



Medford City Council
Medford, Massachusetts

The Third Regular Meeting, February 6, 2024

City Council

Isaac B. “Zac” Bears
Anna Callahan
Kit Collins
Emily Lazzaro
Matt Leming
George A. Scarpelli
Justin Tseng

Broadcast Live: Channel 22 (Comcast) and Channel 43 (Verizon).

This meeting will take place at 7:00 P.M. in the Medford City Council Chamber on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, MA, and via Zoom.

Zoom Link: <https://us06web.zoom.us/j/85182355951>

Call-in Number: +19292056099,,85182355951# US

To participate remotely outside of Zoom, please email AHurtubise@medford-ma.gov.

CALL TO ORDER & ROLL CALL

ROLL CALL

Present: Councillor Callahan; Vice President Collins; Councillor Lazzaro; Councillor Leming; Councillor Scarpelli; Councillor Tseng; President Bears. Inside the Rail: City Clerk Adam Hurtubise; City Messenger Lawrence Lepore.

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, CONDOLENCES, REPORTS & RECORDS

24-027 - Offered by Vice President Collins, Councillor Lazzaro, and Councillor Tseng

Be it Resolved that the Medford City Council acknowledge and celebrate Black History Month.

Vice President Collins moved for approval (Councillor Lazzaro second)—approved.

24-029 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council send our deepest condolences to the family of Bruno "Brunie" Bonaccorsi.

Councillor Scarpelli moved for approval (Councillor Tseng second)—approved.

24-030 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council congratulate Patrick O’Brien, life-long resident of our great city and committed volunteer, on his recent retirement at UPS.

Councillor Scarpelli moved for approval (Vice President Collins second)—approved.

24-032 – Offered from the Podium by President Bears

Be it Resolved by the Medford City Council that we send our deep and sincere condolences to the family of Elisabeth "Betsy" Schreuer, a long-time Medford Public Schools librarian and beloved member of the Medford community.

From the podium, President Bears moved for approval (Councillor Scarpelli second)—approved.

Records

The Records of the Meeting of January 23rd, 2024 were passed to Councilor Callahan.

Councillor Callahan moved for approval (Councillor Tseng second)—approved.

Reports of Committees

24-006 - Offered by Isaac Bears, Council President

Committee of The Whole Report, January 24th, 2024.

24-006

**COMMITTEE OF THE WHOLE
MEETING REPORT**

WEDNESDAY, JANUARY 24, 2024 @ 6:00 P.M.

Zoom Link: <https://us06web.zoom.us/j/89885290293>
Call-in Number: +13126266799,,89885290293#

To participate remotely outside of Zoom, please e-mail AHurtubise@medford-ma.gov.

Attendees: Council President Isaac “Zac” Bears; Council Vice President Kit Collins; Councillor Anna Callahan; Councillor Emily Lazzaro; Councillor Matt Leming; Councillor George Scarpelli; Councillor Justin Tseng; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

President Bears called the meeting to order at 6:00 p.m. on January 24, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss the City Council’s governing agenda for this term.

President Bears thanked participants for attending. He went over the framework for the meeting and for presentation of papers related to the governing agenda. He said he and Vice President Collins are looking at schedules for reviewing and updating the document.

Vice President Collins said she thinks this plan sounds great. She said that this is a long document but it is sketching out everything over two years. She said many of these papers will get referred to committees.

President Bears said that this framework is a living document to reflect the work the Council is doing. He said it’s an ambitious agenda. He said it is split up by committee. He said that the ordinances in Committee of the Whole are mostly done, including the tree ordinance, the leaf-blower ordinance, and the food truck ordinance. He said listed the committees for this term. He said all Councillors are members of all committees but that there are only five voting members of each committee, and a quorum is based on that group of five.

On the Committee of the Whole ordinances, President Bears said that the goal is to complete those in the next three to six months.

Councillor Callahan asked why those papers are in Committee of the Whole. President Bears said that those papers had been in subcommittees first and then went to the Committee of the Whole. He said that given the new committee structure, some of this could be looked at in various different ways.

Councillor Callahan said she appreciates the current status of the papers in committee.

President Bears said that there are a number of topics for the Administration and Finance Committee. The major projects are the annual budget process, revenue, and a number of other items, including the good landlord tax credit and multiple other initiatives. He said many of the ordinances and regulations have archaic language.

Councillor Leming asked about overlapping committee jurisdiction over various papers. President Bears suggested that there would be one committee that is slightly more relevant and the paper should go there. Councillor Lazzaro said that papers could also go from committees to Committee of the Whole. President Bears said that there is no strict checklist of steps that a paper has to go through before it moves.

Councillor Callahan said she was excited to see the percent for art ordinance. Vice President Collins said that she would share leadership on that if others were interested. President Bears said that there was a commercial vacancy and a community benefit paper that needed to be introduced.

Councillor Lazzaro said that if the goal is to start the Community Benefits Agreement Ordinance in November, would it start then or earlier or any time. President Bears said it could be presented at any time.

Councillor Callahan asked if there would be an updated digital copy of this and President Bears said he would consult with Vice President Collins. Vice President Collins said her aspiration is to check in with committee chairs monthly.

Councillor Tseng said he is excited about these ideas. Councillor Lazzaro said she admires how many real, established ordinances are already in committees. She said that this seems like a nice template for the Council to build on. President Bears said that the Council should look at what committees need to meet more frequently and what committees need to meet less frequently.

President Bears said that there is not a lot of material in the Education and Culture Committee but that this is a committee that would need to be looked at. Councillor Tseng said he wanted to plug the Lunar New Year celebration on February 10 at the Library. He said he wanted to talk about it since President Bears mentioned cultural events. He said that the Youth Commission makes more sense in another committee right now.

Councillor Callahan said she was hoping to offer more opportunities for our children to spend in the Fells. She also wanted to send out a message about Lemonade Stand days for parents and for kids.

President Bears said that some of these ideas might be a good place for interaction with the Administration's Director of Cultural Affairs, who helps to plan events.

Vice President Collins said that some of the work will be more straightforwardly legislative, including promulgating regulations and policies. She said that other work will involve other functions the Council serves.

President Bears turned to the Governance Committee and its jurisdiction, including elections, the Clerk's Office, Council Rules, City Ordinances, provisions of state law accepted by the City, updates to the Charter, and a variety of other items. He said one goal is to create an updated City Charter. He said he wanted to give the Council time to set out its own process

and procedure. He said he didn't want this to take four years, especially since the Charter Study Committee has done great work. He said one concern was that the Elections report from last night's Council meeting needed further exploration in this committee, and that Councillor Callahan had also offered a pro-democracy motion in the Council meeting that could be addressed by this committee.

President Bears said that there is a discrepancy between which boards and commissions receive stipends and which do not. Councillor Tseng said much of this committee's work is work that will come through the process of working on one item. He said we shouldn't underrate the work that the Charter will take. He said he is interested in going through MGL to see what we have accepted and what we have not accepted yet.

President Bears said that Planning and Permitting is also going to have a great deal of work attached to it. It's the holistic planning and permitting work, including zoning and a variety of ordinances. Vice President Collins said that there is certainly two years of work laid out in this framework. She said that zoning reform is going to be a characteristic project of this Council. She said it might make sense to begin a conversation about organizing our year.

Councillor Tseng said that this reminds him that the three responsibilities of the Council are zoning, ordinances, and budgets. He said that there are a lot of ideas that pair really well with zoning reform. He said he is excited about the Transportation Demand Management Ordinance. He said that these are all great ideas and he is excited for the work that can be done.

Councillor Callahan said she could work on the energy disclosure and benchmarking ordinances. Councillor Tseng said he tried to include relevant points from items already passed. President Bears noted a number of papers that would need to be formally submitted.

President Bears noted the work that the Public Health and Community Safety Committee would undertake, including ordinances, regulations, and various City departments. Councillor Lazzaro said that a warming and cooling center is particularly important to her and that the timeline would be to talk to interested parties after this winter is over and start planning for next winter. She asked if this process starts with talking to Department Heads and landowners before making a motion on the floor, or whether the motion on the floor would come first. Vice President Collins said it's always more valuable to her to involve stakeholders and experts earlier in the project. She said that it's completely fine to involve collaborators earlier in the project. Councillor Lazzaro said she doesn't want to alienate or steamroll any of our partners. She said she is very excited to get moving on all these projects.

President Bears said it is good to take a two-track approach. He said a paper could go onto the agenda and then out into the community to stakeholders and potential funders. He referenced former Councillor Caraviello's work on the new library and former Councillor Marks's work on the potential new arts center. He said a one-stop service center is a priority of his. He said he thinks that the Malden Warming Center is private and non-profit. Councillor Lazzaro said that Revere and Somerville are putting warming centers in their public buildings.

Councillor Leming said he specifically wants to discuss the plant medicine decriminalization ordinance. He said that there is work that may need to be done at the state level and that may require an update to the governing agenda in the future. Councillor Callahan said she was asked if the City could pass something that allows people to raise chickens in their backyards. She said that this is not at the ordinance stage yet.

Councillor Tseng said that he had also heard this point about chickens in back yards. He said it is an idea he finds interesting and possible. He suggested talking time to speak with Director Hunt about working with St. Francis to get the church to sell a parcel to the Y. Councillor Lazzaro said she would love to discuss that. Councillor Tseng said it's often healthy for debate just to introduce a resolution. He said that these conversations are healthy.

President Bears discussed Public Works and Facilities. He said this involves streets, utilities, the DPW, facilities, forestry, cemeteries, and a variety of other topics, including water and sewer. He said our water and sewer system is one of the poorest in Massachusetts. He also mentioned the IT department. He said street and sidewalk repairs are within this committee's oversight, as are City facilities and equipment in general. He said he wants to know the cost to restore all of our capital assets to a state of good repair and that the Administration has said it is unable to give the Council that figure. He listed a lead ordinance and a home rule petition on excise taxes for larger trucks, and other utility-related topics.

Councillor Callahan said she is excited to work on these items and would like to be the lead Councillor on the public utility accountability work. She said she is also grateful for the effort on the lead ordinance. Councillor Tseng said he submitted the public restrooms in parks and squares with this committee but that it might also work in Public Health and Community Safety.

Matthew Page-Lieberman, 15 Canal Street, said he appreciates the discussion about the electrical utilities. He said that the City should consider purchasing only renewable energy and that other municipalities are doing this.

Councillor Lazzaro said she knows that the water and sewer infrastructure is bad. She said she knows people whose basements routinely flood and that it is because of the infrastructure on those streets. She said she is curious to know where the City is and if the City is aware of these problems. President Bears said his understanding is that the system is bad because it is one of the oldest systems. The City is also not responsible for water and sewer on private ways. He said that the Water and Sewer Commission and DPW are also working on an assessment of the Water and Sewer System. He said that retained earnings for the enterprise fund, and most of the time, the commission recommended that retain earnings be used for rate relief rather than for long-term investments, until the Council decided that we as a Council would not do that any more. He said that the Council approved a loan order for MWRA bonds earlier this month. Councillor Lazzaro asked if the huge percentage of private ways in the City contributes to these problems, and President Bears said yes. He said owners of private ways would need to pay to bring the ways up to code before the City could accept them as public ways, and the residents would be responsible for hundreds of thousands to millions of dollars worth of work.

Vice President Collins said we all have some understanding of the problem and its totality. She said we know we have very old infrastructure and it needs to be repaired and rehabilitated. Councillor Callahan said that she would love to organize one meeting of this committee that is devoted to discussing private ways with the public. President Bears suggested that Councillor Callahan submit that as a paper so it can be referred to committee. He also said that Commissioner McGivern and Director Blake are valuable resources on this topic. He said Commissioner McGivern said that this is a mid-hundreds-of-millions or more investment.

President Bears discussed Resident Services and Public Engagement. He said it would included areas of racial justice and equity, the City Clerk, aging, veterans' services, a welcoming city ordinance, and a variety of other topics. Councillor Leming said he appreciates Councillor Tseng's capacity for work. He said he is of the opinion that some of this work should be spread out. Councillor Tseng said he appreciates Councillor Leming's sympathy for his workload. He said he would be happy to distribute some of it. Councillor Callahan said that there wasn't any obvious place to put the work of revitalizing our squares and she thought that this committee might be a good place for that work. She said she could make some suggestions on things we might be able to do. President Bears talked about some previous work on these topics.

Councillor Tseng said beautification is something that has been discussed and that the Council passed some resolutions on it last year. He said that there is also ongoing work on zoning. Councillor Tseng said he would like to work with the Administration to identify possible internship opportunities for public school students in Medford.

Councillor Callahan moved to refer the governing agenda to each of the committees (Councillor Leming second)—approved on a roll call vote of seven in favor and zero opposed.

Vice President Collins said it made sense to keep a close eye on this document and to check in with committee chairs frequently, and to review this governing agenda monthly, and so moved, including reviews in June and December, and to adjourn, at 7:30 p.m. (Councillor Tseng second)—approved.

President Bears adjourned the meeting at 7:30 p.m.

[End of Committee of the Whole Report.]

From the podium, President Bears moved for approval (Vice President Collins second)—approved.

Councillor Tseng moved to join the three remaining reports (Councillor Callahan second)—approved and joined.

The Council considered the next three Committee Reports together. Final action is after the last Committee Report.

24-006 - Offered by Isaac Bears, Council President

Administration and Finance Committee Report, January 30th, 2024.

**24-006
ADMINISTRATION AND FINANCE COMMITTEE
MEETING REPORT
TUESDAY, JANUARY 30, 2024 @ 6:00 P.M.**

Attendees: Council President Isaac “Zac” Bears, Committee Chair; Council Vice President Kit Collins, Committee Vice-Chair; Councillor Emily Lazzaro; Councillor Matt Leming; Councillor Justin Tseng; Councillor Anna Callahan; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

President Bears called the meeting to order at 6:00 p.m. on January 30, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss the City Council’s governing agenda for this term, as well as papers referred to the Committee.

President Bears thanked participants for attending. He said it was an exciting time because it was the first standing committee meeting under the new committee structure. He outlined new guidelines as the new committee meeting schedule begins. He outlined the various papers in committee.

Councillor Lazzaro asked how any papers that are in committee, prior, can be discussed now. President Bears said that papers on this agenda can be brought up for discussion via motion. Councillor Lazzaro said that there is discussion about timing. She said she would like to see the background on all papers in committee, but she doesn’t want to see it all immediately. President Bears said that asking for background information and pulling records is one thing, and then getting into the substance of the papers is another thing.

President Bears said he is working to schedule the Administration to be at next month’s meeting. Councillor Leming asked why some of these papers have been left in committee for so long. President Bears explained the notations on the agenda. He said some of these papers were referred to committee and never had a committee meeting. He said the PILOT Commission resulted in early meetings and there is a draft ordinance. He outlined other

papers that have been in committee for a length of time. He said that there were five meetings on the budget ordinance in 2023.

Councillor Tseng said he is looking into two papers in committee. He detailed some research he had done on the muni bonds program. He said the proposal on the PILOT ordinance is a good idea.

President Bears said we are looking at the budget ordinance for the February meeting. He said we are also going to look at the Classification and Compensation Study implementation and Revenue Generation and Proposition 2.5 planning.

Vice President Collins said that the original form of the ordinance spoke to both the annual budget process and also laid out a prescribed structure for looking at the annual operating budget. She said that the Administration has said that this is a difficult thing to operationalize, but we think there is value in coordinating those conversations in a structured document.

Councillor Lazzaro asked if we have to do anything with the budget ordinance on this meeting before it goes to the full Council. President Bears said that the budget ordinance will be a topic of discussion at the February meeting of this committee. He outlined topics for future committee meetings.

Vice President Bears said that the Classification and Compensation study is being undertaken by the Administration with help from the Collins Center, to discuss how City employees are compensated. President Bears said it might be helpful to move to ask the Administration for an update on that study.

Councillor Leming asked for additional details on the Classification and Compensation study. President Bears explained the CAF structure for the City.

Vice President Collins suggested requesting the update by February 20.

President Bears said he and former President Morell reached an agreement with the Administration on moving forward on the budget ordinance and also on establishing a financial task force which includes members of the Council and School Committee and which will be formally announced.

Councillor Leming moved to request an update on the Classification and Compensation Study (Councillor Lazzaro second with an amendment requesting that the update come to the Council by February 20)—approved as amended.

Councillor Lazzaro said that most of the rest of this seems like it would follow once some of the financial announcements are made. She said that the more information we can share with the public the sooner, the better. President Bears said he hopes the announcement will be made by mid-February.

Councillor Leming said that a lot of the large projects could be a little more difficult to pass. He said Vice President Collins proposed a good landlord tax credit last meeting and he has proposed a resolution on the commercial vacancy tax for the next Council meeting. He said, regarding the vacancy tax, he is talking to the Planning team to discuss best practices.

President Bears said that the vacancy tax, the good landlord credit, the owner occupied exemption and other matters are things that can be discussed this term. He said some of these are distributional, about how the burden can be shouldered.

Councillor Leming asked how long it might take from a first resolution until somebody actually pays that tax or receives a benefit from that tax. President Bears said that we would need to bring in the Assessor for that. He said anything about the rate-setting would require a discussion well in advance of the rate-setting meeting.

Councillor Leming said that the commercial vacancy tax would only specifically apply to vacant or effectively closed businesses. He said it would be much more targeted and would not be enough to impact the total tax levy. He said it's an incentive.

William Navarre, 108 Medford Street #1B, said he doesn't think Prop 2.5 would impact or affect that. He said the vacancy tax would not be an ad valorem tax.

Councillor Leming said that he is not sure how we can discuss something that has not yet been referred to committee. President Bears said it is on the governing agenda document.

Vice President Collins said that these initial meetings are helpful in setting up what we will need to do going forward. She said this will also help the order in which we do things. She said the Assessor's Office requires a fairly long runway for most things. She said she thinks we can pursue all of these projects in committee.

Councillor Tseng said he would like to ensure that the draft PILOT ordinance gets some time for discussion as well.

Councillor Tseng moved to add the PILOT ordinance to the governing agenda (Vice President Collins second)—approved.

Vice President Collins said that in general she is pretty happy with the timeline of the governing agenda. She said it's important to start implementing the Classification and Compensation study. She said it's important to discuss the commercial vacancy tax. She said she thinks this roughly follows the order of need.

Vice President Collins moved to adjourn at 6:56 p.m. (Councillor Leming second)—approved.

President Bears adjourned the meeting at 6:56 p.m.

[End of Administration and Finance Committee Report.]

24-006 - Offered by Kit Collins, Council Vice President

Planning and Permitting Committee Report, January 31st, 2024.

**24-006
PLANNING AND PERMITTING COMMITTEE
MEETING REPORT
WEDNESDAY, JANUARY 31, 2024 @ 6:00 P.M.**

Attendees: Council Vice President Kit Collins, Committee Chair; Council President Isaac "Zac" Bears; Councillor Anna Callahan; Councillor George Scarpelli; Councillor Emily Lazzaro; Councillor Justin Tseng; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Vice President Collins called the meeting to order at 6:00 p.m. on January 31, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss the City Council's governing agenda for this term, and to discuss papers referred to the Committee.

Vice President Collins thanked participants for attending. She gave an overview of topics to be discussed in committee and the papers referred to the committee. She said it made the most sense to talk about zoning reform first. She said that at the end of the last Council term, the Council selected a zoning consultant.

Councillor Callahan said it would be helpful to have a status report on each initiative or paper. She said that the Council will be working with the zoning consultant and with PDS staff. She said the idea is to organize this by goal, by topic, by category. She said it is a lot to get through in two years.

President Bears said we want to bring a draft of the categories to be presented, and a status on each category. He said that this committee will meet frequently, primarily because of the zoning work. He said with the current zoning, the digital map is almost ready to go.

Councillor Callahan said that some of the items on this document are vague and would need to be updated. Vice President Collins said that much of the agenda would need to be fleshed out with the zoning consultant during meetings.

Councillor Scarpelli said that zoning reform is such a huge and important process. He said he does not want to suffocate residents with all the information. He said he wants to create something that encompasses everybody's efforts. President Bears said that we will probably have specific parts of the city to discuss in each of the zoning meetings. He said that the advantage of Committee of the Whole meetings previously was that topics were specific and limited. With this new committee structure, he said we would have to try to preserve that. He outlined the previous zoning recodification work.

Councillor Tseng said that these are good ideas and that he is confident that we will move forward. He said that City staff may want to do other components while we are doing zoning. Vice President Collins said that these are all good points and that we may do them in conjunction with each other.

Vice President Collins said that we will collectively decide on a sequence of work. She said she could be a repository for notes, lists of goals and priorities, and other items.

On ordinances, Vice President Collins said that some of these will align with other priorities. She spoke about the condo conversion ordinance. She also spoke about housing home rule petitions and reviewing the fee schedule. President Bears said the City charges fees for a variety of things and they are set by different bodies, or under state law, or by departments. He said it is time to review and potentially update the fees. He said fees differ by community as well. He said the goal would be to review these every year or two. President Collins asked if this would go department by department. President Bears said that it might not need to be that formal, outside of a request to departments to see which fees they would like to see updated.

Councillor Tseng said it would be helpful to find out the priority level for various fee changes. President Bears said that DPW just did this because many fees are at the discretion of the Commissioner.

Vice President Collins said that the goal of the cycling safety ordinance would be to align with DPW, and with bike lane work, with a goal toward increasing safety for all users. Councillor Tseng said that this is a place where we need to improve safety.

Councillor Scarpelli said that we might want to consider having the state delegation meet with us to discuss statewide bike safety initiatives and fees, and to see if there is a way to work together. He said we do have some occasional rogue cyclists. He said that in neighboring cities, a lot of fees go toward safety measures.

Councillor Tseng talked about Transportation Demand Management, which would create an ordinance whereby large employers or institutions would need to develop a transportation demand management plan, designed to reduce private vehicle trips to the site. He said that this might be tied in with zoning.

Councillor Callahan discussed several ordinances dealing with climate action, including energy disclosure, a benchmarking ordinance, and other items. Vice President Collins said it would be helpful to get tentative timelines and start dates for these ordinances. Councillor Tseng recommended speaking with Brenda Pike in PDS on these topics. Councillor Callahan said it would make sense to investigate what the state is working on.

Councillor Callahan also spoke about rental licensing. Councillor Tseng spoke about blasting and earth removal regulations. President Bears asked if these should be independent of zoning reform and Councillor Tseng said yes. Councillor Tseng discussed pesticide regulations and stormwater regulations.

Vice President Collins spoke about additional topics on the docket. Councillor Callhan said that some of these involve energy retrofits for the climate adaptation plan.

President Bears spoke about **21-070** about complaints about the inspection process. There were also outdoor Committee of the Whole meetings that were well attended late in 2021 on a Saturday. The Transportation Director presented short-term updates. He said that some of those updates were not enacted by the traffic commission when one resident complained to the traffic commission after multiple residents attended the Council committee meetings. He said that the Council can dissolve the Traffic Commission by a two-thirds vote of the Council. He said that it might be worth looking at what a different Traffic Commission would look like. Vice President Collins said that this would be worth discussing.

Vice President Collins invited Councillors to submit lists of priorities. She also suggested submitting start and end dates.

President Bears moved that the TDM and Green Score items be moved under zoning (Councillor Callahan second)—approved.

Councillor Callahan moved to adjourn at 7:04 p.m. (President Bears second)—approved.

Vice President Collins adjourned the meeting at 7:04 p.m.

[End of Planning and Permitting Committee Report.]

24-006 - Offered by Anna Callahan, City Councilor

Public Works and Facilities Committee Report, January 31st, 2024.

**24-006
PUBLIC WORKS AND FACILITIES COMMITTEE
MEETING REPORT
WEDNESDAY, JANUARY 31, 2024 @ 7:00 P.M.**

Attendees: Councillor Anna Callahan, Committee Chair; Councillor Emily Lazzaro, Committee Vice-Chair; Council President Isaac “Zac” Bears; Councillor George Scarpelli; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Chair Callahan called the meeting to order at 7:10 p.m. on January 31, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall, and via Zoom. The start of the meeting was delayed by a committee meeting immediately beforehand. The purpose of the meeting was to discuss the City Council’s governing agenda for this term, and to discuss papers referred to the Committee.

Chair Callahan thanked participants for attending. She highlighted the governing agenda and the documents and papers in committee. She said we want to provide residents with some awareness of what the City is going to do for items such as street and sidewalk repair.

President Bears said that this is one of the top three issues in the city. He said most of our residents are upset about the conditions of our streets and sidewalks.

Councillor Scarpelli said we have provided a lot of bonding for roads and sidewalks and then the roads and sidewalks continue to deteriorate. Councillor Scarpelli said that the Administration comes to the Council with loan orders and it is frustrating when the work can't get done because of a lack of licensed contractors. Councillor Scarpelli advocated having a sidewalk and hot-top crew year-round. Councillor Lazzaro wanted to keep an eye on how much we are requesting City Staff to work on these requests.

President Bears moved that we create a new paper in this committee to request an update on (1) the pavement management plan and sidewalk management plan from the DPW, including the financial plan recommendation that the City adopted based on the pavement and sidewalk management plan; (2) what the city has spent on pavement management and sidewalk management since the plans were released; (3) how much was spent from authorized bond orders, if funds were spent on streets and sidewalks other than those initially listed for the bond orders; (4) and when the pavement and sidewalk management plans may be updated (Councillor Scarpelli second)—approved.

Councillor Scarpelli moved to ask the DPW Commissioner to do a cost analysis for road and sidewalk repairs, and to request a sidewalk and hot-top crew to do that work in-house, and to look at the costs for "Luke Sidewalker", and to have that be added into the duties (Councillor Lazzaro second)—approved.

On facilities and equipment, President Bears said we are trying to get a handle on all the facilities we own, the annual costs to maintain them, and the costs to get them into a state of good repair. He said we have the Hegner Center, we have a new library and a new police station, and we have fire stations. He said we have 80-100 year old windows and punched-out panels in City Hall. He said we're going to be building a new fire headquarters. He said that the money from the casino should have been going to fund the Chevalier. He said he would be happy to take the lead on this project.

Councillor Scarpelli said he doesn't know if we can do this job unless we know what is needed for each of our facilities. He said in the past, there has been a comprehensive plan. He said he has yet to meet the Facilities Director. He said he would like to see what other municipalities have in terms of facilities management. He said the Medford School Department used to have its own maintenance team. He said we might need to ask the Mayor to bring in a consultant to review all our buildings.

Chair Callahan said she completely agrees on the need for some sort of assessment and having a new Facilities Director is the right time to have this discussion. Chair Callahan discussed plans for parks and squares.

On ordinances, President Bears said that the Lead Ordinance hasn't been formally introduced yet but he would be willing to work on this with the DPW Commissioner and Water and Sewer Superintendent.

Chair Callahan said that there could be a home rule petition to increase excise taxes on large vehicles. President Bears said that larger, heavier vehicles damage our roads more quickly than lighter vehicles do. He said the intent is to ask the legislature to let us assess our excise tax based on the size of the vehicles.

Chair Callahan discussed Public Utility Accountability. Councillor Scarpelli said that in certain utility work, homeowners now need to pay contractors to pave curb to curb. He asked if utilities on their own work are mandated to do curb to curb restoration. He said he doesn't believe they are, and that this is not fair that a private homeowner has to pay to repave curb to curb when a utility does not need to do the same thing.

Councillor Scarpelli said a big complaint is that utilities are not being held accountable and we also do not have a Clerk of the Works. He said he wanted a fee to be added to roadwork to pay for a Clerk of the Works.

Councillor Lazzaro said that gas leaks are also important issues. She said that Somerville had the highest density of gas leaks. She said that there was a bill in the legislature.

The City Clerk discussed an ordinance passed by the Council several years ago, and said that utilities informed him that they do not even need to respond to him under this ordinance.

Councillor Scarpelli said that there were a number of gas leaks on Harvard Street. Councillor Lazzaro said we could pick up the work that has been done without replicating it. She said she would be happy to do that, working with Councillor Scarpelli. Councillor Scarpelli recommended getting an update from National Grid.

Councillor Scarpelli moved to ask the City Engineer for what the utility standards are for utilities opening the streets, and for private residents who need the streets opened for work on their water lines and other needs (President Bears second)—approved.

Councillor Lazzaro moved to be the co-lead on the oversight/engagement of public utility accountability with Councillor Scarpelli (Councillor Scarpelli second)—approved.

Chair Callahan said that the final item is the tree planting volunteer effort. She said that is in a very early stage. She said the idea is that the city would allow certain volunteers and residents, with proper training, to participate in the planting of certain city trees. Councillor Scarpelli said that the union president should be involved when it comes to the issue of volunteer work that might normally be done by the DPW.

President Bears said that there have been targeted increases in the forestry department. He said he worked with Rep. Donato to get some additional funding here. He said 19-554 is a resolution to add noise barriers on I-93 North.

Andrew Castagnetti, 23 Cushing Street, congratulated the new Councillors that were elected and congratulated those who ran. He said that one side of 93 got noise barriers and the other side did not.

Ken Krause, 50 Mystic Street, thanked the Council for putting the governing agenda together and committing to regularly scheduled meetings. He said he is excited about this particular committee. He said that the Chevalier Commission and the arts community are excited to work with the Council on these topics. [Mr. Krause also submitted written comments which are included at the end of this report, after adjournment.]

President Bears said that the Capital Improvement Plan is not attached to the assessments such as the pavement management assessment and the sidewalk management assessment. He said he wants to know how much this accomplishes.

Councillor Scarpelli moved to adjourn at 8:15 p.m. (President Bears second)—approved.

Chair Callahan adjourned the meeting at 8:15 p.m.

In addition, Ken Krause submitted the following written comments:

Dear Medford leaders,

Thank you to the Medford City Council for revamping its committee structure for 2024 and also scheduling regular committee meeting dates.

I am particularly interested in how the Public Works and Facilities Committee and the Education and Arts Committee can help advocate for more funding in the city budget for Chevalier Theatre and for the Condon Shell Park.

There currently is no money in the city’s annual budget for the Chevalier complex other than a \$33,000 line item for a part-time custodian’s salary, which in FY24 was taken out of the \$100,000 annual payment the city receives for Chevalier from the Encore Boston Harbor Casino. The 85-year-old facility, more heavily used than ever, would greatly benefit from the addition of dedicated annual funds, particularly for regular preventive maintenance.

The Condon Band Shell has undergone welcome renovations in the last few years, with repairs to the structure itself; painting and new murals; electrical and lighting upgrades; and landscaping improvements. The shell and park also have seen a large increase in use, with 40 public events presented there in 2023.

However, as identified in the city’s 2019 [Parks and Open Space for Climate Resilience report](#), the Condon Shell park suffers from a highly inadequate drainage system, is quickly saturated after heavy rains, and takes a long time to dry out. This makes attending a concert or a movie or the Medford Farmers Market a challenge and can even be a deterrent. Attached are some photos from last Friday showing how the park looked after last week’s rain.

The report also noted that the Condon Shell is a critical park for serving climate equity, as it is located in a current and future flood zone and adjacent to critical infrastructure. Due to its location by the Mystic River, it is critical for managing stormwater and has high runoff potential. Consequently, the report accorded the Condon Shell Park the highest priority park for implementing green infrastructure and nature-based solutions for climate resilience in Medford, some of which were recommended in the report.

I’m not sure who would be responsible for taking the lead on a major drainage improvement project, since the Department of Conservation and Recreation still owns the park and the City of Medford only manages and maintains it.

But I would very much welcome and encourage a coordinated effort between the city’s administration, departmental staff, and related boards and commissions; state and perhaps even federal agencies; the Mystic River Watershed Association; Massachusetts Water Resources Authority; and our state legislative delegation to address this situation as a very high priority matter.

Thank you for your consideration.

Ken Krause
50 Mystic Street
Medford, MA 02155
781-835-6007



Condon Shell
drainage.pdf

[End of Public Works and Facilities Committee Meeting Report.]

Councillor Tseng moved for approval of the joined reports (Vice President Collins second)—joined reports approved.

At 7:15 p.m., Vice President Collins moved to suspend the rules to take Public Participation, and Papers 24-037, 24-038, 24-021, and 24-035 (Councillor Scarpelli second)—approved.

PUBLIC PARTICIPATION



City of Medford
Massachusetts

1/30/ 2024

PETITION

To the Honorable City Council

Councillors:

The undersigned respectfully pray for

to speak before the council

PETITIONER'S SIGNATURE

Judith D. Lonergan
Judith D. Lonergan
(Print Name)

Residence: 34 Lincoln Road

Business Telephone Number 781 395-7158

Home Telephone Number 781 396-6584 cell 781 820-8237

Addressing the Council:

Judith Lonergan, 24 Lincoln Road
Loretta Tussa, 45 Metcalf Street
Angela Speduto, 27 Mammola Way
Val Cavilio, 223 Lawrence Road

COMMUNICATIONS FROM CITY OFFICERS AND EMPLOYEES

24-037--

Call for Election
PRESIDENTIAL PREFERENTIAL PRIMARY
Tuesday, March 5, 2024

BE IT ORDERED: that the Elections Commission be and is hereby authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the Presidential Preferential Primary on Tuesday, March 5, 2024, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for:

PRESIDENTIAL PREFERENCE

DISTRICT MEMBERS OF STATE COMMITTEE
for each Political Party for the Second Middlesex Senatorial District.

MEMBERS OF THE PARTY WARD COMMITTEE
for the Democratic Ward Committee and the Republican Ward Committee.

and the polls of said Presidential Preferential Primary shall open at 7:00 A.M. and remain open until 8:00 P.M.

BE IT FURTHER ORDERED: that the following named polling places be, and they are hereby designated for use at the Presidential Preferential Primary on March 5, 2024.

(The said polling places to be open at 7:00 A.M. to 8:00 P.M.)

Voting Precincts

Ward 1 Precinct 1	Andrew Middle School, 3000 Mystic Vly. Pkwy.
Ward 1 Precinct 2	Fire Fighters' Club, 340 Salem Street
Ward 2 Precinct 1	Roberts Elementary School, 35 Court Street
Ward 2 Precinct 2	Roberts Elementary School, 35 Court Street
Ward 3 Precinct 1	Medford American Legion, 321 Winthrop Street
Ward 3 Precinct 2	Temple Shalom, 475 Winthrop Street
Ward 4 Precinct 1	Tufts University, Gantcher Center Rear, 161 College Ave.
Ward 4 Precinct 2	22 Walkling Ct./Auburn and North St. (Fondacaro Center)
Ward 5 Precinct 1	Missituk Elementary School, 37 Hicks Ave.
Ward 5 Precinct 2	Missituk Elementary School, 37 Hicks Ave.
Ward 6 Precinct 1	West Medford Fire Station, 26 Harvard Ave.
Ward 6 Precinct 2	Brooks School, 388 High Street
Ward 7 Precinct 1	Mystic Valley Towers, North Building Entrance
Ward 7 Precinct 2	McGlynn K-8 Public School, 3004 Mystic Valley Parkway
Ward 8 Precinct 1	Senior Center, 101 Riverside Avenue
Ward 8 Precinct 2	South Medford Fire Station, Zero Medford Street

Addressing The Council:

Election Commission Chair Henry Milorin
Election Commission Member Erin DiBenedetto

Councillor Tseng moved to approve the Call for Election (Vice President Collins second)—approved on a roll call vote of seven in favor and zero opposed.



Election Commission
85 George P. Hassett Drive, Room 102
Medford, Massachusetts 02155
781-393-2491

2024 MEDFORD ELECTION CALENDAR

Action	Comments/Timing	MGL for Reference
Last day to register to vote for the Mar 5th, 2024 , Presidential Primaries.	Feb 24 th , 2024, office will be open until 5:00PM.	Count 10 days back from the election or primary – the last day to register to vote. G.L. c. 51, §§ 26, 28.
Last day to request a vote by mail ballot for the Mar 5th, 2024 , Presidential Primaries.	Feb 27 th , 2024, office will be open until 5:00PM.	Vote by Mail Applications due 10 business days prior to all elections. G.L. c. 92, Acts of 2022.
In-person early voting for the Mar 5th, 2024 , Presidential Primary in the City Council Chamber.	Feb 24 th - 9:00am – 3:00pm Feb 25 th - 9:00am – 3:00pm Feb 26 th - 9:00am – 4:30pm Feb 27 th - 9:00am – 4:30pm Feb 28 th - 9:00am – 7:30pm Feb 29 th - 9:00am – 4:30pm Mar 1 st – 9:00am – 12:30pm	Count 10 days back from the election or primary for the state and presidential primaries. For the 4 th day before the election or primary, notice must be posted prior to start of EV in person. G.L. c. 92, Acts of 2022.
Presidential Primaries, Mar 5th, 2024 .	Polls open 7:00am Polls close 8:00pm	All early voting ballots submitted by mail, delivered in person to the Election Commission or to a secured municipal drop box in the city (4) shall be received by the Election Commission before the hour fixed for closing the polls or for a preliminary, primary or general election. G.L. c. 92, Acts of 2022 §14.
Last day to register to vote for the State Primaries Sept. 3rd, 2024 .	Aug 24 th , 2024, office will be open until 5:00PM	Count 10 days back from the election – this is the last day to register to vote. G.L. c. 51, §§ 26, 28.
Last day to request a vote by mail ballot for the Sept 3rd, 2024 , State Primaries.	Aug 26 th , 2024, office will be open until 5:00PM	Vote by Mail Applications due 10 business days prior to all elections. G.L. c. 92, Acts of 2022
In-person early voting for the Sept. 3rd, 2024 , State Primaries in the City Council Chamber.	Aug 24 th - 9:00am – 3:00pm Aug 25 th - 9:00am – 3:00pm Aug 26 th - 9:00am – 4:30pm Aug 27 th - 9:00am – 4:30pm Aug 28 th - 9:00am – 7:30pm Aug 29 th - 9:00am – 4:30pm Aug 30 th - 9:00am – 12:30pm	Count 10 days back from the election or primary for the state and presidential primaries. For the 4 th day before the election or primary, G.L. c. 92, Acts of 2022.
State Primaries Sept. 3rd, 2024 .	Polls open 7:00am Polls close 8:00pm	All early voting ballots submitted by mail, delivered in person to the Election Commission, or to a secured municipal drop box in the city (4) shall be received by the Election Commission before the hour fixed for closing the polls or for a preliminary, primary or general election.

		closing the polls on the day of preliminary, primary or election, G.L. c. 92, Acts of 2022 §14
Last day to register to vote for the State Election on Nov 5th, 2024.	Oct 26 th , 2024, office will be open until 5:00PM	Count 10 days back from the election – this is the last day to vote. G.L. c. 51, §§ 26, 28.
Last day to request a vote by mail ballot for the State Election on Nov 5th, 2024.	October 29 th , 2024, office will be open until 5:00PM	Vote by Mail Applications due 10 business days prior to all elections, G.L. c. 92, Acts of 2022
In-person early voting for the Nov 5th, 2024 , State Election in the City Council Chamber.	Oct 19 th - 9:00am – 3:00pm Oct 20 th - 9:00am – 3:00pm Oct 21 st - 9:00am – 4:30pm Oct 22 nd - 9:00am – 4:30pm Oct 23 rd - 9:00am – 7:30pm Oct 24 th - 9:00am – 4:30pm Oct 25 th - 9:00am – 12:30pm Oct 26 th - 9:00am – 3:00pm Oct 27 th - 9:00am – 3:00pm Oct 28 th - 9:00am – 4:30pm Oct 29 th - 9:00am – 4:30pm Oct 30 th - 9:00am – 7:30pm Oct 31 st - 9:00am – 4:30pm Nov 1 st – 9:00am – 12:30pm	Count 17 days back from the election or primary through the day before the election or primary, G.L. c. 92, Acts of 2022
State Election, Nov 5th, 2024.	Polls open 7:00am Polls close 8:00pm	All early voting ballots delivered in person to the office of the election commission office, or, returned in a secured municipal drop box in the city, an early voting ballot received on or before the day of a biennial election shall be accepted upon presentation on the third day after the election and shall be processed in accordance with section 95. A postmark legible, shall be evidence of mailing.

CAMPAIGN FINANCE REPORTING REQUIREMENTS

End of Year Campaign Finance Report	January 2025	Election Commission Of 102
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Councillor Scarpelli moved to receive and place on file (Councillor Callahan second)—received and placed on file.

MOTIONS, ORDERS, AND RESOLUTIONS

24-021 – Offered by Councillor Leming and Councillor Callahan

Whereas:
The so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and people of limited financial

means, rather than prioritizing harm-reduction policies to treat drug abuse as an issue of public health;

Whereas:

Entheogenic plants and fungi such as psilocybin mushrooms, ayahuasca, ibogaine, and mescaline-containing cacti have been shown by peer-reviewed studies and indigenous practice to be beneficial for treating spiritual trauma, addiction, post-traumatic stress disorder (PTSD), depression, terminal illness anxiety, and cluster headaches among other conditions;

Whereas:

On average, we lose one of our neighbors in the Commonwealth to opioid overdose every week, as thousands of people we love struggle with addictions that entheogenic plant medicine has been shown to alleviate ;

Whereas:

Seven Massachusetts communities—Somerville, Cambridge, Northampton, Easthampton, Amherst, Salem, and Provincetown—and nearly two dozen cities nationwide have passed measures directing an end to arrests for growing and sharing these plant medicines, embracing their inferred constitutional right to regulate public safety that is outlined in the U.S. Department of Justice’s Cole Memorandum that permitted localities to deprioritize enforcement of cannabis;

Be it Resolved

That the Medford City Council hereby maintains the use and possession of all controlled substances should be understood first and primarily as an issue of public health by all town entities and that no Medford employee should use any town resources to assist in enforcement of laws criminalizing personal controlled substance possession;

Be it Further Resolved

That the Medford City Council hereby maintains that investigation and arrest of adult persons for planting, cultivating, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants and fungi listed in Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall officially be the lowest law enforcement priority for Medford;

Be it Further resolved

That this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials near schools, driving under the influence of these materials, or public disturbance;

Be it Further Resolved

That the Medford City Council calls upon the Middlesex County District Attorney to cease prosecution of persons involved in the possession, cultivation, or distribution of entheogenic plants and fungi;

Be it Further Resolved

That the Medford City Council calls upon state lawmakers to substitute the “Natural Psychedelic Substances Act” (a ballot question written by a DC-based PAC), with language that legalizes plant medicine services in a straightforward manner without an unelected control commission prone to regulatory capture by interests outside our communities;

Be it Further Resolved

That the Medford City Council endorses the passage of Senator Jehlen and Rep. Sabadosa’s S.1009 / H.1754 An Act Relative to Plant Medicine and asks that a copy of this resolution be sent to Governor Maura Healey, Attorney General Andrea Campbell, House Speaker Ronald Mariano, Senate Leader Karen Spilka, Judiciary Committee Chairs Senator Jamie Eldridge & Rep. Michael Day, and Middlesex District Attorney Marian Ryan.

Councillor Tseng moved to waive reading of the paper (Councillor Callahan second)—reading waived.

- a) Councillor Scarpelli offered an amendment requesting that there be a meeting in committee with representatives from the Police Department to get Police Department input on this issue.

Addressing the Council:

Patrick Clerkin, 50 Princeton Street
James Davis, 9 Cardington Street, Boston
Andrew Castagnetti, 23 Cushing Street
Grace Parker, 112 Belle Avenue
Nate Merritt, 373 Riverside Avenue

Councillor Scarpelli moved to refer the paper, as amended, to the Public Health and Community Safety Committee for a meeting with representatives of the Police Department (Councillor Lazzaro second)—referred, as amended, to the Public Health and Community Safety Committee on a roll call vote of five in favor and Councillor Leming and President Bears opposed.

At 8:02 p.m., Councillor Scarpelli made a clarification regarding Paper **24-030**. He said he learned during the meeting that Mr. O’Brien received a commendation but did not retire.

24-035 – Offered by Vice President Collins

Whereas, the Medford City Council recognizes and affirms the sanctity, preciousness, and equality of all human life;

Whereas, on October 7th, 2023, the terrorist group Hamas killed over 1,200 Israeli residents, took over 240 hostages, committed horrific atrocities, displaced families, and wreaked untold grief and trauma upon the civilian population of Israel;

Whereas, since October 7th, Hamas is estimated to have fired more than 12,000 rockets into Israel, killing 15 civilians and injuring over 700;

Whereas, since those horrific attacks, the ongoing military campaign and blockade has created a humanitarian crisis of catastrophic proportions in Gaza;

Whereas, since October 7th, the Israeli Defense Forces have killed over 26,000 Palestinians in Gaza, injured over 62,000, and more than 85% of all residents have been displaced;

Whereas, the ongoing military campaign has had a massive toll on civilians in Gaza, with UNICEF describing the Gaza Strip as the “world’s most dangerous place to be a child,” and reporting that 40% of all deaths in Gaza have been deaths of children;

Whereas, Gaza has been hit by more than 22,000 airstrikes, resulting in the destruction of over 70% of all homes and schools, and most of its civilian infrastructure, including electricity,

communications, water, sewer and sanitation systems, with the World Health Organization reporting that all Gazan hospitals have been destroyed or seriously damaged, exacerbating the humanitarian crisis;

Whereas, the near-total siege on Gaza has prevented the delivery of lifesaving humanitarian aid;

Whereas, the World Food Program has reported that all 2.2 million people in Gaza are facing crisis levels of food insecurity; that one in four Gazans is facing catastrophic hunger; and that without an end to bombardment and resumption of humanitarian aid, famine will spread quickly across the population;

Whereas, humanitarian organizations report that on average, 250 Palestinians die each day from hunger, disease, exposure and airstrikes, a scale of death exceeding any other recent armed conflict;

Whereas, Hamas continues to hold Israeli civilians hostage, which is a war crime;

Whereas, Israel continues to detain Palestinians who have never been charged with or convicted of a crime, including scores of children;

Whereas, on October 26, 2023, the United Nations General Assembly adopted a resolution calling for an “immediate, durable and sustained humanitarian truce” between Israeli forces and Hamas militants in Gaza, and numerous international humanitarian organizations have similarly called for a sustained ceasefire;

Whereas, the previous ceasefire from November 24 to November 30, 2023 allowed for the release of hostages and allowed emergency aid and fuel to enter Gaza;

Whereas, many members of the Medford community are suffering from trauma, grief, shock and fear, compounded by increased incidents of Islamophobia, antisemitism, and anti-Palestinian racism, both nationally and locally;

Whereas, members of the Medford community, including Palestinians and Jews, are speaking out for peace in Israel and Palestine and in support of a permanent, bilateral ceasefire and a return of all hostages;

Now, therefore, be it Resolved:

That the Medford City Council unequivocally condemns the terrorist attacks by Hamas on October 7th, 2023, and all subsequent attacks, by all parties, on civilians;

That the Medford City Council supports an enduring, bilateral ceasefire in Israel and Gaza and the immediate return of all hostages;

That the Medford City Council supports the lifting of the blockade and the uninhibited provision of life-saving humanitarian aid to Gaza;

That the Medford City Council affirms the inalienable right of all people to live in peace, free from fear of harm and prejudice;

That the Medford City Council unequivocally condemns all xenophobic violence, attacks and rhetoric, and affirms the inalienable right of all people to know safety and acceptance regardless of their religion, race, ethnicity, nationality, or skin color;

That the Medford City Council urges the Biden Administration, Senate, and Congress to exert the full extent of their power, influence and funding to bring about an enduring ceasefire, the uninhibited provision of humanitarian aid, and the release of all hostages and detained innocents;

That a copy of this resolution be sent to each member of Medford’s federal delegation and to

President Biden as an urging to use their power and influence to bring about a sustained and enduring ceasefire so as to protect and honor all human life.

Before the Council considered this paper, Vice President Collins offered an amended version of the paper, and asked that the Council consider this version of the paper (Councillor Callahan second)—approved.

The Council then considered this version of the paper:

Whereas, the Medford City Council recognizes and affirms the sanctity, preciousness, and equality of all human life; and

Whereas, on October 7th, 2023, the terrorist group Hamas killed over 1,200 Israeli residents, took over 240 hostages, committed horrific atrocities, displaced families, wreaked untold grief and trauma upon the civilian population of Israel, and have continued to attack Israeli civilians, injuring hundreds in rocket attacks since October 7th; and

Whereas, since those horrific attacks, the ongoing Israeli military campaign and blockade has created a humanitarian crisis of catastrophic proportions in Gaza; and

Whereas, since October 7th, the Israeli military has killed over 26,000 Palestinians in Gaza, injured over 62,000, and more than 85% of all Gaza residents have been displaced; and

Whereas, the ongoing military campaign has had a horrific toll on civilians in Gaza, with UNICEF describing the Gaza Strip as the “world’s most dangerous place to be a child,” and reporting that 40% of all deaths in Gaza have been deaths of children; and

Whereas, the Israeli military has launched more than 22,000 airstrikes at Gaza, resulting in the destruction of over 70% of all homes and schools, and most of its civilian infrastructure, including electricity, communications, water, sewer and sanitation systems, with the World Health Organization reporting that all Gazan hospitals have been destroyed or seriously damaged, exacerbating the humanitarian crisis; and

Whereas, the near-total siege on Gaza has prevented the delivery of lifesaving humanitarian aid; and

Whereas, the World Food Program has reported that all 2.2 million people in Gaza are facing crisis levels of food insecurity; that one in four Gazans is facing catastrophic hunger; and that without an end to bombardment and resumption of humanitarian aid, famine will spread quickly across the population; and

Whereas, humanitarian organizations report that the Israeli military kills an average of 250 Palestinians each day, almost all civilians, and that these deaths are a direct result of airstrikes, the blockade of basic food and medical aid, and the destruction of hospitals and basic shelter, which are war crimes; and

Whereas, Hamas continues to hold over 100 Israeli civilians hostage and target Israeli civilians, which are war crimes; and

Whereas, Israel continues to detain thousands of Palestinians who have never been charged with or convicted of a crime, including scores of children; and

Whereas, on October 26, 2023, the United Nations General Assembly adopted a resolution calling for an “immediate, durable and sustained humanitarian truce” between Israeli forces and Hamas militants in Gaza, and numerous international humanitarian organizations have similarly called for a sustained ceasefire;

Whereas, the previous ceasefire from November 24 to November 30, 2023 allowed for the release of some Israeli hostages, some Palestinian detainees, and allowed emergency aid and fuel to enter Gaza; and

Whereas, the history of Israel and Palestine since 1948 includes systemic displacement of Palestinians and occupation of Palestine, the imposition of illegal blockades upon and denial of basic civil and human rights to Palestinian civilians, ongoing and escalating terrorism and violent attacks by Israeli soldiers and settlers against Palestinian civilians in the occupied West Bank, and extremist violence aimed at Israeli civilians; and

Whereas, many members of the Medford community are suffering from trauma, grief, shock and fear, compounded by increased incidents of Islamophobia, antisemitism, and anti-Palestinian racism, both nationally and locally; and

Whereas, members of the Medford community, including Palestinians and Jews, are speaking out for peace in Israel and Palestine and in support of a permanent, bilateral ceasefire and a return of all hostages, innocent detainees, and political prisoners; now, therefore:

Be it Resolved by the Medford City Council that we support an enduring, bilateral ceasefire in Israel and Gaza and the immediate return of all hostages, innocent detainees, and political prisoners.

Be it Further Resolved by the Medford City Council that we unequivocally condemn all violence against civilians, including the attacks by Hamas on October 7th, 2023 against Israeli civilians, the Israeli military campaign against Gaza that continues to unleash disproportionate violence against Palestinian civilians, attacks by Israeli settlers against Palestinian civilians in the occupied West Bank, and all attacks, by all parties, against civilians.

Be it Further Resolved by the Medford City Council that we support the lifting of the blockade and the uninhibited provision of life-saving humanitarian aid to Gaza.

Be it Further Resolved by the Medford City Council that we affirm the inalienable right of all people to live in peace, free from fear of harm and prejudice.

Be it Further Resolved by the Medford City Council that we unequivocally condemn all xenophobic violence, attacks and rhetoric, and affirms the inalienable right of all people to know safety and acceptance regardless of their religion, race, ethnicity, nationality, or skin color;

Be it Further Resolved by the Medford City Council that we urge the Biden Administration, the U.S. Senate, and the U.S. Congress to exert the full extent of their power, influence and funding to bring about an enduring ceasefire, the uninhibited provision of humanitarian aid, and the release of all hostages and detained innocents.

Be it Further Resolved that a copy of this resolution be sent to each member of Medford's federal delegation and to President Biden urging them to use their power and influence to bring about a sustained and enduring ceasefire so as to protect and honor all human life.

Councillor Callahan disclosed that because she works for a 501 (c) (3) organization that takes a position on a ceasefire in Israel and Gaza, she has filed a disclosure form with the City Clerk. She further said that she had been advised by the State Ethics Commission that she is able to vote on this issue.

Councillor Leming disclosed that as an officer in the US military, the Hatch Act does technically allow reservists to comment on these matters when not on active duty. He said that even though he commends his colleague for writing a very thorough and well-said

resolution, he believes that voting on this resolution would impact his ability to do his job. He said he would be abstaining from this vote.

Addressing the Council:

Munir Jirmanus, 3 Summit Road
Steve Schnapp, 36 Hillside Avenue
Naila Jirmanus, 3 Summit Road
Kate Wall, 71 Winchester Street
Saha Zinda, 6 Medford Street
Laura Jirmanus, Malden
Ilene Lerner, 9 Adams Circle
Devorah Klein, no address given
Ellen Epstein, Medford
Kate Ryan, Bourne Street
Jennifer Yanco, 16 Monument Street
Grace Parker, Belle Avenue
Beth Veshiteli, Medford
Marianne Vadala, Central Avenue
Elie Strasfeld, West Street
Amina Awad, Somerville
Susan Gerard, Farragut Avenue
Rebecca Butorski, Diane Road
Clare Sheridan, 190 High Street
Anna Meyer, 6 Douglas Road
Travis Benson, 393 Main Street
Sharon, no last name given, 14 Winter Hill Road
Simca Miller, 59 Winchester Street
Esther Alter, Medford
Deborah Cooper, 112 Lawrence Street
Nathan Foster, 163 Main Street
Benjamin, no last name given, 76 Marion Street
Brianna Sullivan, 28 Princeton Street
Bri, no last name given, 31 Gleason Street
Eric Fox, 10 Revere Place
Dina Amany, 370 Mystic Valley Parkway
Hala, no last name given, Somerville
Emma, no last name given, Somerville
Karina, no last name given, 34 William Street
Gregory Zapata, 16 Emory Street (President Bears disclosed that Mr. Zapata is his campaign treasurer)
Reveve, no last name given, Medford
Sharon Deyeso, Circuit Road and Mass. Ave.
Elizabeth Henley, 28 Princeton Street
Sarah Halawa, 43 Monroe Street, Somerville
Linnea Strasfeld, Medford High School Junior
Pao Mendez, Somerville
Christine, no last name given, Medford
Fawaz Abu Sharak, Harrison Road
Humayun Mosha, 30 St. Francis Street
Andrew Castagnetti, 23 Cushing Street
Matthew Paige-Lieberman, 15 Canal Street

Vice President Collins moved to adopt the amended language of the resolution, and moved for approval of the resolution using the amended language (Councillor Lazzaro second)—approved on a roll call vote of five in favor, Councillor Scarpelli opposed, and Councillor Leming voting present.

At 10:12 p.m., Vice President Collins moved for a brief recess (Councillor Tseng second)—approved, and the Council entered a recess.

President Bears called the meeting back to order at 10:30 p.m.

At 10:30 p.m., Councillor Lazzaro moved to revert to the regular order of business (Councillor Callahan second)—approved.

24-022 – Offered by Councillor Lazzaro

Be it Resolved that the Medford City Council will hold bi-annual trainings/refreshers with Medford Director of Diversity, Equity, and Inclusion Frances Nwajei or her designee, so that our body may keep these values top of mind in all our work and interactions with the public.

- a) Councillor Tseng offered an amendment requesting that Boards and Commissions be included in these trainings.

Addressing the Council:

Patrick Clerkin, 50 Princeton Street
Andrew Castagnetti, 23 Cushing Street

Councillor Lazzaro moved to refer the paper, as amended, to the Resident Services and Public Engagement Committee (Councillor Tseng second)—referred, as amended, to the Resident Services and Public Engagement Committee.

24-023 – Offered by Councillor Lazzaro

Be it Resolved by the Medford City Council that the City of Medford explore the options, cost, and requirements to open a warming and cooling center for adults experiencing homelessness in December, 2024.

Be it Further Resolved that the Medford City Council invite representatives from the Administration, including the Board of Health, along with stakeholders in our community and in neighboring communities, to attend meetings on this topic.

Councillor Lazzaro moved to refer the paper to the Public Health and Community Safety Committee (Vice President Collins second)—referred to the Public Health and Community Safety Committee.

At 10:43 p.m., Vice President Collins moved to suspend the rules to take Paper **24-028** (Councillor Tseng second)—approved.

Vice President Collins took the Chair at 10:43 p.m.

24-028 – Offered by President Bears

Whereas, for 60 years the United States has imposed an embargo on Cuba having a devastating economic, social, and political impact on the people of Cuba; and

Whereas, U.S. Senators Warren and Markey; U.S. Representatives McGovern, Pressley, Lynch, Moulton, and Trahan; city councils in neighboring cities; and many state and local officials have called on the Biden administration to restore the policies of the Obama administration reducing travel restrictions and removing Cuba from the state sponsors of terrorism list that were reversed under the Trump administration; and

Whereas, the continuation of this policy has a detrimental impact on Medford residents and organizations who have family, business, and research ties with people and organizations in

Cuba; now, therefore:

Be it Resolved by the Medford City Council that we urge the Biden administration and our congressional delegation to reverse the Trump decision to add Cuba to the state sponsors of terrorism list and restrict travel between the two countries; and

Be it Further Resolved by the Medford City Council that we urge our congressional delegation to pass legislation to repeal any laws regarding the embargo on Cuba; and

Be it Further Resolved that the City Clerk please submit this resolution to the Offices of Senator Warren, Senator Markey, and Representative Clark.

- a) From the floor, President Bears offered an amendment requesting that this resolution also be sent to President Biden.

Addressing the Council:

Nicholas Chileo, 40 Robinson Road
Matthew Paige-Lieberman, 15 Canal Street
Claire Blakeman, Bristol Road
Trent Sandland, Cambridge
Patrick Clerkin, 50 Princeton Street
Andrew Castagnetti, 23 Cushing Street
Nate Merritt, 373 Riverside Avenue

From the floor, President Bears moved for approval (Councillor Tseng second)—approved, with Councillor Scarpelli opposed.

President Bears resumed the Chair at 10:59 p.m.

At 10:59 p.m., Vice President Collins moved to revert to the regular order of business (Councillor Callahan second)—approved.

24-025 – Offered by Councillor Leming

Whereas, the City of Medford has many commercial storefronts that are either vacant for unacceptably long periods of time or are rarely and inconsistently open for business; and

Whereas, there exists insufficient incentive for the owners of such property to maintain and rent their storefronts to active businesses; now, therefore:

Be it Resolved that the Medford City Council discuss the adoption of a commercial vacancy tax, which can be applied to disincentivize these storefront properties from remaining unoccupied indefinitely.

Be it Further Resolved that this matter be referred to committee for further discussion with the Chief Assessor, the Finance Director, and the Economic Development Director.

Addressing the Council:

Nate Merritt, 373 Riverside Avenue
Matthew Paige-Lieberman, 15 Canal Street
Andrew Castagnetti, 23 Cushing Street

Councillor Leming moved to refer the Paper to the Administration and Finance Committee (Councillor Callahan second)—referred to the Administration and Finance Committee.

24-026 – Offered by Councillor Leming and Councillor Tseng

Whereas the City of Medford should address high levels of traffic;

Whereas developers often need to make exceptions to zoning regulations to feasibly develop new buildings, and the current process of passing these through the Zoning Board of Appeals often adds unwanted uncertainty and delays to these processes;

Whereas a Transportation Demand Management program automates these exceptions and puts them to the staff level by means of a points-based impacts and credits system;

Whereas Everett and Boston have implemented a Transportation Demand Management program to great success, spurring development of both commercial and affordable residential property;

And Whereas a transportation demand management program can provide design and programming strategies that developers can employ to reduce car traffic to and from their buildings;

Therefore, Be it Resolved that Medford City Council adopt a Transportation Demand Management Ordinance;

Be it Further Resolved that this matter be referred to Committee for further discussion with the Office of Planning, Development, and Sustainability;

Be it Further Resolved that members of the Committee on Planning and Permitting submit questions to the Chair, Clerk, and city staff ahead of the committee meeting scheduled for this subject.

Be it Further Resolved that the Medford City Council work with the Office of Planning, Development, and Sustainability to evaluate the suitability of a transportation demand management program, determine the capacity of the city to implement such a program, and provide specific recommendations for its structure and policies, particularly with respect to the nature of its the Medford-specific impacts and the design of its credits system.

Councillor Leming moved to refer the paper to the Planning and Permitting Committee (Councillor Scarpelli second)—referred to the Planning and Permitting Committee.

24-031 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council ask for a representative from BJ's Wholesale Club to meet with the Council on construction updates and review neighborhood concerns.

- a) Councillor Scarpelli offered an amendment to refer this to the Building Department immediately, to contact the Building Department to ask the Building Department to contact the representative from BJ's, to request a meeting with the City Council, and also to request immediate notification of the surrounding neighborhood (Vice President Collins second)—amendment approved.

Councillor Tseng moved to table the paper, as amended, until a such time as a representative from BJ's can attend a Council meeting to address residents' concerns (Vice President Collins second)—tabled.

24-033 – Offered by President Bears and Vice President Collins

Be it Resolved by the Medford City Council that the Planning and Permitting Committee invite staff from the Office of Planning, Development, and Sustainability and Innes Associates, the Medford City Council's Zoning Consultant, to discuss our upcoming comprehensive review and update of the Zoning Ordinance.

Vice President Collins moved to refer the paper to the Planning and Permitting Committee (Councillor Scarpelli second)—referred to the Planning and Permitting Committee.

24-034 – Offered from the Podium by President Bears

Be it Resolved by the Medford City Council that the Public Works and Facilities Committee request a report from the Facilities Manager containing the following information:

1. Complete Inventory of City-owned Properties and City-managed Properties
2. Cost to restore each property on the above inventory to a state of good repair
3. Cost to maintain each property in a state of good repair once restored

Be it Further Resolved that the Public Works and Facilities Committee invite the Facilities Manager to present and discuss the above report once completed.

Addressing the Council:

Andrew Castagnetti, 23 Cushing Street
Nate Merritt, 373 Riverside Avenue

Councillor Callahan moved to refer the paper to the Public Works and Facilities Committee (Councillor Scarpelli second)—referred to the Public Works and Facilities Committee.

24-036—Offered by Vice President Collins

Be it Resolved that the Public Health and Community Safety Committee discuss an Overgrowth Ordinance.

Vice President Collins moved to table the paper until the next meeting (Councillor Callahan second)—tabled until the next meeting.

At 11:40 p.m., Vice President Collins invoked Rule 28, reconsidering Paper **24-021**. As a member of the Council who voted on the prevailing side of the motion to send the paper to committee, Vice President Collins asked for reconsideration of the paper.

The paper appears again here:

24-021 – Offered by Councillor Leming and Councillor Callahan

Whereas:

The so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and people of limited financial means, rather than prioritizing harm-reduction policies to treat drug abuse as an issue of public health;

Whereas:

Entheogenic plants and fungi such as psilocybin mushrooms, ayahuasca, ibogaine, and mescaline-containing cacti have been shown by peer-reviewed studies and indigenous practice to be beneficial for treating spiritual trauma, addiction, post-traumatic stress disorder (PTSD), depression, terminal illness anxiety, and cluster headaches among other conditions;

Whereas:

On average, we lose one of our neighbors in the Commonwealth to opioid overdose every week, as thousands of people we love struggle with addictions that entheogenic plant medicine has been shown to alleviate ;

Whereas:

Seven Massachusetts communities—Somerville, Cambridge, Northampton, Easthampton, Amherst, Salem, and Provincetown—and nearly two dozen cities nationwide have passed measures directing an end to arrests for growing and sharing these plant medicines, embracing their inferred constitutional right to regulate public safety that is outlined in the U.S. Department of Justice’s Cole Memorandum that permitted localities to deprioritize enforcement of cannabis;

Be it Resolved

That the Medford City Council hereby maintains the use and possession of all controlled substances should be understood first and primarily as an issue of public health by all town entities and that no Medford employee should use any town resources to assist in enforcement of laws criminalizing personal controlled substance possession;

Be it Further Resolved

That the Medford City Council hereby maintains that investigation and arrest of adult persons for planting, cultivating, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants and fungi listed in Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall officially be the lowest law enforcement priority for Medford;

Be it Further resolved

That this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials near schools, driving under the influence of these materials, or public disturbance;

Be it Further Resolved

That the Medford City Council calls upon the Middlesex County District Attorney to cease prosecution of persons involved in the possession, cultivation, or distribution of entheogenic plants and fungi;

Be it Further Resolved

That the Medford City Council calls upon state lawmakers to substitute the “Natural Psychedelic Substances Act” (a ballot question written by a DC-based PAC), with language that legalizes plant medicine services in a straightforward manner without an unelected control commission prone to regulatory capture by interests outside our communities;

Be it Further Resolved

That the Medford City Council endorses the passage of Senator Jehlen and Rep. Sabadosa’s S.1009 / H.1754 An Act Relative to Plant Medicine and asks that a copy of this resolution be sent to Governor Maura Healey, Attorney General Andrea Campbell, House Speaker Ronald Mariano, Senate Leader Karen Spilka, Judiciary Committee Chairs Senator Jamie Eldridge & Rep. Michael Day, and Middlesex District Attorney Marian Ryan.

Councillor Tseng moved to waive reading of the paper (Councillor Callahan second)—reading waived.

- a) Councillor Scarpelli offered an amendment requesting that there be a meeting in committee with representatives from the Police Department to get Police Department input on this issue.

Addressing the Council:

Patrick Clerkin, 50 Princeton Street
James Davis, 9 Cardington Street, Boston
Andrew Castagnetti, 23 Cushing Street
Grace Parker, 112 Belle Avenue
Nate Merritt, 373 Riverside Avenue

Original Action: Councillor Scarpelli moved to refer the paper, as amended, to the Public Health and Community Safety Committee for a meeting with representatives of the Police Department (Councillor Lazzaro second)—referred, as amended, to the Public Health and Community Safety Committee on a roll call vote of five in favor and Councillor Leming and President Bears opposed.

After reconsideration:

- a) Councillor Tseng offered an amendment moving for approval and requesting that the Police Chief report back to the Council on the recommendation of the resolution.

Councillor Leming moved for approval as amended (Vice President Collins second)—approved as amended, with Councillor Scarpelli opposed.

UNFINISHED BUSINESS

<u>23-081</u>	MBTA Plan for Accessible Transit Infrastructure (PATI)
IN CITY COUNCIL	MARCH 28, 2023
TABLED	
<u>23-412</u>	Petition to Amend Deed Restriction - 12 Dell Avenue
IN CITY COUNCIL	SEPTEMBER 19, 2023
<u>24-031</u>	Request A Representative from BJ's Wholesale Club Meet to Discuss Construction and Neighborhood Concerns
IN CITY COUNCIL	FEBRUARY 6, 2024
TABLED	

Reports Due/Deadlines

<u>16-574</u>	University Accountability Spring 2017-Report (Next Report Due in March 2024)
<u>17-606</u>	Evangelical Haitian Church 400 High St. 90 Day Review on Illumination (Tabled - January 9, 2018)
<u>20-086</u>	90-Day Review Report on El Tacuba Cocina and Tequila Bar for a petition for a Special Permit – Hours (granted by the Council, as amended to require 90-day report period to begin on opening of restaurant)
<u>22-007</u>	90 Day Report from Administration to present 5-year plan to address gas leaks (Report due in April 2022)

<u>22-009</u>	90 Day Report from School Administration to identify opportunities to connect classroom learning to career applications (Report due in April 2022)
<u>22-026</u>	Quarterly Presentation on City's Financial Health by Chief Financial Officer/Auditor
<u>22-027</u>	Monthly Copy of Warrant Articles from Chief Financial Officer/Auditor
<u>22-039</u>	Report due in 30 days on draft ordinances requested by the Council during the 2020-2021 term

Adjournment:

Councillor Callahan moved to adjourn at 11:45 p.m. (Vice President Collins second)—approved.

President Bears adjourned the meeting at 11:45 p.m.

A true copy, Attest

Adam L. Hurtubise
City Clerk