



City of Haverhill
City Council Minutes

Tuesday, June 20, 2017 at 7:00 PM
City Council Chambers, Room 202
4 Summer Street

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

- 1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Previous Meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Sullivan was assigned the minutes
5. Communications from the Mayor
FY 2018 BUDGET ORDERS:

ORDERED: That as part of the fiscal year 2018 annual budget the sum of \$178,480,643 be and is hereby raised and appropriated within the categories as designated as appropriated on the attached and further that said appropriation be funded in the following manner:

Table with 2 columns: Amount and Category. Rows include Water Receipts (\$254,734), Wastewater Receipts (\$579,301), Free Cash (\$2,700,000), and Taxation and Other Receipts (\$174,946,608).

MAYOR FIORENTINI GAVE AN OVERVIEW OF THE BUDGET WHICH WAS PRESENTED AT THE CITY COUNCIL FINAL REVIEW. THE BUDGET ADDS 3 POLICE OFFICERS PLUS ANOTHER 1 OFFICER AGREED TO THIS EVENING; \$5MILLION TO THE SCHOOL BUDGET; DOWNTOWN FOOT PATROL AND RESERVE LIST; HIGHWAY DEPT FUNDS. A NUMBER OF COUNCILLORS URGED THE MAYOR TO INCREASE STAFFING IN THE POLICE DEPARTMENT.

ON MOTION OF COUNCILLOR MACEK TO AMEND ORDER TO INCLUDE \$24,000 FOR THE ADDITIONAL POLICE OFFICER.

On the question of passage the yeas and nays were as follows:
Yeas,-Councillors Bevilacqua, Daly O’Brien, Macek and Sullivan 4
Nays,-Councillors Barrett, Vargas, McGonagle, LePage and President Michitson 5

AMENDMENT NOT PASSED

ON MOTION OF COUNCILLOR LEPAGE TO PASS THE FISCAL YEAR 2018 ANNUAL BUDGET

On the question of passage the yeas and nays were as follows:
Yeas,-Councillors Bevilacqua, Daly O’Brien, Macek and Sullivan 4
Nays,-Councillors Barrett, Vargas, McGonagle, LePage and President Michitson 5

BUDGET NOT PASSED 71B

THE MAYOR WILL SUBMIT A 1/12 BUDGET AT THE NEXT MEETING IF THERE IS NO RECONSIDERATION.

ORDERED: That as part of the fiscal year 2018 annual budget the sum of \$10,415,558 be appropriated to operate the Wastewater Department for items marked as appropriation on the attached and \$10,990,733 come from Wastewater revenue, \$4,126 to come from Wastewater retained earnings and that \$579,301 be appropriated in the General Fund and funded from Wastewater receipts

PASSED Yeas 9, Nays 0 71C

ORDERED: That as part of the fiscal year 2018 annual budget the sum of \$8,026,958 be appropriated to operate the Water Department for items marked as appropriation on the attached and \$7,951,481 come from Water revenue, \$330,211 to come from Water retained earnings and that \$254,734 be appropriated in the General Fund and funded from Water receipts

PASSED Yeas 9, Nays 0 71D

ORDERED: That as part of the fiscal year 2018 annual budget the sum of \$550,000 be raised and appropriated into the Workers compensation/Legal – Stabilization account

PASSED Yeas 9, Nays 0 71E

6. Communications and Reports from City Officers and Employees
Communication from Andrew Herlihy, Division Director; Community Development Department announcing a “Community Conversation on Housing” on July 18 2017 at 7:00PM with location to be determined
PLACED ON FILE Yeas 9, Nays 0 50D

- 7. Utility Hearing(s) and Related Order(s)
8. Hearings and Related Orders
9. Public Participation- Requests under Council Rule 28
10. Appointments:

Confirming Appointments

Haverhill Cultural Council: Susan Kane, 15 Edgehill rd and Stephen Arnold, 7 6th Ave
SUSAN KANE INTRODUCED HERSELF; Commission to expire for both June 30 2018
CONFIRMED Yeas 9, Nays 0

11. Petitions:

Applications

Application from Jenny Arndt; Arts & Culture Coordinator for Creative Haverhill, for permission to place a small upright piano in Washington Square for an interactive piece of public art for the duration of the summer season and also requests that the \$50.00 permitting fee be waived as well as any other required liability insurance bond; has Police Dept approval

ON MOTION OF COUNCILLOR VARGAS TO PLACE ON FILE Yeas 9, Nays 0 78B

Application for MBL Block Party from Robert Noonan at Mitchell Barrett Lane, Monday, July 3rd, 4:00 – 11:00 PM; has Police Dept approval

GRANTED Yeas 9, Nays 0 56C

Application from Margot Regan; Events/Marketing & Communications Manager for Emmaus Inc for Cycle for Shelter Bicycle Ride starting at Northern Essex Community College; Sunday, July 23rd; 6:00 AM– 5:00PM; has Police Dept approval

GRANTED Yeas 9, Nays 0 56D

Annual License Renewals:

Coin-Op License - New

Upscale Cutz Barbershop, Cindy Marte, 98 River st,1 Coin-op Machine

GRANTED Yeas 9, Nays 0 5I

Sunday Coin-Op License New 2017

Upscale Cutz Barbershop, Cindy Marte, 98 River st, 1 Sunday Coin-op

GRANTED Yeas 9, Nays 0 6L

Drainlayer License 2017:

Serge Beaulieu – *renewal*

GRANTED Yeas 9, Nays 0 37G

Fred Ramey - *renewal*

GRANTED Yeas 9, Nays 0 37H

Scott Laffey – *new*

GRANTED Yeas 9, Nays 0 37I

David Giroux – *new*

GRANTED Yeas 9, Nays 0 37J

Junk Dealer License:

TR Salvage Inc, John Gouldsbrough, 99 Newark st

GRANTED Yeas 9, Nays 0 4M

Pool Tables:

Upscale Cutz Barber Shop, Cindy Marte, 98 River st,1 Pool Table

GRANTED Yeas 9, Nays 0 75C

Buy & Sell Second Hand Articles:

Vintage View, Elaine Drinkwater, 371 River st

GRANTED Yeas 9, Nays 0 4N

Buy & Sell Old Gold:

Vintage View, Elaine Drinkwater, 371 River st

GRANTED Yeas 9, Nays 0 4O

Roller Skating Rink

Skateland, Marc Pyche,19 Railroad av

GRANTED Yeas 9, Nays 0 4P

Sunday Roller Skating

Skateland, Marc Pyche ,19 Railroad av

GRANTED Yeas 9, Nays 0 6M

12. Motions and Orders

ORDERED: An Order Relating to Water and Wastewater Rates

That Document #78 of June 28, 2016, (An Order relating to water and wastewater rates) be and is hereby deleted in its entirety and the following inserted in place thereof:

Rates for Water and Wastewater effective July 1, 2017

The City Council of the City of Haverhill hereby establishes the wastewater user rate shall be \$4.88 per hundred cubic feet and the water user rate shall be \$2.90 per hundred cubic feet.

Those persons that qualify pursuant to M.G.L. CHAPTER 59, Section 5, Clause 41C, as adopted by the City from time to time, shall receive a fifteen (15) percent discount on the above rates.

PASSED Yeas 9, Nays 0 79A

ORDERED: That the sum of \$12,500.00 be transferred from the Sale of Land to the following Capital Project Account – Smiley School Playground

PASSED Yeas 9, Nays 0 29A

ORDERED: That the City appropriate from Free Cash \$225,000.00 and transfer to the Law Department – Consultant Services

PASSED Yeas 9, Nays 0 29O

ORDERED: That the sum of \$10,000.00 be transferred from the General Fund, *Reserve for Capital Projects* to the following Capital Account – *Small Business Development Project – Matching Funds*
Related communication from Andrew Herlihy; Division Director, Community Development Department

PASSED Yeas 9, Nays 0 29P

ORDERS - REVOLVING FUNDS

ORDERED: – Authorization of the Recreation and Parks Revolving Fund (see document for complete text)

PASSED Yeas 9, Nays 0 80

ORDERED: – Authorization of the Veterans’ Memorial Skating Rink Revolving Fund
(see document for complete text)

PASSED Yeas 9, Nays 0 80A

ORDERED – Authorization of the Citizen Center Rental Account Revolving Fund
(see document for complete text)

PASSED Yeas 9, Nays 0 80B

ORDERED: – Authorization of the Council on Aging Activities Account Revolving Fund
(see document for complete text)

PASSED Yeas 9, Nays 0 80C

ORDERED: – Authorization of the Wood School Daycare Revolving Fund
(see document for complete text)

PASSED Yeas 9, Nays 0 80D

ORDERED: – Authorization of the Municipal Open Space Management Revolving Fund
(see document for complete text)

PASSED Yeas 9, Nays 0 80E

MUNICIPAL ORDINANCE

CHAPTER 222

An Ordinance Relating to Outdoor Dining

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill is amended by adding a new Chapter 222, as amended, be further amended by adding the following:

Article XI

OUTDOOR DINING

222-63 Allowed Use of Sidewalk Areas

By adding the following words at the beginning of the first paragraph:

“Food and Beverage Service” (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 81

MUNICIPAL ORDINANCE

CHAPTER

An Ordinance Relating to Salaries for Administrative and Professional Positions

Be it Ordained by the City Council of the City of Haverhill that document 40-B of 2011, and any subsequent amendments thereto, be and are hereby amended by deleting the following words and figures:

“Mayor	Mayor	\$90,000
City Council	President	\$14,384.00**
	Councillors (8)	\$12,884.00***”

By inserting in place thereof the following:

“Mayor	Mayor	\$110,000.00
City Council	President	\$18,000.00**
	Councillors (8)	\$15,000.00***”

**The Mayor and members of the City Council and School Committee shall not be paid any monies for expenses, except for documented reimbursable expenses as appropriated from time to time.”

An Elected Official Salary Study Commission shall be appointed by the Mayor on or about November 1, 2020, and every four years thereafter, to review and make recommendations for adjustments to the salary schedule for elected officials.

Effective Date: January 1, 2018

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 13C

MUNICIPAL ORDINANCE

CHAPTERS 36, 104 & 191

An Ordinance Relating to Fees and Receipts; Amusements – Public Shows and Exhibitions; and, Peddling and Soliciting

Be it Ordained by the City Council of the City of Haverhill that Chapter 36 of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 36.7 Waiver of Fee or Charge

By deleting this section in its entirety and inserting in place thereof the following:

“The City Council and Mayor shall have authority to waive fees or charges due to the City of Haverhill which are set by order, ordinance or state law. No fees or charges due to the City of Haverhill shall be waived where prohibited by state law. The waiving of any fee or charges by the City Council and Mayor shall be subject to the conditions below: (see document for complete text)

Be it Ordained by the City Council of the City of Haverhill that Chapter 104, Article IV. Public Shows and Exhibitions, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

June 20, 2017

§ 104-29. Application fee; maximum number of licenses.

By deleting this section in its entirety and inserting in place thereof the following: (see document for complete text)

Be it Ordained by the City Council of the City of Haverhill that Chapter 191 of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 191-12 Special Events.

Be deleting sub-section "B" in its entirety

Related communication from Bill Cox City Solicitor

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 82

Monthly Reports

Abatement report from the Board of Assessors for the month of May 2017

PLACED ON FILE Yeas 9, Nays 0 22F

13. Communications from Councillors

Communication was received from Councillor Joseph Bevilacqua requesting to recognize *Covanta* for 2017 Environmental Business Council's Environmental-Energy Award recipient as one of the State's leading recyclers

ON MOTION OF COUNCILLOR BEVILACQUA TO PLACE ON FILE

PLACED ON FILE Yeas 9, Nays 0 74G

Communication was received from Councillors McGonagle and LePage requesting an update from Public Safety officials concerning the violent crimes that have recently occurred in the City of Haverhill

TABLED TO A DATE TO BE DETERMINED Yeas 9, Nays 0 74H

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding crosswalk striping and crosswalk signage at Railroad Square and throughout the City and to introduce Sandra Ocampo-Lowther

MS.OCAMPO-LOWTHER MADE SEVERAL RECOMMENDATIONS FOR PEDESTRIAN SAFETY IN THE RAILROAD SQ. AREA .

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND A LETTER TO THE PUBLIC WORKS

DIRECTOR ABOUT STRIPING WITH MS. OCAMPO-LOWTHER RECOMMENDATIONS AND TO SEND A LETTER TO TRAFFIC & SAFETY ABOUT MONITORING THIS AREA Yeas 9, Nays 0 74I

Communication was received from Councillor Andres Vargas requesting to introduce Keith Boucher to discuss a Maker Space in Mt. Washington

MR. BOUCHER GAVE A POWERPOINT PRESENTATION. HE PURCHASED 301 WASHINGTON ST. AND IS LOOKING TO MAKE IT INTO A COLLABORATIVE WORKSPACE. HE WILL BE APPLYING FOR A MASS. DEVELOPMENT COLLABORATIVE WORKSPACE "FIT OUT " GRANT. THIS IS A MATCHING GRANT. HE IS SEEKING A LETTER OF SUPPORT*

ON MOTION OF COUNCILLOR VARGAS TO PROVIDE A LETTER OF SUPPORT FROM CITY

COUNCIL Yeas 9, Nays 0 74J

Communication was received from Councillor Michael McGonagle requesting the removal of a handicap parking space at 23 Arch av that is no longer needed

REFERRED TO PLANNING Yeas 9, Nays 0 74K

14. Unfinished Business of Preceding Meetings

Document 44-C

ORDERED: That \$8,340,000 is appropriated, for the purpose of financing study, engineering, planning and construction to complete odor control and heating, ventilating and air conditioning improvements to the Wastewater Treatment Facility and South Mill Street Pumping Station and improvements to the North Avenue Pumping Station and Carleton Street Pumping Station including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c78; that to meet this appropriation the Treasurer with the approval of the Mayor and the Auditor is authorized to borrow \$8,340,000 and issue bonds or notes therefore under Chapter 44 of the General Laws (see document for complete text)

PASSED Yeas 9, Nays 0 44C

Document 44-CC

AUTHORITY TO FILE

Whereas, City of Haverhill, (the "Applicant"), after thorough investigation, has determined that the work activity consisting of study, engineering, planning and construction to complete odor control and HVAC improvements to the wastewater treatment facility and South Mill Street Pumping Station and improvements to the North Avenue and Carleton Street Pumping Stations are both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the Massachusetts Department of Environmental Protection (the "MassDEP") and the Massachusetts Clean Water Pollution Abatement Trust (the "Trust") of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; (see document for complete text)

PASSED Yeas 9, Nays 0 44CC

Document 69

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 making the following change to §240-85 Schedule B: Parking Restrictions and Prohibitions:

Revise Central Business District Parking Map (Plan 2B/3418 in City Engineer’s Office) by adding two Service Zones to the south side of Merrimack st, in front of #20 to #44; *Related communication from City Engineer John Pettis*

WILLIAM PILLSBURY, PLANNING DIRECTOR, SPOKE ABOUT THE LOADING ZONES WHICH WERE IN THE ORIGINAL PLANS. THE POLICE CHIEF AND CITY ENGINEER APPROVED THESE ZONES, THEY ARE IN COMPLIANCE WITH STANDARDS; TENANTS SUPPORT THESE ZONES FOR COMMERCIAL PURPOSES ONLY WITH 30 MINUTE LIMIT*

PASSED Yeas 9, Nays 0 69

15. Resolutions And Proclamations

16. Council Committee Reports and Announcements

Councillor Macek presented minutes of the Planning and Development Committee meeting held on June 14, 2017 to discuss loading zone on Washington Street. He read the committee recommendation to have the area striped with new signage. On motion of Councillor Macek to send request to the Highway Department and to have new ordinances drafted.

MINUTES ACCEPTED AND PLACED ON FILE Yeas 9, Nays 0 23J

Councillor Macek announced the dedication/opening of the Mayor James J. Fiorentini Rail Trail in Bradford on Saturday, June 24 at 10:00AM.

President Michitson announced the meeting with Senator Ives on Monday, June 26 at 7:00PM in the City Council office to discuss group homes with DCF and legislative delegation.

17. Documents Referred To Committee Study

Meeting adjourned at 10:03 o’clock P.M. Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk

*Doc. 74-J – Handout from Keith Boucher, MakeIT Haverhill
*Doc. 69 – Handout from William Pillsbury, AECOM parking map for Harbor Place