City of Haverhill



City Council Minutes

Tuesday, September 19, 2017 at 7:00 PM

Theodore A. Pelosi, Jr. 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 not available

1. Assignment of the minutes review for the next Meeting

 Councillor Sullivan was assigned to review minutes for September 12 and September 19 meetings

1. Communications from the Mayor

 Communication from Mayor Fiorentini requesting Chris Edwards, *Executive Director* and Julio

Fuentes, *CFO of Alternative Therapies Group, Inc* be allowed to give a presentation to the Council and

recommends that their presentation be referred to the *Marijuana Advisory Committee* for further review.

ATTORNEY ROBERT HARB, REPRESENTING ALTERNATIVE THERAPIES GROUP, INTRODUCED

CHRIS EDWARDS TO GIVE A BRIEF PRESENTATION. MR. EDWARDS, EXECUTIVE DIRECTOR,

STATED THAT THEY CURRENTLY HAVE A REGISTERED MARIJUANA DISPENSARY IN SALEM,

MA AND A LOCATION IN AMESBURY WHERE THEY CULTIVATE AND PRODUCE PRODUCTS.

THEY ARE LOOKING AT A VACANT PIECE OF LAND IN THE MEDICAL MARIJUANA OVERLAY

DISTRICT, KNOWN AS LOT 4A ON RESEARCH DRIVE. HE REVIEWED THE COMMUNITY HOST

AGREEMENT WHICH INCLUDES $100,000 TO THE CITY IN THE FIRST YEAR WHEN CERTAIN

MILESTONES ARE MET, OFFER TO GIVE 1.25% TO CITY FROM REVENUE GENERATED AND

$25,000 DONATION TO A CHARITABLE ORGANIZATION.

SECOND YEAR THEY WOULD BOOST AGREEMENT TO 3% AND SAME AMOUNT TO CHARITABLE

ORGANIZATION.\*

MR. VAN DAM STATED THAT THE MAYOR IS PLANNING TO SET UP TOUR DATES.

ON MOTION OF COUNCILLOR MACEK TO REFER TO MARIJUANA ADVISORY

COMMITTEE Yeas 9, Nays 0 77B

1. Communications and Reports from City Officers and Employees

 Communication from William Pillsbury, *Economic Development & Planning* *Director* requesting to

withdraw Hearing (Document 94) for amendment to the Zoning Ordinance relative to Nursery Schools

previously scheduled to be heard on September 26th and also to withdraw the related Ordinance (Doc 94-B)

PLACED ON FILE Yeas 9, Nays 0 94A

 Document 94

 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

ON MOTION OF COUNCILLOR MACEK TO WITHDRAW PETITION & ZONING ORDINANCE

AMENDMENT AS REQUESTED BY WILLIAM PILLSBURY

WITHDRAWAL PASSED Yeas 9, Nays 0 94

Document 94B

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)”

ON MOTION OF COUNCILLOR MACEK TO WITHDRAW PETITION & ZONING ORDINANCE

AMENDMENT AS REQUESTED BY WILLIAM PILLSBURY

WITHDRAWAL PASSED Yeas 9, Nays 0 94B

 Communication from City Engineer, John Pettis requesting permission for *National Grid* to open various

roadways at the seven locations as listed on Street Order to carry out gas work; *Has Engineer approval*

PLACED ON FILE Yeas 9, Nays 0 84B

ORDERED: That the City Council approve request of National Grid to excavate at the streets listed below

at the locations specified. Each street has been rebuilt within the last 5 years and in accordance with Chapter

222, Section 11. Restrictions on future paving of the Municipal Ordinances, Council approval is necessary

Main Street at #462; Water Street at #1; Water Street at #165; Fifth Avenue at #28;

Cedar Street at #14; Brandy Brow Road at #14; Whittier Road at #161

PASSED Yeas 7, Nays 2 (Daly O’Brien, Sullivan) 84BB

ON MOTION OF COUNCILLOR MACEK TO SEND LETTER TO JOHN PETTIS AND WILLIAM

PILLSBURY ABOUT REVIEWING TRENCHING REQUIREMENTS AND PROPOSED

IMPROVEMENTS Yeas 9, Nays 0 84BB

September 19, 2017

1. Utility Hearing(s) and Related Order(s)
2. Hearings and Related Order
3. Public Participation- Requests under Council Rule 28
4. Appointments:

 No Schedule

1. Petitions:

Applications

Drainlayer License 2017: Gerald J Pittorino Jr – *renewal*

GRANTED Yeas 9, Nays 0 37O

 Buy & Sell Second Hand Clothing:

 Chris & Bella, new*-*Natalia Todor, 146 Orchard Hill rd; *Has police approval*

GRANTED Yeas 9, Nays 0 4Y

Hawker/Peddler:

 Charles Hibbert, *renewal*- to sell Christmas trees, kissing balls, wreaths, baskets &

decorations; at 297 Lincoln av – Sunday to Saturday; November 24 to December 24; 9:00AM-9:00PM

*Has police approval*

GRANTED Yeas 9, Nays 0 97B

1. Motions and Order

No Schedule

1. Communications from Councillors

 Communication was received from Councillor Sullivan submitting a request from Pamela J Carr to

 purchase unbuildable City land abutting property at 58 Atlanta st – Map 528, Block 11, Lot 178

REFERRED TO NATURAL RESOURCES & PUBLIC PROPERTY

COMMITTEE Yeas 9, Nays 0 104B

 Communication was received from Councillor LePage requesting a discussion regarding the Mass Save

Energy Assessment Program and its benefits to residents and the City

ON MOTION OF COUNCILLOR LEPAGE TO TABLE TO SEPT 26, 2017

TABLED TO SEPT 26, 2017 Yeas 9, Nays 0 103O

 Communication was received from Councillors LePage and Barrett requesting a discussion about the

purchase of street lights, existing and potential projects and other energy cost-saving measures for the benefit of

the residents and the City

ON MOTION OF COUNCILLOR LEPAGE TO TABLE TO DATE TO BE DETERMINED WHEN

ORLANDO PACHECO, CITY’S ENERGY CONSULTANT CAN ATTEND

TABLED Yeas 9, Nays 0 103P

 Communication was received from Councillor Bevilacqua requesting a discussion regarding the

receipt of City Council meeting minutes

COUNCILLOR BEVILACQUA REQUESTED THAT EACH COUNCILLOR RECEIVE A COPY OF THE

DRAFT MINUTES BEFORE THEY ARE APPROVED

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

TO FORMALIZE PROPOSED CHANGE IN COUNCIL RULES AND REGULATIONS

REFERRED TO ADMINISTRATION & FINANCE COMMITTEE Yeas 8, Nays 1(Sullivan) 103Q

 Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding

Merrimack st outdoor dining model

ON MOTION OF COUNCILLOR BEVILACQUA TO SEND LETTER TO MAYOR & PLANNING

DIRECTOR TO USE WASHINGTON STREET MODEL, SIDEWALK DINING, WITH REMOVABLE

BARRIERS FOR APPROPRIATE PLACES ON MERRIMACK ST

 THERE WAS DISCUSSION ABOUT REVIEWING SUGGESTIONS THAT NOAH KORETZ

PRESENTED TO COUNCIL AND MAYOR’S RESPONSE

**Councillor Daly O’Brien left the chambers**

MOTION FAILED Yeas 1(Bevilacqua) Nays 6, Abstain 1(Barrett) Absent 1(Daly O’Brien) 103R

 Communication was received from Councillor LePage requesting a status update from Mayor Fiorentini on

the Capital Improvement Program 2016-2020

MAYOR/COUNCIL CONFERENCE

TO BE SCHEDULED Yeas 8, Nays 0, Absent 1(Daly O’Brien) 103S

1. Unfinished Business of preceding Meetings

 Document 74-Q – Communication from Councillors Barrett, LePage and Daly O’Brien requesting a

discussion and an update concerning the status of HHS girls’ softball facility to comply with Title IX and ADA

requirements

COUNCILLORS VOICED THEIR DISAPPOINTMENT THAT NO ONE WAS AVAILABLE TO GIVE AN

UPDATE. MR VAN DAM STATED THEY HAVE THE CONSULTANT’S FINAL RECOMMENDATION

OF 2 FIELDS BUT COULD NOT DISCLOSE LOCATIONS.

PLACED ON FILE Yeas 9, Nays 0 74Q

Document 74-R – Communication from Councillors McGonagle and LePage requesting a discussion

and an update re: Public Safety Capital projects as recently detailed by Public Safety Officials

COUNCILLORS VOICED THEIR DISAPPOINTMENT THAT THE MAYOR AND ORLAND PACHECO

WERE NOT AVAILABLE TO GIVE COMPREHENSIVE UPDATE. DEPUTY CHIEF HAUGH SPOKE

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ABOUT UPGRADING THE COMMUNICATION SYSTEM BETWEEN POLICE & FIRE

DEPARTMENTS

ON MOTION OF COUNCILLOR LEPAGE TO SCHEDULE MAYOR/COUNCIL CONFERENCE TO

DISCUSS CAPITAL IMPROVEMENT PLANNING & PROJECTS Yeas 9, Nays 0 74R

 Document 103-L – Communication from Councillor LePage requesting a discussion about the

Green Communities Program

ON MOTION OF COUNCILLOR LEPAGE TO TABLE TO DATE TO BE DETERMINED WHEN

ORLANDO PACHECO, CITY’S ENERGY CONSULTANT CAN ATTEND

TABLED Yeas 9, Nays 0 103L

1. Resolutions And Proclamations

 No Schedule

1. Council Committee Reports and Announcements

 Councillor Vargas announced the last day to register to vote is tomorrow, Sept. 20. 2017

1. Documents Referred To Committee Study

Meeting adjourned at 8:19 o’clock P.M. Yeas 8, Nays 0, Absent 1

Attest: *Linda Koutoulas*

 City Clerk

\*Doc. 77-B – Handout from Chris Edwards, Alternative Therapies Presentation