

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, August 19, 2008

A **REGULAR MEETING** of the City Council was held on **Tuesday, August 19, 2008** at 7: 08 p.m. in the City Council Chamber with all Members present except Councilor Alvarez-Rodriguez, Councilor Twomey, Councilor Moran, and Councilor Abdo.

Councilor Abdo arrived at 7:20 p.m.

Approximately Twelve [12] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

I. ACCEPTANCE OF MINUTES:

Council President Blanchette informed the Council Members present that the minutes of City Council Meetings conducted July 15, 2008 and July 21, 2008 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon the motion of Councilor Kolofos to accept the minutes as presented duly seconded by Councilor Fielding, the Council Members present voted unanimously [5-0] to accept the minutes.

II. PUBLIC PARTICIPATION:

Robert Hamel, 32 Lawrence Street, commented on issues regarding parking garage attendants and stated that the allegations of items being stolen from parked vehicles by attendants is unfounded. He informed the Council Members that parking attendant employees were warned by Planning Director Sweeney not to attend the City Council meeting or to speak out at the meeting or there would be consequences.

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Jim Wareing, 89 Howe Street, Methuen, MA, praised the City Officials of the City of Lawrence for their outstanding representation of the people of Lawrence in regard to the recent memorial ceremonies conducted for Sgt. Alex Jiminez. He discussed an incident occurring at Hanscom Airforce Base involving a reporter from the Lawrence Eagle Tribune and the Lawrence Police.

Angela Caruso – passed on her opportunity to speak.

Fernando Landor, Tremont Street, Lawrence, MA, stated that he believes that Lawrence Police Chief Romero is corrupt. He discussed a recent incident occurring at his home. He also stated that he believed that interference by Planning Director Michael Sweeney concerning the parking garage attendants is inappropriate.

III. PUBLIC HEARINGS: None.

IV. COMMUNICATION FROM MAYOR, CITY OFFICIALS & CITY ATTORNEY:

Council President Blanchette called the following matter to the attention of the Council Members as appearing on the Agenda which was referred as indicated:

Doc. 180/08: Easement required for the Restoration of the Duck Bridge over the Merrimack River–City Attorney Charles D. Boddy & Andrew Wall, City Engineer- ref. to Ord. Cmt.

Doc. 184/08: Appointment - Community Development Director – James Barnes-Frank Bonet, Personnel Director-ref. to Pers. Cmt.

Doc. 189/08: Appointment – Lawrence Historic Comm. – Sarah E. Hansen – Mayor Sullivan-ref. to Pers. Cmt.

Doc. 190/08: Appointment – Planning Bd. – Eric T. McLean – Associate Member – Mayor Sullivan-ref to Pers. Cmt

[7:20 p.m. – Councilor Abdoo arrived]

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V. COMMITTEE REPORTS:

**86/08: Stop Sign –2 way – Exchange St. & Arlington St. –
Ord. Comm.- public hearing ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion, seconded by Councilor Gonzalez.

After a brief discussion among the Council Members present, it was determined that the proposed ordinance did not involve a four way stop sign but simply that stop signs be placed at Exchange and Arlington Street. Councilor Kolofoles amended his motion for a public hearing to reflect that a stop sign ordinance involving a stop sign at Exchange Street and Arlington Street be sent to public hearing. The original motion was called for a vote and unanimously approved by the Council Members present [6-0].

Doc. 86/08: Public Hearing Ordered

**Doc. 139/08: Haverhill St. @ Hampshire St. – Street ordinance –
Ord. Comt – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 139/08: Approved.

**Doc. 148/08: Portland St.–amend ordinance to park on north side-Ord. Comm. &
hearing to be ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The

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report was presented in the form of a motion for a public hearing which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 148/08: Public Hearing Ordered

Doc. 149/08: Melrose Terrace – acceptance as public way – Ord. Comm.- Public Hearing Ordered

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion for a public hearing which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 149/08: Public Hearing Ordered

Doc. 87/08: Parking -511-535 Broadway Street – to amend ordinance – Ord. Comm. - Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented. The motion was seconded by Councilor Silva.

Upon further discussion, Councilor Kolofoles stated that the item would allow for parking for cars at the location of 511-535 Broadway through an amendment of a current ordinance.

Upon no further discussion, the Council Members voted unanimously to approve the amendment presented. [6-0].

Doc. 87/08: Approved.

Doc. 103A/08: Parking - traffic conditions – Haverhill St. - Pan Pizza – (2) 15 min- Ord. Comm.-Public Hearing Ordered

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At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion for a public hearing which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 103A/08: Public Hearing Ordered

Doc. 103B/08: Stop Sign – traffic conditions – (Haverhill St.) – Florence St. – 20 feet from corner of Irene St. – Ord. Comm. - Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Silva and unanimously approved by the Council Members present. [6-0].

Doc. 103B/08: Approved.

Doc. 145/08: Transient Vendor License – Geraldo Gomez – Ord. Comm. - Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 145/08: Approved.

Doc. 147/08: Excavation Permits – Ordinance amendment – Revision: 12.12.030 –Ord. Comm.- Public Hearing Ordered

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The

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report was presented in the form of a motion for a public hearing which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 147/08: Public Hearing Ordered

**Doc. 156/08: Civil War Memorial – Sept. 19 to Sept. 21, 2008 –
Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Silva and unanimously approved by the Council Members present. [6-0].

Doc. 156/08: Approved.

**Doc. 157/08: Parking – La Casa Program – 200 Essex St. – 3 spaces –
Ord. Comm.-Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion for a public hearing which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 157/08: Public Hearing Ordered

Doc. 161/08: Right of Entry - Hampshire Street Bridge – Ord. Comm.- Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 161/08: Approved.

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Doc. 162/08: Transient Vendor License – Sirio Colon – Ord. Comm.-Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Silva and unanimously approved by the Council Members present. [6-0].

Doc. 162/08: Approved.

Doc. 165/08: Transient Vendor License – Carlos Alba – Ord. Comm.

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 165/08: Approved.

Doc. 167/08: Youth Storm – Presentation of City Services – use of Campagnone Common on 9/6/08 – rain date to be determined – Ord. Comm.-Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 167/08: Approved.

Doc. 170/08: Bread and Roses Annual Feast – 9/1/08 – Ord. Comm.-Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee. The report was presented in the form of a motion to

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approve the measure presented which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 170/08: Approved.

VI. WITHDRAWALS:

Doc. 144/08: Handicapped Parking – 109 Ferry Street – Ord. Comm.-Withdrawn

Upon being recognized, Councilor Kolofoles presented a motion to withdraw the above item from the City Council Agenda which was seconded by Councilor Fielding and unanimously approved by the Council Members present [6-0].

Doc. 144/08: Withdrawn

Doc. 150/08: Essex Street – review of signage – Ord. Comm.-Withdrawn

Upon being recognized, Councilor Kolofoles presented a motion to withdraw the above item from the City Council Agenda which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 150/08: Withdrawn

Doc. 146/08: Water Treatment Plan and its affect on the 2009 City Budget – Comm. of the Whole-Withdrawn

Upon being recognized, Councilor Kolofoles presented a motion to withdraw the above item from the City Council Agenda which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 146/08: Withdrawn

Doc. 320/07: CORI Checks for all applicants seeking nomination papers to run for any office –Comm. of the Whole

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Upon being recognized, Councilor Kolofoles presented a motion to withdraw the above item from the City Council Agenda which was seconded by Councilor Silva and unanimously approved by the Council Members present [6-0].

Doc. 320/08: Withdrawn

VII. OLD BUSINESS:

**Doc. 106/08: Handicapped Parking – 167 Arlington Street –
Ord. Comm.-Public Hearing Ordered**

Council President Blanchette informed the Council Members present that the above matter was recently approved by vote of the City Council in error due to the fact that the ordinance approved was never published and presented at a public required of all ordinances presented.

At the request of Council President Blanchette, Councilor Kolofoles presented the original report of the Ordinance Committee. The report was presented in the form of a motion for a public hearing which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present. [6-0].

Doc. 106/08: Public Hearing Ordered

VII. TABLED MATTERS:

The following items remained “tabled” without further action:

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|--------|---|
| 14/07 | Temporary Appointments–proposed amendments to Sec. 2.04.081 of the Municipal Code |
| 288/06 | Traffic and Public Safety–5 corners (Floral, School, Hancock, Doyle Streets and Oregon Avenue) - Ord. Comm. |
| 275/07 | Marion Avenue – park to be named – Ord. Comm. |
| 6B/08 | City Contract Ordinance – Section 3.04.230- Ord. Comm. |
| 168/08 | Department of Public Works – status on lay off and further request that DPW Director Frank McCann and Personnel Director Frank Bonet to attend to discuss and answer questions –Counc. Twomey |

VIII. NEW BUSINESS:

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Council President Blanchette brought the matters listed below to the attention of the

Council Members present and referred each to the Council Subcommittee as indicated:

- 171/08 Parking - Corporation Express Taxi – 323 Broadway Street (2 spaces) – Council Vice Pres. Kolofoles –Ref. to Ord. Cmt.
- 172/08 Parking – Fern Street (from Lawrence to Berkeley Streets) – restrictions – both sides – Council Vice Pres. Kolofoles–Ref. to Ord. Cmt.
- 173/08 Handicapped Parking Sign–29 Boxford St. –removal of sign/restriction – Council. Fielding–Ref. to Ord. Cmt.
- 174/08 Dedication of an Alex Jimenez Memorial–to be erected in an appropriate location in the City –Council. Alvarez-Rodriguez–Ref. to Ord. Cmt.
- 175/08 The Psychological Center’s PEOPLE! Recovery Center –request permission to hold a Walk on September 7, 2008 rain date: September 14, 2008 – Susan McGibbon, Director–Ref. to Ord. Cmt.
- 176/08 Political Signs – Ordinance - request to amend Lawrence Revised Zoning Ordinance - Article VI, Section 29-20 – Marcos A. Devers–Ref. to Ord. Cmt.
- 177/08 Transient Vendor License – Angel E. Valdez -108 Beacon Avenue–Ref. to Ord. Cmt.
- 178/08 Transient Vendor License – Olga Jimenez -43 Texas Avenue–Ref. to Ord. Cmt.
- 179/08 Transient Vendor License – Romeo A. Tellez – 43 Texas Avenue–Ref. to Ord. Cmt.
- 181/08 Traveling Café – request permission to use the Campagnone Common Park on 9/18/08 for a Cultural Event – Kate O’Brien, Lawrence Groundwork Executive Director–Ref. to Ord. Cmt.
- 182/08 Iglesia Evangelica Restauracion y Vida – request permission to use the Campagnone Common Park for religious service on 9/14/08 – Pastor Luis Osorio–Ref. to Ord. Cmt.
- 183/08 Iglesia Cristo Misionera – Request permission to use the Campagnone Common Park on 9/27/08 for a religious service – Anthony Bernabel, Coordinator–Ref. to Ord. Cmt.
- 185/08 Demolition Request/Declaration – Vine and East Haverhill Streets – Council Pres. Blanchette–Ref. to Ord. Cmt.
- 186/08 Cemetery Board /Superintendent – Charter Change/Ordinance Review – Council Pres. Blanchette–Ref. to Ord. Cmt.
- 187/08 Saint Laurence O’Toole Vacant lot – OSR declaration – Council Pres. Blanchette
- 188/08 Garden of Options, Inc. –request permission to use the Campagnone Common Park on 9/13/08 from 1:00 p.m. to 3:00 p.m. for an event – Maribel Serate, Executive Director –Ref. to Ord. Cmt.
- 191/08 Foreclosure Ordinance – addition – proposed language –Michael R. Sweeney, Planning Dept. Director–Ref. to Ord. Cmt.
- 192/08 Surplus Declaration – 325 Broadway St. – (Tax Map #168, Lot 27). Michael R. Sweeney Planning Dept. Director–Ref. to Hsg. Cmt.
- 193/08 Surplus Declaration – 55 Cross St- (Tax Map #168, Lot 75) –Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.
- 194/08 Surplus Declaration – 57 Cross St. – (Tax Map #168, Lot 74) – Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.
- 195/08 Surplus Declaration – 7 Florence St.(Tax Map #190, Lot 81)- Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.
- 196/08 Surplus Declaration – 8 Florence St. (Tax Map #168, Lot 16)- Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.
- 197/08 Surplus Declaration – 3 Keilhau St.- (Tax Map, #110, Lot 22A) –Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.
- 198/08 Surplus Declaration – 67-75 S Union St. (Tax Map #82, Lot 47) – Michael R. Sweeney, Planning Dept. Director–Ref. to Hsg. Cmt.

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- 199/08 New Horizon Church of God in Christ – request permission to use the South Common Park on 9/13/08 from 12:00 p.m. to 3:00 p.m. – Shirley Barry–Ref. to Ord. Cmt.
- 200/08 Tax Increment Financing for Forest City Housing Center on Canal Street at vacant Newark Paper site – Frank O’Connor, Jr., Economic Development Officer–Ref. to Budget & Fin. Cmt.
- 201/08 Block Party – Use of Rowell Park – Cedar and Hampshire Streets on 9/6/08 – Counc. Gonzalez–Ref. to Ord. Cmt.
- 202/08 Zoning Issue – 155 Arlington Street – Counc. Gonzalez–Ref. to Ord. Cmt.

IX. ADJOURNMENT:

Upon Motion of Councilor Abdoos duly seconded by Councilor Silva, the Council

Members present voted unanimously [6-0] to Adjourn.

ADJOURNED
(7:51p.m.)

Attest:

William J. Maloney
City Clerk