



# CITY OF HAVERHILL

## CITY COUNCIL MINUTES

Tuesday, August 22, 2023 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

### In-Person/Remote Meeting

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Present – President Jordan, Councilors Barrett, Bevilacqua, Sullivan, Michitson, Lewandowski, McGonagle, and Toohey

Absent – Councilor Rogers

Assistant City Clerk – Rose Leonard-Flynn

City Clerk – Kaitlin M. Wright

#### 1. OPENING PRAYER

#### 2. PLEDGE OF ALLEGIANCE

#### 3. APPROVAL OF MINUTES OF PRIOR MEETING

*Motion by Councilor Toohey to approve August 8<sup>th</sup> minutes, second Councilor Bevilacqua*

*PASSED All in Favor*

*Motion by Councilor Barrett to approve August 15<sup>th</sup> minutes, second Councilor Bevilacqua*

*PASSED All in Favor*

#### 4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Councilor Bevilacqua assigned the minutes.

Vice President Michitson requested a moment of silence for former City Council member Bill Chase who passed on August 17, 2023.

#### 5. COMMUNICATIONS FROM COUNCILORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:

- 5.1. Council Vice President Michitson wishes to introduce Amy Smith-Boden, Executive Director, and Suzanne Gates, Board Chair, for Ruth's House, to announce this year's Gala Fundraiser on October 14, 2023 at the Renaissance Golf Club in Haverhill from 6-10 PM 83

Amy Smith-Boden and Suzanne Gates appeared before the Council. Ruth's House has its annual fundraiser on October 14<sup>th</sup>. Ruth's House provides clothing with dignity. Tickets can be purchased at the store, the flyer has a QR Code, and website is [ruthshouse.org](http://ruthshouse.org) and also on Facebook and Instagram. Hoping tickets can be purchased by September 15<sup>th</sup>.

- 5.2. Councilor Barrett wishes to introduce Elington Rosario of Hoops and Handles to talk about his basketball training program focusing on youth development in the local community 83-B

Elington Rosario and Ramon Cassada appeared before the Council giving details about the basketball youth program, they started three months ago in Haverhill moving to the St. Joes location. They work with the boys and girls club and YMCA to help mentor local youths.



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#### 6. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

6.1. John Pettis, City Engineer requests approval to open 33 Hyatt av, 1 Hanscom av, and 3-37 Melrose av for utilities work 45-H

6.1.1. Order – permission to open 33 Hyatt av, 1 Hanscom av, and 3-37 Melrose av

*Motion by Councilor Sullivan, second Councilor Barrett*

*PASSED*

*All in Favor*

45-HH

6.2. Christine Webb, City Assessor, submits abatement report for July 2023

*Motion by Councilor Sullivan, second Councilor Barrett*

*PASSED*

*All in Favor*

11-H

#### 7. PETITIONS:

7.1. Applicant Kayla Rosario-Munoz requests Special Permit, CCSP-23-10, Assessor's Map 459, Block 5, Lot 28, to build an inground pool at 67 Russett Hill Rd, located in the Water Supply Protection Overlay District (WSPOD). Hearing Oct 17, 2023

*Motion by Councilor Barrett, second Councilor Toohey*

*PASSED to be heard October 17<sup>th</sup>*

*All in Favor*

84

7.2. Attorney Michael Migliori, for applicant American Outside Advertising LLC, requests Special Permit, CCSP 23-11, Assessor's Map 763 Block 3 Lot 1B, for an electronic billboard at 50 Foundation Ave, located in the BP Zoning District, seeking waivers for sign height of 90 feet where 24 feet is allowed, sign area of 1,344 square feet where 600 square feet is allowed, and front yard setback of 5 feet where 40 feet is allowed. Hearing Oct 24, 2023

*Motion by Councilor McGonagle, second Councilor Sullivan*

*PASSED to be heard October 24<sup>th</sup>*

*All in Favor*

85

#### 8. MOTIONS AND ORDERS:

8.1. Order – Authorize payment of bills from previous years and to authorize from current year departmental appropriations as listed below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Boston Systems & Solutions	738.25	Information Technology
Dunn's Equipment	69.98	Highway – Parks
JJS Technical Services	1,028.00	Fire Department



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Reimbursement – Schlothman, H	155.94	Fire Department
Revize LLC	7,524.00	Information Technology
Blatman, Bobrowski & Haverty LLC	1,365.00	Law Department

*Motion by Councilor Barrett, second Councilor McGonagle*

*PASSED*

*Yeas 8, Nays 0, Absent 1 (Rogers)*

23-E

**9. ORDINANCES (FILE 10 DAYS)**

9.1. Ordinance re: Vehicles and Traffic - Parking Restriction on Sanders Road, which leads to the Plugs Pond Recreation area (45 Sanders Rd) – both sides approximately 620' (note the right of way ends before the parking area)

File 10 Days

*Motion by Councilor McGonagle, second Councilor Barrett*

*PASSED Placed on File*

*All in Favor*

77-B

9.2. Loan Order - \$1,765,316 to acquire a fire truck

File 10 Days

*Motion by Councilor Bevilacqua, second Councilor McGonagle*

*PASSED Placed on File*

*Yeas 8, Nays 0, Absent 1 (Rogers)*

12-H

President Jordan stated a question from an audience member asking that the bond loan order is for \$1,765,316 that the supporting page lists a discount of \$24,000, why bonding before the discount?

Kathleen Lambert, ARPA Manager, believes the bond was finished before the final pricing but will confirm before final vote.

**10. COMMUNICATIONS FROM COUNCILORS:**

10.1. Council President Jordan, Council Vice President Michitson, and Councilor Lewandowski propose a non-binding ballot question for this November's municipal election asking the voters if they would like a charter change that would prohibit people from running for more than one elected position (mayor, city councilor, school committee) in the same election cycle 75-D

President Jordan commented he has had a number of people ask him if it's allowed to run and serve for more than one office at the same time, and unhappy that you can. To be clear, there is nothing in the city charter prohibiting you from doing so.



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Tom Fallan, Assistant City Solicitor, addressed the Council who stated he reached out to the Attorney General's office and any charter change or bi-law adoption has to be approved by them. The city can do a charter change prohibiting dual office holding, they could not prohibit someone from running for two offices at the same time. They felt it somewhat problematic because you would be depriving the voters of an office for one person or the other.

Councilor Sullivan stated he spoke with Solicitor Cox who suggested to send to A&F, then bring back to the September 19<sup>th</sup> meeting with order for a vote

*Motion by Councilor Michitson to refer to A&F, second Councilor Lewandowski*  
*PASSED refer to A&F Yeas 8, Nays 0, Absent 1 (Rogers)*

#### 11. UNFINISHED BUSINESS OF PRECEEDING MEETING:

- 11.1. Document 76; Jason Babin, 620 Primrose st, requests Valet Parking Business License, *Shoe City Valet*  
*Comments from City Departments are included. Pending receipt by City Clerk's Office of agreement with approved off-street parking facility & pending approval of Downtown Parking Commission \*Related communication from MEVA Transit, Noah Berger, Administrator (continued from July 25 and August 8)*

Jason Babin addressed the Council stating he has all documentation and thought he submitted and is ready to go.

Madem Clerk stated she has not received the insurance policy. Stating last upload was August 8<sup>th</sup> and a certificate of liability with city listed has not been received.

*Motion by Councilor McGonagle to postpone, second Councilor Sullivan*  
*PASSED postponed to September 19<sup>th</sup> Yeas 8, Nays 0, Absent 1 (Rogers)*

- 11.2. Document 15-H; Ordinance re: Vehicles and Traffic – Delete handicap parking at 459 Washington st filed August 9, 2023

*Motion by Councilor Bevilacqua, second Councilor Barrett*  
*PASSED All in Favor*



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- 11.3. Document 15-I; Loan Order - \$1,350,000 to complete South Elm st –  
Railroad av Improvement Project filed August 9, 2023

*Motion by Councilor Michitson, second Councilor Toohey*

*PASSED Yeas 8, Nays 0, Absent 1 (Rogers)*

- 11.4. Document 15-J; Loan Order - \$3,200,000 Tennis Facility Bonds, 137  
Monument st filed August 9, 2023

*Motion by Councilor Bevilacqua, second Councilor Barrett*

*PASSED Yeas 8, Nays 0, Absent 1 (Rogers)*

#### 12. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

#### 13. DOCUMENTS REFERRED TO COMMITTEE STUDY

#### 14. LONG TERM MATTERS STUDY LIST

#### 15. ADJOURN :

*Motion by Councilor Sullivan, second Councilor Lewandoski*

*PASSED All in Favor*

*Adjourned 19:46 PM*