be changed by the purpose of the event. I've had requests from constituents who had not -- as noble a cause as this but to the answer has been "I'm sorry" we have a limitation of ten people gathering and there's no public event licenses being issued until the end of the year. I'm curious as to the administration's position on this and if -- if they are in support of it, the rationale?

>> Do we have anyone from the city wishing to speak on this and I believe Mr. Clerk you had something you wanted to flag on this.

>> Mr. President, on this item there are two aspects to point out. The first is the rush to get this to the city council in the advance of the event, all signatures have been obtained except for the DPW's sign-off which has not been obtained. The mayor's office has signed off as well as the police departments, the other aspect with respect to the concerns, Councilor Davis raised is that the organizer represents that there'll be no more than four to five people at any one time working on the street mural.

>> Okay. Do we have any -- so -- there's still more -- Councilor Scott.

>> Well, Mr. President, since I asked the question and it was answered. May I continue?

>> Sure, Councilor Davis, and then Councilor Scott.

>> Thank you. I guess I'm really torn on this and I'm inclined to not support it because we have been told there's a policy and I'm a rules guy. If the administration's guidance on licensed events is now changed, I'd like to see clear written articulation of what that now is because as I said I've had constituents that reached out regarding block parties that they have, you know, stated would be socially distanced and follow other guidelines otherwise and, you know, I get it like you want to paint a Black Lives Matter banner, that's great, please do that. I just -- again, I'm a rules guy and this is not consistent with what the administration has said in the rules. I don't think I would be supporting it unless there's clear articulation from the

administration as to what the rules are and why this is consistent with it.

>> All right. Councilor Scott.

>> Thank you, Mr. President and I completely respect the concern and desire for consistency and I believe the clerk has it on screen right now the application explicitly states a limited number of people in the street which would restrict the gathering to below the guidelines that are published right now for outdoor gatherings. I did consult with the mayor before advising the residents of Oak Street to proceed with this application. I -- but I absolutely understand the desire of the councilor from ward six and will happily work with the councilor to have more clear articulation. I think it's a fair question to ask. But I do ask this to be approved this evening.

>> Clarification, Mr. President?

>> Councilor Davis.

>> I appreciate the councilor from ward two pointing that out. The rule I am talking about is the very clear statement from the administration that there will be no publicly licensed events of any sort until the end of the calendar year. And so the fact that I wholeheartedly agree with the thing these folks are going to do at this event. Doesn't sway me to say that the rules should be broken. Because, you know, take it another way it then becomes a slippery slope, what's the next event that's going to break that rule? What's the next event that's going to break that rule? We have guidance, it's based on public health and public safety and unless that guidance is changed, you know, I wouldn't support it.

>> All right. We got Ms. Weber is here to address this. No one has any objections to her speaking, Ms. Weber, please, you have the floor.

>> Thank you. Thank you, Mr. President, through the chair, from the mayor's office the mayor and the administration is in support of this application. I do want to distinguish this from the larger public events that have been prohibited by the mayor through the end of the year. When Councilor Scott reached out to the mayor about the painting of Black Lives Matter just outside Union Square, the mayor was supportive of it and remains supportive of it. My understanding of this is that the mechanism for achieving this end goal of painting Black Lives Matter on the street is through this particular permit. But that it is not, in fact, a public or large gathering or a public event. In the realm of what was envisioned when the mayor first prohibited large public events and gatherings. This, as Councilor Scott has indicated, are a few people who are going to be coming together to paint an important sign onto a street. I do -- I would submit that there is a distinction between this and what the administration defines as a large public event.

>> Councilor Rossetti?

>> Thank you, Mr. President, my first reaction when I saw it on the agenda was have we changed the policy of allowing thing to happen in the city. It's a tough one and I hear in my colleague Councilor Davis's voice how he's trying to relay strongly that he's not in opposition to what the end result will be but that you make leeway for one group then you are being selective and you're, you know, and you're not going to listen to others and the title of this application says Oak Street block party. I'm going to stand with Councilor Davis on this one and not agree to approve because I think we're setting precedent of picking and choosing what we think is going to be an okay thing to try. And there were many others who had ideas of small gatherings and were told no so I will stand with Councilor Davis on this one.

>> Councilor Mbah.

>> Thank you, Mr. President I want to thank Councilor Scott for working with the -- your constituent, for bringing this forward and also thanking the administration, you know, for supporting this to happen so I will be supporting this on that. Thank you.

>> Councilor Davis?

>> Thank you Mr. President. I feel strongly this is not the right way to do this because the next application that's going to come in is going to be from someone that want to paint -- make America great again or, you know, let's go Trump on the street and we will have no basis upon which to deny that. If the city thinks that this is an appropriate thing to do, which I totally agree it would be great, then the city should close the street and not have it be a block party license you can't set a precedent like this unless you're going to stand by it and I don't think this council is prepared to stand by it because I think this is being -- nor is the administration, this is being done because of the content, the substance of what this party is, which I wholeheartedly agree but you have to apply rules in an unbiased manner and I completely disagree that this is somehow ditch because as Councilor Rossetti said other things that were asked. Find another avenue for this. I fully support it but this is setting a precedent that I don't believe we

want to set.

>> I got Councilor Scott.

>> Thank you Mr. President and at this late hour liaison Weber may present the issue more clearly than I can. I will point out that the only way is with a block party license for road closure. When reviewing the terms and conditions of the license it does explicitly talk about the requirements of that license and also the use of paint on city property and that it has to be explicitly -- unless your license specifically allows it you cannot make permanent markings using paint or materials or you'll be held liable for the cost of removing the markings. That says to me two things, one of which this is the residents trying to use the mechanism that is available to them. And also that has been recommended by every member of the administration as the proper channel to go through in order to do this and that the placement of paint on the street is an explicit condition of the event license that's being granted. Since the city council reviews and chooses to approve or deny any future event license that content is something that we reviewed and while I understand the concern about the content of the message, I just -- I think it's within our purview to review. I think this is the reason that we have elected officials that can represent the desires and morals quite frankly of their communities. I think this is a civics discussion. This is the method that every member of the administration I consulted with and who I believe had internal consultation landed on these residents what we all agree is a laudable goal. So I would yield to liaison Weber who can probably say that better than I did. Thank you.

>> All right, Ms. Weber.

>> Thank you through the chair. I do understand, before I go into the legal authority that was -- not the legal authority but we did consult with the law department on this and how to best achieve the result that the neighborhood residents are looking for. I do want to say that I do recognize the concerns of councilors and I'm happy to work with both of the councilors as well as with Councilor Scott to address any concerns moving forward with this particular issue. Because it is something that is important to the mayor and is clearly important to the city council. So according to the law department, according to the section 8-14 provides that the project must receive of the city council with notice to the neighbors. It has to start with submitting the necessary completed form within the -- with the city clerk which is the form that is before you and displayed on the screen currently. If the proposed painting would impact existing traffic control markings on the street such as a crosswalk as Councilor Scott indicated in his earlier response that can prove problematic from a traffic engineering point. So there has to be a process in order for that to move forward. From our understanding in terms of internal consultation with the law department, is that this particular process is the most efficient and most effective way to achieve what the residents are looking for. I don't believe and I would need to confirm with the law department as well as others but I don't believe we could just uniformly shut down the street in order to allow residents to paint. There does need to be a permit in place in order for that to occur. Thank you.

>> I --

>> I'm sorry Councilor Niedergang and then I'll take you up, Councilor Davis.

>> Councilor Niedergang, Davis and Ballantyne.

>> I'm just going to weigh in and say, I'm grateful for Councilor Davis for raising this point. However, it does seem to me that this has been well thought through in terms of public health and safety. Reading the conditions in this permit I am not concerned with the free speech issues. I think something for a political candidate would be different. And I do think we have the discretion to decide what speech is permitted to be written on the streets of our city. I'm comfortable with approving this. Thank you.

>> Davis and then Ballantyne.

>> Thank you, Mr. President, I guess I don't have anything else to say. I find -- if the mayor wants to do this which I think we should paint Black Lives Matter on every street but put it in front of civil hall, do that. But block parties are now open again as long as you can meet the same conditions met here. I hope the advice from the clerk will be the same with what we're hearing.

>> Councilor Ballantyne.

>> Thank you, Mr. President, I'm swayed by Councilor Davis's argument because I'm trying to understand the purview has been given according to the -- what we heard to the city council to decide. So Black Lives Matter then has to have a sort of a design review and who, you know, I was swayed. So I guess I would ask Ms. Weber if someone came because there are a number of our constituents who support the current president but said they came and want to paint Make America Great Again. How

would the administration respond to that?

>> Ms. Weber, can you respond.

>> Yes, through the chair, thank you, Councilor Ballantyne for the question. The administration would inform any individual that is interested in any kind of street painting in this particular situation. If it was someone, or an organization that wanted to paint content of a different nature on a street, we would advise them of the same, that they would need to submit the necessary and completed form, with city clerk. And would immediate to go through the approval process with the city council which would also in relevant part require notice to the neighbors and consider any problematic traffic related changes that would occur as a result. And would go through that process. It would be at the end of the day for the city council to determine to decide if based on opposition or support from neighbors in the area and from the city council, from the councilors themselves if this is something that they would want to approve.

>> So you're -- so we're being given also design authority. So purview to agree whether we like the design. Say it's not words but it's some image. So I guess I would make a motion that this council come up with guidelines on what type of street art is acceptable.

>> If I could interject on that I believe we do actually have that because of a mural on Hudson Street a few years ago.

>> So we do -- we have the language there? So if we could just share it with us.

>> Yeah, there's supposed to be a whole process behind doing a mural now so I assume, I'm not sure.

>> I'm sorry, Mr. President, you cut out on me. So I didn't hear what you said.

>> I was just saying that because of the Hudson Street mural there's an entire process behind doing a mural on the street. And I assume this followed that process. Ms. Weber can you confirm that -- this was before your time but there should already be a process in place for painting murals on streets.

>> Through the chair, that may be true, I may have to look into it but I would also need to check with the law department to see if this -- if street -- if painting on the treat qualifies as, like, within the definition of a mural per those guidelines. But I trust the president's memory on this and I can look further into it.

>> Yeah.

>> So, no, I'll wait to hear from Ms. Weber to see what the process is there. And then, you know, determine whether we need to come up with some other guidelines to determine permitting around street art or murals on our public streets. Thank you.

>> Thank you. I got Councilor Mbah and Clingan.

>> Thank you, Mr. President, I want to say I'm a little surprised that, you know, we are still having this conversation but all I want to say is that my life matters and I thank ward two for saying so. I call the question.

>> Councilor Clingan and then we'll take up Councilor Scott's motion.

>> I was going to speak to the Hudson Street mural and the process that which we are now sort of to undergo in terms of painting the public way of painting streets. And as to, you know, what that process looks like in terms of who we engage as residents on the particular street. I agree that Black Lives Matter should be great if it could be put on every street but I think that it is a use of speech and I think that we would then have to grant similarly residents who wanted to paint Make America Great Again on streets. I don't see how we could then stop that and knowing our residents, you know, I do -- I understand that -- I do remember after getting elected when even just the Trump name was on the cement trucks, it hurt people's sensibilities to even have to look at the name Trump who was the president of our country as much as we all, you know, whatever feelings we have about that. The bottom line is that speech is speech and I think that the argument could be made then so we'd have to allow that and as long as everybody's okay with that I think that we should approve this and move forward but as long as that -- the process is spelled out and that people have the ability to petition the city to put any type of speech on the street they want. So that's my two cents.

>> Okay --

>> Can you --

>> Yes.

>> Who is that?

>> Councilor Scott, I believe Councilor Mbah called the question.

>> He did and I'm allowing to keep speaking.

>> Thank you, Mr. President. I do want to clarify something through Councilor Scott, folks are talking or

at least it's my impression that folks are talking or raising questions as if this was some sort of a permanent design or something that would be on the street which I think the mural was. It's my understanding that these -- the materials that are going to be used for this are not anything that could be considered a permanent marking on the street. So I would ask Councilor Scott if I'm correct and it's just a temporary activity with the chair's permission?

>> Councilor Scott.

>> I appreciate the question. It is not thermo plastic paint. It's not the paint that we use for street markings. It is paint. However, Oak Street is on the list for repaving in not too long. This will go on the street. I don't think I have a better answer.

>> I'm sorry, point of order, the question has been called. There are rules specifically say when a question is called there's five minutes of debate.

>> Roll call vote. Roll call vote. Because everyone else got to speak three or four times, we'll do a roll call vote right now. Call the question.

>> Very good. This is a -- there is a motion on the floor to call the question. That requires a roll call vote. So on --

>> Call the question.

>> Pardon?

>> Yes, thank you, Mr. Clerk so we're doing a roll call vote to call the question, if you don't want the question called, you can vote no. If you want the question called, then --

>> Mr. President, this is Councilor Strezo.

>> Yes.

>> What is the question? I'm learning the parliamentary process. What is the question that we're voting on.

>> We're taking a vote right now to basically end debate and call the question. So if you want to end debate and call the question, you vote yes. If you don't want to end debate and you want to continue talking, vote no.

>> I didn't get to weigh in either.

>> I know. Call the roll, please.

>> This is a roll call vote, I'm calling the question, a yes vote is a vote to end the debate. On that motion, Councilor Clingan.

>> No.

>> Councilor Mbah.

>> Yes.

>> Councilor White.

>> No.

>> Councilor Ballantyne.

>> No.

>> Councilor Strezo.

>> Yes.

>> Yes?

>> Yes, Mr. Clerk.

>> Councilor Strezo?

>> Yes, can you hear me okay?

>> Yes, are you voting yes or no.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> No.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.

>> Councilor Rossetti.

>> No.

>> And Councilor McLaughlin. Five councilors have voted in favor of ending debate. Six councilors are opposed the motion fails and debate continues.

>> Okay. Well I'm glad we spent five minutes on that. We have councilor, let's see, Strezo, Ewen-Campen and White.

>> Thank you, Mr. President. Okay, so, through you to Councilor Scott, Councilor Scott? Are you answering for the block party organizers, Kate? Yes? Okay. With the language of it, why can't it just say as the organization name as Oak Street moral boosting situation therefore it's not technically a block party. I'm just saying.

>> Mr. President, with your permission. I honestly I can't tell you this Oak Street neighbor association has been filing a block party every year for a very long time I am certain they just followed the same form that they had from previous events and modified it accordingly for the aims and the situation we find ourselves in right now.

>> Okay. I guess that's all I have to say. Block party. All right. I'm done.

>> All right. Councilor White.

>> Thank you, actually Councilor Scott answered the question I had raised so I'm all set.

>> Councilor Ewen-Campen.

>> I'm strongly in support of this. I have been ready to vote for a long time but I want to raise several councilors have raised an equivalency of Black Lives Matter and make America great. That's a campaign slogan for a presidential candidate. It is political speech with a capital P. There is a fundamental difference between writing Trump and writing Black Lives Matter. It's the same thing as writing Biden or a different candidate. Make America great is a campaign speech. Black Lives Matter is equivalent to writing climate change is real. It's a statement of fact. I'm ready to vote. Thank you.

>> Any further discussion?

>> Yes, Mr. President, I'd like to address that point that was just --

>> Councilor Davis.

>> Directed at me. Political speech is speech. So from the court's view there is no difference and I am happy to pick a different example. How about someone wants to paint black lives don't matter. Didn't matter what the example is. This opens the door to that. That's what you're voting for.

>> Any further discussion? Hearing no further discussion I have a question that I've patiently been waiting for. Ms. Weber, how is the limit on the amount of people going to be enforced?

>> Through the chair, you know, that's something that we can certainly discuss with the individuals but I would suspect that we would need to have police detail present especially if they shut down a street in order to paint. There would need to be a detail there or some level of police presence in order to ensure safety to the individuals as well as to the general public so that would be a way to enforce a gathering, the gathering of limitations.

>> Okay, well this permit says that there'll be no police detail. So if they're not required -- Councilor Ballantyne, do you have a comment?

>> Thank you, Mr. President, it was not on your point, it was another question that I had.

>> Okay. Well I think the -- the silence means that there's no answer to that. Which is to me the most important point is whether people are going to be socially distancing or not, not whether their political speech is going to be on the floor. You can go right ahead.

>> Thank you, Mr. President, through you -- this is a question for the administration, Ms. Weber, is -- would the mayor be willing to make a policy change? In terms of public events?

>> To the chair I don't believe so, so no, not at this point.

>> All right. Any further discussion?

>> I'm sorry, point of -- question to liaison Weber on that, to follow up on that response, how is this not a policy change. The policy was no licensed events. This is a licensed event. This clearly is a policy change. Period. Full stop. So that's -- let the public understand the policy is now changed.

>> Through the chair, thank you, Councilor Davis, I submit and respectfully disagree that this is not a policy change that there's a distinction between this and what the mayor has prohibited. The language from my understanding is that it is not prohibiting licensed public events but that it is prohibiting large public events in the city of Somerville through the end of the year. While this is a public event permit, the language if you look at the four corners of the document, it is not -- when I read this permit, I do not see a

large public event. Or a large gathering here. I see an effort by neighborhood residents, by several neighborhood residents 4-6 individuals who would like to paint on a closed street. That, to me, is pursuant to the gathering rules and the social distancing and the public safety guidelines that the city has set in place and that is why -- that is part of why the administration is in support of it.

>> Mr. President, follow up question to the clerk. The city clerk, as role as city clerk.

>> Go right ahead.

>> Mr. Clerk, you have advised my constituents that the mayor's policy is that there are no licensed public events. Not large public events. And I believe, I will search it up right now I believe the communications for the administration has said licensed public events have been canceled until 2021. I would like to understand if what the city clerk has advised our constituents is not correct?

>> That's a question for me, Mr. President?

>> Please, yes, may we have an answer?

>> I -- it is certainly possible that I made an error. It would rely ongoing book to the mayor's order that was published back in perhaps May. I can't recall May or June that declared that there would be no licensed public events. And whether it said -- it certainly didn't say large. I can't recall, Mr. President if it just said no public events or if there was some qualifier. I don't recall a qualifier and I certainly didn't intend to represent to any constituents the policy. It's possible I made a mistake. I don't know.

>> Thank you for that response, Mr. Clerk, for the record I don't think under any circumstances that you made a mistake or misrepresented I think that is clearly what the administration said and that this policy has now changed. Their position has now changed and you are entirely consistent with what the guidance has been and the understanding has been to this point so thank you for that response.

>> Any other comments.

>> Mr. President, thank you for your forbearance, it is within the purview of the city council to review all public licenses and reject them and if someone dislikes our action on that they'll take us to court and if our rejection, our approval or rejection of this lands us in court I think all of us are happy (inaudible) I am unconcerned about future applications. I trust my colleagues and my community. Thank you.

>> All right. Councilor Scott is up.

>> I swear I'm done after this, okay? After the comments on this I'm voting -- I'm ready to vote on the Oak Street morale boosting situation, thank you.

>> Seeing no further discussion I just want to weigh in really quickly here and say that the fact that we're not referring to this to committee already tells me that we're making a special exemption because we like what the message is. I feel like there's a lot of questions like what does the mural look like, is there going to be a police detail, things like this, how are they going to respond to COVID-19 issues. That just really hasn't been addressed and I would much rather this goes to committee for thoughtful discussion but if we have to vote on it tonight I will vote no. If there's no further discussion, Mr. Clerk, please call the roll on the permit.

>> Mr. President, this is a roll call vote on the approval of item number 60 which is that public event license. On the item, Councilor Clingan.

>> No.

>> Councilor Mbah.

>> Yes.

>> Councilor White?

>> Yes.

>> Councilor Ballantyne.

>> Yes.

>> Councilor Strezo.

>> Yes.

>> Councilor Niedergang.

>> Yes.

>> Councilor Davis.

>> No.

>> Councilor Scott.

>> Yes.

>> Councilor Ewen-Campen.

>> Yes.
>> Councilor Rossetti.
>> No.
>> Councilor McLaughlin.
>> No.
>> Mr. President, seven in favor of the item, four are opposed. That item has been approved.
>> All right. Next item.
>> Item 61, is -- renewal of a garage license application submitted by automotive transport service at 40 Joy Street.
>> I'd like to deliberate for the next hour on it. Councilor White.
>> Well I'm going to try to do a little favor and ask to approve it this evening. I understand that all papers are in order and that the councilor is in favor of it.
>> Okay. Councilor White wants to approve. Any discussion? No discussion? Call the roll.
>> Mr. President, should I call the roll on all the items so far?
>> Yes.
>> This is approval from 44-48, 50-53 and 61. On that motion, Councilor Clingan.
>> Yes.
>> Councilor Mbah.
>> Yes, please.
>> Councilor White.
>> Yes.
>> Councilor Ballantyne.
>> Yes.
>> Councilor Strezo.
>> Yes.
>> Councilor Niedergang.
>> Yeah. Yes.
>> Councilor Davis.
>> Yes. Councilor Scott.
>> Yes.
>> Councilor Ewen-Campen.
>> Yes.
>> And Councilor McLaughlin.
>> Yes.
>> Mr. President 11 councilors have voted in favor of that item, that motion has been approved.
>> Do we have any items before us, Mr. Clerk.
>> Mr. President we have just one and that is an order submitted by Councilor Ballantyne. That Tufts University provide this council with unique updates on the COVID-19 tests administered until all students have been tested. With a note that as of last week Tufts had not enroll -- tested all enrolled students. This should be a resolution instead of an order because of the request that Tufts University comply.
>> All right, on the item, Councilor Davis would like to sign on and so would --
>> On the item, Mr. President.
>> Thank you. --
>> Councilor Ballantyne.
>> Okay, so thank you, at this point today is the 10th of September. Tufts University started their first day of classes on the 8th. And not all the undergraduate students and there's 5,239 undergraduate students, 1,543, I'm sorry, undergraduate and graduate students. And that brings us up to something like 6700, 6800 students that are in our neighborhoods and as of Friday last week I believe it was or Thursday, there were 2600 students that had been tested. I'm frustrated and Tufts doesn't want to, it seem to share that information because I've asked them a number of time. They changed their dashboard so it didn't give you unique information. And I just want to go on record because I'm asking the same questions, week in day in day out and I'm not getting answers. So I just want it to be public that we're trying to get this. We have all these students, 6800 students back. You know, there's probably more, but only 2600 students was the last number that I got, had been tested and I was also told that the dashboard would be updated daily and

it doesn't appear to be. And I think that Mr. Kress who speaks with the university a number of times per week could hopefully implore that we get the data that would be good to know that all the students have been tested. Thank you.

>> All right, Councilor Davis and Ewen-Campen.

>> Thank you Mr. President and Councilor Ballantyne. And I would like to request that a copy to be sent to the university to their representatives and I would like -- and it is my intent as chair of public health and public safety to add this item to the agenda for Monday. As this was a late item I had no way or reason to anticipate it would be raised so I am able to add it to the agenda so we will add to it the agenda for Monday and look forward to a response from if folks at Tufts, thank you, Mr. President.

>> Okay, Councilor Ewen-Campen.

>> Thank you, Mr. President, so through you to Councilor Ballantyne, thank you very much for raising this, I look forward to discussing it. I just want to make sure I'm understanding, I'm looking at the dashboard right now. And if you look at the Medford Somerville seven day results they're reporting twelve positive cases and 7600 negative. So looking at this naively, one might assume there's 12 positive individuals and I'm just curious through you, to Councilor Ballantyne is you said you've spoken to Tufts and you are not clear if this refer to 12 individuals and not four individuals three times, et cetera, et cetera?

>> Thank you, I'm just going to toggle over so I have the screen up in front of me. So they changed this dashboard two days ago. And, yes, I am unclear. They've taken the old dashboard that was up last week, did have some unique numbers on them, and when I spoke to the university about it, it was something like five thousand. And I'm thinking, to myself, oh, that's great, 5,000 out of 5500 undergraduates had been tested but then I was told, no, that includes the staff and the faculty so I've tried to get them to drill down so we can understand it and they said, well, we're going to update the dashboard. So when I looked at the dashboard, when I got the e-mail that it had updated two days ago then the unique numbers were taken off so honestly I don't really know. I can sort of guess how to read this but I don't really know and students is, yeah, that's it. I don't have an answer and I'm hoping they'll give us one Monday.

>> Through the president, thank you very much and I totally agree and I'm very thankful you raised this because members of the city council say nothing of the public should not have to guess at the meaning of this, we should be able to understand how many positive individuals tested on campus, that's the whole purpose of this dashboard. Thank you, again, for raising this, I look forward to discussing it.

>> Any further discussion? Hearing none, let's do a roll call vote on approval and submitting a copy to the public health and safety committee and Tufts University.

>> Mr. President, there's a roll call vote on that item, Councilor Ballantyne's late item. 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.

>> Mr. President, all of the councilors have voted in favor that item has been approved.

>> With no other items before us Councilor Clingan moves to adjourn. Mr. Clerk, please call the roll.

>> On adjournment, Councilor Clingan.

>> 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 councils have voted in favor of our adjournment.
- >> Good night.