

City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2024 JAN 23 P 3:17

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK _____
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

ORIGINAL POSTING: JANUARY 19, 2024 AT 12:39 P.M.

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, JANUARY 23, 2024
REVISED AGENDA

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING

1. Citizen Input

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF IT RUNS PAST 7:00 P.M.)

PRIORITY MATTERS

1. *Mayor and confirmation of the appointment of Jeffrey Bacon to Fire Chief
2. *Mayor and request to deliver "State of the City" on March 12, 2024 at 5:30 p.m.
3. *Fiscal Year 2024 Quarter 2 Budget Report
4. *Mayor and Five Year Financial Forecast

PRIORITY COMMUNICATIONS

5. *Board of Election Commissioners and re-submitted orders authorizing the Presidential Primary Election on Tuesday, March 5, 2024, the State Primary Election on Tuesday, September 3, 2024, and the Biennial State Election on Tuesday, November 5, 2024, and designating polling places and changes to polling places for such elections
6. Chair of the Board of Election Commissioners and copy of certified results from the Municipal Election held on November 7, 2023

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

7. *Committee on Finance meet with the Board of Park Commissioners to discuss the staffing needs of the Parks Division
8. *Committee on Economic Development and Tourism meet with community arts organizations to provide 2023 year in review and plans for 2024
9. *Request for Proposals for Real Estate Brokerage Services be solicited for marketing and selling of city-owned real estate
10. *Committee on Finance meet with City Administrator and representatives from the One SouthCoast Chamber of Commerce and Viva Fall River to provide update on ARPA funding

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

11. *Committee on Finance meet in executive session with City Administrator, Corporation Counsel and Director of Financial Services to provide update on financial impact of high profile lawsuits

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses:
Taxicab Drivers
Alyssa Lafferty Lisa Padula

Private Livery Drivers
Wayne Delisle

13. Auto Repair Shop License Renewal:
Richard R. Torres d/b/a Empire Hyundai, Inc. – 428 Pleasant Street

COMMUNICATIONS – INVITATIONS – PETITIONS

14. *Claims
15. Drainlayer license – RMT Excavation Inc.

- City Council Minutes:
16. Meeting of the City Council and Organization of City Government – January 2, 2024

BULLETINS – NEWSLETTERS – NOTICES

17. *Taunton River Stewardship Council 2023 Annual Report and Fall River delegate Position
18. Communication from city residents re Charter recommendations from the Special Charter Review Committee


City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JANUARY 23, 2024

PRIORITY MATTERS

- 4a. *Mayor and request to amend the fee schedule with adoption of new fees relative to Farmer Brewer Distillery Pouring Permits for wine and spirits as well as All Distillery Pouring Permits

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

- 6a. *Proposed Ordinance – Traffic, handicapped parking
 - Alden Street Buffinton Street East Main Street
 - Hunter Street London Street Mason Street
 - Middle Street Robeson Street Whipple Street

First Reading:

- 6b. *Proposed Ordinance – Traffic, miscellaneous

Section 1

Stop intersections
Branch Street, Eastbound, John Street
West Street, Southbound, Probbler Lane

Section 2

One-way streets
Anawan Street, Easterly, from Water Street to Pond Street
Branch Street, Easterly, from Second Street to John Street

Section 3

Parking prohibited at all times
Whipple Street, West, 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

Parking prohibited during certain hours
French Street, South, 43 feet west of Highland Avenue, for a distance of 20 feet westerly, 7:00 a.m. to 4:00 p.m. / Monday through Friday

Section 5

Handicapped parking removals

Ninth Street	Anawan Street	Bank Street	Bay Street
Franklin Street	Fulton Street	Jefferson Street	John Street
Maria Street	Montaup Street	Pearce Street	Robeson Street
Stetson Street	Swindells Street	Tecumseh Street	

- 6c. *Proposed Ordinance – Traffic, All-night parking of commercial vehicles
- 6d. *Proposed Ordinance – Traffic, Prohibited parking due to impeding emergency vehicles
- 6e. *Proposed Ordinance – Amendments to Sec. 50-305, Salary schedules for EMS Local 1202 AFSCME personnel
- 6f. *Proposed Ordinance – Amendments to Sec. 50-302, Salary schedules for contract personnel in the Emergency Medical Services and Law Departments
- 6g. *Proposed Ordinance – Panhandling restrictions

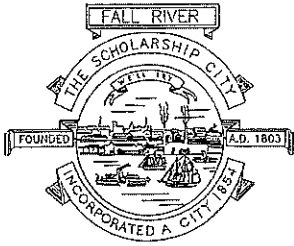
First reading, as amended, contingent upon the receipt of a ten-year, strategic staffing plan for the Finance departments

- 6h. *Proposed Ordinance – Establishing position of Finance, Management and Compliance Analyst

Grant Leave to Withdraw

- 6i. *Resolution – Discuss ordinances relating to site plan review

4a



**City of Fall River
Massachusetts
Office of the Mayor**

RECEIVED

2024 JAN 23 P 1:55

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

January 23, 2024

City Council President
Member of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Councilor President and Members of the Honorable Council:

Attached please find a request to consider adoption of new fees relative to Farmer Brewer Distillery Pouring Permits for wine and spirits as well as All Distillery Pouring Permits.

As always, your every consideration would be appreciated with this request. I am available for any questions or concerns you may have regarding this matter. Thank you.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



LICENSING BOARD
CITY OF FALL RIVER

January 23, 2024

Honorable Paul E. Coogan
Office of the Mayor
City of Fall River

Subject: Licensing Board Recommendation for New Liquor License Fees

Dear Mayor Coogan:

At a meeting of the Licensing Board held on January 17, 2024, it was unanimously voted 3-0 to recommend to the City Council the adoption of the following two (2) new liquor license fees:

1. Farmer Brewer Distillery Pouring Permit – Wine: \$1,200
2. Farmer Brewer Distillery Pouring Permit – Spirits: \$1,200
3. All Distillery Pouring Permits not to exceed: \$3,500

The adoption of these new fees is necessitated by a request from a local brewer to the City of Fall River and the Commonwealth of Massachusetts for the above referenced pouring permits. These permits have not been previously issued in the City of Fall River. As it stands, the City of Fall River currently issues a Farmer Brewer Distillery Permit exclusively for malt beverages at a fee of \$1,200. The Licensing Board also recommends capping the Farmer Brewer Distillery Pouring Permit series to \$3,500, aligning with the existing fee for an all-alcohol on-premises permit.

Please reach out to me directly with any questions or concerns.

Sincerely,

Christopher C. Parayno

On behalf of the Licensing Board

FALL RIVER LICENSING BOARD

FEES

Effective: June 19, 2019

Restaurant All Alcohol	\$3,500
Restaurant Beer & Wine	\$2,000
Club All Alcohol	\$2,700
Club Beer & Wine	\$1,000
Package Store All Alcohol	\$2,600
Package Store Beer & Wine	\$2,000
Common Victuallers	\$60
Vets Club All Alcohol	\$600
Seasonal All Alcohol	\$2,000
Application Fee-Liquor (to City of Fall River)	\$50
Applicant Fee – Liquor (to ABCC) (make payment electronically)	\$200
Seasonal Beer & Wine	1,000
Seasonal Club All Alcohol	\$1,000
Seasonal Club Beer & Wine	\$500
Special One Day All Alcohol Permit	\$200
Special One Day Beer & Wine Permit	\$150
Entertainment	\$200 1 st Lic/\$100 thereafter
Class I (new cars)	\$300
Class II (used cars)	\$300
Class III (junk cars)	\$300
Fortune Teller	\$60
Lodging House	\$60
Application Fee-no liquor	\$25
 SURCHARGE for any expired license	 50%

Legal Advertisement Cost

The cost of the Legal Notice shall be the responsibility of the Applicant. The Licensing Department will prepare the legal notice, get the estimated cost from the newspaper and notify the applicant of the cost. The applicant shall provide the Licensing Department with a check or money order to cover the Legal Notice advertisement prior to the public hearing date or the application will not be heard until payment is received. (Cash will not be accepted)

Apply at the Mayor's Office for all Sunday music licenses

ba

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.


Clerk of Committees

6a

City of Fall River, In City Council

EMERGENCY PREAMBLE

WHEREAS, the immediate passage of the accompanying proposed ordinance is deemed necessary inasmuch as it vitally affects the health and safety of the public, now therefore

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Chapter 43, Section 20 of the Massachusetts General Laws.

6a

City of Fall River, *In City Council*

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

By inserting in Section 70-387, which section relates to handicapped parking generally, the following:

Name of Street	Side	Location
Alden Street	West	Starting at a point 823 feet north of East Warren Street, for a distance of 20 feet northerly
Buffinton Street	West	Starting at a point 236 feet west of Coggeshall Street, for a distance of 20 feet westerly
East Main Street	West	Starting at a point 44 feet north of Dwelly Street, for a distance of 20 feet northerly
Hunter Street	East	Starting at a point 184 feet south of William Street, for a distance of 20 feet southerly
London Street	South	Starting at a point 148 feet west of Johnson Street, for a distance of 20 feet westerly
Mason Street	West	Starting at a point 193 feet south of County Street, for a distance of 20 feet southerly
Middle Street	North	Starting at a point 103 feet east of Whipple Street, for a distance of 20 feet easterly
Robeson Street	West	Starting at a point 276 feet south of Pine Street, for a distance of 20 feet southerly
Whipple Street	West	Starting at a point 202 feet south of Morgan Street, for a distance of 20 feet southerly

CITY OF FALL RIVER

66

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

City of Fall River, In City Council

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

Section 1

By inserting in Section 70-241, which section relates to stop intersections designated, the following:

Name of Street	Direction of Travel	At Intersection of
Branch Street	Eastbound	John Street
West Street	Southbound	Probber Lane

Section 2

By inserting in Section 70-281, which section relates to one-way streets designated, the following:

Name of Street	Direction of Travel	Location
Anawan Street	Easterly	From Water Street to Pond Street
Branch Street	Easterly	From Second Street to John Street

Section 3

By inserting in Section 70-371, which section relates to parking prohibited at all times, the following:

Name of Street	Side	Location
Whipple Street	West	Starting at a point 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

By inserting in Section 70-372, which section relates to parking prohibited during certain hours, the following:

Name of Street	Side	Location	Hours/Days
French Street	South	Starting at a point 43 feet west of Highland Avenue, for a distance of 20 feet westerly	7:00 a.m. to 4:00 p.m./ Monday through Friday

Section 5

By striking out in Section 70-387, which section relates to handicapped parking generally, the following:

Name of Street	Side	Location
Ninth Street	West	Starting at a point 105 feet south of Bedford Street, for a distance of 20 feet southerly
Anawan Street	North	Starting at a point 61 feet west of South Main Street, for a distance of 50 feet westerly
Bank Street	North	Starting at a point 98 feet east of Linden Street, for a distance of 20 feet easterly
Bay Street	East	Starting at a point 233 feet north of Pokross Street, for a distance of 20 feet northerly
Franklin Street	South	Starting at a point 60 feet west of Oak Street, for a distance of 20 feet westerly
Fulton Street	West	Starting at a point 160 feet north of Wellington Street, for a distance of 20 feet northerly
Jefferson Street	East	Starting at a point 60 feet south of Oman Street, for a distance of 20 feet southerly
John Street	West	Starting at a point 98 feet south of Rodman Street, for a distance of 20 feet southerly
Maria Street	West	Starting at a point 28 feet south of Lawton Street, for a distance of 25 feet southerly

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Montaup Street	East	Starting at a point 159 feet north of Dwelly Street, for a distance of 20 feet northerly
Pearce Street	North	Starting at a point 176 feet west of Underwood Street, for a distance of 20 feet westerly
Robeson Street	East	Starting at a point 130 feet north of New Boston Road, for a distance of 20 feet northerly
Stetson Street	East	Starting at a point 120 feet south of Prospect Street, for a distance of 20 feet southerly
Swindell Street	West	Starting at a point 137 feet north of Pleasant Street, for a distance of 20 feet northerly
Tecumseh Street	North	Starting at a point 180 feet west of Lawrence Street, for a distance of 20 feet westerly

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CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

60

City of Fall River, *In City Council*

BE IT ORDAINED, by the City Council of the City of Fall River, that Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Traffic, be amended as follows:

Section 1

By striking out in Section 70-319, Subsection A, which section relates to All-night parking of commercial vehicles, "11:00 p.m." and inserting in place thereof, "5:00 p.m."

Section 2

By striking out in Section 70-319, Subsection B, which section relates to All-night parking of commercial vehicles, in its entirety and inserting in place thereof, "Authority to enforce this section shall be with both Police Officers and Parking Control Officers."

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

City of Fall River, *In City Council*

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That the Code of the City of Fall River, Massachusetts, 2018, be amended as follows:

Section 1

That Chapter 70, which chapter relates to Traffic, be amended by inserting a new section to read as follows:

§ 70-391 Prohibited parking due to impeding emergency vehicles

- A. No person shall park large vehicles, such as campers, mobile homes, boats, trailers, tractor trailers and semitrailers, on a public way impeding emergency vehicles/apparatus at any time.

- B. Authority to enforce this section shall be with both Police Officers and Parking Control Officers.

Section 2

That Chapter A110 Appendix A – Fee Schedule, Chapter 70, which chapter relates to Traffic, be amended by inserting a new section to read as follows:

§ 70-391, Prohibited parking due to impeding emergency vehicles \$25.00

6e

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

City of Fall River, *In City Council*

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to personnel be amended as follows:

Section 1.

By striking out Section 50-305, which section relates to Salary schedules for EMS Local 1202 AFSCME personnel and replacing in its entirety as follows:

EMS Administrative Assistant			
7/1/2022	\$2,498.76		
7/1/2023	\$2,536.24		
7/1/2024	\$2,586.96		
Community Medicine Scheduling Coordinator	Step 1	Step 2	
7/1/2023	\$1,776.00	\$1,900.31	
7/1/2024	\$1,811.52	\$1,938.32	
EMT Basic (84 Hours)	Step 1	Step 2	
7/1/2022	\$1,749.75	\$1,872.23	
7/1/2023	\$1,776.00	\$1,900.31	
7/1/2024	\$1,811.52	\$1,938.32	
20D EMT Paramedic (84 Hours)	Step 1	Step 2	Step 3
7/1/2022	\$2,498.76	\$2,673.68	\$2,860.83
7/1/2023	\$2,536.24	\$2,713.79	\$2,903.74
7/1/2024	\$2,586.96	\$2,768.07	\$2,961.81

6e

FTO/Community Paramedic			
7/1/2022	\$2,960.96		
7/1/2023	\$3,005.37		
7/1/2024	\$3,065.48		
EMS Lieutenant (84 Hours)			
7/1/2022	\$3,289.95		
7/1/2023	\$3,339.30		
7/1/2024	\$3,406.09		
EMS Captain (84 Hours)			
7/1/2022	\$3,783.44		
7/1/2023	\$3,840.19		
7/1/2024	\$3,916.99		
District Chief of EMS (80 Hours)			
7/1/2022	\$4,350.95		
7/1/2023	\$4,416.21		
7/1/2024	\$4,504.53		

CITY OF FALL RIVER
IN CITY COUNCIL

JAN 09 2024

*Referred to the
Committee on Ordinances
& Legislation*

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

6f

City of Fall River, In City Council

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to personnel be amended as follows:

Section 1.

By striking out in Section 50-302, which section relates to Salary schedules for contract personnel, the following:

Title	Grade	Effective Date	Salary
Assistant Corporation Counsel	ACC	7-1-2022	Per Contract
Assistant Corporation Counsel (PT)	ASCC	7-1-2022	Per Contract
Corporation Counsel (PT)	ACOR	7-1-2022	Per Contract

Section 2.

By inserting in Section 50-302, which section relates to Salary schedules for contract personnel, the following:

Title	Grade	Effective Date	Salary
Assistant Corporation Counsel (Full-Time)	ACC	1-1-2024	Per Contract
Assistant Corporation Counsel (Part-Time)	ASCC	1-1-2024	Per Contract
Chief of EMS	EMSS	1-1-2024	Per Contract
Corporation Counsel	ACOR	1-1-2024	Per Contract

CITY OF FALL RIVER
IN CITY COUNCIL

JAN 09 2024

*Referred to the
Committee on Ordinances
& Legislation*

69

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.

Jacques A. Walcott
Clerk of Committees

City of Fall River, *In City Council*

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 46 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Offenses be amended by inserting a new section as follows:

§46-19. Panhandling

A. Definitions

Donation – A gift. Includes the purchase of an item for an amount far exceeding its actual value under circumstances where a reasonable person would understand that the “purchase” is, in substance, a donation.

Panhandler – A person who performs the act of panhandling, as defined below.

Panhandling – Panhandling is any in-person solicitation of an immediate donation of money. Panhandling does not include passively standing or sitting with a sign or making a verbal or non-verbal indication that one is seeking donations.

B. Time Restrictions on Panhandling

A panhandler shall be guilty of a misdemeanor if panhandling after sunset or before sunrise.

C. Place Restrictions on Panhandling

A panhandler shall be guilty of a misdemeanor if the person being solicited is located:

1. At any bus stop or train stop;
2. In any public transportation vehicle or facility;
3. In any motor vehicle on the street; OR
4. On private property, unless the panhandler has permission from the owner or occupant.

D. Restriction on Manner of Panhandling

A panhandler shall be guilty of a misdemeanor if the panhandling takes place in the following manner:

1. By approaching, and coming within three feet of, the person being solicited, unless the person being solicited has initiated the interaction and/or has indicated that he or she wishes to make a donation;
2. By blocking the path of the person being solicited;
3. By following a person who walks away from the panhandler;
4. By using profane or abusive language, either during the solicitation or following a refusal; OR
5. By making a threatening statement, gesture, or other communication to the person being solicited.

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E. False or Misleading Solicitation

A person shall be guilty of a misdemeanor if he or she knowingly makes a false or misleading representation while panhandling. A false or misleading representation would include, but is not limited to, any of the following actions:

1. Stating that the donation is for a need or purpose that does not actually exist;
2. Stating that the solicitor is from out of town and stranded, when that is not true;
3. Wearing a military uniform or other indication of military service, when the solicitor is neither a present nor former member of the service indicated;
4. Wearing or displaying an indication of physical disability, when the solicitor does not suffer the disability indicated;
5. Use of any makeup or device to simulate any deformity; OR
6. Stating that the solicitor is homeless, when he or she is not.

F. Enforcement

It shall be the duty of the City of Fall River's Police Department to enforce the provisions of this ordinance.

G. Penalty/Fine

Any person who violates the provisions of this panhandling ordinance shall be subject to a fine of \$50.00 for the first offense and \$100 for the second and each subsequent offense. With the exception of the fine amount, the noncriminal disposition provisions set forth in §§ 2-1021 through 2-1025 of the City Code will apply to violations of this panhandling ordinance.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

Referred to the Committee
on Ordinances & Legislation

6h

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted 5 yeas to recommend that the accompanying proposed ordinance be passed through first reading, as amended, contingent upon the receipt of a ten-year, strategic staffing plan for the Finance departments.


Clerk of Committees

6h

City of Fall River, In City Council

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel be amended as follows:

By inserting in Section 50-302, which section relates to Salary schedules for contract personnel, in proper alphabetical order the following:

	Grade	Effective Date	Salary
Finance Analysis and Compliance Manager	FACM	7-1-2023	Per Contract

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on January 22, 2024, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.


Clerk of Committees

City of Fall River, In City Council

(Councilor Linda M. Pereira)
(Councilor Pam Laliberte-Lebeau)

WHEREAS, recent issues have occurred relating to site plan review ordinances, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene with the Inspector of Buildings, City Planner, Administrator of Public Utilities, City Engineer, Director of Administrative Services – Water and Corporation Counsel to discuss these regulations and recommend any necessary updates, and

BE IT FURTHER RESOLVED, that the Conservation Commission, Fall River Historic District Commission, Historical Commission and the Board of Appeals also be notified of any such proposed site plan review ordinances to allow input from these boards and commissions.

In City Council, February 25, 2020
Adopted

A true copy. Attest:

Alison M. Bouchard

City Clerk

tabled 2-4-21