

**CITY COUNCIL CALENDAR
TUESDAY, NOVEMBER 26, 2019
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: REVEREND DEBRA LEE, PASTOR, FIRST BAPTIST CHURCH

PLEDGE OF ALLEGIANCE

CITATIONS

1. CITATIONS, Councillor Gomes and Council President Morad, honoring IMARI SOARES, ROSS RODRIGUEZ, HIRAM SANCHEZ, MARCIANO SILVA, JEFFREY FOURNIER, AMBER MASSA, DANIEL THOM and NATHANIEL ALMEIDA, in recognition of their appointment as a NEW BEDFORD POLICE OFFICER.

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, that the Mayor is authorized to execute a Lease-Purchase Agreement between the City of New Bedford and People Acting in Community Endeavors, Inc., for the former Greene Elementary School property located at 32 Madison Street, shown as Lot 1 on City of New Bedford Assessor's Map 42.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Mitchell, to City Council, submitting the APPOINTMENT of AMANCIO SOARES RIBEIRO, New Bedford, MA as a CONSTABLE.

M2a. APPLICATION,

NEW BUSINESS

2. COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of the City Council Order that Ordered all City Departments immediately suspend the issuance of any permits, licenses or other approvals issued by the City for any new facility that proposes to provide or prescribe any Opiate or products containing buprenorphine in the treatment of Opioid addiction within 10,000 feet of any residential structure. (VETO Received and Ordered Spread on the Records – November 14, 2019.)

2a. CITY COUNCIL ORDER, (Adopted-October 24, 2019 City Council Meeting and VETOED by Mayor Mitchell November 7, 2019; VETO Received and Ordered Spread on the Records – November 14, 2019.)

3. COMMUNICATION, Mayor Mitchell, to City Council, submitting a VETO of the Ordinance, amending Chapter 24, Section 24-16 Relative to Vehicles for Hire, the proposed amendment would reduce the license fee for applicants that drive for the Greater Attleboro Taunton Regional Transit Authority (GATRA). (VETO Received and Ordered Spread on the Records – November 14, 2019.)

3a. AN ORDINANCE, (Passed to be Ordained - October 24, 2019 City Council Meeting and VETOED by Mayor Mitchell November 7, 2019; VETO Received and Ordered Spread on the Records – November 14, 2019.)

4. REPORT, Committee on Veterans Affairs, Elderly, Youth, Health & Housing & Disability Issues, recommending to the City Council ADOPTION of the ORDER, for the PETITION/INDEMNITY AGREEMENT, Ab Koka, Inc. d/b/a Café Arpeggio, 800 Purchase Street, New Bedford, MA 02740, to encroach on the City sidewalk with a wheelchair ramp to extend the sidewalk by 11 ft x 5 ft.

4a. PETITION/INDEMNITY AGREEMENT, Ab Koka, Inc. d/b/a Café Arpeggio, 800 Purchase Street, New Bedford, MA 02740, to encroach on the City sidewalk with a wheelchair ramp to extend the sidewalk by 11 ft x 5 ft.

4b. AN ORDER,

5. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the Special Permit for Saed Dib, d/b/a CLEAR AUTO SALES 2, for Motor Vehicle Sales and Rentals and General Repair at 470 Dartmouth Street, New Bedford, MA 02740, providing the following contingencies are met: 1) That the MDC trap is approved by the Building Commissioner, and 2) a detailed plan of the number of cars that will be parked on premises be presented to the Building Commissioner, for repairs and for sales, limited to nineteen (19) cars.

5a. SPECIAL PERMIT, Saed Dib, d/b/a CLEAR AUTO SALES 2, for Motor Vehicle Sales and Rentals and General Repair at 470 Dartmouth Street, New Bedford, MA 02740, providing the following contingencies are met: 1) That the MDC trap is approved by the Building Commissioner, and 2) a detailed plan of the number of cars that will be parked on premises be presented to the Building Commissioner, for repairs and for sales, limited to nineteen (19) cars.

6. REPORT, Committee on Ordinances, recommending to the City Council ADOPTION as Amended, of the Ordinance Relative to Plastic Bags.

6a. AN ORDINANCE,

7. REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council that the City Council go on record as opposed to CleanSlate relocating to 52-54 Brigham Street; and further, that the City Council go on record offering assistance to CleanSlate in their efforts to find a suitable location for a new facility. (To be Referred to Planning and Zoning.)

8. REPORT, Committee on Public Safety & Neighborhoods, recommending to the City Council to take **“NO FURTHER ACTION”** on the WRITTEN MOTION, Councillors Gomes, Abreu, Lima, Carney and Council President Morad, requesting, that the Committee on Public Safety and Neighborhoods meet with representatives of CleanSlate Addiction Treatment Center located at 92 Grape Street and their Legal Counsel Attorney Russell G. Whynacht to discuss the proposed outpatient services proposed at a former doctor’s office located at 52-54 Brigham Street; and further requesting that the residents of the area, and those that signed a petition of opposition at the meeting that was held on Saturday, October 5th at the Lawler Library also be invited for informational purposes to the committee meeting to find out how this type of facility will affect the immediate neighborhood and the surrounding residential area.

8a. WRITTEN MOTION, Councillors Gomes, Abreu, Lima, Carney and Council President Morad, requesting, that the Committee on Public Safety and Neighborhoods meet with representatives of CleanSlate Addiction Treatment Center located at 92 Grape Street and their Legal Counsel Attorney Russell G. Whynacht to discuss the proposed outpatient services proposed at a former doctor’s office located at 52-54 Brigham Street; and further requesting that the residents of the area, and those that signed a petition of opposition at the meeting that was held on Saturday, October 5th at the Lawler Library also be invited for informational purposes to the committee meeting to find out how this type of facility will affect the immediate neighborhood and the surrounding residential area. (Referred to the Committee on Public Safety and Neighborhoods – October 10, 2019.)

9. REPORT, Committee on Finance, recommending to the City Council to take “**NO FURTHER ACTION**” on the 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.

9a. 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. (Referred to the Committee on Finance – April 26, 2018.)

10. WRITTEN MOTION, Councillor Dunn, requesting, that Health Department Director Damon Chaplin, provide a briefing to the Committee on Public Safety and Neighborhoods regarding any plans to ban the sale of certain tobacco products within the City.

11. WRITTEN MOTION, Councillor Lopes, requesting that the Committee on Ordinances draft an Ordinance that governs the future usage of commercial electric scooters in the City of New Bedford. (To be Referred to the Committee on Ordinances.)

12. WRITTEN MOTION, Councillor Dunn, requesting, that Department of Public Infrastructure Commissioner Jamie Ponte provide an update for any plans to upgrade Herman Melville Boulevard, as the Hicks-Logan-Sawyer district prepares for the SouthCoast Rail station, and the redevelopment of the Revere Copper site. (To be Referred to the Committee on Appointments and Briefings.)

13. AN ORDINANCE, Council President Morad, submitting an ORDINANCE, Relative to Employee Residency. (To be Referred to the Committee on Ordinances.)

14. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Jenny Mejia, 88 Sagamore Street, New Bedford, MA 02740 d/b/a JENNY’S TRANSPORTATION, 88 Sagamore Street, New Bedford, MA 02740**, hereby submitting a copy of the Application requesting a **RENEWAL of a PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. (License will expire June 30, 2020.)

15. COMMUNICATION, City Clerk/Clerk of the City Council, to City Council, on behalf of **Jose Manuel Cabral, 56 Cottage Street, Chelsea, MA 02150 d/b/a LEONARDO’S SYSTEM CORP d/b/a PUERTA A PUERTA EXPRESS, 265 Rivet Street, New Bedford, MA 02744**, hereby submitting a copy of the Application requesting a **NEW PRIVATE LIVERY LICENSE** to carry passengers for hire over the streets of New Bedford. (License will expire June 30, 2020.)

16. COMMUNICATION/DEMOLITION Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 1938-1940 PURCHASE STREET, (MAP 84, LOT 201) a Circa 1889, two and one-half story brick masonry commercial structure – advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure, “in light of these findings, the Preservation Planner has determined that the commercial structure at 1938-1940 Purchase Street is neither a Historically Significant nor a Preferably Preserved Structure.”

17. COMMUNICATION/DEMOLITION Anne Louro, Preservation Planner, to City Council, re: BUILDING DEMOLITION REVIEW OF 133 PLEASANT STREET, (MAP 36, LOT 161) a Circa 1871 one and one-half story wood-framed residential structure – advising that “the structure is not located in a National Register Historic District; the structure is of no notable historic significance either recorded or found with the existing condition of the structure, the structure’s location on a non-conforming lot with an adjoining lot with common ownership renders rehabilitation and

development unlikely, “in light of these findings, the Preservation Planner has determined that the residential structure at 133 Pleasant Street is neither a Historically Significant nor a Preferably Preserved Structure.”

18. COMMUNICATION, Council President Morad, submitting a copy of a letter from Dr. Timothy D. Walker, Professor of History at UMass/Dartmouth regarding his opposition to the proposed Union Street Construction Project, which calls for the construction of a five-story building on the north side of Union Street at the corner of North Second Street. (To be Referred to the Planning Board.)

19. COMMUNICATION, Council President Morad, submitting a copy of a letter from Green Seal Environmental, Inc. giving notification that a Draft Environmental Impact Report for Parallel Products of New Bedford, LLC, 100 Duchaine Boulevard, has been filed with the Executive Office of Energy and Environmental Affairs on November 15, 2019. (To be Received and Placed on File.)

TABLED BUSINESS

THERE ARE NO ITEMS ON THIS AGENDA.

***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.***