

**CITY COUNCIL CALENDAR
THURSDAY, APRIL 26, 2018
7 P.M. CITY COUNCIL CHAMBERS – ROOM 214
CITY HALL, 133 WILLIAM STREET, NEW BEDFORD, MA**

OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LINDA M. MORAD

PRAYER LED BY: RABBI RAPHAEL KANTER, TIFERETH ISRAEL CONGREGATION

PLEDGE OF ALLEGIANCE

NOTE: DUE TO THE HOLY DAY OF OBLIGATION ON THURSDAY, MAY 10, 2018, THE NEXT REGULARLY SCHEDULED COUNCIL MEETING WILL BE ON TUESDAY, MAY 8, 2018, THE AGENDA WILL CLOSE ON THURSDAY, MAY 3, 2018 AT 10 A.M. AND BE RELEASED ON FRIDAY, MAY 4, 2018.

HEARINGS

1. HEARING, on NSTAR Electric Company d/b/a Eversource Energy for location of six (6) 4" Conduits and one (1) 5'x7'x6'5" Manhole in UNION STREET, West of Pleasant Street.

1a. AN ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing the increase in the City's Sealing Fee Schedule.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER authorizing three school bus contracts in excess of three years' duration.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER to TRANSFER \$30,000.00 from AIRPORT, OTHER CHARGES to AIRPORT, CHARGES & SERVICES in the amount of \$18,000.00 and AIRPORT, SUPPLIES & MATERIALS in the amount of \$12,000.00.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER to TRANSFER \$20,400.00 from ELECTIONS, SALARIES & WAGES, to ELECTIONS, CHARGES & SERVICES in the amount of \$19,400.00 and ELECTIONS, SUPPLIES & MATERIALS in the amount of \$1,000.00.

M4a. AN ORDER

M5. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER amending the order adopted by the City Council on June 22, 2017, and signed by the Mayor on June 30, 2017, which in accordance with Massachusetts General Law Chapter 44, Section 53E 1/2, authorized the revolving fund under the control of the Fire Department known as the COMMUNITY TRAINING FUND whose amount limited at \$5,000.00 is hereby authorized at \$6,000.00 for FISCAL YEAR 2018.

M5a. AN ORDER,

M6. COMMUNICATION, Mayor Mitchell, to City Council, submitting a ONE-YEAR WAIVER OF RESIDENCY for KASEY BOTELHO, Middleboro, MA, for the position of Treatment Plant Operator.

M7. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of KAMILE KHAZAN, New Bedford, MA, to the PLANNING BOARD, replacing Colleen Dawicki who resigned January 2018; this term will expire December 2018.

NEW BUSINESS

2. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE, amending Chapter 9, of the City Code by adding Section 5720 TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS.

2a. AN ORDINANCE, (Passed to a Second Reading – February 8, 2018.)

3. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the Ordinance, Relative to Wage Theft, submitted by Attorney David Gerwatowski.

3a. AN ORDINANCE,

4. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION of the three (3) ORDINANCES, regarding Outdoor Café Permits.

4a. AN ORDINANCE, amending Chapter 15, Article VI – Planning Board Licenses and Permits – Section 15-100 Outdoor Café permit. (Referred to the Committee on Ordinances – December 14, 2017.)

4b. AN ORDINANCE, amending Chapter 17, Section 17-18 Noncriminal disposition of violations of certain Ordinances, rules and regulations by adding Section 15-100 Outdoor Café permit. (Referred to the Committee on Ordinances – December 14, 2017.)

4c. AN ORDINANCE, amending Chapter 17, Section 17-28, Chapter 40U of the Massachusetts General Laws by adding Section 15-100 Outdoor Café permit. (Referred to the Committee on Ordinances – December 14, 2017.)

5. REPORT, Committee on Finance, recommending to the City Council ADOPTION, AS AMENDED, of a REVISED LOAN ORDER appropriating \$5,625,000 for FY2018 Capital Bond. (This revised Loan Order replaces the Order submitted on January 25, 2018.)

5a. LOAN ORDER,

6. REPORT, Committee on Finance, recommending to the City Council to take “NO FURTHER ACTION” on a COMMUNICATION, Mayor Mitchell, to City Council, submitting a LOAN ORDER appropriating \$6,115,000.00 which constitutes the next round of projects for the FY2018-2022 Capital Improvement Program (CIP), these projects are intended to continue essential renovation and repair efforts while also designating local funding to supplement state aid for much-needed road and sidewalk repairs.

6a. LOAN ORDER, (Referred to the Committee – January 25, 2018.)

7. REPORT, Committee on Licensing & Zoning for Cannabis, recommending to the City Council Adoption of the AMENDED, WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Finance work with the Mitchell Administration on the adoption of the maximum 3% local sale tax option upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the City of New Bedford if Ballot Question 4 is passed; and that this matter be referred to the Mayor.

7a. WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Finance, work with the Mitchell Administration on the adoption of the maximum 3% local sale tax option upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the City of New Bedford if Ballot Question 4 is passed. (Referred to the Committee on September 22, 2016; Referred to the Special Committee on Licensing and Zoning for Cannabis – February 22, 2018.)

8. WRITTEN MOTION, Councillors Abreu, Giesta, Dunn, Lopes, Lima and Markey, requesting that the Committee on Finance, a Representative of the Mayor's Office, Chief Financial Officer Sky and a Representative of the Economic Development Council discuss the feasibility of implementing a "rent rebate" program, which has helped revitalize economic development in other gateway cities throughout the Commonwealth of Massachusetts; the program would entitle qualifying business owners moving into vacant storefront/buildings a partial rent rebate in both their first and second years of operation to help them get started, the City would accept applications for consideration of locations all throughout New Bedford, there would be a priority focus on development in the north, south and west-end Mixed-Use Business districts. (To be Referred to the Committee on Finance.)

8a. COMMUNICATION, Councillor Abreu, submitting a copy of the City of Taunton's Rent Rebate Program Applicant Guidelines. (To be Referred to the Committee on Finance.)

9. WRITTEN MOTION, Councillors Dunn, Abreu, Giesta, Gomes and Lima, requesting, that the Committee on Ordinances look into drafting an Ordinance that would require the City of New Bedford to provide its Citizens with easier access to Voter Registration Forms, specifically by placing said forms at locations where residents might come into contact with City services, such as Community Centers, Public Libraries, Schools, City Hall, in order to increase access to voter registration by making said forms available at different locations and increase participation in the election process.

10. WRITTEN MOTION, Councillors Lopes and Abreu, requesting that the Mitchell Administration establish a dedicated funding model which would fund the OPEB Trust Fund with 1/3 (33%) of all the tax revenues collected via the local sales tax option from retail sales of marijuana and marijuana related products. (To be Referred to Mayor Mitchell.)

11. WRITTEN MOTION, Councillor Gomes, requesting that Mayor Mitchell and Fire Chief Gomes appropriate or transfer \$15,000 to the Fire Department's Charges and Services budget line, this funding will provide a rental trailer for housing firefighters as the City begins the restructuring of Station 2 which houses the ladder truck and engine piece instead of running ladder 3 out of the Liberty Street garage; and further, that Engine 1 run out of Station 3 on Kempton Street while these repairs are being done to Station 2 this set up will give the Downtown area and waterfront the fire protection that it needs along with keeping the west part of the City protected; and furthermore that the City Council go on record in support of this measure do to the number of elderly housing, high rise apartment complexes, waterfront businesses and fish houses in the Downtown area that these two engine pieces service.

12. WRITTEN MOTION, Councillor Gomes and Council President Morad, requesting, that a letter be sent to Elite Airways' President and CEO John Pearsall, that Elite reconsider its decision to eliminate airline service from New Bedford to Myrtle Beach, South Carolina, and its service to Florida; and further that the New Bedford City Council go on record in support of the airline; further, that the City Council's Special Committee on the Airport meet with John Pearsall as soon as possible to resolve and discuss the matter that led to their decision in eliminating airline service in New Bedford, in hopes that they will except the invitation in good faith on behalf of the City, our residents, the Fix Base Operators of the New Bedford Regional Airport and the airport's future with Elite Airways; and further that the Special

4/24/2018 3:09:54 PM City Clerks Office

Committee on Airport call for that meeting with Airport management and a Representative from the Administration within the next 21 business days to discuss this matter so vital and urgent to the Airport and the continuing TSA security service located in the Airport.

TABLED BUSINESS

04/12/2018 COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **David Robinson, 192 North Front Street, Apt 3, New Bedford, MA 02746, FAST NB, INC, d/b/a FAST, 192 North Front Street, New Bedford, MA 02746**, hereby submitting a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE**, under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and M.G.L. Chapter 270, Section 22 (Smoke Free Workplace Law) and all other laws applicable to such operation to carry passengers for hire over the streets of New Bedford.

***In accordance with the Americans with Disabilities Act (ADA),
if any accommodations are needed, please contact the City Council Office at 508-979-1455.
Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.***