



City of Haverhill
City Council Minutes

Tuesday, May 5, 2015 at 7:00 PM
City Council Chambers, Room 202

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

Absent – Councillor McGonagle

City Clerk – Linda L. Koutoulas

1. Approval of Records of the Previous Meeting

The minutes were approved.

2. Assignment of the minutes review for the next Meeting

Councillor Daly O’Brien was assigned the minutes.

3. Communications from the Mayor

4. Communications and Reports from City Officers and Employees

No Schedule

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

No Schedule

6. Appointments

Confirming Appointments

Louise C Bevilacqua, Board of Appeals - Associate Member; appointment to expire May 5, 2020.

CONFIRMED

Yeas 8, Absent 1

3N

Non-confirming Appointment

Frederick Paris, Energy Advisory Committee – Chairman

PLACED ON FILE

3O

Chief Richard Borden, Bike Committee

PLACED ON FILE

3P

Resignations:

No Schedule

7. Petitions:

Petition from those opposed to a Medical Marijuana dispensary in Haverhill

Deborah Maddox, John Cuneo and Dr. John Maddox spoke against the dispensary

PLACED ON FILE

62

Petition from those in support of a Medical marijuana dispensary in Haverhill

Matthew Allen, Harold Altwyer, Dr. Dan McGraw spoke in favor of the dispensary

PLACED ON FILE

62B

8. Applications:

Handicap Parking Signs:

Bryan D Waters for 84 Blossom st

REFERRED TO PLANNING

Yeas 8, Absent 1

45C

Altagracia Aquino for 49 Bellevue av

REFERRED TO PLANNING

Yeas 8, Absent 1

45D

Karen Soucie for 30 Lancaster st

REFERRED TO PLANNING

Yeas 8, Absent 1

45E

9. One Day Liquor Licenses

No Schedule

10. Applications for Permit

Application from American Diabetes Association for 2015 North Shore Tour de Cure Cycling Event, May 17; 7:00AM to 3:00PM beginning in Topsfield and continuing through several City streets

GRANTED

Yeas 8, Absent 1

28E

Application from Greater Haverhill Chamber of Commerce; Retroactive approval for Event Vendor Permit for food and toy vendors, for Kids Artsfest, Saturday, May 2; 11:00AM to 4:00PM

GRANTED

Yeas 8, Absent 1

51B

11. Tag Days

No Schedule

12. Annual License Renewals:

Junk Dealer, TJS Metals, 43 Hale st

GRANTED

Yeas 8, Absent 1

24D

May 5, 2015

13. Hawker/Peddler:

Christopher O'Brien to sell hot dogs, chips, soda and candy at Winnekenni Area, Route 110; 12 Months Sunday-Saturday; 9:00AM to 9:00PM

GRANTED Yeas 8, Absent 1 25B

14. Drainlayer 2015 License

Jay Alexa - Renewal

GRANTED Yeas 8, Absent 1 6Y

15. Hearings and Related Orders

Document 33, Petition from Attorney Robert Harb for applicant/owner Eileen F Petrocelli requesting to amend the Zoning District Boundary Map; for a portion of property located at 95 Lake st; from RR (Residential Rural Density) Zone to the RM (Residential Medium) Zone; where passage would place the entire property of 7.8 acres in an RM Zone, Favorable recommendation from Planning Board and Director William Pillsbury. Related communication from Attorney Robert Harb requesting on behalf of applicant that the Hearing be continued to June 16 2015

HEARING CONTINUED TO JUNE 16, 2015 Yeas 8, Absent 1 33

Document 33-B, Ordinance re: Zoning, Lake Street – RR to RM (see document for complete text) Related communication from Attorney Robert Harb requesting on behalf of applicant that the Hearing be continued to June 16 2015

HEARING CONTINUED TO JUNE 16, 2015 Yeas 8, Absent 1 33B

16. Motions and Orders

ORDERED: That the Mayor is hereby authorized to execute and send the attached letter to the Massachusetts Department of Public Health relative to a request by Healthy Pharms, LLC to amend its registration to change the location of a proposed medical marijuana dispensary/cultivation site from Hale Street to a new location on Research Drive within the zone established by the City for Said activities, and, to verify that the City of Haverhill does not object to this change in location.

Further, that the Mayor is hereby authorized to establish a Medical Marijuana Host Agreement Committee to assist in the negotiation of a Host Agreement with Healthy Pharms, LLC in the event they are granted a special permit in accordance with by Chapter 255 – Zoning Code of the City of Haverhill, and , a permit from the Haverhill Board of Health in compliance with its Medical Marijuana Sales Regulations. The Committee shall be comprised of no less than 7 persons and shall include the Chief of Police, the Superintendent of Schools and the Director of the Health Department, or their designees.

MAYOR FIORENTINI AND SOLICITOR COX SPOKE ABOUT THE ORDER AND ANSWERED QUESTIONS FROM COUNCILLORS.

ON MOTION OF COUNCILLOR DALY O'BRIEN TO SEPARATE THE ORDER INTO 2 PARTS AND VOTE THEM SEPARATELY. Yeas 8, Absent 1

ON MOTION OF COUNCILLOR DALY O'BRIEN TO HAVE MAYOR EXECUTE AND SEND LETTER TO MASS DPH (see document for complete text)

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

Yeas,-Councillors Ryan and Sullivan- 2

Nays,-Councillors Barrett, Macek, Daly O'Brien, LePage and President Michitson – 5;

Abstain,-Councillor Scatamacchia – 1

NOT PASSED Yeas 2, Nays 5, Abstain 1 63

ON MOTION OF COUNCILLOR BARRETT TO AUTHORIZE MAYOR TO ESTABLISH MEDICAL MARIJUANA HOST AGREEMENT COMMITTEE (see document for complete text)

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

Yeas,-Councillors Scatamacchia, Barrett, Macek, Ryan, Sullivan and President Michitson -6

Nays,-Councillors Daly O'Brien and LePage – 2;

PASSED Yeas 6, Nays 2 63

ORDERED: That the City Council authorizes Purchasing Department to proceed with the final disposition of list of obsolete equipment from Purchasing and Police Departments (see document for complete text)

PASSED Yeas 8, Absent 1 64

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

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>	
J Bresnahan Company	\$1,454.00	School Dept	
Lyons and Rogers	18.90	School Dept	
PASSED		Yeas 8, Absent 1	65

May 5, 2015

17. Ordinances (File 10 Days)

No Schedule

18. Unfinished Business of preceding Meeting

Document 19-BB

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance relating to Vehicles and Traffic;

Amend Chapter 240-101 Schedule S: Speed Regulations and Chapter 240-98 Schedule P:

Heavy Commercial Vehicles (see document for complete text)

PASSED

Yeas 8, Nays 0

19BB

Document 58

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Vehicles and Traffic; Amend Chapter 240-108, ARTICLE XVI,

Parking Fees, Rates and Terms

CENTRAL BUSINESS DISTRICT – EAST SECTION ONLY

THERE WAS A RELATED COMMUNICATION FROM MAYOR FIORENTINI STATING THAT THE

PREVIOUS ORDINANCE SENT TO COUNCIL WAS WITHDRAWN DUE TO CONFLICT OF

INTEREST AS DEFINED BY MASS STATE ETHICS COMMISSION

ON MOTION OF COUNCILLOR RYAN TO REFER TO ADMINISTRATION & FINANCE COMMITTEE

REEFERRED TO ADMINISTRATION & FINANCE

Yeas 8, Absent 1

58

Document 58-B

MUNICIPAL ORDINANCE

CHAPTER 240

An Ordinance Relating to Vehicles and Traffic; Amend Chapter 240-108, ARTICLE XVI,

Parking Fees, Rates and Terms

CENTRAL BUSINESS DISTRICT – WEST SECTION ONLY

THERE WAS A RELATED COMMUNICATION FROM MAYOR FIORENTINI STATING THAT THE

PREVIOUS ORDINANCE SENT TO COUNCIL WAS WITHDRAWN DUE TO CONFLICT OF

INTEREST AS DEFINED BY MASS STATE ETHICS COMMISSION

ON MOTION OF COUNCILLOR RYAN TO REFER TO ADMINISTRATION & FINANCE COMMITTEE

REEFERRED TO ADMINISTRATION & FINANCE

Yeas 8, Absent 1

58B

19. MONTHLY REPORTS

No Schedule

20. Communications from Councillors

Communication was received from Councillor Ryan requesting a discussion regarding the full re-opening of the Route 110 Park.

COUNCILLOR RYAN SUGGESTED COMPLETE OPENING OF PARK & ADDITION OF SWINGS AND

BENCHES. COUNCILLOR LEPAGE REQUESTED LIST OF ITEMS TO BE COMPLETED AT THE

PORTLAND ST. PLAYGROUND

LETTERS TO MAYOR

Yeas 8, Absent 1

10W

21. Resolutions and Proclamations

No Schedule

22. Council Committee Reports and Announcements

Councillor LePage presented the Minutes of the Administration & Finance Committee meeting held April 22nd concerning Ordinance re: Peddling and Soliciting – Section 191-9 Licensees, add at end of subsection A: Permitted to locations: “Food Trucks of any size, (see document for complete text); Taxicab and Buses ordinance. Amendments to these ordinances will be forward to Solicitor Cox. Also, lack of City representation on HC Media Board of Directors was discussed. City representative has been re-instated.

Request was made by Councillor Barrett to ask the Mayor to re-establish a Cable Advisory Committee.

MINUTES ACCEPTED, LETTER TO MAYOR and PLACED ON FILE

23E

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

Yeas 8, Absent 1

Attest: Linda Koutoulas
City Clerk