



City of Haverhill
City Council Minutes

Tuesday, November 13, 2018
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, Daly O’Brien, and McGonagle.
City Clerk – Linda L. Koutoulas

- 1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor McGonagle was assigned the minutes

ON MOTION OF COUNCILLOR MCGONAGLE TO SUSPEND RULES TO INTRODUCE ORDINANCE FOR STOP SIGN ON CRYSTAL STREET AT NORTH BROADWAY. *
RULES SUSPENDED Yeas 9, Nays 0 2E

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Vehicles and Traffic

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by adding the following to § 240-95 Schedule L: Stop Streets”

“Crystal Street, Northeast, North Broadway.”

ON MOTION OF COUNCILLOR MCGONAGLE TO ESTABLISH ORDINANCE AS RECOMMENDED BY THE TRAFFIC & SAFETY COMMITTEE
PLACED ON FILE for at least 10 days Yeas 9, Nays 0 2E

5. Communications from the Mayor:

Mayor Fiorentini requests to address Council regarding the new Master Plan and intends to begin scheduling of our New Master Plan Committee and appoints the following with more appointments coming over the next few weeks:

- William Pillsbury, Planning & Economic Development Director (ex officio)
City Councillor Mary Ellen Daly O’Brien
Gene O’Neil, former Haverhill Planning & Economic Development Director
James Rurak, former Haverhill Mayor

MAYOR FIORENTINI INFORMED THAT HE HOPES TO HAVE MASTER PLAN DONE BY EARLY SPRING AND HE WILL PRESENT IT TO CITY COUNCIL
PLACED ON FILE Yeas 9, Nays 0 1S

Mayor Fiorentini requests to address Council to give an update on our Cable TV license which expires this Year.

THE MAYOR INFORMED THAT THE CONTRACT WITH COMCAST EXPIRES IN APRIL 2019. COMCAST DOES NOT HAVE AN EXCLUSIVE CONTRACT WITH THE CITY. HE HAS TRIED NUMEROUS TIMES TO GET OTHER VENDORS, ESPECIALLY VERIZON. HE WILL SEND OUT RFP FOR BIDDERS.

PLACED ON FILE Yeas 9, Nays 0 1T

6. Communications and Reports from City Officers and Employees:

7. Utility Hearing(s) and Related Order(s)

8. Hearings and Related Orders

Hearing was held on Document 117 – A communication from Christine Webb, City Tax Assessor, for Tax Classification Fiscal Year 2019. Ms. Webb gave a PowerPoint presentation. Speaking to the issue were Christine Webb, Mayor Fiorentini, Dougan Sherwood, Anthony Parolisi, Jeff Linnehan, Jeff Grassie, Tom Grannemann, Nick Golden, Paul Magliocchetti, Dr. Maddox and Jasmine Casado.

HEARING CLOSED Yeas 9, Nays 0 117

Mayor submits related tax Order

ORDERED: That the City appropriate \$1,000,000 from Free Cash to be used to reduce the Fiscal Year 2019 tax rate

THE MAYOR INFORMED THAT THERE IS \$12.4 MILLION IN RESERVES/FREE CASH. WE ARE ALLOWED TO HAVE \$11MILLION IN RESERVES ACCORDING TO RESERVE POLICY. HE WANTS TO TAX BELOW THE LEVY LIMIT AND DOESN’T WANT TO TAX TO THE MAX AND SUGGESTED THE FACTOR OF 165. HE WANTS TO KEEP HAVERHILL AFFORDABLE. THERE WAS A LENGTHY DISCUSSION ABOUT THE PROS AND CONS OF TAXING TO THE LEVY LIMIT.

ON MOTION OF COUNCILLOR BEVILACQUA TO APPROPRIATE \$1,000,000 FROM FREE CASH TO BE USED TO REDUCE THE FISCAL YEAR 2019 TAX RATE.

NOT PASSED

Yeas 1(Bevilacqua) Nays 8

34Z

ON MOTION OF COUNCILLOR MACEK TO RECONSIDER VOTE ON DOC. 34-Z.

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Bevilacqua, Barrett, LePage, Macek, Daly O'Brien, McGonagle 7

Nays,-Councillor Jordan and President Michitson 2

RECONSIDERATION PASSED

ON MOTION OF COUNCILLOR BEVILACQUA TO REDUCE THE LEVY BY \$1,000,000 AND TAKE \$1,000,000 FROM FREE CASH AND DEDICATE THAT FOR SCHOOL IMPROVEMENTS AND FOR PUBLIC SAFETY IMPROVEMENTS AS DISCUSSED EARLIER

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Bevilacqua and Daly O'Brien 2

Nays,-Councillors Sullivan, Barrett, LePage, Jordan, Macek, McGonagle and President Michitson 7

NOT PASSED

ON MOTION OF COUNCILLOR JORDAN TO TAX TO THE LEVY.

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Barrett, LePage, Jordan, Macek, McGonagle and President Michitson 7

Nays,-Councillors Bevilacqua and Daly O'Brien 2

PASSED

34Z

ON MOTION OF COUNCILLOR MACEK TO ADOPT RESIDENTIAL FACTOR .8966 (164)

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Macek and Daly 3

Nays,-Councillors Bevilacqua, Barrett, LePage, Jordan, McGonagle and President Michitson 6

NOT PASSED

ON MOTION OF COUNCILLOR MACEK TO ADOPT RESIDENTIAL FACTOR .895 (165)

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Bevilacqua, Macek and Daly 4

Nays,-Councillors Barrett, LePage, Jordan, McGonagle and President Michitson 5

NOT PASSED

ON MOTION OF COUNCILLOR LEPAGE TO ADOPT RESIDENTIAL FACTOR .8998 (162)

On the question of passage the yeas and nays were as follows:

Yeas,-Councillors Sullivan, Barrett, LePage, Daly O'Brien, McGonagle 5

Nays,-Councillors Bevilacqua, Jordan, Macek and President Michitson 4

PASSED

117B

ORDERED: That the City shall adopt a commercial exemption

NOT PASSED

Yeas 0, Nays 9

117C

ORDERED: That the City shall adopt a residential exemption

NOT PASSED

Yeas 0, Nays 9

117D

ORDERED: That the City shall select an open space discount factor

NOT PASSED

Yeas 0, Nays 9

117E

ORDERED: That the City Council of the City of Haverhill hereby accepts the provisions of the Massachusetts General Laws, Chapter 59, Section 5, Clauses 17E and 41D with respect to Permanent acceptance of the annual C.P.I. index increase to the tax exemptions for the elderly.

NOT PASSED

Yeas 0, Nays 9

117F

ORDERED: That the City Council accepts 100% of C.P.I. (Consumer Price Index) increase reported by the State for F.Y. 2019 Exemptions. The 2019 C.P.I. amount is 2.5%

PASSED

Yeas 9, Nays 0

117G

Document 103: Zoning Hearing - City Solicitor William Cox submits Ordinance to allow for establishment of Licensed Marijuana Establishments Overlay Zone as previously discussed with Council's Administration and Finance Committee

Hearing not opened. Solicitor Cox informed that there were potential issues with the maps as presented and recommended the maps be reviewed by the Administration & Finance Committee for final action. Also, he would be submitting communication to extend moratorium at the next Council meeting.

ON MOTION OF COUNCILLOR LEPAGE TO REFER TO ADMINISTRATION & FINANCE COMMITTEE TO CONSOLIDATE THE MAPS AND ORDINANCES.

REFERRED TO ADMINISTRATION & FINANCE COMMITTEE

Yeas 9, Nays 0

103

MUNICIPAL ORDINANCE

CHAPTER 255

An Ordinance Relating to Adult Use of Marijuana and Marijuana Establishments

Be it Ordained by the City Council of the City of Haverhill that Chapter 255, of the Code of the City of Haverhill, as amended, being and is hereby further amended by deleting Article XIX in its entirety and inserting

in its place the following:

Article XIX – Licensed Marijuana Establishments Overlay Zone

A. Purposes.

1. To provide for the placement of adult use marijuana establishments in appropriate places and under specific conditions in accordance with the provisions of Massachusetts General Law Chapter 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed.
2. To minimize any adverse impacts of adult use marijuana establishments on adjacent properties, dense or concentrated residential area, school and other places where children congregate, and other sensitive land uses.
3. To regulate the siting, design, placement, access, security, safety, monitoring, modification and discontinuance of adult use marijuana establishments.
4. To provide applicants, owners and operators with clear guidance regarding adult use marijuana establishments siting, design, placement, access, security, safety, monitoring, modification and discontinuance (see document for complete text)

Favorable conditional recommendation from Planning Board & Director William Pillsbury to approve Zoning Amendment conditioned upon the *removal* of the Route 110/Northern Essex zone and the Knipe Road Zone from the list of proposed zones.

ON MOTION OF COUNCILLOR LEPAGE TO REFER TO ADMINISTRATION & FINANCE COMMITTEE TO CONSOLIDATE THE MAPS AND ORDINANCES.

REFERRED TO ADMINISTRATION & FINANCE COMMITTEE Yeas 9, Nays 0 103B

9. Public Participation- Requests under Council Rule 28

10. Appointments:

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

No Schedule

AUXILIARY POLICE OFFICERS:

Steven Cuevas, 123 Osgood st, Unit 1, Lawrence

Anyis Acevedo, 13 Providence st, Lawrence

PLACED ON FILE Yeas 9, Nays 0 122B

11. Petitions:

Petition from Melissa Seavey, Greater Haverhill Chamber Event Director requesting to address Council regarding amending the December 7th, Haverhill Christmas Stroll information that was previously submitted; *Has Police Dept approval*

MS. SEAVEY INFORMED THAT THE POLICE WILL NOT BE ABLE TO CLOSE ALL THE STREETS AS PREVIOUSLY PLANNED. A PORTION OF WASHINGTON SQUARE WILL BE CLOSED. WASHINGTON AND MERRIMACK STREETS WILL REMAIN OPEN & TRAFFIC WILL BE REROUTED ON EMERSON AND ESSEX STREETS.

THE CHAMBER WOULD LIKE TO AMEND APPLICATION TO INCLUDE CLOSING A PORTION OF THE GOECKE DECK, OUTSIDE PORTION ONLY, FROM THE ENTRANCE, EASTERN SECTION OF THE PARKING LOT (NEXT TO OLD PENTUCKET BANK BUILDING)

ON MOTION OF COUNCILLOR BARRETT TO AMEND APPLICATION TO INCLUDE CLOSING THE EAST SECTION OF THE FRONT OF THE GOECKE DECK AND TO AMEND APPLICATION TO INCLUDE THE USE OF EMERSON & ESSEX STREETS.

GRANTED Yeas 9, Nays 0 106B

Petition from Hillary Rogers/Greater Haverhill Chamber of Commerce, requesting to hang a banner across Washington st for Christmas Season to read “Seasons Greetings”; Related comments from several City departments are included.

MS. SEAVEY REQUESTED POSTPONEMENT TO NOV 27TH COUNCIL MEETING.

POSTPONED TO NOV 27 Yeas 9, Nays 0 123

Applications:

Applications/Handicap Parking Sign

Mary Merrick for 60 Lawrence st – renewal

RENEWAL GRANTED Yeas 9, Nays 0 47S

Eleanor Raymond for 13 Hancock st – renewal

RENEWAL GRANTED Yeas 9, Nays 0 47T

Hawker/Peddler Seasonal License:

Paul Abare – to sell Christmas trees, kissing balls, wreaths & decorations at 403 River st; November 16 to December 24th, 7:00AM to 9:30PM, Monday – Sunday; *Has Police Dept approval*

GRANTED Yeas 9, Nays 0 67C

12. Motions and Orders:

ORDERED: That the City of Haverhill accept General Law Chapter 64N, § 3 to impose an excise on the retail sales of marijuana for adult use at the rate of three (3%) percent to take effect January 1, 2019

Related communication from William Cox, City Solicitor

12.4 ORDINANCES (File 10 days)

MUNICIPAL ORDINANCE CHAPTER 80
An Ordinance Relating to Purchasing and Contracts

Be it Ordained by the City Council of the City of Haverhill that Chapter 80 of the Code of the City of Haverhill, Chapter 240, as amended, be and is hereby further amended by adding the following:

“§ 80-11. Contractors to Produce Licenses and Required Permits; Final Inspection Required for Payment

All contractors retained to perform work on any City facility, utility or infrastructure shall possess and produce copies of their relevant and required licenses to the department requesting the work, and shall obtain all required permits and approvals prior to the commencement of work. The requesting department shall ensure that the contractor has provided the required licenses and permits prior to authorizing the commencement of work. Copies of the required licenses and permits, along with certification of the completion of the final inspection, shall be attached to the contractor’s invoices for payment. Payment shall not be made to the contractor until the final inspection has been completed” *Related communication from William Cox, City Solicitor*

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 124

Monthly Report:

Abatement report from Christine Webb, Assessor, for month of October 2018

PLACED ON FILE Yeas 9, Nays 0 19K

13. Communications from Councillors:

Communication was received from Councillor Barrett requesting to introduce Tammy Dobrosielski to discuss Wreaths Across America

COUNCILLOR BARRETT INTRODUCED MS. DOBROSIELSKI TO GIVE DETAILS OF WREATHS ACROSS AMERICA. MS. DOBROSIELSKI INFORMED THAT THEY ARE LOOKING TO HAVE 250 WREATHS SPONSORED FOR THE WREATH LAYING CEREMONY HONORING VETERANS WHO ARE LAID TO REST AT HILLDALE CEMETERY. CEREMONY WILL BE HELD ON DEC 15 AT NOON. CONTACT INFORMATION WWW.WREATHSACROSSAMERICA.ORG; TAMMY 978 305-2239*

PLACED ON FILE Yeas 9, Nays 0 121E

14. Unfinished Business of preceding Meetings:

Document 22-T

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking

123 Cedar Street - Establish Handicapped Park (see document for complete text)
PASSED Yeas 9, Nays 0 22T

Document 22-U

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking

30 Bellevue Ave - Establish Handicapped Park (see document for complete text)
PASSED Yeas 9, Nays 0 22U

Document 22-V

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking

51 Bellevue Ave - Establish Handicapped Park (see document for complete text)
PASSED Yeas 9, Nays 0 22V

Document 22-W

MUNICIPAL ORDINANCE CHAPTER 240
An Ordinance Relating to Parking

40 Sheridan St. – Establish Handicap Parking (see document for complete text)
PASSED Yeas 9, Nays 0 22W

15. Resolutions And Proclamations

16. Council Committee Reports and Announcement

Councillor Daly O’Brien announced there will be no Council meeting next week due to Thanksgiving.

Councillor McGonagle announced the Public Safety Committee meeting scheduled for Nov. 20 at 7:00PM in the City Council office, 4 Summer St., room 204.

Councillor Sullivan announced the 64th Annual Santa Parade scheduled for Nov. 18 with a start time of 1PM. in Bradford.

17. Documents Referred To Committee Study

Meeting adjourned a 10:21 o’clock P.M. Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk

*Doc. 2-E – Suspension of Rules – Ordinance – Stop Sign – Crystal/N. Broadway

*Doc. 34-Z – Handout from Tom Grannemann – Background for Haverhill Tax Decisions

