



City of Haverhill
City Council Minutes

Tuesday, August 8, 2017 at 7:00 PM
Theodore A. Pelosi, Jr. 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 LePage was assigned the minutes
 5. Communications from the Mayor
 6. Communications and Reports from City Officers and Employees
 7. Utility Hearing(s) and Related Order(s)
Hearings and Related Order
 8. Public Participation-Requests under Council Rule 28
 9. Appointments:
 - Confirming Appointments
Bradley Perron, 38 Laurel av, to the Haverhill Historic Commission; effective immediately and to expire Aug 31 2018
CONFIRMED Yeas 9, Nays 0 1J
 - Non-Confirming Appointments:
Caryl Hoffman, 36 Revere st, to the Friends of the Bradford Rail Trail; effective immediately
PLACED ON FILE Yeas 9, Nays 0 2X
- ON MOTION OF COUNCILLOR SULLIVAN TO SUSPEND THE RULES FOR MARIJUANA ADVISORY COMMITTEE APPOINTMENT
RULES SUSPENDED Yeas 9, Nays 0
On motion of Councillor Sullivan to appoint William Macek to the Marijuana Advisory Committee as stated in Mayor Fiorentini’s letter dated August 8, 2017.
PLACED ON FILE Yeas 8, Nays 0, Abstain 1 (Macek) 2Y
10. Petitions:
 - Petition from Neil Kelleher, Haverhill Tree Warden, announcing Public Hearing regarding an application from National Grid to remove public shade trees; Thursday, August 10 2017 at 7:00 PM; in Haverhill City Council Chambers, Room 202, 4 Summer st - with work being done to upgrade and storm harden electrical lines along Liberty st and Crystal st
PLACED ON FILE Yeas 9, Nays 0 93
 - Petition from William Pillsbury, Economic Development & Planning Director filing an amendment to the Zoning Ordinance at the request of Councillor LePage that would remove language requiring outdoor play space; requesting matter be referred to Planning Board with Council Hearing to be held September 26 2017
REFERRED TO PLANNING BOARD
COUNCIL HEARING SEP 26 2017 Yeas 9, Nays 0 94
- MUNICIPAL ORDINANCE CHAPTER 255
An Ordinance Relating to Zoning
Table of Uses and Parking Regulations
Be it Ordained by the City Council of the City of Haverhill that Chapter 255, being as is further amended as follows:
Ch. 255 Zoning Ordinance Table of use and parking regulations: The zoning table is further amended as follows:
NURSERY SCHOOLS *Delete the words* “(provided that there is a minimum of 100 square feet of outdoor play space per each enrolled child)”
PLACED ON FILE for at least 10 days Yeas 9, Nays 0 94B
- Applications
- Application for Special Permit from Valentine Kong/*Dream Team Auto LLC*; to operate a Used Car Dealership at 100 White st – with 9 spaces for car sales and 2 spaces for employees and 2 spaces for customers
COUNCIL HEARING SEP 12 2017 Yeas 9, Nays 0 95
 - Application for Special Permit from Attorney William Faraci representing Richard P Early Sr., Trustee of D & D Realty Trust; Aida and Carl Khalil owners; requesting to build 4 buildings with 4 townhouse styled units (16 units total) at unnumbered Orchard st; Assessor’s Map 303, Block 62, Lots 4-8
REFERRED TO PLANNING BOARD
COUNCIL HEARING OCT 3 2017 Yeas 9, Nays 0 96
 - Application for One Day All Alcohol Liquor License from Rey Cabrera for a wedding at Winnekenni Castle; Sunday, September 9; 3:00PM to 9:00PM; *Has License Commission approval*
GRANTED Yeas 9, Nays 0 59G

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Application for One Day Beer and Wine Liquor License from Gail Sullivan/Team Haverhill; for River Ruckus, in parking lot behind the Tap Restaurant; Saturday, 12:00 Noon to 9:00PM; September 23; *Has License Commission approval*

GRANTED Yeas 8, Nays 0, Abstain 1 (LePage) 59H

Application for One Day All Alcohol Liquor License from Doug Fowler for wedding at Winnekenni Castle; Saturday, September 16, 1:00 PM to 6:00 PM; *Pending License Commission approval*

GRANTED SUBJECT TO LICENSE COMMISSION APPROVAL Yeas 9, Nays 0 59I

Annual License Renewals:

Hawker Peddlers License Renewals 2017

Adam Joffre to sell slush at Riverside Park; August 9 – September 9; Sunday – Saturday; 11:00AM to 8:00PM; *Has all approvals*

GRANTED Yeas 9, Nays 0 97

Buy & Sell Second Hand Articles:

Doris's Attic, Doris Segal, 121 B Lafayette sq

GRANTED Yeas 9, Nays 0 4T

Common Ground Thrift Store, Paul Fitzgibbons, 8 White st

GRANTED Yeas 9, Nays 0 4U

Buy & Sell Second Hand Clothing:

Common Ground Thrift Store

GRANTED Yeas 9, Nays 0 4V

Doris's Attic

GRANTED Yeas 9, Nays 0 4W

Theater License:

Chunky's Cinema Pub, 371 Lowell av, 3 Screens

GRANTED Yeas 9, Nays 0 98

11. Motions and Orders

Orders

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bill(s) of the previous years and to further authorize the payment from current year departmental appropriations as listed below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>	
North of Boston	\$ 171.70	Mayor's Office	
Conn Kavanaugh LLP	\$ 17,757.50	Law Office	
KP Law PC	\$ 774.00	Law Office	
Harriman Consulting	\$ 5,235.00	Planning Office	
Nutter McClennan & Fish	\$ 1,572.08	Wastewater	
Nutter McClennan & Fish	\$ 1,393.46	Wastewater	
PASSED		Yeas 9, Nays 0	17G

ORDERED: That the sum of \$170,000.00 be transferred from the General Fund, *Reserve for Capital Projects* to the following Capital Account – *Police Station Air Conditioning Unit Replacement*

PASSED Yeas 9, Nays 0 29U

ORDERED: That the sum of \$5,000.00 be transferred from *Public Property-Expense* to *Stadium-Expense*

PASSED Yeas 9, Nays 0 29V

Ordinances (File 10 days)

Monthly Reports

Abatement report for month of June from Board of Assessors

PLACED ON FILE Yeas 9, Nays 0 22G

12. Communications from Councillor

Communication was received from Councillor Joseph Bevilacqua requesting to introduce Claire Hailson of the Anchor of Hope Diaper Bank.

MS. HAILSON EXPLAINED THE MISSION OF THE HOPE DIAPER BANK THAT IS IN ITS 5TH YEAR. SHE PARTNERS WITH OTHER NON-PROFITS FOR THE DISTRIBUTION OF DIAPERS TO FAMILIES IN NEED. NATIONAL DIAPER WEEK IS SEPT 25-OCT 1. THERE WILL BE A VAN AT THE FARMER'S MARKET ON SEPT. 23 TO ACCEPT DIAPER DONATIONS.

PLACED ON FILE Yeas 9, Nays 0 74U

Communication was received from Councillors Sullivan and Macek requesting a discussion relative to the official renaming of the walking trail section of Stanley dr to *The Steven F. Woidyla Trail*.

A DEDICATION CEREMONY WAS HELD ON JULY 8 WITH FAMILY AND FRIENDS IN ATTENDANCE.

ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO SOLICITOR COX AND ENGINEER PETTIS REQUESTING DOCUMENTS BE PREPARED TO RENAME WALKING TRAIL SECTION OF STANLEY DRIVE TO THE STEVEN F. WOIDYLA TRAIL Yeas 9, Nays 0 74V

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding the year old presence of the orange barrels at the intersection of Broadway and North Broadway.
COUNCILLOR BARRETT GAVE AN UPDATE ABOUT THE BARRELS STATING THAT THE CITY WENT OUT TO BID FOR THE REPAIRS AND THE COST TO REPAIR WAS VERY EXPENSIVE. ON MOTION OF COUNCILLOR BEVILACQUA TO REQUEST A STATUS UPDATE IN WRITING FROM ROBERT WARD
 Yeas 9, Nays 0 74W

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding response back to Council on requested information
ON MOTION OF COUNCILLOR BEVILACQUA, WITH REFERENCE TO CITY COUNCIL RULES & REGULATIONS #11, THAT WITHIN 14 DAYS OF A CITIZEN REQUEST, ITEM BEING REFERRED TO A DEPARTMENT OR A COMMITTEE, A COMMUNICATION BE SENT TO THE CITIZEN INDICATING WHAT ACTION WAS TAKEN. THEN WITHIN 60 DAYS, THE RESPONSE/STATUS UPDATE FROM THE DEPARTMENT OR COMMITTEE BE COMMUNICATED BACK TO CITIZEN.
MOTION FAILED
 Yeas 1 (Bevilacqua) Nays 8 74X

Communication was received from Councillor LePage requesting a discussion on Zoning Regulations concerning community facilities.
COUNCILLOR LEPAGE STATED THAT AN AMENDMENT TO THE ORDINANCE WAS SUBMITTED. HE INTRODUCED JANET BEGIN WHO ADVOCATED FOR SUPPORT OF AMENDMENT PLACED ON FILE
 Yeas 9, Nays 0 74Y

13. UNFINISHED BUSINESS OF PRECEEDING MEETINGS:

Document 9-Y
MUNICIPAL ORDINANCE CHAPTER 240
 An Ordinance Relating to Parking
 207 Groveland St. Ave. – Handicapped Parking (see document for complete text)
PASSED Yeas 9, Nays 0 9Y

Document 13-D
MUNICIPAL ORDINANCE CHAPTER
AN ORDINANCE RELATING TO SALARIES LAW ENFORCEMENT
 POLICE OFFICERS
 Be it Ordained by the City Council of the City of Haverhill that Document 82-G of 2013 is hereby amended and replaced with the following:
 Amend Section 21: Salaries by the following:
 Effective 7/1/14 1.5%
 Effective 7/1/15 1.5%
 Effective 7/1/16 2.5%
 Amend Section 9: Private details and overtime by the following:
 Effective immediately (one week after the City Council votes to fund the award) increase the private detail rate to \$46 per hour. (See document for complete text)
PASSED Yeas 9, Nays 0 13D

Document 91
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 as follows to § 240-85 Schedule B: Parking Restrictions and Prohibitions
 Downing Avenue - No Parking Downing Avenue – Both sides from its intersection with Primrose st westerly to the dead end
PASSED Yeas 9, Nays 0 91

Document 74-O
 Communication from Councillor Daly O’Brien to discuss Merrimack st bump outs
COUNCILLOR DALY O’BRIEN INTRODUCED NOAH KORETZ OF MASS DEVELOPMENT WHO GAVE A POWERPOINT PRESENTATION OF EXAMPLES OF SUCCESSFUL PARKETS. THESE PARK-LETS PROVIDE SEASONAL OUTSIDE DINING. THEY SHOULD PROVIDE PROTECTIVE AND SAFE AREA AND BE AESTHETICALLY PLEASING.*
ON MOTION OF COUNCILLOR DALY O’BRIEN TO SEND LETTER TO MAYOR INQUIRING ABOUT SMALLER JERSEY BARRIERS FOR REMAINDER OF SEASON Yeas 8, Nays 0, Abstain 1 (Barrett) 74O

14. Resolutions And Proclamations

Proclamation – *Peruvian Independence Day* July 28, 2017
ADOPTED Yeas 9, Nays 0 14H

15. Council Committee Reports and Announcements

Councillor Barrett announced the Citizen Outreach Committee meeting scheduled for Aug 15 at 7:00PM in the City Council office, room 204. Items for discussion will be communication from President Michitson asking Mayor for status of facility improvements to public buildings and parks to comply with American with Disabilities Act; communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill; communication from Councilor Bevilacqua requesting to introduce

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Brad Brooks and residents of Bradfields Drive and East Broadway to discuss neighborhood issues.

16. Documents Referred To Committee Study

Meeting adjourned at 9:07 o'clock P.M.

Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk

*Doc. 74-O – PowerPoint presentation by Noah Koretz, Parklet Update/Precedents