



Medford City Council
Medford, Massachusetts

The Fourth Regular Meeting, February 20, 2024

City Council

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

This meeting will take place at 7:00 P.M. in the 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/89505293045>

Call-in Number: +13052241968,,89505293045#

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

To submit written comments, please email AHurtubise@medford-ma.gov.

CALL TO ORDER & ROLL CALL

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

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS, AND RECORDS

Records

The Records of the Meeting of February 6th, 2024 were passed to Vice President Collins.

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

At 7:03 p.m., Vice President Collins moved to suspend the rules to take Papers **24-044**, **24-040**, **24-039**, **24-046**, **23-411**, **23-081**, and **24-043** out of order (Councillor Tseng second)—approved on a roll call vote of seven in favor and zero opposed.

PETITIONS, PRESENTATIONS, AND SIMILAR PAPERS

24-044

Petition for Cleaning & Dyeing License by Antoine Vo, DUK Laundromat LLC, DBA Le's Laundry, 281 Boston Avenue, Medford, MA 02155.

ON FILE

Business Certificate #12
Letter of Compliance
State Tax ID
Worker's Compensation
Petition
Treasurer
Building Department
Fire Department
Police-Traffic Impact Report
Health Department

Addressing the Council: Antoine Vo, 281 Boston Avenue, Medford, MA 02155

Councillor Scarpelli moved to grant the license (Councillor Lazzaro second)—license granted on a roll call vote of seven in favor and zero opposed.

COMMUNICATIONS FROM CITY OFFICERS AND EMPLOYEES

24-040

Submitted by Elections Commission

Election Warrant - March 5, 2024 Presidential Preferential Primary

Dear Mr. City Clerk, Adam Hurtubise,

I am writing on behalf of the Election Commission to request the attached City Election Warrant be included in the council's package for the upcoming council meeting. To this end, we require to seek the council's signature on the Election Warrant to proceed with the necessary preparations for the upcoming election on March 5, 2024, for which a call to election has been already presented to the council body.

We kindly request your assistance in expediting the inclusion of this document in the council's package for the next council meeting, scheduled for February 20, 2024. We, election commissioners, will be in the Council Chamber on the night of the meeting should there is any need. Signing the warrant by the council will enable us to adhere to the required timelines and ensure a smooth election process.

If there are any additional steps or forms that need to be completed, please let us know, and we will promptly provide the necessary information or documentation. We understand the council's busy schedule and greatly appreciate your support in this matter.

Thank you for your attention to this request. We look forward to receiving confirmation of the inclusion of the Election Warrant in the council's package for the next council meeting.

Should you have any questions or require further information, please do not hesitate to contact me.

Yours sincerely,
Henry Milorin
Chair, Medford Election Commission

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN

SECRETARY OF THE COMMONWEALTH

WARRANT FOR MEDFORD MARCH 2024 PRESIDENTIAL PREFERENCE PRIMARY ELECTION

SS.

To the Residents of the City of Medford, MA

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

Ward 1 (P1)	Andrews Middle School	3000 Mystic Valley Parkway
Ward 1 (P2)	Firefighter's Club	340 Salem Street
Ward 2 (P1)	Roberts Elementary School	Park St & Court St
Ward 2 (P2)	Roberts Elementary School	35 Court St
Ward 3 (P1)	American Legion	321 Winthrop St
Ward 3 (P2)	Temple Shalom	475 Winthrop St
Ward 4 (P1)	Tufts University, Gantcher Center	161 College Ave
Ward 4 (P2)	Walkling Court (Fondacaro)	Auburn St & North St
Ward 5 (P1)	Missituk Elementary School	37 Hicks Ave
Ward 5 (P2)	Missituk Elementary School	37 Hicks Ave
Ward 6 (P1)	West Medford Fire Station	26 Harvard Ave
Ward 6 (P2 & P2A)	Brooks Elementary School	388 High St
Ward 7 (P1)	Mystic Valley Towers	North Building Entrance
Ward 7 (P2 & P2A)	McGlynn K-8 Public School	3004 Mystic Valley Pkwy
Ward 8 (P1)	Senior Center	101 Riverside Ave
Ward 8 (P2)	South Medford Fire Station	Zero Medford St

On **TUESDAY, THE FIFTH DAY OF MARCH 2024**, from 7:00 A.M. to 8:00 P.M. for the following purpose: To cast their votes in the Presidential Preferential Primary Election for the candidates of

the political parties for the following offices:

PRESIDENTIAL PREFERENCE FOR THIS COMMONWEALTH

STATE COMMITTEE MAN SENATORIAL DISTRICT

STATE COMMITTEE WOMAN SENATORIAL DISTRICT

WARD OR TOWN COMMITTEECITY OR TOWN

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 20th day of February, 2024.

The Medford City Council: _____

Must be posted by February 27, 2024, at each polling location, the library, and City Hall.

Councillor Scarpelli moved to accept the election warrant (Councillor Leming second)—warrant accepted on a roll call vote of seven in favor and zero opposed.

COMMUNICATIONS FROM THE MAYOR

24-039

February 13, 2024

Via Electronic Delivery
To The Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

Re: Local Option - Veteran's Exemption

Dear President Bears and Members of the City Council:

I respectfully request and recommend that your Honorable Body accept the provisions of Massachusetts General Law (MGL) c.59, §5, Clause 22G related to real estate tax exemptions for qualifying veterans, their spouses, surviving spouses, and surviving

parents and spouses of active duty military personnel killed in the line of duty, which provides that real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate. In order to expedite the acceptance of this statute so it is effective in the current fiscal year, I further request and recommend that the Council waive any reading or publication requirements as may be required under the Council rules.

Clause 22G provides: “In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate.” Clauses 22-22F provide local property tax exemptions to certain qualifying veterans, their spouses, surviving spouses and some surviving spouses and parents of active duty military personnel killed in the line of duty. Generally, in order to meet the “ownership” requirement for eligibility, the person must own the property, hold a life estate, or if the domicile is held in a trust, be a trustee or co-trustee and have a sufficient beneficial interest in the domicile. By accepting Clause 22G, the City will essentially expand the definition of “ownership” for eligibility purposes to include domiciles that are owned by a trustee, conservator or other fiduciary for the person’s benefit. Therefore, as long as the person otherwise meets the requirements for eligibility under Clauses 22-22F, they will be eligible for the exemption even if the property is owned by a trustee, conservator or other fiduciary for the person's benefit.

Chief Assessor Ted Costigan will be present to provide the Council with an overview and answer questions.

Thank you for your kind attention to this matter.

Respectfully submitted,

Breanna Lungo-Koehn
Mayor

Addressing the Council:

Chief Assessor Ted Costigan

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

24-046

Submitted by Mayor Breanna Lungo-Koehn

February 15, 2024

Via Electronic Delivery

To The Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

Re: Removal of Fire Chief Position from Civil Service

Dear President Bears and Members of the City Council:

I respectfully request and recommend that your Honorable Body vote to submit a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments of the Constitution, as amended by Article LXXXIX (89), that State Senator (Name) and State Representative (Name) submit Special Legislation to the General Court seeking to remove the position of Fire Chief in the Medford Fire Department from the Civil Service Law, G.L. c. 31, which would divest the position from all of the rights and obligations set forth in G.L. c. 31. Your vote and the legislation would have no effect on the Civil Service status of any other member the Medford Fire Department or any other employee of the City of Medford.

The Special Act would provide as follows:

AN ACT EXEMPTING THE POSITION OF FIRE CHIEF IN THE CITY OF MEDFORD FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The position of Fire Chief in the City of Medford shall be exempt from Chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person holding the position of Fire Chief in the City on the effective date of this act.

Section 3. This act shall take effect upon its passage.

By way of background, of the approximately one hundred and two (102) municipal fire departments that are subject to the Civil Service Law, approximately fifty-one (51) departments, or fifty percent (50%), have a Civil Service Chief.

In recent years municipalities have sought to exempt the position of Fire Chief from Chapter 31, for various reasons. Among one of the main reasons that municipalities have sought to exempt the position from Chapter 31 is because, once a Fire Chief is appointed under the current Civil Service System, they are essentially lifetime appointments, and the procedures which the municipality would have to follow to make a change in the position, and the standard the municipality would have to satisfy in order to do so, are both incredibly burdensome.

With the ever-changing nature and fluidity of the fire profession currently, the needs of the City may change with little notice. The Chief needs to be able to quickly change, adapt, and work with the changing needs of the City to ensure proper supervision of the Department and compliance with applicable laws and regulations. By removing the position from Civil Service, the City would be able to annually evaluate the Chief's performance on a predetermined contractual basis. The City would have the ability to negotiate removal and non-reappointment clauses with the individual in the position, rather than being bound to the de facto lifetime appointment that comes with the Civil Service Law.

The City, additionally, would not be bound to the constrictive measures that exist in Civil Service relative to appointments to the position of Fire Chief. Under Civil Service, an applicant pool is generally limited and certain "scenarios" are utilized when either a test or assessment center is administered for the position. In order to post a test, the City must work with the understaffed Civil Service HRD unit. This requires the back and forth of multiple forms and processes that are generally unnecessary or redundant. Subjects must create online profiles, submit more required forms and documents electronically, and pay fees to the Commonwealth. The City must then wait for Civil Service to process all forms and payments, which can take months. They must then conduct a bid for a vendor to deliver the exam and arrange a date that works for the City, the Vendor, and for a Civil Service Representative to be present. This again pushes out the timeline.

Outside of the constraints of Civil Service, and through its own procurement process, the City would solicit bids from vendors who have experience in conducting fire service assessment centers for Fire Chief. The request for proposals would seek a qualified consultant to design, validate, administer, and score an assessment center in order to create a promotional eligible list from which to promote a candidate to the position. The City would be able to offer a better test, to a larger and more diverse pool of applicants, that could draw interest from applicants throughout the Commonwealth, as well as

nationally. This process would better allow the City and the Fire Department to evolve, maximize its budget, manage the Department, and fill a vital position in a more expedited manner. Through its own appointment process, the City would be in a better position to diversify the Department without jumping through the hoops that Civil Service requires when asking for a specialized certification. It would also allow the City more flexibility on the “scenarios” presented during the test.

By removing the Fire Chief from Civil Service, the City would be replacing an outdated and cumbersome procedure with an updated and efficient one. Given the Fire Chief’s pending retirement and the resulting vacancy in the position, now is the opportune time for the Council to act.

The removal of the Fire Chief from Civil Service will serve to propel the Department in the right direction going forward and it would be in the best interests of the residents of this City.

Thank you for your attention to this matter.

Respectfully submitted,



Breanna Lungo-Koehn
Mayor

Addressing the Council:

Chief of Staff Nina Nazarian
Mayor Breanna Lungo-Koehn
HR Director Lisa Crowley
Walter Buckley, Medford Firefighters’ Union President
Guy Manganiello, no address given
Robert Jones, Medford Firefighters’ Union
Thomas Ross, 53 Irving Street, VP, Professional Firefighters of Massachusetts
Bill Young, 110 Lincoln Road, Medford Firefighters’ Union
Courtney Young, 110 Lincoln Road
Eleanor O’Leary, 30 Norwood Circle, Medford Teachers’ Union
Ricky Cormio, 156 Middlesex Avenue
John Sousa, 359 Winthrop Street
Nate Merritt, 373 Riverside Avenue
Charlene Douglas, Medford High School
Jessica Healey, 4 Locke Road
Harold MacGilvray, 4 Piedmont Road
Mark Pacheco, 31 Carberry Street

Joe Spinelli, 340 Salem Street, Medford Firefighters' Union Vice President
Marie Mazzeo, 6 Cudward Street
Kathleen St. Germain, 34 Harrison Street
Judy Lonergan, 34 Lincoln Road
Patrick Kearse, 178 Woburn Street
Ellen Levecchia, 27 Ramshead Road
Melissa Tobin, 97 Taft Street
Louise Pacheco, 34 Carberry Street
Jamie Thompson, 86 Lawrence Road
Lisa Falanga, 88 Dudley Street
Marisa Nagala, Bowen Avenue
Brian Maser, KP Law

Two motions resulted.

Vice President Collins moved to refer the paper to the Committee of the Whole for further discussion, with legal counsel present for that discussion (Councillor Leming second)—referred to the Committee of the Whole for further discussion, with legal counsel, on a roll call vote of five in favor and Councillors Callahan and Scarpelli opposed.

Councillor Scarpelli moved to deny the motion to take the Chief's position out of civil service (Councillor Callahan second)—no vote taken because the action on the first motion referred the paper to the Committee of the Whole.

At 10:03 p.m. Councillor Scarpelli moved for a brief recess (Councillor Lazzaro second)—approved on a roll call vote of seven in favor and zero opposed.

President Bears called the meeting back to order at 10:15 p.m.

24-043

February 14, 2024

Via Electronic Delivery

To the Honorable President and
Members of the Medford City Council
Medford City Hall
Medford, MA 02155

Re: Community Preservation Fund Annual Application Appropriations

On behalf of the Community Preservation Committee, I respectfully request and recommend that your Honorable Body approve the following recommendations of the Community Preservation Committee:

1. Requesting the appropriation of \$69,000.00 from the CPA General Reserve to Housing Families for the Homelessness Prevention Pro Bono Legal Services Program
2. Requesting the appropriation of \$50,000.00 from the CPA Historic Preservation Reserve to City of Medford – Cemetery Division for the Oak Grove Cemetery Access Road Study
3. Requesting the appropriation of \$200,000.00 from the CPA General Reserve to City of Medford – Cemetery Division for the Oak Grove Cemetery Access Buildings Restoration project.
4. Requesting the appropriation of \$229,000.00 from the CPA General Reserve to City of Medford – Office of Planning, Development, and Sustainability for the Logan Park Natural Play Area project
5. Request the appropriation of \$10,000.00 from the CPA General Reserve to City of Medford – Cemetery Division for the Salem Street Burying Ground Conditions Assessment
6. Requesting the appropriation of \$205,525.00 from the CPA General Reserve to City of Medford – Parks Division for the Tufts Park Basketball Court Resurfacing project.
7. Requesting the appropriation of \$106,625.00 from the CPA General Reserve to City of Medford – Parks Division for the Capen Park Basketball Court Resurfacing project.
8. Requesting the appropriation of \$99,965.00 from the CPA Historic Preservation Reserve to the Medford Brooks Estate Land Trust (MBELT) for the ADA Pathways and Parking Improvements project
9. Requesting the appropriation of \$98,275.00 from the CPA Historic Preservation Reserve to the Medford Brooks Estate Land Trust (MBELT) for the East Elevation ADA Improvements project.
10. Requesting the appropriation of \$4,800.00 from the CPA Historic Preservation Reserve to City of Medford – Cemetery Trustees for the Cross Street Cemetery Conditions Assessment.

The CPC's recommendation letters are attached and incorporated.

Thank you for your consideration.

Respectfully submitted,
Breanna Lungo-Koehn
Mayor

Addressing the Council:

CPA Manager Theresa DuPont

Councillor Scarpelli moved to approve the funding requests (Councillor Tseng second)—approved on a roll call vote of seven in favor and zero opposed.

HEARINGS

23-411

PUBLIC HEARING NOTICE

Medford City Council: February 20, 2024

1 and 3-20 Walkling Court

The Medford City Council will hold a public hearing on February 20, 2024, at 7pm in the Medford City Council Chamber, on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, MA, and via Zoom relative to an application for a Planned Development Special Permit and Site Plan Review submitted by the Medford Housing Authority for the demolition of all existing buildings on the site to be replaced by a mid-rise building with 198 apartments for elders and seniors and four buildings with 40 family units (24 units in a low-rise building and 16 townhomes in 3 buildings). The Zoom link to the public hearing will be posted no later than February 16, 2024.

The full application materials can be viewed in the Office of Planning, Development, and Sustainability (City Hall, Room 308) or on the City's website at <https://www.medfordma.org/departments/planning-development-sustainability/> by clicking on '***Current CD Board Filings.***'

Addressing the Council:

Jeffrey Driscoll, Executive Director, Medford Housing Authority
Hannah Kilson, Nolan, Sheehan, Patten, LLP, Counsel to the Petitioner

President Bears declared the public hearing open at 10:49 p.m. and invited those who wished to comment to address the Council.

Addressing the Council:

Marianne Adduci, 2 North Street
Anita Nagem (via e-mail)
Trees Medford (via e-mail)
Tom Lincoln, 27 Lincoln Road
Angela Murphy, 16 Cotting Street
William Navarre, 108 Medford Street #1B

Ken Krause, 50 Mystic Street
Carol Keselowski, 624 High Street
Steve Doherty, 55 Horne Avenue
Alex Lussenhop, 30 Wright Avenue
Janice Martignetti, 126 Lincoln Road
Roberta Cameron, 12 North Street
Andrew Bengtson, 11 Hastings Lane
Alicia Hunt, Director of Planning, Development, and Sustainability
Andrew Castagnetti, 23 Cushing Street
Javier Barini, 42 Circuit Street

President Bears declared the public hearing closed at 11:26 p.m.

Vice President Collins moved to approve, and to adopt the conditions recommended by the Community Development Board, and to adopt the language recommended by Trees Medford, including a \$50,000 mitigation payment to the City of Medford by the Medford Housing Authority, exclusively for the cost of purchasing and planting additional trees at the direction of the Tree Warden (Councillor Leming second)—approved, with conditions from the Community Development Board adopted for site plan review, and including the language recommended by Trees Medford, on a roll call vote of seven in favor and zero opposed.



February 14, 2024

Council President Isaac "Zac" Bears

Medford City Council

City Hall

85 George P. Hassett Dr.

Medford, MA 02155

RE: Walkling Court Redevelopment – Special Permit - Tree Mitigation Condition (February 20, 2024)

Dear Medford City Council:

Last month, TreesMedford negotiated a \$50,000 mitigation payment from the proponents of the Walkling Court Redevelopment, the MHA, which has now been included in the Conditions for the Special Permit (PDD3) for the project. We greatly appreciate the MHA's willingness to contribute to the environmental mitigation of the removal of mature trees on the site.

This is an excellent first step towards ensuring “no net loss” of tree canopy from the Walkling Court expansion. As importantly, it is designed to fulfill important environmental goals for our community and implement the City of Medford's goals for preservation of its tree canopy. These have been articulated in the City of Medford Comprehensive Plan, and are included in the Urban Forest Vulnerability Assessment study (MVP grant). Furthermore, protecting the tree canopy is a key principle of the proposed Medford Tree Protection Ordinance, which is a high priority for both the City Council and the community. Our intention is that the funds be used to plant street trees in the surrounding neighborhood.

We would, however, like to make two important points concerning the tree mitigation condition. First, the funds are to be used exclusively to the costs of purchasing and planting additional trees, under the direction of Medford Tree Warden, Aggie Tuden. We want to be sure this is clear in the Special Permit language.

Second, the \$50,000 represents about half of the actual estimated cost for mitigation; the MHA has generously agreed to collaborate on a search for grant funds. Ultimately, of course, it is incumbent upon the City of Medford to secure full mitigation funding. The effects of climate change have only enhanced the critical role of trees in climate resiliency, environmental justice and our quality of life. We look forward to the support of all parties towards these goals.

Thank you for your support in this matter. Representatives of TreesMedford will be at the February 20, 2024 City Council meeting to address any questions or concerns.

Sincerely yours,

Amanda Bowen and Sarah Gerould

Amanda Bowen and Sarah Gerould, Co-Chairs TreesMedford

cc: Mayor B. Lungo-Koehn; A. Hunt; D. Evans; J. Driscoll, MHA Chair; A. Tuden, Medford Tree Warden

At 11:29 p.m., Councillor Tseng moved to revert to the regular order of business (Vice President Collins second)—approved on a roll call vote of seven in favor and zero opposed.

Reports of Committees

Offered by Councillor Scarpelli

Subcommittee on Licensing, Permitting, and Signs Report, February 6th, 2024.

23-464

LICENSING, PERMITTING, AND SIGNS SUBCOMMITTEE MEETING REPORT TUESDAY, FEBRUARY 6, 2024 @ 6:00 P.M.

Attendees: Councillor George Scarpelli, Subcommittee Chair; Councillor Anna Callahan, Councillor Matt Leming; Council President Isaac “Zac” Bears; City Clerk Adam Hurtubise; Attorney Kathleen Desmond, for Raising Cane’s; Jeff Pountney, Raising Cane’s; Danielle Evans, Senior Planner, Office of Planning, Development, and Sustainability; other participants as noted in the body of this report.

Chair Scarpelli called the meeting to order at 6:00 p.m. on February 6, 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 additional on-premises signage for Raising Cane’s, 760 Fellsway (Paper **23-464**).

Chair Scarpelli thanked participants for attending. He invited Attorney Desmond to present. Attorney Desmond said her client is seeking minimal accommodation for two additional signs for its restaurant on the Fellsway. She said some items should be exempt from the permit requirement because they are not visible from roadways and they face the inside of the parking area.

Chair Scarpelli said that the Council has occasionally given leeway to businesses whose signs do not have an adverse impact on neighbors. He said issues such as size and illumination would matter to the Council because they would matter to residents.

Adam Karachi from Raising Cane's said that there is an internally illuminated static sign, illuminated with LEDs. He said it will be on between dusk and dawn. He said Raising Cane's is requesting four, one facing each public right of way, allowed by right, and two facing inside the parking area. He said that there will also be an art display for the community. He said that the founder of the company started as a small business and got an SBA loan, and the components of the art reflect the founder's history building the business. He said that this sign is downlit. He said that there is also a directional sign for the drive through. There is also a picture of a dog that is the company mascot for whom the company is named. There is also a one love (all caps) slogan that reflects the company's quality chicken finger meal. He said the company is also asking for a monument sign. He said that the menu boards and pre-sell boards are mission critical.

Mr. Karachi said he was not aware last summer that some of these signs would require a special permit. He explained the preferred layout of all the signs. Attorney Desmond said that the one love sign would not face the neighborhood. She said that the total of the four signs is about 123 square feet and 300 square feet are allowed.

Chair Scarpelli said that he wants to help businesses, but that this is a lot. He said whether these signs face the neighbors or not, they are illuminated. He said that just alone, these signs are visible and it is going to be a busy area. He said he wants to help businesses but that there are also concerns from residents and neighbors. He said he thinks that this is too much. He said he hopes we can compromise. He said that he thinks the downlit signs are okay.

Attorney Desmond said that some of this was not defined in the previous code. She said that there is significant landscaping involved. Chair Scarpelli said that the landscaping softens the impact. Mr. Karachi said that most of the lighting is impact lighting.

Ms. Evans said that there are appeals to the City Council and there are special permits in which the Council is the Special Permit Granting Authority, so this would have to go through the notification process with notification to abutters, advertising, and a hearing. If this were an appeal, it would state that the determination from the Building Department is incorrect. She said she doesn't know if branded directional signs are necessarily allowed.

Chair Scarpelli asked if some of these signs could be shut down after hours. He said he would like to know what is a necessity.

Councillor Leming said he is still trying to understand the process and how essential some of this is to the overall business. Mr. Karachi said he was willing to remove the flame from the drive-through. He said the critical signs are the menu boards and the one love sign. He said he could agree to remove that sign from the roof. He said he could remove the A, H, and G signs. He said he would be willing to remove the monument sign as well.

Chair Scarpelli said that the biggest thing is making sure the neighbors are heard and he thinks that some of this is a good compromise. He said he would talk to the Building Department and find a way to advertise this and move it forward.

Attorney Desmond said that there is language about official signs in the new code but no definition of what an official sign is. Councillor Scarpelli said that the overall presentation looked fine and he could see that the one love sign was essential to the business. He said he would be interested in getting more information after the meeting. He said our zoning needs to be overhauled.

President Bears said he voted for the late hours. He said that if Attorney Desmond has concerns as we move forward with our zoning, the Council would very much appreciate her input. Chair Scarpelli asked about a variety of the proposed signs and Mr. Karachi said that he'd be willing to remove the E, by the pre-sell board. Chair Scarpelli suggested the I, the A, the H. Chair Scarpelli said he had enough information and would contact Attorney Desmond.

Ms. Evans asked what is considered the primary signs. Attorney Desmond said that they face the Fellsway and Riverside where the painted mural would be. Ms. Evans asked if all the signs were considered non-exempt. Attorney Desmond said she maintains that some of the signs should be exempt. Chair Scarpelli said he would go to the Building Department to get some additional information. He said his understanding is that this is about the number of signs.

Chair Scarpelli asked that this report be placed on file.

Councillor Leming moved to adjourn at 6:45 p.m. (Chair Scarpelli second)—approved.

Chair Scarpelli adjourned the meeting at 6:45 p.m.

[End of Licensing, Permitting, and Signs Subcommittee Report.]

Offered by Councillor Leming

Resident Services and Public Engagement Committee Report, February 13th, 2024.

RESIDENT SERVICES AND PUBLIC ENGAGEMENT COMMITTEE
MEETING REPORT
TUESDAY, FEBRUARY 13, 2024 @ 6:00 P.M.

Attendees: Councillor Matt Leming, Committee Chair; Councillor George Scarpelli, Committee Vice-Chair; Councillor Anna Callahan; Councillor Emily Lazzaro; Councillor Justin Tseng; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Chair Leming called the meeting to order at 6:00 p.m. on February 13, 2024 via Zoom. The purpose of the meeting was to address several papers referred to the Committee.

Chair Leming thanked participants for attending. The first discussion item was **24-006**, the Governing Agenda from the January 24, 2024 Committee of the Whole Meeting. Councillor Callahan moved to suspend the rules to move this to the end of the meeting (Councillor Scarpelli second)—approved on a roll call vote of five in favor and zero opposed.

Discussion turned to **24-015**, the resolution to discuss Council communications and outreach strategy. Councillor Tseng said many of the ideas in his proposal to be discussed tonight are also in **24-006**. He said that he hopes to get feedback from where we are and where we need to be. He said that Councillors could create press releases to alert constituents and keep residents up to date. He said it would be appropriate for the Committee to approve monthly updates or summaries. He said every month, a Councillor could create this summary and vote it out to be published at a Council Meeting. He said that dispersing this function would make it less stressful for each individual Councillor. He said he had questions around the execution of this. He asked if this should be done within the Committee or as a subcommittee. He said that younger people often use social media and others, such as seniors, might want to read updates in the newsletter.

Councillor Callahan asked a procedural question about subcommittees and the City Clerk answered it. Councillor Scarpelli said that we do have an entire department that writes press releases and he asked if we will now be sending out our own. He asked if this were too redundant. He said sometimes more is better. He said that the City doesn't always do a decent job getting out information.

Councillor Tseng said that the Communications Department often focuses on items that the Mayor is doing and that Departments are doing. He said that historically, the Communications Department does not send out press releases on what the Council is doing.

Councillor Lazzaro said she likes the idea of communicating with people and said she thought it could be done in conjunction with the Mayor's Office. She said that it would

make sense to communicate in a broad, generalized manner. She said we do not have a newspaper in town and we want people to be able to understand what we are trying to accomplish. She said she also likes the idea of communicating on social media and through the Senior Center Newsletter. She said it should be simple and high level communication. Councillor Scarpelli said he shares these concerns and said we have to look at what the mechanism is going to be. He said the Council is limited in what we control unless we have buy-in with the City. He said even the Council's webpage can be confusing. He said we can take Councillor Lazzaro's suggestion about the newsletter. He said there isn't a main newspaper or identified link that we can use to reach every resident. He said engaged residents will understand what we are doing and see what we are doing. He said we need to work with the City, the Clerk, and our President to see what we can do to get our messaging out there.

Councillor Callahan said she likes the idea of sending out something that is unbiased. She said she likes the idea of getting this out before things are passed. She said she does not think that this has to be long. Councillor Tseng said it does not have to be long. He said that Steve Smirti has seemed receptive to some of these ideas.

Councillor Callahan said she has thought deeply on how to engage people who are not currently engaged with City government. She said that this type of update is just trying to get a certain piece of information out. She said she would also like to talk to the Communications Department.

Councillor Scarpelli said he wanted us to be accessible. He said he wants to be able to reach the residents who don't have access. He said he wants to be able to ensure that everyone in the City has access to our news and our newsletters. He said that we are the City Council and that the Communications Department has to work with us so we can get our message out. He said that the lack of a local newspaper has absolutely crippled our community. He said it is imperative to meet with City representatives as we try to reach underprivileged groups and other groups.

Councillor Tseng moved to get feedback from the Communications Director on the ideas in this powerpoint before our next meeting (Councillor Scarpelli)—approved on a roll call vote of five in favor and zero opposed.

Councillor Lazzaro said it seems like a good moment to mention the Diversity, Equity, and Inclusion discussion we were hoping to get do during this meeting. She said if we want to make sure we are reaching everybody, there would be barriers. She said even when we had a newspaper, the information was only reaching subscribers. She said that perhaps Director Nwajei could assist with informing us on how people are accessing information.

Councillor Tseng said he could coordinate on getting feedback from Steve Smirti. He said it might not make sense to form a subcommittee for this topic. He said it might make more sense to get a list of Councillors who want to work on this topic. He said he

does not want to editorialize in the newsletters. He asked about partnering with Medford Community Media.

Station Director Kevin Harrington said that Medford Community Media membership is open to Medford residents. He said Councillors are welcome to apply for membership. He said Councillors could get trained and then use the studio space. He said some people produce videos on their own time and submit it to the station. He said that the MCM staff is essentially providing the services but MCM is not meant to be a production company.

Councillor Scarpelli said that some items might be able to be added to the loop on public access. Director Harrington said that just about any image file can be added to the digital bulletin board.

Discussion turned to Paper **24-022**, on biennial training on Diversity, Equity, and Inclusion. Councillor Lazzaro said she spoke with Director Nwajei a few times and that she and Director Nwajei are excited about doing this training. She said she has concerns about doing this without violating the Open Meeting Law. She said she wouldn't want to do it if it would cost us additional funds. She said it would make sense to include Director Nwajei because she is such a wonderful resource.

Councillor Scarpelli said that he thought it was great to get training. He said former City Solicitor Rumley used to bring Councillors into the office individually for training. Councillor Lazzaro said her understanding of the Open Meeting Law is that if you stay away from anything on the Council agenda, you might be able to have a training session without violating the Open Meeting Law. She said every year something comes up in Medford and that some of these topics could be variable. She said that there are many different ways to look at Diversity.

Councillor Tseng suggested inviting Director Nwajei to a meeting to look at what this might involve. He said it would be helpful to meet with Director Nwajei, and moved to invite Director Nwajei to come to our next meeting to discuss this (Councillor Lazzaro second)—approved on a roll call vote of five in favor and zero opposed.

Chair Leming asked if there would be any discussion on the Governing Agenda. Councillor Tseng said he thinks that it is pretty straightforward. He said that he wants to make sure that there will be lead Councillors on these projects. Councillor Tseng gave updates on various draft ordinances in the document. He said the hope was to meet with the Administration and get updates. He said he doesn't want this to be punitive or overly bureaucratic. He suggested finishing some open projects before addressing some of the items on the list that do not yet have paper numbers.

Councillor Tseng moved to keep Papers **24-015** and **24-022** in Committee (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Tseng moved to have Councillors submit feedback and ideas to the Clerk and the Chair on how to modernize Council Communications (Councillor Lazzaro second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Tseng moved to adjourn at 7:05 p.m. (Councillor Scarpelli second)—approved on a roll call vote of five in favor and zero opposed.

[End of Resident Services and Public Engagement Committee Report.]

Offered by Councillor Lazzaro

Public Health and Community Safety Committee Report, February 13th, 2024.

**PUBLIC HEALTH AND COMMUNITY SAFETY COMMITTEE
MEETING REPORT
TUESDAY, FEBRUARY 13, 2024 @ 7:00 P.M.**

Attendees: Councillor Emily Lazzaro, Committee Chair; Councillor Justin Tseng, Committee Vice-Chair; Councillor Anna Callahan; Council Vice President Kit Collins; Councillor Matt Leming; City Clerk Adam Hurtubise; Pastor Gerry Whetstone, Public Health Director MaryAnn O'Connor; PDS Director Alicia Hunt; other participants as noted in the body of this report.

Chair Lazzaro called the meeting to order at 7:12 p.m. on February 13, 2024 via Zoom. The start was delayed by a committee meeting immediately beforehand. The purpose of the meeting was to address several papers referred to the Committee.

Chair Lazzaro thanked participants for attending. She said the first item on the agenda is reviewing the Governing Agenda. She said she wanted to discuss Paper **24-023** first, regarding a warming and cooling center in Medford. She said Vice President Collins also wanted to speak about another ordinance.

On the warming and cooling center, Chair Lazzaro said she has an idea on how long it can take to set up something like this. She said she has worked with Pastor Gerry Whetstone, who was on the Zoom link. Multiple City officials and department heads were also on the Zoom link. Chair O'Connor said that representatives from neighboring cities are also interested in having this conversation.

Chair Lazzaro invited Pastor Whetstone to speak. Pastor Whetstone said that there is a problem with people experiencing homelessness in our communities. He said we sometimes don't see people who are experiencing homelessness. He said that the Malden warming center was the first one in our region. He said that the Malden warming center runs entirely with volunteers. He said many people have a misunderstanding of those who are homeless. He said we are in the hospitality

practice. He said homelessness is on the rise. He said we practice hospitality. He said that the pledge is to provide a warm, safe place. He said the key is that those who are experiencing homelessness are people and they are constituents.

Councillor Leming asked about the land situation for the warming center and about the \$130,000 budget. Pastor Whetstone said that the building belongs to the First Church of the Nazarene, which he pastors. He said the first year budget was \$60,000-70,000. He said the center provides a shuttle and provides meals. He said the warming center pays a portion of utilities. He said a large part of the budget is security. He said that the center provides blankets as well to ensure that the location is safe health-wise. He said that the largest chunk of donations come from individuals and businesses that support the center. He said he also uses CDBG money and some ARPA money. Chair Lazzaro said that Malden recovery coaches also staff the center at night. He said his center has helped more than 100 people find secure housing and more than 200 people enter into recovery.

Social Worker Alysia LaGambina from the Department of Public Health said she works with individuals in recovery or people who are using substances, those who are unhoused or facing eviction. She said the main concern is eviction in housing, affordable housing, inability to pay rent, and similar issues. She said that community members use multiple means of communication to let us know that there are unhoused people living in Medford. She said that the unhoused population is also a transient population.

Vice President Collins said she appreciates this overview. She said that the Health Department and the Office of Prevention and Outreach and the team there always does a terrific job. She also thanked Pastor Whetstone. She said that the housing crisis is a regional issue and so too is the homelessness issue. She said we have to think about regional capacity and how we are contributing to that.

Chair Lazzaro said many of the people at the Malden warming center attended Malden High School and the former Malden Principal is a volunteer at the center. She said that a Medford High graduate now goes to the Malden warming center. She said it is the duty of everyone in the region to work together to do the best we can for the people around us.

Director O'Connor said she met with Somerville, Cambridge, and Arlington last week. She said we started the conversation as a coalition to look into moving this forward. She said Somerville's shelter is ARPA funded right now. She said Cambridge and Somerville have different issues than Arlington and Medford have. She said space is an issue as well. She said funding will also be an issue.

Chair Lazzaro said that running out of ARPA funding will be an issue for everybody everywhere.

Councillor Leming asked if the regional funding issue could impact warming centers who band together and seek funding together, and he asked if Medford might have a smaller homeless population because it lacks the services to help the homeless population. Director O'Connor said that we have homeless people who might not be on the streets but may be staying on a couch somewhere. She said she wasn't sure what would happen if all the warming centers banded together to seek funding, but that banding together might lead to more success than an individual Medford request would.

Pastor Whetstone said he participated in the ribbon cutting for the CHA Behavioral Health Clinic in Malden yesterday. He said that the number one cause of homelessness is mental health, often joined with substance use or substance abuse. He said we shouldn't just look at City buildings because that will be limiting.

Prevention and Outreach Manager Penelope Funaiolo highlighted efforts that City officials including the Mayor have undertaken. She said that it is about the continuum of care, not just about individual communities' CDBG funds. She said that this is a systematic issue. She said that this should be a collaborative approach with state officials and with other cities and towns. She said that every other state in America operates on a county system but that there are 351 individual fiefdoms in Massachusetts. She said it is critical to provide a dignified place to be.

Chair Lazzaro said that a warming center catches people right before they hit the pavement as a final last gasp. She said it is not the safety net that people deserve but that the least we can do is make sure people are not freezing to death. She said then we can work on housing stability and a fully-staffed City Hall.

Director Hunt said it is helpful to know about some of the systems that are in place and some that need to be a little more robust. She said we can use 15% of the funding we receive for public service agencies. She said we don't have a public service plan. She said we get \$215,000 per year to allocate, and she put this in the context of a \$130,000 budget for the Malden warming center. She said it is hard to find a building that can be a resiliency hub. She said we are also working on bringing in more after school programs and daycares.

Chair Lazzaro said that the building that hosts the Malden warming center is also a daycare.

Councillor Leming asked about the requirements for daycare centers and warming centers are the same. Chair Lazzaro said probably; she said the requirements for a warming center could be less than those for a daycare.

Ms. LaGambina highlighted that people she was working with were well informed about the warming center but they were reluctant to leave their encampments over concerns about their personal property which would have had to have been left behind. She said that there was a fatality behind National Grid. She said that the police station is always an option and the Police Department has had people in the lobby overnight. She said

last year we did a better job allocating resources and funding to agencies we serve. She said that we haven't had any numbers to support funding despite our own data that we are collecting. She said that anyone in our recovery coach program or recovery readiness program is eligible for a scholarship.

Manager Funaiolo said that we also do not highlight where unhoused people are congregating or gathering.

Chair Lazzaro said that this topic is very important to her and thanked everyone for attending.

Vice President Collins said that she seconded everything that Chair Lazzaro said and thanked participants and Chair Lazzaro. Vice President Collins moved to keep this paper in committee (Councillor Leming second)—approved on a roll call vote of five in favor and zero opposed.

Chair Lazzaro next turned to the Governing Agenda, Paper **24-006**. She said that there are a number of papers in committee, including one to draft a Wildlife Feeding Ordinance.

Chair Lazzaro went over the focus areas of the Committee. She also highlighted relevant City ordinances.

Councillor Callahan departed at 8:22 p.m.

Vice President Collins said she wanted to see how this conversation evolves just as the warming center conversation evolved.

Councillor Leming highlighted the plant-based medicine resolution.

Vice President Collins discussed the need for an ordinance to address overgrowth such as branches, weeds, and vines. She also discussed allowing City staff to have enforcement authority around some activities if they become problematic.

Councillor Tseng discussed the need for Gender-Affirming Care and Reproductive Healthcare protection ordinances. He said he would have some updated ordinance language for this and other items.

Vice President Collins discussed the CCOPS ordinance, which requires the annual submission of reports by agencies that use these technologies. She said that the first meeting would be this committee's April meeting. She also discussed housing-related ordinances.

Director Hunt discussed the Housing Stability Notification Ordinance.

Chair Hunt discussed Emergency Vehicle and Equipment replacement. Councillor Leming said that this would likely require us to know what the budget is first. Vice President Collins said that no Councillor is currently the lead on this project. She said that rather than creating a maintenance plan for emergency equipment, this is more about reconciling our emergency fleet with our capital spending documents.

Vice President Collins said she would like to list the wildlife feeding ordinance as an action item and she would circulate a draft of language.

Vice President Collins moved to receive and place **24-006** on file (Councillor Tseng second)--approved on a roll call vote of four in favor, zero opposed, and Councillor Callahan absent.

Vice President Collins moved to adjourn at 8:38 p.m. (Councillor Tseng second)--approved on a roll call vote of four in favor, zero opposed, and Councillor Callahan absent.

Chair Lazzaro adjourned the meeting at 8:38 p.m.

[End of Public Health and Community Safety Committee Report.]

Offered by Vice President Collins

Planning and Permitting Committee Report, February 14th, 2024.

**PLANNING AND PERMITTING COMMITTEE
MEETING REPORT
WEDNESDAY, FEBRUARY 14, 2024 @ 6:00 P.M.**

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

Vice-Chair Leming called the meeting to order at 7:12 p.m. on February 14, 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 address several papers referred to the Committee, particularly the Housing Stability Notification Ordinance and Housing Home Rule petitions. Vice President Collins gave an overview of the housing stability work to date.

Councillor Scarpelli said that this is a very important topic. He said he has had residents calling asking to table this portion because tonight is Ash Wednesday. He said we need to have more of an open dialogue.

Vice President Collins said she appreciates what Councillor Scarpelli said. She said that this is the beginning of the process. She explained the Home Rule Petition process. She said it is typical to send drafts of documents to the Council on the day of meetings after the meeting is noticed under the Open Meeting Law.

Councillor Scarpelli said a lot of homeowners are at Mass tonight. He said that this is a new process on how we are doing our committee and subcommittee work.

Vice President Collins said it is not her intent to vote to take action on this draft tonight. She discussed how rent control laws work. She said we can look to other cities for guidance.

Councillor Scarpelli said we need to be very careful. He said we do not have legal representation here tonight and that this could come back to bite us. He said that there are financial ramifications that could come back to the community. He said he doesn't want to find us in another BJ's situation. He urged caution. He said he would Section 22 this, but right now there is too much in play. He said rent control is a whole different animal that could change this community drastically and impact every homeowner. He asked that we table this to another date and move on to something else.

Councillor Scarpelli moved to table. With no second on the motion to table, discussion continued.

Councillor Callahan said that there are seven different home rule petitions listed and asked if there is legal language for any of them. Vice President Collins said she circulated language earlier today through the Clerk's Office. Councillor Callahan said that right now we are discussing rent stabilization and Vice President Collins confirmed this.

Councillor Scarpelli asked for Open Meeting Law guidelines on documents in the packets and the Clerk provided them.

Vice President Collins said we are in the preliminary phase of discussions of an item that came up two years ago on a Council agenda and has been repeatedly discussed publicly. She said she understands and respects that more people want time to review the drafts.

President Bears arrived at 6:29 p.m.

Vice President Collins said that this is a proactive Council. She said we need to find a way to keep more Medford residents in Medford.

Eduardo Palacios, 766 Broadway, Everett, said that a home rule petition is necessary to protect the residents of Medford. He said we are seeing issues in multiple different cities in which rents are being raised dramatically because investors are trying to

maximize profits. He asked the Council to protect Medford from a maximized profit scheme.

Katie McCann, 91 Rosmer Road, Jamaica Plain, is an organizer with a community justice organization in Boston. She said she has worked with Medford residents facing large rent increases. She said people who live in Medford have been displaced from Medford. She said rent control would immediately address the housing crisis. She said that this would be similar to the Somerville Home Rule Petition which passed unanimously.

Kelly Catallo, 9A Mountain Road, Burlington, a former Medford resident, said she could not afford to live in Medford and had to move to Burlington. She said both previous speakers work with a group that organizes tenants to fight landlords. She said that the new owners of Bradlee Road had to make significant improvements to the buildings and the tenants were paying lower than normal rents before those new landlords came in. She said she represents 732 landlords in the City of Medford. She said that the majority of landlords in Medford are small property owners. She read an e-mail from a resident of 60 years who opposes rent control. The e-mail said voters voted out rent control in 1994 and that there were other issues with tenants.

Councillor Scarpelli departed at 6:42 p.m.

Ms. Catallo asked for a notice to be sent out to all the landowners in the city.

President Bears said that it's important to have all the tools on the table. He said that there are people who want to regulate supply, some who want few regulations on landlords, and some who want extreme regulations on landlords. He said that the answers might lie in all these areas, not one. He said this is a discussion about having the state let us have more tools in our toolbox. He said rent control and rent stabilization laws were allowed until 1994, when a ballot question passed by about 1 percent of the vote, and voters in the cities that had rent control voted overwhelmingly to keep rent control, and voters outside those cities provided the narrow majority that overruled the people in those cities with rent control that wanted to keep it. He said that there are exemptions, such as owners of two-family dwelling units when the owner lives in one unit and the tenant in the other. He said that the measure on the table addresses many of the questions raised tonight. He said that every reason for eviction is addressed under this policy, including the reasons raised by residents tonight. There are reasons why some of these eviction reasons are listed as just causes in the documents being reviewed tonight. He said that there needs to be interim measures until we achieve some level of balance.

Alicia Hunt, Director of Planning, Development, and Sustainability, said she has not had a chance to review this document but would be happy to review it. She said Medford has traditionally been a starter home community. She said that with developers and corporations buying houses, there is not much room for starter homes. She said she

bought a starter home here. She said that in the past, with ordinances, counsel has asked for agreement on what would be included before starting legal review.

Councillor Callahan said that it appears that the person who wrote in for this meeting may have misunderstood the documents being discussed tonight.

Vice President Collins said she wants to focus on what exactly is being proposed. She said she wants everyone to understand what we mean when we discuss a just cause eviction.

Vice President Collins moved to circulate the background information, first draft of the Medford home rule petition, and sample home rule petition from Somerville as context, to all Councillors, and to the Director of PDS, the Senior Planner, and the Housing Staff Planner, for further review, and to request feedback and comments by February 28, 2024 (Councillor Callahan second, with an amendment from President Bears to give the new proposal a new paper number)—approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

Vice President Collins moved to keep the paper in committee and to adjourn at 7:01 p.m. (Councillor Callahan second)—approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

Vice-Chair Leming adjourned the meeting at 7:01 p.m.

[End of Planning and Permitting Committee Report.]

Offered by Councillor Tseng

Governance Committee Report, February 14th, 2024.

**GOVERNANCE COMMITTEE
MEETING REPORT
WEDNESDAY, FEBRUARY 14, 2024 @ 7:00 P.M.**

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

Chair Tseng called the meeting to order at 7:08 p.m. on February 14, 2024 in the 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 address several papers referred to the Committee.

Chair Tseng thanked participants for attending. He said that there is one action item on the agenda, Paper **24-006**, the Governing Agenda.

President Bears said that this is not a super-long list of items in the Governing Agenda for this committee: ordinances, rules, zoning, the Clerk's Office, the rules of the Council, special acts, and other items. He said he has been pushing for an updated City Charter. He said that this Council has proposed home rule petitions for Charter Review, targeted provisions of Charter Review that were not approved by the Mayor, and that the Mayor has a Charter Study Committee reviewing the Charter. He said that Charter Review has to begin with the Council. He said he would be excited to work on a new Charter, which could take effect in two, three, or four years. He said we have just over 22 months left in the term. He said he also wants to highlight oversight of the Elections Department and that the Council did get an update in January, and that the Council needed more than that report, and that the Elections Manager has resigned, with an election coming on March 5. He said that the Elections Office is working really hard but there is one full-time person in there and historically there were five.

Chair Tseng invited comments on charter review. Councillor Lazzaro said that the Charter Study Committee has taken some votes recently on issues the committee wants to review. She said they weren't going to be able to present their final recommendations until the end of this year. She said it would be beneficial for this committee to work in tandem with them. She said she wants us to be working at the same time toward the same goal.

President Bears said he appreciates the work of the study committee. He said that one person appointed the study committee but that the Council is elected. He said that there was no consultation with the Council when this committee was appointed. He said we can take whatever the study committee has provided, but that the work product of the study committee needs to come to the Council. He said that there is a level of legitimacy and responsibility that comes from being elected by the voters rather than being appointed by one person. He said he appreciates Councillor Lazzaro's comments but that at the end of the day, the Council is the body elected to vote on this topic.

President Bears said he would like to hear from the Collins Center regarding the work of the Charter Study Committee. He said he thinks December is way too late. He said he does not want to wait ten months for a report.

Councillor Lazzaro said that she would prefer to start working on this while the Charter Study Committee is also working.

Councillor Lazzaro moved to move the Charter discussion up in the calendar to April (President Bears second)—approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

Discussion turned to **23-474**, regarding elections. Chair Tseng said that Councillor Scarpelli offered amendments on this topic. He said that given that the Presidential Preference Primary is coming up, he wanted to defer to the Elections Department workload, but that we do have this paper in committee.

Vice President Collins said that the Elections Commission came before the Council in a previous meeting. She said that the Council was unified in requesting a more explicit and specific response than what was laid out in the last report.

President Bears said that this was at our regular meeting so we do not have a verbatim transcript of what was discussed. He said we got documents such as the attendance records we requested. He said the Elections Commission wants to do a more clear version of the after-action report, itemizing the problems and solutions with the last election. He said he doesn't have any more motions to make, but suggested inviting them back for our March and April meetings.

Discussion turned to Paper **24-024**, pro-democracy reforms referred to this committee, and also prioritizing the salary discussion previously raised during debate on compensation for the School Committee.

Councillor Callahan said that these pro-democracy reforms would ideally lead to more people in Medford voting and would allow those who are underserved and underrepresented to be better represented and better served. She said that there is no rush on any of these reforms; no timeline.

Councillor Callahan asked if we would be disposing of the paper by voting to receive and place on file. The Clerk said that the Committee could be disposing of it, but that would be the will of the Committee. President Bears said that the intent would be to review the document in a period of time but that he didn't want to continue to leave it hanging on the agenda.

President Bears moved to receive **24-006**, place it on file, and to adjourn at 7:42 p.m. (Councillor Lazzaro second)--approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

Chair Tseng adjourned the meeting at 7:42 p.m.

[End of Governance Committee Report.]

Councillor Tseng moved to join and approve all Reports of Committees (Vice President Collins second)—joined and approved on a roll call vote of seven in favor and zero opposed.

MOTIONS, ORDERS, AND RESOLUTIONS

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 refer the paper to the Public Health and Community Safety Committee (Councillor Tseng second)—referred to the Public Health and Community Safety Committee on a roll call vote of seven in favor and zero opposed.

24-041 - Offered by Councillor Leming and Vice President Collins

Resolution to Develop Real Estate Transfer Fee Home Rule Petition

Whereas, the City of Medford requires approval from the Commonwealth of Massachusetts to impose a real estate transfer fee; and

Whereas, 18 other communities in Massachusetts have submitted Home Rule Petitions to impose local real estate transfer fees; and

Whereas, real estate transfer fees create a sustainable funding stream for needed housing production and affordable housing product in Medford by levying a small fee on certain real estate transactions; now, therefore:

Be it Resolved that the Committee on Planning and Permitting meet to develop a home rule petition, “An Act Authorizing the City of Medford to Impose a Real Estate Transfer Fee.”

Councillor Scarpelli invoked Rule 21, which states that any finance paper appearing on the Council agenda for the first time shall be automatically laid on the table when such action is requested by any member. The paper will appear on the agenda for the next regular Council Meeting on March 12.

24-042 - Offered by Vice President Collins

Resolution to Discuss Implementation of Housing Stability Notification Ordinance

Be it Resolved that the Planning and Permitting Committee meet with relevant City staff to discuss and evaluate the implementation and enforcement of the Housing Stability Notification Ordinance (**22-377**).

Addressing the Council:

Andrew Castagnetti, 23 Cushing Street

Vice President Collins moved to refer the paper to the Planning and Permitting Committee (Councillor Tseng second)—referred to the Planning and Permitting Committee on a roll call vote of six in favor, zero opposed, and Councillor Callahan absent because of technological issues with her Zoom feed.

Vice President Collins took the Chair at 11:49 p.m.

24-045 - Offered from the Floor by President Bears

Resolution Regarding Schedule of Annual Budget Process for FY2025

Be it Resolved by the Medford City Council that the Council President requests City Councilors submit individual budget recommendations to the City Clerk by Friday, March 1, 2024 for consideration in a Committee of the Whole meeting on Wednesday, March 6, 2024.

Be it Further Resolved that, based on schedule included in the soon-to-be-finalized Budget Ordinance, the City Council and City Administration will follow the following budget schedule for the FY2025 City Budget:

- **By March 1st, 2024** - City Councilors Submit Individual Budget Recommendations for Consideration by Administration and Finance Committee
 - **By Friday, March 22nd, 2024** - City Council Submits Collective Budget Recommendation to the Mayor
 - **From April 15th, 2024 to May 15th, 2024** - City Council Holds Preliminary Budget Meetings with Department Heads
 - **By Friday, May 31st, 2024** - Mayor Submits Comprehensive Budget Proposal to the City Council
- a) Councillor Scarpelli offered an amendment requesting that the Administration provide a list of the ARPA funded positions in the budget.

Addressing the Council:

Steve Doherty, 55 Horne Avenue

From the Floor, President Bears moved for approval as amended (Councillor Tseng second)—approved as amended on a roll call vote of six in favor, zero opposed, and Councillor Callahan absent because of technological issues with her Zoom feed.

President Bears resumed the Chair at 11:59 p.m.

PUBLIC PARTICIPATION

Addressing the Council:

Alyssa Scott, 132 Monument Street
Mike Kroell, 32 Wright Avenue

UNFINISHED BUSINESS

23-081 MBTA Plan for Accessible Transit Infrastructure (PATI)

IN CITY COUNCIL MARCH 28, 2023

TABLED

23-412 Petition to Amend Deed Restriction - 12 Dell Avenue

IN CITY COUNCIL SEPTEMBER 19, 2023

TABLED

24-031 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

16-574 University Accountability Spring 2017-Report (Next Report Due in March 2024)

17-606 Evangelical Haitian Church 400 High St. 90 Day Review on Illumination (Tabled - January 9, 2018)

20-086 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)

22-007 90 Day Report from Administration to present 5-year plan to address gas leaks (Report due in April 2022)

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

Adjournment

Vice President Collins moved to adjourn at 12:02 a.m. (Councillor Leming second) approved on a roll call vote of six in favor, zero opposed, and Councillor Callahan absent because of technological issues with her Zoom feed.

President Bears adjourned the meeting at 12:02 a.m.

A true copy, Attest

Adam L. Hurtubise
City Clerk