



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
Northampton, Massachusetts

Roll Call

A regular meeting of the City Council was called to order by Council President Jim Nash at 7 p.m. Upon a roll call, the following City Councilors were present:

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| At-Large Councilor Marissa Elkins | At-Large Councilor Jamila Gore |
| Ward 1 Councilor Stanley Moulton, III | Ward 2 Councilor Karen Foster |
| Ward 3 Councilor James Nash | Ward 4 Councilor Garrick Perry |
| Ward 5 Councilor Alexander Jarrett | Ward 6 Councilor Marianne L. LaBarge |
| Ward 7 Councilor Rachel Maiore | |

Announcement that Meeting Audio/Video Recorded

Councilor Nash announced that the meeting was being audio and video recorded.

Public Comment

Public Comment

Councilor Nash explained the procedure he would use in accepting public comment and opened the floor to comments.

Tracey Culver said she was there to comment on the Community Preservation Committee (CPC) request for \$500,000 to be given to private developers from Holyoke. About six years ago, Look Park was struggling and asked the CPC for a few thousand bucks to fix its fountain. Look Park is enjoyed by many taxpayers who contribute tax dollars under the CPA. The park's request was denied because the park is privately owned. She was disappointed but understood because public funds collected under the auspices of the CPA should not be used to help a private entity. St. John Cantius is privately-owned. How can the CPC allow the distribution of public funds to Holyoke developers? Why 'no' to Look Park but 'yes' to private developers?

She feels the CPC has betrayed the public trust and thinks the current members should resign. She asked the council to restore that trust by voting not to fund this request.

As a sober marijuana addict of 15 years and long-time resident of Florence, **Lizzie B.** said she is speaking in favor of placing a cap on the number of marijuana dispensaries. Sober addicts know more about addiction than any group in the community and can tell them more than any statistics or so-called experts. The myth that pot is harmless is an extremely dangerous lie; one that hurts a lot of people, including adolescents. Almost every sober addict and alcoholic she knows has pot as part of their using history. Pot is addictive and can be dangerous. The saturation of 12 dispensaries in Northampton is, in their small city, less safe for those of them in recovery. It's impossible to run errands or walk downtown without having to see another pot shop. The owners of these stores are just well-financed versions of the old drug dealer on the corner. Those that only sell recreational pot do one thing; they help people get intoxicated; that is it. Why are they taking priority over those of them who have saved their own lives by getting sober? Why are they taking priority over the struggling addicts, the suffering families and the children in this community?

Twelve is more than enough. Protect the most vulnerable in the city and please vote to cap dispensaries as soon as possible, she urged.

Nick Mottern of 16 Strong Avenue said he lives around the block from the church that the developer wants to turn into high-income properties. He objects to the city giving the developer \$550,000 or any money for that matter. He's done a little bit of study on the project and thinks it needs a lot more thought as to what the building is going to be used for and how it's going to affect the community and certainly should **not** have public funding. This money is needed much more for other things and other people who really need that kind of support from the community. Please count his vote as absolutely 'no' on the CPA spending.

Mac Everett thanked CPC members for their work and recognized the great pressure they have been under to approve the St. John Cantius proposal. He, too, would like to see the

church preserved. He signed a change.org petition along with some 1,600 other people. He expected a widely-publicized fundraiser to follow, but, alas, it did not. The recent request for public funding has left him with three questions:

- 1) Is this an appropriate use of CPA money? Previous proposals to reuse the church as a nonprofit center for the arts and a resilience hub were rejected. They would have served the public good and enriched the community far beyond preserving a view of the exterior of the building and filling it with market-rate housing.
- 2) Doesn't this decision set a precedent? Current CPC members assure them it does not. What about five or 10 years down the road when newer members might look back and say the CPC gave money to private developers back in 2022, why can't we?
- 3) Don't they have other pressing needs for CPA funds such as city-wide sidewalk repair, affordable housing lots for Habitat for Humanity or perhaps swimming facilities for their youth?

Back to #1, in exchange for preserving an intentionally neglected building's exterior, taxpayers are being asked to help underwrite a private developer's profit. Let's pause the process and take another shot at finding a way to save the church without violating the public trust in the CPA.

Michael Willers, MD, who identified himself as a pediatric cardiologist, spoke accompanied by his wife Jordana, who identified herself as someone who works in the field of addiction with youth and marijuana. He opposes the proposed cannabis shop in Florence for a number of reasons. The twelve marijuana shops they already have in Northampton have already changed the character of the town and not for the better. They have more marijuana shops than anything else except maybe restaurants. They actually don't have as many bars or liquor stores in Northampton as they have marijuana shops. It really has changed the character of the town for the worse. Northampton used to be known for its art and music; now it is known across New England for cannabis. The more cannabis stores there are and the more available it is, the more usage there is, and that's a real problem as far as youth is concerned. As a pediatric cardiologist, a lot of his patients come from Northampton and he has seen the level of addiction to cannabis rise since stores have increased in number, and that's a huge problem. The cannabis lobby will tell them there is no such thing as addiction with marijuana, but that clearly is not true. Smoking marijuana leads to the same cardiopulmonary ramifications as tobacco does. They don't know exactly what vape does, but he can tell them there's nothing good about heavy metals being inhaled into your lungs. As Lizzie said, twelve is enough and he would appreciate a vote to cap the number of cannabis stores.

Caroline Johnson, who lives in Florence with her wife and two young boys, said she also was there to speak about the potential for a cap on adult use cannabis retailers. As a proud community member and researcher who studies the impact of cannabis and the cannabis industry on youth health and well-being, she thinks it is critical to have a cap in Northampton. Based on data, she has particular concerns about the effect of dispensary density on youth use. Empirical research is accumulating to suggest that the sheer number of adult use retailers in a town matters and is consequential for young peoples' attitudes about cannabis and actual cannabis use. A rigorous longitudinal study published by Rand Researchers shows a strong, clear link between adult use retailer density and young adults' cannabis use, including their heavy use. As more and more dispensaries pop up, so too does young peoples' use. One of the things she cherishes about their community is their ability to think critically about things that have become normalized in their culture and take unencumbered action, even when it means going against popular assumptions. It's one of the reasons Northampton has become home to so many LGBTQ people and families. She asks them to please take pause and consider the negative implications of having an uncapped adult use cannabis market in town. If they do, their youth will benefit greatly, as will their entire community.

Barbara Rakaska of 571 Florence Road said she is asking councilors to set up an ordinance to place a cap on the number of dispensaries in Northampton, Florence and Leeds and please send it to the proper committee. Something needs to be done and she thinks a cap is one way to start.

Leeds resident **Ananda Lennox** added her voice to others who say they are in support of a cap for marijuana dispensaries. She has worked in youth substance use prevention for the past nine years. There's tons of research letting them know that youth use is on the rise, that it's not good for them and that there's a big difference between youth use and adult use. What they've learned from alcohol retail research is that high density has a big impact on kids and how they normalize the idea of using. They do use more and it's proven to be bad for them in areas that they congregate. You don't want a dispensary near a school or where they hang out because there's a tie-in to increased use. She thinks what got her to this meeting is that she was kind of numb to the number downtown but now seeing it spread out kind of gave her pause. At the Florence Pizza location which is dead center in Florence, all she can picture is all the JFK kids coming out having their little bit of young adult freedom; it's the only time you see them unsupervised. She just doesn't see how putting a pot shop in the midst of that is great; plus the close proximity to all of the recovery centers there. She is just there to put in her support for a cap and ask that, if there's any way to consider where a dispensary goes, to please not put it in Florence Center.

Fred Zimnoch of 23 Pomeroy Terrace noted that at the August 24th CPC meeting, CPC Chair Brian Adams reviewed comments about the CPC project and noted that all or almost all are in favor of the historic preservation of the St. John Cantius Church. Most significant is the fact that this unique CPC project includes a historic preservation restriction on the outside structure of the church to be held in perpetuity. If this project restriction is granted by the Mass. Historic Commission, then both the city of Northampton and the Northampton Historical Commission will oversee the terms of this historic restriction. For all who value the historic and architectural aspects of the St. John Cantius Church, this is the most favorable outcome and also preserves the streetscape that many in Ward 3 and the city admire. He hopes they look favorably on this very unique CPC project.

Jane Potter of 42 Phillips Place said she applauds all the comments and completely agrees with all the thoughtful speakers about capping the number of cannabis shops. She would like the committee not to conflate the saving of St. John Cantius Church with the issue at hand. She thinks it is setting a terrible precedent and really betraying the public trust by handing over \$500,000 to a private developer. The developer has already put up many of the 23 units at \$720,000 each and plans ten more in the church proper. She believes it would be a horrible betrayal of public trust to give hard-earned tax money to this project. The Gazette didn't mention that probably 30 people were there that completely disagreed with the money going to the church. The committee did say they felt there was a great need for metrics to use in reviewing future projects and a great need for much more transparency in the way they decide who gets CPA money. She would encourage the City Council to take that kind of deliberation. Unfortunately, the CPC voted quickly anyways. She doesn't think this is a quick vote; it's something they need to think about quite deliberately.

Tom Bassett of 40 Howe Street said he supports the idea of pot shops but thinks they definitely need a cap. His suggestion is two-fold; that the mayor not sign the Host Community Agreement until after another consideration of this particular location and an effort to put in a cap of 12. On the CPA, they are setting the wrong precedent by giving money to a private entity; especially when they are not making any effort to make affordable housing part of their project. A lot of money was given to them and a pretty equal amount to the Bridge Road affordable housing project. He would certainly like to see the St. John application re-reviewed and make sure they are asking the right kind of questions, such as is it really historic and is it the right place to put it. There are two or three openings on the CPC and they ought to go back and look at some of the trainings that members receive from the MA CPC.

Rick Haggerty, a 32-year resident of **Northampton**, said the only principle about life that applies is that life is about fulfillment. "If you're life isn't fulfilled, your stomach can never supply what's missing." If you seek fulfillment in overeating, you might be inviting ill health. While cannabis is legal in their great Commonwealth, if they encourage fulfillment in cannabis without a cap, they run the risk of contributing to ill health if they haven't already done so, he asserted.

The National Institute of Health/National Institute of Drug Abuse published a press release in August that marijuana and hallucinogen use among young adults reached an all-time high in 2021.

He quoted it as stating, "Marijuana and hallucinogen use in the past year of adults 19 to 30 has increased significantly compared to five or ten years ago, reaching historic heights in this age group since 1988."

Further, "Past-year, past-month and daily marijuana use (use on 20 or more occasions in the past 30 days) reached the highest levels ever recorded since these trends were first monitored in 1988."

The proportion of young adults who reported past-year marijuana use reached 43% in 2021, a significant increase from 34% five years ago (2016) and 29% 10 years ago (2011), he continued. (He said he sent the council and mayor these statistics.) Marijuana use in the past month was reported by 29% of young adults in 2021, compared to 21% in 2016 and 17% just a few years ago.

If they listen to so-called experts, such as an attorney acting on behalf of the marijuana legalization campaign, they will tell them they should have another community meeting where "everybody can speak and be heard."

That is not possible at meetings with no PA system or delivery on the promise of a Zoom meeting or where a paid consultant and attorney answer all the questions and questions must be presented by email, he said. He implored the City Council to place a cap on cannabis shops.

Claudia Lefko of 40 Valley Street said she wrote to the council stating her concerns about the privileged status of many of the decision-makers on city boards and committees that have weighed in on the proposal for CPA funding for St. John Cantius. Tonight she wanted to address her city councilor and across-the-street neighbor, Jim Nash. He and his family benefited from the activism, vigilance and concern of Montview neighborhoods before him who saved the Aquadro parcel from large-scale development 20 years ago, making it possible for his young family to purchase a house and barn that sits on an acre of property surrounded by conservation land in downtown Northampton, she reminded. She knows he's appreciated this quality of life; the benefits of open green space and feeling of living in a rural community just minutes from downtown. That's why it's so hard for her to understand and accept why he votes with developers for development, whether it's 107 Williams Street or this CPA money for the church. The commitment to maintaining the character and integrity of this neighborhood and open space has made such a difference in his life as well as hers.

O'Connell doesn't have their best interests in mind. They are gentrifying the neighborhood, driving up housing prices and rents and now they want their tax money. "We expect you, Jim and the rest of the councilors to have the best interests of the community and to listen to our legitimate concerns and vote appropriately."

Please vote 'no' on this proposal to use public funding for private profit and development and send it back for rethinking. Ask O'Connell, ask the church and ask the St. John Cantius Committee to come up with the funds.

She finished by expressing her hope that the council will go back to in-person meetings.

John Dunne urged councilors to approve the funds for the preservation of the St. John Cantius Church. Historic preservation is a public good and CPA money has been used for this purpose many times. CPA money has also been used many, many times in this city to purchase open space from private individuals and to support development of other kinds, both for profit and non-profit. This isn't unprecedented or precedent-breaking; this has happened many, many times before, he stressed. The idea of using public money to encourage or incentivize and guarantee the preservation of a historic resource is a no brainer to him. Historic preservation is of real value to everybody in the community not just the people who live next door. They have lost a lot of historic buildings in this city, including every historic building on the state hospital grounds. This is an important building and he thinks it should be saved.

Jackie Balance said she is here to support all the voices that have spoken. She thinks they have a very well-informed community of citizens in Northampton and she would like to see evidence that their elected representatives listen to their constituents. She wants to hear some thoughtful discussion about using CPA money to fund St. John Cantius and would like to see a City Council that doesn't always vote unanimously. She would like to see some real thoughtful individual responses to tonight's input from the people of Northampton.

Wendy Foxmyn, Ward 7, said she doesn't envy them the decision tonight about the CPA; she thinks there are good arguments on both sides. She sees they will be getting to cannabis regulations at the very end of their agenda and hopes this quick, late discussion will not be the end of their deliberations. She knows they have been hearing from many constituents about capping the number of retail marijuana establishments and she urges them to please consider capping. There is little else besides capping that the council can formally do about the Euphorium pot store's plans to displace and locate in the Pizza Factory shop. She is glad to see Mayor Sciarra in attendance and is asking the mayor not to enter into a Host Community Agreement with Euphorium. The owners from Connecticut have no experience with retail sales and this would be their first time in this industry; they failed in Palmer where they tried to open. They twice tried to run a community meeting unsuccessfully and are planning a third. As she said in her letter, if they can't get this simple step right, how can they hope to run a business?

This third meeting does not meet Cannabis Commission requirements, she asserted. It was not legally advertised and is not allowing public participation at the meeting.

Lastly, she finds it odd that a business which has received so much community opposition would continue to plow ahead. If Phil Lipman, the new owner of the building Euphorium hopes to occupy, is on this call, please know that she and others would be happy to work with him to make his investment in Florence successful, including [identifying] alternative businesses that would be suitable and welcomed.

Councilor Nash reminded those present to please address their comments to the council.

Brigid Glackin of 21 Howes Street said she came to Northampton in 1978 and married her husband at the Blessed Sacrament Church, which is older and possibly more beautiful than St. John Cantius, six weeks after they arrived. For the first time in her life in Northampton, she had a letter published in the Gazette and this is the first time she's ever spoken at a City Council meeting. She's retired and raised four children here. Her ward has been moved around; she used to be in 5 and now is in 7. She was part of a small study group of retired people who became interested in the issue of affordable housing and how it could be solved locally. Her part was to follow certain city committees, which brought her to becoming the person who would learn about CPA funding, the CPC and the Northampton Affordable Housing Trust, which got CPA funding everywhere but here. She started going to CPC meetings last fall. She saw a gallery owner downtown apply privately to restore the front of his building and saw the meetings with the O'Connell developers. This is their money from their tax surcharge and is locally-controlled. There is no public access to this; there is a church shell. That's what you're funding with this.

Elaine Moggio Jandu thanked councilors for hearing them tonight. She attended the CPC meeting and the Historical Commission meeting and commended members on their expertise in coming to the unanimous decision to support CPA funding. Sixty-one (61) letters were read and; of these, 48 were in support and only 13 opposed. 1,700 signatures have been collected to support St. John Cantius on the change.org petition. With so many letters of support, it is clear the citizens of Northampton have spoken for the charm and culture of Northampton. Please support the CPA funding and keep their city historically enriched.

Historic Preservation Committee Chair Brian Adams, 9 Hayward Road, assured the City Council that the Historic Preservation Committee certainly did its due diligence with regard to the St. John Cantius proposal. They met with the developer in the spring and had a public meeting. They deferred making a recommendation at that time to have the Historical Commission take a look at it and have O'Connell hire a certified historical preservation consultant to do a historic structures report. It was not without agony that they came to a unanimous decision to support the project. All of them were supportive of historic

preservation as a public good and supporting the Polish heritage that went into this building; all of them were looking at the issue of supporting a private company but knowing or being assured that, without their support, the building would be demolished. For the city's role in giving \$500,000 it will get a historic preservation restriction held by the Historical Commission. The building will conform to the Secretary of the Interior's historic preservation building standards, will be in accordance with the historic structures report and O'Connell will have the guidance of a historic preservation consultant for the duration of the project. He thinks it is one of those 'don't let the perfect get in the way of the good' situations. All are in favor of having the building be used for another purpose but that's not happening. Given the alternative of razing the church, he encouraged them to go by the committee's recommendation.

Joanne Makowitz said she thinks it is paramount to save the façade of the church because they don't need other vanilla structures in their neighborhood. She agrees public funds need to be very thoughtfully used. Before people make harsh or quick judgments on the CPC's agreement and unanimous decision, she would strongly and vigorously suggest that they watch the CPC's Zoom meeting. They were so thoughtful. They spent a lot of time and energy and did not come to this decision frivolously. If they watch the Zoom meeting, she thinks they would understand and agree on many of the terms. The public does have access. Streetscapes are very important. She agrees they need more affordable housing but they don't need to raze this building in order to do that.

Matt Brewster of 67 Chestnut Street, Florence, a parent of young children, spoke in support of the cap on dispensaries by saying he thinks it's a start. It does feel like the right balance for the community will require more consideration. He thinks the comments suggest the cannabis issue and Euphorium's license requests deserve more scrutiny. That's why he would like to see the council start with a cap on the licenses.

There being no further comments, Councilor Nash brought public comment to a close.

Announcements from Councilors & the Mayor

Announcements from Councilors & the Mayor

Council President Nash let those present know that he and Councilor Gore will not be attending the September 15th City Council meeting as they will both be traveling separately. Council Vice President Councilor Foster will be filling in.

Florence Night Out is coming up Saturday, September 24th at 4 p.m., Councilor Jarrett reminded. Main Street in Florence will be closed to vehicles and open to everyone else. The event is a celebration of art and music, performance and Florence businesses. Anyone interested can find out more at www.florencenightout.org.

Councilor LaBarge reminded residents of roadway construction. The Northampton DPW is coordinating a project to resurface Westhampton Road, West Farms Road and a portion of Florence Road with a cap seal. The contractors are Indus and All States Materials. She thanked the supervisor and his crew and encouraged residents to look on the city's website to view construction updates and see the dates various stages of work are scheduled.

Mayor Sciarra wished a happy first day of school to the two school districts: Smith Vocational and Agricultural High School (SVAHS) and Northampton Public Schools (NPS).

Next weekend is a big, big weekend, she continued. Friday, September 9th is the 12th annual chalk art festival, followed by Paradise East Open Mic Night at Historic Northampton from 6 to 8 p.m. Saturday, September 10th, the Taste of Northampton is back from 12 p.m. to 7 p.m. Main Street will be closed off between the rainbow crosswalk and King/Pleasant Street and filled with amazing food from local restaurants, live music, salsa dancing, etc.

Councilor Nash followed by announcing that the 205th year of the Three County Fair is happening down in Ward 3 this weekend, and the Doozy Doo Parade sponsored by Northampton Neighbors takes place September 11th at 11 a.m. starting at 33 Hawley Street and ending at Pulaski Park.

Councilor Foster corrected that the Doozy Doo Parade is September 17th.

	<p>The state primary election is next week and early voting events are going on this week at City Hall, Councilor Nash noted.</p> <p>Councilor Maiore announced that the annual chicken BBQ from Florence Civic and Business Association will take place Sunday, September 11th from 12:30 p.m. to 3 p.m. featuring local corn, chicken and music, and she herself will be slinging chicken there. Residents can get tickets anywhere in downtown Florence. The event supports Florence Civic and Business.</p> <p>Councilor Perry said this is the last weekend for the Masonic Street Live event, which has been a great addition to Northampton's ever-expanding outdoor events started last year with Summer on Strong. There will be a DJ this Friday from 6 to 8 p.m. and the very popular Monday salsa event will happen as well. Masonic Street Live is behind Haymarket in the parking lot across from Packard's.</p>
<p><u>Recess</u></p>	<p><u>Recess</u> The City Council recessed briefly at 8:03 p.m. The council reconvened at 8:08 p.m.</p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor Nash reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. Councilor Nash requested removal of the order to appropriate CPA funds for community preservation purposes. Councilor LaBarge moved to approve the consent agenda with the removal. Councilor Moulton seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>The following items were approved as part of the consent agenda:</p> <ul style="list-style-type: none"> A. <u>Minutes of August 18, 2022</u> B. <u>22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project - 2nd reading</u> C. <u>22.169 Appointments to Various Committees - for referral to City Services Arts Council</u> <p>Kaye Carroll, 91 Pines Edge Drive, Northampton</p> <p>Term: September 2022-June 2025</p> <p><i>To fill a vacancy</i></p> <p><u>Conservation Commission</u></p> <p>David Reckhow, 45 High Street, Florence</p> <p>Term: September 2022-June 2025</p> <p><i>To fill a vacancy</i></p> <p><u>Board of Registrars</u></p> <p>Mary Lou Stuart, 15 High Meadow Road, Florence</p> <p>Term: September 2022-March 2025</p> <p><i>To fill a vacancy for a Republican Party member</i></p> <p><u>22.161 An Order to Appropriate FY2023 CPA Funds for Community Preservation Purposes - 2nd reading</u> Councilor Nash said he thought briefly reviewing this item as they were considering awarding CPA funds would be helpful. This is the budget from which any awards from this round will come.</p>

Office of Planning and Sustainability (OPS) Assistant Director Sarah LaValley gave an overview. This order reserves and sets aside money the city anticipates receiving in revenue in FY2023 for CPA purposes, she explained. Northampton is expecting to receive about \$1.5 million in local assessment funds and an estimated \$702,000 in state matching funds.

The \$252,837 set asides shown represent the ten percent (10%) of total revenue that has to be set aside for affordable housing, historic preservation and open space according to state law. Money is also allocated for administrative expenses (\$75,000) and repayment of loans.

Referring to the item later on the agenda, Councilor Nash expressed his understanding that awards above and beyond the 10% budgeted in a single year are drawn from other sources.

The money allocated remains in the account until they have a purpose to spend it on, Ms. LaValley confirmed. If there are no open space projects one year, the money set aside is reserved until there is a project to spend it on. The remainder of anticipated revenue is put into a general fund that can be used for any allowable CPA purpose. So, other funds can be used to augment the amount in specific accounts.

This order is putting \$1.4 million into the budgeted reserve which is the general fund. Additional revenues from FY2022 and other past reserves are also available.

This is something the council does at the beginning of every fiscal year. If they didn't approve this order, technically they wouldn't have any money available for CPA funding, Ms. LaValley elaborated. She encouraged people curious about the CPA to check out the website. M.G.L. Chapter 44B allows communities to create a community preservation fund through a local surcharge of up to 3% of property taxes. Northampton went with the maximum of 3%. The law also created a state matching fund. CPA funds may be used for acquisition and preservation of open space, preservation and restoration of historic buildings and artifacts, creation, preservation and support of community housing and acquisition, creation, preservation and rehabilitation of land for recreational use.

In November of 2005, Northampton residents voted to adopt the Community Preservation Act and the first projects were recommended for funding in 2007. Through November of 2022 local CPA money has funded about 165 different projects.

Based on information on the website, twenty-three percent (23%) has gone to historic preservation, twenty-five percent (25%) to affordable housing, twenty-nine percent (29%) to open space and twenty-three and a half percent (23.5%) to recreation, Councilor Nash reported.

He asked if they are meeting their goals with this spread of spending.

It is pretty even among the different categories although it fluctuates over time depending on projects presented. Last year, there were two affordable housing projects; it fluctuates based on the capabilities of the city's project partners.

Councilor Nash asked if there have been any affordable housing projects that haven't been funded in the last year.

The CPC has recommended and council has approved every affordable housing project that has been presented, Assistant Director LaValley confirmed. They haven't all been funded at the same level that was requested but all have been funded.

He asked if she is expecting any affordable housing applications coming forth this year that they won't be able to fund.

It's hard to say as they don't know what's actually going to be submitted for project applications, Ms. LaValley said. Someone is looking at buying a house and making it affordable housing, and Habitat For Humanity is likely coming in this round

In response to a question, Ms. LaValley said the state match is based on a formula and depends, among other things, on Registry of Deeds receipts and how many CPA

communities there are. When it first started Northampton received 100% meaning every dollar in local funds was matched by the state. The match went down to as low as 20% at one point but last year was back up to 55%.

It is not based on the type of projects but is based solely on a community's estimated revenue.

Councilor Maiore asked how they attract applicants.

It was more difficult when the CPA was brand new, but now it is well known and affordable housing developers are well aware of it as a potential funding source, Ms. LaValley said. People in general for those larger projects are aware of it.

Councilor Maiore moved to approve the order in second reading. Councilor Elkins seconded. The motion passed 8:0 by roll call vote with Councilor Foster absent.

The following order passed final reading:

**City of Northampton
MASSACHUSETTS**

In City Council, August 18, 2022

Upon the recommendation of the Community Preservation Committee

22.161 An Order to Appropriate FY2023 CPA Funds for Community Preservation Purposes

Ordered, that

The following amounts be appropriated or reserved from fiscal year 2023 Community Preservation Fund estimated revenues \$2,298,518 (~~\$1,596,193 FY23 local assessment estimate, plus \$702,325 estimated state match~~) for fiscal year 2023 Community Preservation purposes:

\$252,837 from FY23 Total Estimated CPA Revenue to the Community Preservation Fund Open Space Reserve (account # 2344930-359931)

\$252,837 from FY23 Total Estimated CPA Revenue to the Community Preservation Fund Historic Preservation Reserve (account # 2344930-359932)

\$252,837 from FY23 Total Estimated CPA Revenue to the Community Preservation Fund Affordable Housing Reserve (account # 2344930-359933)

\$75,000 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Administrative Account (account # 2344930-359934)

\$1,465,007 from FY23 Total Estimated CPA Revenue to the Community Preservation Fund Budgeted Reserve (account # 2344930-359930)

Also, the following amounts be appropriated from the Community Preservation Fund Budgeted Reserve (account #2344930-359930) for FY23 Community Preservation bonding repayment purposes:

\$54,000 for principal and \$9,993.53 for interest for Bean Farm bond (account #3100931-393102-11)

\$90,000 for principal and \$13,500 for interest for Florence Fields bond (account #3100931-393103-12)

\$60,000 for principal and \$10,200 for interest for Pulaski Park II bond (account #3100931-393105-16)

Passed final reading and enrolled.

For the text of orders approved as part of the consent agenda, see Financial Orders in 2nd reading.

Financial Orders (on 1st reading)
22.166 An Order to Suspend Parking Fees on Certain Days - 1st reading
Councilor

Financial Orders (on 1st reading)
22.166 An Order to Suspend Parking Fees on Certain Days - 1st reading

Councilor Nash read the order.

The order is pretty self-explanatory, Mayor Sciarra said. They are planning ahead for the holiday shopping season and these are the days they suspend parking to help people come downtown to shop at their wonderful businesses.

Councilor LaBarge moved to refer the order to the consent agenda. Councilor Moulton seconded. The motion passed unanimously 8:0 by roll call vote with Councilor Foster absent.

See minutes of September 15, 2022 for final reading.

22.167 An Order to Appropriate \$500,000 in CPA Funds for 10 Hawley Street Rehabilitation Project - 1st reading

22.167 An Order to Appropriate \$500,000 in CPA Funds for 10 Hawley Street Rehabilitation Project - 1st reading

Councilor Nash read the order.

Assistant Director LaValley gave an overview of the CPC's deliberations and history with this project. As they've heard, the CPC received more public comment on this application than it has on any other potential project to date.

O'Connell Hawley's application for rehabilitation and restoration of the former St. John Cantius Church was initially submitted to the CPC in the FY2022 Spring funding round. Funding was proposed to be used solely for exterior renovation and not for any interior work. [The future use of the structure came up, but it's not something that's being funded in any way by the CPA, she noted.] The CPC agreed during initial deliberation in the spring that some additional information would be helpful both for the applicant and for the committee. CPC members requested that the applicant obtain Historical Commission support for the application and prepare a historic structures report. The applicant worked with a consultant to obtain that report which was able to provide some additional assessment and recommendations for the building and also able to obtain Historical Commission support. The CPC took up the application again last week and, after excessive discussion, voted unanimously to recommend it to council with the conditions that all work conform to the recommendations of the historic structures report, that a historic preservation consultant be retained for the duration of the project and that a permanent historic preservation restriction to be held by the city be granted.

One thing several CPC members found very helpful is that an appraisal report provided the value of that historic preservation restriction as \$640,000, representing the difference between the highest and best use of the property and the value of the property with the restriction on it, Ms. LaValley shared.

The CPC found that the preservation of the structure and acquisition of the historic preservation restriction serves an important public purpose and recommended it for funding to council. The application was submitted as a historic preservation project, one of the four eligible CPA purposes. Ten percent (10%) of each year's revenue must be set aside for historic preservation. The remainder (\$335,737) will be coming from the historic preservation reserve and would not be available for any other CPA purpose.

In response to questions, Ms. LaValley confirmed that the historic preservation restriction goes with the property, not the owner. It is a permanent restriction on the property, signed off by the Massachusetts Historical Commission. She is not aware of a situation where a historic preservation restriction was taken away from a property. There are mitigating factors (if the building burns down or is severely damaged by a natural disaster) but this will remain with the parcel moving forward.

Councilor Moulton expressed his understanding that, as long as the building stands, the restriction stands.

Councilor Jarrett asked if it is a 30-year restriction, since that is what they are looking at for the Florence Congregational Church.

This is a different type of restriction, Ms. LaValley said. The maximum the city can deal with absent state approval is 30 years. Once approved by the Mass. Historical Commission, it is allowed to be permanent.

Councilor Foster moved to recognize Brian Adams. Councilor Moulton seconded. The motion passed unanimously 9:0 by roll call vote.

This was perhaps one of the CPC's most difficult deliberations, Mr. Adams acknowledged. In their minds, it is not setting a precedent about anything nor would it be setting a precedent if they voted against it, he reiterated. They were convinced that historic preservation is a public good, as is respect for the Polish Heritage in the area, and that O'Connell had looked at other financial options and no other viable options presented themselves. He reviewed the restrictions put in place, such as having a historic structures report and a qualified historic preservation consultant on staff, and the fact that it is so meaningful to so many people not just in the Hawley Street neighborhood but in the city as a whole. Finally, he repeated the goal of 'not letting the perfect get in the way of the good.'

He thinks their process has been very transparent and really allowed public comment above and beyond what they usually do. "We've really done our due diligence, and I look forward to the vote," he concluded.

Councilor Jarrett said they heard in public comment how funding for Look Park was rejected. He asked if Ms. LaValley or anyone else was familiar with that and could speak to that application.

The Look Park fountain was not recommended for funding during the Fall 2014 CPA round, Ms. LaValley reported. In that round, the committee considered the high cost of the project (\$300,000 in CPA funds were requested and the total project cost was \$550,000) and also concern about non-original components and design elements.

Councilor Jarrett expressed his understanding that it was not because of Look Park's private status, and Ms. LaValley said it was not.

The historic preservation restriction will serve to allow city review of any major work going forward and will require them to keep the property maintained and in good condition. It is not directly tied to the CPA funding but is a result of it. It negatively affects the value of the property by about \$640,000, she confirmed.

The CPC felt the restriction was very important as did the Historical Commission.

Councilor Gore asked if the developers would still have to preserve the historic aspects of the building if they didn't get CPA funds.

Ms. LaValley said they would not.

Councilor Elkins mentioned the award of CPA money to Michelson Galleries, which she remembers as another example of an award to a private owner. She asked Ms. LaValley if she could remind them what happened with that.

The CPC recommended and council subsequently approved about \$82,000 for the façade of Michelson Galleries, the former First National Bank on Main Street. Michelson ended up returning the money and pursuing private funding. Owners didn't want to be tied down with preserving the building permanently. If they had accepted CPC funds they would have had to commit themselves in perpetuity.

Councilor Moulton noted that \$335,737 is coming from the historic preservation reserve, about two-thirds of the total request. He asked what she knew from preliminary applications about other applicants who may be seeking historic preservation money.

Historic Northampton is looking for a very small grant for preservation of some of their artifacts and Smith Charities may potentially be looking at another application for 51 Main

Street, Ms. LaValley said. The Northampton Community Music Center may also be seeking some funding and the DAR House may be considering some wiring upgrades, which would be a fairly small request. She doesn't anticipate any requests as large as this one.

For Michelson Galleries, he recalls a stipulation that funds would have to be repaid if the building were sold within a certain period of time, Councilor Jarrett said. He asked if there would be any provision for repayment in this case.

That did not come up in the CPC's deliberations, Ms. LaValley said.

Councilor Jarrett asked about the state historic rehabilitation tax credit program. He received a suggestion that this is another potential source of funding. Would O'Connell be a likely candidate for getting assistance? He asked.

The applicant indicated that was something they looked into, Ms. LaValley said. Because the interior is likely to be divided it would preclude the use of that funding. They indicated it wasn't feasible for the work they were proposing.

There was a push to get the historic tax credits, Councilor Nash interjected. Altering the interior of a structure by putting up walls to create units of housing precludes receipt/award of those credits.

The committee asked if partial funding would be a possibility and the applicant indicated that \$500,000 was the critical amount needed to make the project work and allow them to save the structure, Ms. LaValley clarified. They actually came in with a larger amount initially and reduced it.

Councilor Maiore asked about the ratio of private vs. public historic preservation projects which the CPC has funded.

It has definitely been primarily public or non-profit buildings, Ms. LaValley said. The committee absolutely reviews everything on its own merits so, as Brian noted, they didn't think it would be precedent-setting. Under the Anti-Aid amendment to the state constitution, the committee has to be confident it isn't providing financial benefit to a private entity.

As a city councilor, she has been getting nonstop phone calls all week over this, Councilor LaBarge related. Here they have gotten a loan to go ahead and buy the property. What bothers her is that the city was shot down for a good cause for the building, then they build all these condos and are coming in and asking for \$500,000. How much higher was that price that they stated? She asked.

The initial application amount was for \$830,000 and applicants presented that they couldn't find any other way of getting this \$500,000, Ms. LaValley shared. There is currently an application with the Central Business Architecture Committee (CBAC) to demolish the building completely, she added.

She can see where people in the city right now are very upset about what is occurring here and how they are giving contractors from out of town money to make big full pockets on taxpayer's money with the CPA, Councilor LaBarge stated

"I'm uncomfortable with this; I really am," she said.

She cannot vote on this tonight. She thinks they need to let the public have the opportunity to be involved and that there are more questions to be asked. **She made a motion to refer the order to the Finance Committee. Councilor Moulton seconded.**

Councilor Jarrett asked if they could continue to discuss it after making a referral. He is in agreement with referral but has a few more questions.

Councilor Elkins suggested adding referral to the Community Resources Committee since it involves historic preservation. Councilor Perry said he thinks that is an appropriate place to send it.

Councilor LaBarge/Councilor Moulton accepted adding referral to Community Resources as a friendly amendment to the motion.

Councilor Nash said he's been very much involved in this particular initiative for quite a while. In 2012/2013, he was sitting next to former Councilor Owen Freeman Daniels when Carolyn Misch made a presentation to expand the Central Business (CB) district to include the St. John Cantius Church. The building was going on the market and the idea was, that by expanding possible uses, it could invite other ideas like restaurants or a hotel. It was formerly Urban Residential-B (URB).

In 2018, O'Connell Development bought the building and held a community meeting to talk about its plans to develop the property. He expects O'Connell Development has a dartboard of him. He stood up at that meeting and said the group was supportive of them moving forward but that they needed to make efforts to preserve the church.

Many of the people in that room had been part of that parish and wanted to see the church preserved. Also, the city sees it as a structure of value to the extent that they've reconfigured CB to include it so developers could consider a way to save it. He went to the Planning Board when O'Connell went to propose the condos. He thinks he's been a bit of a pain for Mr. Matt Welters over the last four or five years.

The group 'Friends of St. John's' - members of the Polish community, residents of Ward 3 and people interested in preserving architecture in their city - have made a case over and over again. He thanked the CBAC for putting the demolition order on hold, saying that is what prompted O'Connell Development to consider taking this different route of preserving the church.

If anyone wants to see what's going to go there if they tear down the church, he's sure pictures of the proposed condos are on record. What's on the table is whether they want those brand new looking condos or they want this structure preserved. It is a high price, he acknowledged.

He mentioned the party in the room they're not talking about, the former property owner, the Diocese of Springfield. It's in terrible shape. They didn't take care of this building. So much so that the city made the case for the resilience hub and offered to pay \$550,000. They knew they had another \$1 million in reserve because they set that aside from their cannabis mitigation fees to build out the resilience hub. There's another million dollars' worth of work to make it so whatever goes inside is usable. Beyond having been poorly cared for, it has been sent forward to all of them with a deed restriction, which he quoted as "providing that in no event shall the premises be put to any use that is inconsistent with the teachings of the Roman Catholic Church as determined in the sole discretion of the Roman Catholic Bishop of Springfield except as prohibited by Massachusetts law."

He described the language as a 'poison pill' that makes thoughts of having music or events there impractical. The arts trust now at 33 Hawley Street was very interested in this property but considered the deed restriction language a 'nonstarter.' Poor maintenance and this poison pill of use is what's driven them to this point.

One of the allowed uses is multi-family dwellings, and that is what O'Connell is offering them, he pointed out. "This is not a win/win," he conceded. Ultimately the question is, with this muddy water, do they want to preserve this structure. He leans toward preserving it. He understands the discomfort people in the community feel. This is one of those cases where it's not perfect but they have a way to preserve a historic structure.

Discussion continued, with Councilor Jarrett pointing out that, in reviewing the application, he noticed it's for rental housing with an estimated rent of between \$1,800 and \$1,900 a month. If they do the math of what's considered affordable, \$1,900 comes out to a yearly income of \$76,000. His guess is that it would be considered workforce or 'missing middle' housing; i.e. - more expensive than affordable housing but less than what other things are going for, which he understands is something they as a city want to promote. Since nothing actually holds the developers to this, he wondered if there is a way to hold them to certain rental amounts.

Councilor Elkins thanked Councilor Nash for his recap of history. In terms of how they use CPC money, looking at commercial listings across the Commonwealth, between their poor condition and deed restrictions, vacant churches are a yoke around the neck of communities they've been left in.

She thinks there is a statistic that Northampton has the highest number of churches per capita; they have a concentration of religious buildings. They really do need to be thoughtful about what they do here and also about their need for housing, she suggested.

She is very interested in this conversation. She doesn't think it's precedent-setting to have a private developer use these funds in this way, but what could be is how they think about these vacant churches because it's not the only one in the city and not the only difficult one.

Councilor LaBarge said she doesn't call \$1,800 or \$1,900 affordable. She thanked Councilor Jarrett for the information.

Councilor Perry thanked all the councilors for their input. He is thankful they are having a thoughtful conversation and are going to move this to different subcommittees. He is interested to know if O'Connell has exhausted all the funding resources. To Councilor Jarrett's point, they are in desperate need of workforce housing. He has spent most of his adult life working in restaurants in Northampton and doesn't think he could ever afford \$1,800. It's really hard to live here and work in Northampton.

It was suggested this was rushed to a vote and she wants to make clear that they are not voting tonight, Councilor Elkins said. It is in first reading and will be referred to committees for further discussion and public input. She thanked members of the CPC for their work and thoughtful consideration of this. "We are just beginning our deliberations and it is not a rush to a vote," she stressed.

The soonest it could get back to council is October 6th, Councilor Nash confirmed.

There being no further discussion, **the motion was called to a vote and passed unanimously 9:0 by roll call vote.**

See minutes of October 6, 2022 for final reading.

<p><u>Recess</u></p>	<p><u>Recess</u> The City Council recessed briefly at 9:37 p.m. The council reconvened at 9:45 p.m.</p>
<p><u>Financial Orders (on 2nd reading)</u> <u>22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project - 2nd reading</u></p>	<p><u>Financial Orders (on 2nd reading)</u> The following order was approved as part of the consent agenda: <u>The following order was adopted in final reading:</u> <u>22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project - 2nd reading</u></p>

MASSACHUSETTS

In City Council August 18, 2022

Upon recommendation of Mayor Sciarra

22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project

Ordered, that

The following funds totaling \$8,351.49 be reprogrammed from completed projects into a new account for the Forbes restroom ventilation project.

\$3,939.24 from Forbes Windows project (19303 586219)

\$1,875.25 from Recreational Field Roof project (19303 586230)

\$2,537 from the Senior Center Exterior Paint project (19303 586919)

Passed final reading and enrolled.

Orders
22.151 Order
Authorizing
Acceptance of a
Local Preservation
Restriction for 130
Pine Street
22.110 Ordinance
to Rezone 130
Pine Street from
URB to Office
Industrial - 2nd
reading

Orders
22.151 An Order Authorizing Acceptance of a Local Preservation Restriction for 130 Pine Street, Florence – 2nd reading
Councilor Nash proposed moving Zoning Ordinance 22.110 up on the agenda to discuss at the same time since the two items are related. There being no objection, he put both on the floor.
22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial - 2nd reading
He read the order.
As noted during discussion of the CPA order, this is not a permanent preservation restriction but is a local preservation restriction only as the Mass. Historical Commission is not involved, Ms. LaValley clarified. This will allow the city to have an additional level of review over exterior changes to the church and also allow for some adaptive reuse possibilities. It is an important historic structure and will definitely be included in the Florence Abolition National Register District which is underway.
Ownership of the structure is being transferred to Bombyx, Councilor Nash reminded. The city is seeking the historic preservation restriction through a development agreement because, unlike URB zoning, Office Industrial (OI) does not have provisions to preserve the church to accompany its expanded uses, he explained.
Councilor Nash clarified that there is no deed restriction going on here. There are two faith communities sharing the space and the church is not imposing any restrictions along with the transfer.
Councilor LaBarge moved to approve the order in second reading. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote.
The following order passed final reading:

City of Northampton
MASSACHUSETTS

In City Council, August 18, 2022

Upon the recommendation of the Planning Board and the Office of Planning and Sustainability

22.151 An Order Authorizing Acceptance of a Local Preservation Restriction for 130 Pine Street, Florence

Ordered, that

WHEREAS, the Florence Congregational Church located at 130 Pine Street has a rich architectural and human history, and is a contributing structure to a planned Florence National Register Historic District;

WHEREAS, continued and expanded use of the property, consistent with the Sustainable Northampton Plan, will preserve the historic building and create additional reuse potential within walking distance of neighborhoods and downtown Florence;

WHEREAS, that as part of expanded reuse of the property, the Church has agreed to enter in a development agreement with the City;

WHEREAS, the development agreement provides for protection of the historical and architectural integrity of the property through a preservation restriction on the exterior of the building;

NOW, THEREFORE BE IT ORDERED,

That the City Council authorizes the City of Northampton, acting through its Mayor and its Historical Commission in accordance with Mass. Gen. Laws c. 40, § 8D, to accept a Local Preservation Restriction on 130 Pine Street, Assessors Map 23A Parcel 146 . The restriction authorized hereby shall be under the management of the Historical Commission.

Passed final reading and enrolled.

Councilor Jarrett moved to approve the ordinance to rezone 130 Pine Street. Councilor LaBarge seconded.

Ms. Krutzler confirmed that the mortgage subordination agreement has been received.

The motion passed unanimously 9:0 by roll call vote.

The following ordinance passed final reading:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty Two

Upon the Recommendation of the Mayor, and Office of Planning & Sustainability

22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending the Zoning Map to expand the Office Industrial District as shown.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Amend 350 3.4 as shown to rezone parcel 23A-146 from URB to OI:



Passed final reading, ordained and enrolled.

Ordinances
22.163 Ordinance
Relative to Parking
on New South
Street - 1st reading
22.164 Ordinance
Relative to Parking
on State Street -
1st reading
22.165 Ordinance
Relative to Fire
Lanes - 1st
reading

22.168 Ordinance
Amending Section
272-18 C
Exemptions - 1st
reading

Ordinances
22.163 An Ordinance Relative to Parking on New South Street - 1st reading
22.164 An Ordinance Relative to Parking on State Street - 1st reading
22.165 An Ordinance Relative to Fire Lanes - 1st reading
 Councilor Jarrett proposed moving the ordinances as a group for referral to Legislative Matters. Councilor LaBarge seconded.
 All three ordinances were sponsored by the Transportation and Parking Commission, Councilor Nash noted.
 The motion passed unanimously 9:0 by roll call vote.
 Councilor Jarrett asked Ms. Krutzler to note for the minutes that Councilor Elkins' vote was in the form of a 'thumbs up' since she was having technical difficulties.
22.168 An Ordinance Amending Section 272-18 C Exemptions - 1st reading
 Councilor Jarrett recused himself because of a possible conflict of interest with his business, Pedal People.
 The City Council extended the deadline for implementation of the plastics reduction ordinance in July, Councilor Maire reminded. Since then, she has been working with Director LaScaleia to review the ordinance. This amendment gives the director, who's going to be the enforcement agent, a little more latitude.

Councilor Maiore moved to refer the ordinance to Legislative Matters. Councilor Moulton seconded. The motion passed unanimously 8:0 by roll call vote with Councilor Jarrett recused.

Zoning Ordinances (Not Yet Referred)

Zoning Ordinances (Not Yet Referred)
None.

Zoning Ordinances
22.141 Ordinance to Amend the Zoning Map (350-3.4) on Bridge Road and Cooke Avenue – 2nd reading

Zoning Ordinances
22.141 An Ordinance to Amend the Zoning Map (350-3.4) on Bridge Road and Cooke Avenue – 2nd reading

The city was waiting for the Department of Housing and Community Development's (DHCD's) approval of establishment of the Smart Growth District. Ms. Misch said that was received yesterday, Ms. Krutzler reported.

Councilor Moulton moved to approve the ordinance. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following ordinance passed final reading:

**City of Northampton
MASSACHUSETTS**

In the Year Two Thousand Twenty-Two

Upon the Recommendation of Mayor Gina-Louise Sciarra and Planning & Sustainability

22.141 An Ordinance to Amend the Zoning Map (§350-3.4) on Bridge Road and Cooke Avenue

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to add a new Smart Growth-c overlay district as it meets the criteria of being walking distance of area of concentrated development.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Amend § 350-3.4 Zoning Map to add additional Smart Growth-UR overlay district, in addition to the existing SG overlays, overlain at 82 Bridge Street, for Map ID 18C-048-001 and 18-22-001 as shown below.



Passed final reading, ordained and enrolled.

Resolutions

Resolutions

None.

New Business

New Business

Discussion of Cannabis Regulations.

Councilors have been hearing a lot of concern from the community about the concentration of retail marijuana establishments in Northampton in general and a cannabis establishment in downtown Florence in particular, Councilor Nash explained. He put this on the agenda to give them the chance to discuss how to handle the call for more cannabis regulation.

He also took the opportunity to correct a misunderstanding heard at a recent community meeting that the City Council approved cannabis sales in Florence as recently as April. The City Council followed an extensive process back in 2017/2018 when the subject of cannabis regulations was first introduced, he reminded. The council discussed whether to allow the use by right, talked about establishing a buffer, opted into the 3% sales tax, empowered the mayor to pursue a 3% community impact fee and considered capping the number of retailers at 10, among other things. There was a lot of thoughtful discussion when regulations were first enacted, he stressed.

Councilors Perry, Foster and Maiore confirmed their intentions to place the subject of cannabis regulation on the agendas of upcoming subcommittee meetings. Councilor Foster noted that each of their committees has a particular angle and there is a lot of information they need to seek to inform reasonable regulation, so she thinks this committee work could be very complementary.

Members discussed information they would need in order to propose responsive regulation and also the best way to proceed. Councilor Maiore said she is looking for a lot of updated metrics that might come out of City Services. Councilor Moulton noted that regulation of the cannabis industry has budgetary implications since the receipt of \$1.1 million in excise taxes is significant. He thought the Finance Committee should discuss capping in light of potential unintended financial consequences. Councilor Nash said he would like to hear from Police Chief Kasper about whether police department service levels have changed almost four years after decriminalizing adult use marijuana.

Councilor Moulton commented that, with 12 operating dispensaries and two Host Community Agreements (HCA's) approved and now before the Cannabis Control Commission - one of which is actually for two locations - it is a good time to have this discussion. Already, there are potentially 15 locations that may be in operation, excluding Euphorium LLC's proposal for Florence.

One of the things that struck him tonight is information about the impact of density, particularly on young people, he continued. He thinks it is important in addition to impacts to look at the mapping of where dispensaries are in the city and at the question of density.

Councilor Elkins expressed concern about the open-endedness of the discussion and lack of specificity. It seems a little like 'the cart before the horse' to be sending this to committees without specific legislation to go with it, she noted.

She wondered whether somebody was going to propose legislation to set a cap, and Councilor LaBarge said she was going to ask the same thing. She personally would object to sending things to subcommittees without legislation, Councilor Elkins said.

Councilor Gore agreed with Councilors Elkins and LaBarge that legislation is in order and said she personally believes they need to set a cap at this point. "I believe that we've oversaturated the market a little bit."

However, Councilor Foster pointed out that the work can happen in different ways, and Councilor Jarrett said he personally needs more information before proposing anything concrete.

The council is hearing from the community and, while she is not opposed to consideration of an ordinance, she wants to engage the community as expediently as possible, Councilor Maire reflected.

As one of two sponsors of the ordinance to set a cap in 2018, a key factor they considered were the concerns of the prevention and recovery community, Councilor Nash volunteered. He voiced the opinion that hearing from SPIFFY and the prevention coalition that gathers information about middle school, high school and junior high students would be important.

At the end of the discussion, councilors reached the consensus to begin an information-gathering process within their individual committees to allow additional research, discussion and public input. The message here is that they are listening to the community and being responsive, Councilor Moulton suggested.

Adjourn

Adjourn

Councilor Perry moved to adjourn. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The meeting was adjourned at 10:46 p.m.

Attest: _____, Administrative Assistant

EXHIBIT A

List of Documents Reviewed at September 1, 2022 Northampton City Council Meeting:

1. September 1, 2022 Agenda
2. Minutes of August 18, 2022
3. 22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project
4. 22.161 An Order to Appropriate FY2023 CPA Funds for Community Preservation Purposes
5. 22.169 Appointments to Various Committees – Memo from Mayor Gina-Louise Sciarra to City Council dated September 1, 2022 re: Appointments to Boards, Committees, and Commissions proposing the appointment of Kaye Carroll to the Arts Council, David Reckhow to the Conservation Commission and Mary Lou Stuart to the Board of Registrars, together with Applications for Appointment to Boards, Committees and Commissions.
6. 22.166 An Order to Suspend Parking Fees on Certain Days
7. 22.167 An Order to Appropriate \$500,000 in CPA Funds for 10 Hawley Street Rehabilitation Project
8. 22.151 An Order Authorizing Acceptance of a Local Preservation Restriction for 130 Pine Street, Florence
9. 22.163 An Ordinance Relative to Parking on New South Street
10. 22.164 An Ordinance Relative to Parking on State Street
11. 22.165 An Ordinance Relative to Fire Lanes
12. 22.168 An Ordinance Amending Section 272-18 C Exemptions
13. 22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial
14. Development Agreement between City of Northampton and Florence Congregational Church, 130 Pine Street
15. Title Certification for 130 Pine Street
16. 22.141 An Ordinance to Amend the Zoning Map (350-3.4) on Bridge Road and Cooke Avenue

Record of City Council Votes for September 1, 2022		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total	
Roll Call by Council Administrative Assistant Laura Krutzler @ 7 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present	
Approval of Consent Agenda:		Yes	Yes	Yes	Yes	Move to approve Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call vote	
Minutes of August 18, 2022												Consent
22.154 An Order to Reprogram Funds for Forbes Library Restroom Ventilation Project - 2nd reading												Consent
22.169 Appointments to Various Committees - for referral to City Services		Consent										
22.161 An Order to Appropriate FY2023 CPA Funds for Community Preservation Purposes - 2nd reading (removed from consent agenda)		1st reading	Second Yes	Absent	Yes	Yes	Yes	Move to approve	Yes	Yes	Yes	Motion carried 8:0 (Foster absent); roll call
22.166 An Order to Suspend Parking Fees on Certain Days - 1st reading			Yes	Absent	Yes	Yes	Refer to consent	Yes	Second Yes	Yes	Yes	Motion carried 8:0 (Foster absent); roll call
22.167 An Order to Appropriate \$500,000 in CPA Funds for 10 Hawley Street Rehabilitation Project - 1st reading		1st reading	Yes	Yes	Yes		Refer to Finance and CR		Second Yes			
22.151 An Order Authorizing Acceptance of a Local Preservation Restriction for 130 Pine Street, Florence - 2nd reading		2nd reading	Yes	Yes	Yes	Yes	Move to approve Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call vote
22.163 An Ordinance Relative to Parking on New South Street - 1st reading		Refer	Yes	Yes	Yes	Refer as group to LM	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call vote
22.164 An Ordinance Relative to Parking on State Street - 1st reading		Refer										
22.165 An Ordinance Relative to Fire Lanes - 1st reading		Refer										
22.168 An Ordinance Amending Section 272-18 C Exemptions - 1st reading		Refer	Yes	Yes	Yes	Recused	Yes	Refer to LM	Second Yes	Yes	Yes	Motion carried 8:0 (Jarrett recused); roll call
22.110 An Ordinance to Rezone 130 Pine Street from URB to Office Industrial - 2nd reading		2nd reading	Yes	Yes	Yes	Move to approve	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call vote
22.141 An Ordinance to Amend the Zoning Map (350-3.4) on Bridge Road and Cooke Avenue - 2nd reading		2nd reading	Yes	Yes	Yes	Yes	Second Yes	Yes	Move to approve	Yes	Yes	Motion carried 9:0; roll call vote
Discussion of Cannabis Regulations			NO VOTE TAKEN									
Adjourn		Adjourn	Yes	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Move to adjourn	Motion carried 9:0; roll call vote