



City of Haverhill
City Council Minutes
Tuesday, February 4, 2020
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Barrett, Councillors LePage, Bevilacqua, Michitson, Sullivan, Jordan, Daly O’Brien and Macek.

Absent – Councillor McGonagle

City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance

President Barrett asked the Clerk to pull up Item 18, recused herself and left the Chambers

President Barrett returned to Chambers after completion of Item 18.

3. Approval of Minutes of January 14 2020 – *revised draft*
On motion of Councillor LePage to approve the revised draft Yeas 7, Nays 1 (Bevilacqua), Absent 1
Approved

4. Approval of minutes of prior meeting – January 28 2020
On motion of Councillor Jordan to edit the minutes to reflect, Item 5, Tilton School boiler, “one of the two boilers at Tilton School is not working at all and the second one is not working properly”
Approved Yeas 8, Nays 0, Absent 1

5. Assignment of the minutes review for the next Meeting
Councillor Daly O’Brien was assigned the minutes

6. Communications from the Mayor

7. Communications and Reports from City Officers and Employees:

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

9. Hearings and Related Orders:

Document 119/2019; petition from Steve and Caprice Pascoe; Capri Realty and Management LLC requesting Special Permit to build multifamily rental property at 235 Essex st; currently a vacant lot adjacent to O’Reilly Auto Parts Store; Assessor’s Map 515, Block 296, lot 9; with 27 rental units mostly one-bedroom units averaging 550sf with shared work and entertaining space in the common areas as well as shared roof deck/green space; *Favorable conditional recommendation from Planning Board & Planning Director*
HEARING OPENED

MR. STEVE PASCOE DESCRIBED HIS INVOLVEMENT IN THE COMMUNITY AND ASKED MR. STEVE STAPINSKI OF MERRIMACK ENGINEERING TO GO OVER THE LAYOUT. MR. STAPINSKI INFORMED THAT THIS IS A VACANT PARCEL ADJACENT TO O’REILLY AUTO PARTS STORE AND THE PARCEL ABUTS LITTLE RIVER, THERE WILL BE ONE ACCESS DRIVEWAY INTO THE PROPERTY THAT WILL SERVICE O’REILLY’S AND 27 MULTI-FAMILY UNITS. THE OWNER WILL DEDICATE 25 FOOT RIVERFRONT EASEMENT TO THE CITY. IF THE SPECIAL PERMIT IS APPROVED, THEY WILL FILE A SITE PLAN AND NOTICE OF INTENT WITH CONSERVATION. MATHEW JUROS, ARCHITECT WITH FISHBROOK DESIGN STUDIO SPOKE ABOUT THE BUILDING DESIGN AND HOUSING. THE BUILDING IS 3 STORIES ON THE STREETScape WITH 4TH STORY FOR COUPLE OF UNITS ON TOP WITH ROOFTOP SPACE. THERE WILL BE A MIX OF STUDIO, ONE-BEDROOM AND TWO BEDROOMS AT MARKET RATE RENTAL. WILL SET ASIDE 3 UNITS AT LOWER RATES. THEY ARE USING BOSTON’S COMPACT LIVING GUIDELINES, WHICH SETS ASIDE COMMONSPACE FOR COMMUNAL USE FOR RESIDENTS. THEY WILL PROVIDE OFF STREET PARKING. 23 SPACES ARE REQUIRED FOR O’REILLY’S WITH THE REMAINING FOR RENTALS. IN TOTAL THERE WILL BE 66 SPACES.

COUNCILLORS INQUIRED ABOUT BUILDING MATERIALS, ACCESS/EGRESS AND LINE OF SITE.
HEARING CLOSED.

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O’BRIEN TO APPROVE THE SPECIAL PERMIT WITH THE RECOMMENDATIONS OF PLANNING DIRECTOR PILLSBURY’S LETTER DATED JAN. 31, 2020 TO INCLUDE ALL DEPARTMENT LETTERS. ALSO, ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR JORDAN TO ADD CONDITION THAT THE RIVERFRONT ACCESS NEEDS TO BE COMPLETED BEFORE THE END OF THE 2020 CONSTRUCTION SEASON.

PASSED

Yeas 8, Nays 0, Absent 1

PASSED WITH CONDITIONS

Yeas 8, Nays 0, Absent 1

119/2019

10. Public Participation - Requests under Council Rule 28

11. Appointments:

Confirming Appointments:

Non-Confirming Appointments

Agricultural Commission; Maura Bailey, 462 Boxford rd and Tyler Kimball, 791 East Broadway;
Appointment to expire Feb 4 2022

COUNCILLORS EXPRESSED CONCERN ABOUT THE COMPOSITION OF THE COMMISSION AND NOTIFICATION TO THE PUBLIC ABOUT OPPORTUNITIES TO PARTICIPATE ON CITY BOARDS AND COMMISSIONS. CHIEF OF STAFF HEARTQUIST INFORMED THAT THERE COULD BE 3 TO 7 MEMBERS WITH THE MAJORITY HAVING A FARMING BACKGROUND ACCORDING TO THE ORDINANCE. SHE ALSO EXPLAINED THE PROCESS FOR APPOINTMENT TO BOARDS.
PLACED ON FILE Yeas 8, Nays 0, Absent 1 2C

12. Petitions:

Amusement/Event Applications:

Tag Days: The following applications were Granted Yeas 8, Nays 0, Absent 1

HHS Model UN, February 14 & 15	14Q
Haverhill Elite Track, May 22, 23, 24	14R
Haverhill Girls Softball, June 6 & 7	14S
Amvets 147, June 12 & 13	14T
Amvets Ladies Auxiliary, August 14 & 15	14U
Marine Corps League, August 28 & 29	14V
Haverhill Lions Club, September 26	14W
Haverhill Elite Cross Country, October 16, 17, 18	14X

13. Motions and Orders:

ORDERED: That the City transfer the sum of \$45,000 from the Capital Budget to the Capital Account: Information Technology New Core Switch
PASSED Yeas 8, Nays 0, Absent 1 18C

14. Ordinances (File 10 days)

15. Monthly Report

16. Resolutions and Proclamations

17. Communications from Councillors:

Communication was received from Councillor Mary Ellen Daly O'Brien requesting a discussion about community concerns regarding proposed Wicked Axe Restaurant.
COUNCILLOR DALY O'BRIEN INTRODUCED SEAN AND BARBARA GLIKLICH TO GIVE AN OVERVIEW OF THE PROPOSED BUSINESS. MR. GLIKLICH INFORMED THAT THEY WILL FOLLOW THE SAFETY STANDARDS OF THE INTERNATIONAL AXE THROWING FEDERATION AND WORLD AXE THROWING FEDERATION. SOMERVILLE, EVERETT, MARLBOROUGH AND AGAWAM HAVE THIS TYPE OF BUSINESS WITH AMESBURY IN THE PROCESS. THEY DESCRIBED THEIR DUE DILIGENCE. SCHEDULED FOR APPROVAL WITH THE LICENSE COMMISSION ON FEB 6.
PLACED ON FILE 11P

Communication was received from Councillor Mary Ellen Daly O'Brien requesting a discussion about a Home Rule Petition on behalf of Diana Grullon
COUNCILLOR DALY O'BRIEN REQUESTED THE COUNCIL TO APPROVE THE HOME RULE PETITION AS MS. GRULLON IS ABOVE THE AGE REQUIREMENTS
PLACED ON FILE 11Q

HOME RULE PETITION: An Act authorizing Diana Grullon to take the Civil Service Examination for the position of Firefighter in the City of Haverhill notwithstanding the maximum age requirement (see document for complete text)
ADOPTED Yeas 8, Nays 0, Absent 1 27

Communication was received from Councillor John Michitson requesting to propose Citizens Outreach Committee meeting to enable citizens to address options and provide feedback on ways to study Haverhill's Charter, including but not limited to Ward Representation on City Council, in preparation for related Administration and Finance Committee meeting
ON MOTION OF COUNCILLOR MICHITSON TO PROPOSE A CITIZENS OUTREACH COMMITTEE MEETING TO ENABLE CITIZENS TO ADDRESS OPTIONS AND PROVIDE FEEDBACK ON WAYS TO STUDY HAVERHILL'S CHARTER AND UNANIMOUSLY APPROVED.
MEETING TO BE SCHEDULED Yeas 8, Nays 0, Absent 1 11R

Communication was received from Councillor Sullivan requesting a discussion regarding a property owner's request to lease or purchase City land abutting their property at 256 Whittier rd
MR. SEXTON INFORMED THAT HE WOULD LIKE TO EITHER LEASE OR PURCHASE THE PARCEL TO START A TREE NURSERY
ON MOTION OF COUNCILLOR SULLIVAN TO REFER TO NATURAL RESOURCES & PUBLIC PROPERTY COMMITTEE Yeas 8, Nays 0, Absent 1 11S

Communication was received from Councillor Joseph Bevilacqua proposing February 29

“Leap of Kindness Day”

COUNCILLOR BEVILACQUA INFORMED THERE IS A MOVEMENT AROUND THE COUNTRY TO USE THIS DAY TO DO AN ACT OF KINDNESS
PLACED ON FILE

Yeas 8, Nays 0, Absent 1

11T

18. Unfinished Business of Preceding Meeting: This was the first item discussed.

President Barrett recused herself and left the Chambers

Document 8

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Traffic and Vehicles

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 Section 240-85 Schedule B: Parking Restrictions and Prohibitions:

Location	Regulations	Hours/Days
3 spaces on the Northerly side off street parking areas in front of Goecke Deck	Veteran’s Clinic patrons only	Veteran’s Clinic Business Hours

Solicitor Cox informed that the way the ordinance was written it was not enforceable and that it was appropriate to postpone the vote on the ordinance to make sure it was written properly. His comments referenced amendments to the location and hours/days. Since these spaces are in the Central Business District (CBD) area there is a method with regard to regulation by the Central Business District Commission and should be referenced in the CBD parking map.

Councillor Macek read portions of Article XIV - Central Business District Parking Commission Chapter 11, Boards and Commissions into the record. Specifically, § 11-70. Establishment; membership; appointment and § 11-72. Powers, duties and responsibilities generally.*

ON MOTION OF COUNCILLOR MACEK WITH SECOND FROM COUNCILLOR DALY O’BRIEN TO AMEND THE ORDINANCE TO REFLECT AMENDMENTS AS OFFERED BY SOLICITOR COX (see language in bold)

Document 8

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Traffic and Vehicles

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 Section 240-85 Schedule B: Parking Restrictions and Prohibitions:

Notwithstanding any other ordinances contained in the code of the City of Haverhill.

Location	Regulations	Hours/Days
3 most westerly spots in the the rear row of the Merrimack Street Parking Lot	Veteran’s Clinic patrons only	Monday - Friday 8:30AM – 4:00PM

AMENDMENT PASSED
PASSED AS AMENDED

Yeas 7, Nays 0, Absent 1, Abstain 1
Yeas 7, Nays 0, Absent 1, Abstain 1

8

President Barrett returned to Chambers

19. Council Committee Reports and Announcements:

DOCUMENTS REFERRED TO COMMITTEE STUDY

Meeting adjourned 9:32 o’clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk

*Doc. 8 – Handout from Councillor Macek – Chapter 11 - Boards and Commissions , Article XIV from City Code