

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, September 5, 2006

A **REGULAR MEETING** of the City Council was held on **Tuesday, September 5, 2006** at 7:12 pm. in the City Council Chamber with all Members present except for Councilor Parolisi and Councilor DiMarca. Council President Blanchette presided over the meeting.

Approximately twenty-eight [28] 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 June 20, 2006, June 21, 2006 and June 27, 2006 were submitted by the City Clerk for consideration and acceptance of the City Council Members. Upon the motion of Councilor Alvarez-Rodriguez to accept the minutes as presented duly seconded by Councilor Gonzalez, the Council Members present voted unanimously [7-0] to accept the minutes.

II. PUBLIC PARTICIPATION;

Council President Blanchette requested those who wished to provide public input and participation to present themselves and address the City Council. The following individuals addressed the Council.

Ana Luna, 599 Canal St., Lawrence, MA, Executive Director of Arlington Community, spoke in favor of keeping Marion Ave. "open". She stated that she had

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information from residents in the area which will be submitted together with a petition to keep Marion Ave. “open” signed by area residents.

Tennis Lilly, Chairman of the Conservation Committee, 40 Spruce Street and a member of Arlington Community Trabajando, spoke in favor of keeping Marion Ave. “open”. Mr. Lilly discussed the topography of the location and drainage of Central Catholic’s parking lot.

Mark Grey, 159 Carlton Street Lawrence, MA complained about the Lawrence Police Department. He stated that the Police acted inappropriately at a mugging occurring recently, a motor cycle accident, and failed to respond appropriately to his complaints that thieves were trying to steal things from his home. Mr. Grey stated that the Lawrence Police Officers appearing at these incidents lacked professionalism and common courtesy.

Jose Rodriguez 22 Spruce Street, Lawrence, MA discussed his inability to purchase a parcel near Marion Ave. He stated that Central Catholic was awarded the property at a lower sale price because of their association with the Catholic Church. Mr. Rodriguez also stated that he was against closing Marion Ave.

III. PUBLIC HEARINGS:

Doc. 207/06: National Grid – Canal Street – request permission to place conduits – hearing held -Approved

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter into the record. Upon completion of the Clerk’s reading, Council President Blanchette opened the public hearing portion of the proceeding and invited anyone who wished to comment on the matter to present themselves to comment.

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A representative from National Grid, the petitioner, addressed the Council and informed the Council Members present about the purpose of the proposed construction.

Upon no further comment by anyone present, Council President Blanchette closed the public hearing portion of the proceedings and opened the matter for consideration by the Council Members present.

Upon being recognized, Councilor Kolofoles asked the National Grid representative about the placement of wires and conduits. The National Grid representative stated that wires were expected to be installed underground and over ground according to the plan.

At the request of Councilor Alvarez-Rodriguez, the representative from National Grid stated that despite the necessary excavation the public would still be able to access the streets and public ways. Councilor Alvarez-Rodriguez also inquired about the length of the project and its expected impact on the area. The National Grid representative stated that he wasn't sure exactly how long the construction would last but that the work crew would be sure to work as quickly and efficiently as possible to limit any public or private inconvenience. Councilor Alvarez-Rodriguez requested that additional information regarding the length of the project be provided as soon as possible by National Grid so that the public could be properly informed.

Upon no further comment or discussion offered by the Council Members present, Council President Blanchette closed the public hearing discussion portion of the proceedings.

Upon a motion to approve the petition presented by Councilor Kolofoles and seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously

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[7-0] to approve the measure.

Doc. 207/06 - Approved

Doc. 208/06: National Grid – Canal Street – request permission to locate poles, wires and fixtures–hearing held -Approved

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter into the record. Upon completion of the Clerk's reading of the public hearing notice, Council President Blanchette opened the public hearing portion of the proceeding and invited anyone who wished to comment on the matter to present themselves for comment.

Upon no one offering public comment on the matter, Council President closed the public comment portion of the proceedings and offered the floor for discussion among the Council Members present.

Upon none of the Council Members offering comment or discussion on the matter, Council President Blanchette requested the Council Members to address the matter.

Upon the motion of Councilor Kolofoles, as seconded by Councilor Gonzalez, the Council Members present voted unanimously to approve the petition [7-0].

Doc. 208/06 - Approved

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

Council President Blanchette called the attention of the Council Members to the agenda item and referred the matter as indicated:

Doc. 268/06 : Amesbury St.– North Canal Driveway Apron improvements –Atty. Charles D. Boddy, Jr.-Ref to Ordinance Cmt.

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Doc. 269/06: Temporary Appointment–Bd. of Registrars–Lynn Garcia to fulfill the temporary vacancy of her husband Emilio Garcia who has been deployed to active duty-Mayor Sullivan-Appeared-Sworn in

A motion was presented by Councilor Kolofoles to take up Doc. 269/06 as an emergency measure and duly seconded by Councilor Alvarez-Rodriguez. The Council Members present voted unanimously [7-0] to consider Doc. 269/06 as an emergency measure.

At the request of Council President Blanchette, City Clerk William J. Maloney explained that the reason it became necessary to seek the approval of a Temporary Member of the Board of Registrars was due to the deployment of Board Member Emilio Garcia to active duty with the National Guard and that Mr. Garcia would not be available for the upcoming State Primary and State Election. The City Clerk stated that he solicited the opinion of City Attorney Charles Boddy concerning the lawful basis for seeking the approval of Lynn Garcia as a Temporary member of the Board of Registrars to fill the position left vacant by her husband, Emilio Garcia and the City Attorney opined that there were no legal difficulties presented to prevent the recommended temporary appointment. The City Clerk stated further that Ms. Garcia has been active in the administration of elections in the past as a poll worker and her appointment would meet the statutory party affiliation requirements as well. For the reasons stated, the City Clerk stated that Ms. Garcia would be an ideal temporary replacement and he recommended that the Council Members favorable consider her appointment.

Upon completion of information provided by the City Clerk, Councilor President Blanchette asked Ms. Garcia to the podium for her comments.

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After the comments of Ms. Garcia were completed, Councilor Alvarez-Rodriguez presented a motion to approve the Mayor's recommendation that Lynn Garcia be temporarily appointed to the Board of Registrars. The motion was seconded by Councilor Frechette and unanimously [7-0] approved by the Members present.

Upon recording the vote of approval, City Clerk, William J. Maloney administered the Oath of Office to Lynn Garcia for the position of Temporary Member of the Board of Registrars.

Doc. 269/06 - Approved – Oath Administered

Doc. 163/06: Submittal of '07 Budget – Mayor Sullivan- Remains Tabled

Council President Blanchette introduced the above matter for consideration of the Council Members present and requested that Chief of Staff Myles Burke offer comments and information concerning the status of the FY 2007 Budget.

Upon being recognized, Myles Burke, Chief of Staff read a statement on behalf of Mayor Sullivan concerning the impact that certain budget recommendations presented by the City Council Members may have upon the residents of Lawrence.

Upon completion of Mr. Burke's statement, Council President Blanchette informed the Council Members that the item will continue to remain "tabled" unless and until further action is taken by the Council Members. He also informed the Council Members present that Mayor Sullivan is expected to be present at the Special Meeting to be held in the near future.

Doc. 163/06 - Tabled

Doc. 275/06 - CERT Fundraising Activities – Counc. Alvarez-Rodriguez-Presented

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Councilor Alvarez-Rodriguez addressed the Council regarding the CERT Fundraising activities scheduled for September 9, 2006.

Doc. 275/06 - Presented

V: APPROPRIATIONS-ORDERS-RESOLUTIONS

Doc. 255/06 - Year End Appropriation - \$2.2M – Budget and Finance Comm.-Tabled

At the request of Council President Blanchette, Councilor Kolofos read the report from the Budget and Finance Committee for the approval of the Year End Appropriation-\$2.2M in the form of a motion. The motion was seconded by Councilor Silva.

Upon being recognized, Councilor Frechette stated that he would like to ask Budget & Finance Director John Griffin some questions about the petition but was not present to address. Councilor Gosselin agreed that Director Griffin should be present at proceeding involved in the approval of the matter presented.

Councilor Frechette stated that his concerns were not explicitly addressed in Director Griffin's memo and proceeded to ask Chief of Staff, Myles Burke about the financial transfers being recommended with particular emphasis on the supplemental teacher's health insurance. Councilor Frechette asked whether the teacher's health insurance was actually under the School Insurance Fund.

Chief of Staff Myles Burke reiterated Councilor Frechette's concerns about the issue raised and stated that past agreements for the benefit involved a shared responsibility between the School Department and Municipal Health benefits to cover possible "short falls" in funding. Councilor Frechette stated that balancing the budget is done by transferring

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funds but the “short fall” in this instance is about 1.5 million from FY 2006. Mr. Burke agreed. Councilor Frechette stated that he would not vote to approve the proposed transfers.

Upon being recognized, Councilor Kolofoles asked Mr. Burke where the application of health insurance is to take place. A discussion between Councilor Kolofoles and Mr. Burke ensued concerning the importance of closing out budget items remaining from FY 2006.

Upon being recognized Councilor Alvarez-Rodriguez asked Mr. Burke about the payment of health insurance bills by the School Department. Mr. Burke described the budget transfer process and payment of City bills permitted by the Department of Revenue from School Department Funds. Councilor Alvarez-Rodriguez discussed the resulting School Department Budget Surplus in FY 2006 and that she believed the School Department should pay for the health insurance shortfall from its surplus. Mr. Burke stated that despite the surplus the School Department often provides other financial assistance with City expenditures. Councilor Alvarez-Rodriguez stated that it would be premature to vote on the matter presented and suggested that the item be tabled.

Upon being recognized, Councilor Gosselin stated that the Budget & Finance Director John Griffin should be present to respond to questions about the particular issues of concern to the Council Members. Councilor Gosselin stated that she could not vote in favor of the proposed transfer at this time.

Upon no further discussion or inquiry, Councilor Kolofoles withdrew his original motion to approve the motion and substituted a motion to table the item which was seconded

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by Councilor Alvarez-Rodriguez and unanimously [7-0] approved by Council Members present.

Doc. 255/06 - Tabled

Doc. 270/06: Resolution-Commit in Support of Reducing Diesel Pollution–Councilor Alvarez-Rodriguez-Presented

At the invitation of Council President Blanchette, Councilor Alvarez-Rodriguez presented the Resolution of Council regarding the above matter and offered her congratulations and appreciation for the efforts of Commit in reducing diesel pollution.

Doc. 270/06 - Presented

VI: COMMITTEE REPORTS:

At the request of Council President Blanchette, Councilor Kolofoles moved to present the next three items on the agenda, listed below, in “block” form for an order for a Public Hearing. The motion to present Doc.187/06, Doc. 203/06 and Doc. 230/06 in “block form” was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [7-0].

Councilor Kolofoles read the report of the Ordinance Committee recommending documents 187/06, 203/06, and 230/06 be sent to a public hearing which was seconded by Councilor Alvarez-Rodriguez and unanimously approved [7-0] by the Council Members present:

**Doc. 187/06: Handicapped Parking – 25 Clinton Street –
Ord. Comm. & Hearing ordered**

**Doc. 203/06: Handicapped Parking – 51 Coolidge St. –
Ord. Comm. & Hearing Ordered**

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**Doc. 230/06: Handicapped Parking – 18-20 Maurice Avenue –
Ord. Comm. & Hearing ordered**

Docs. 187/06, 203/06,230/06 - Public Hearing Ordered

**Doc. 200/06: 4th Annual Civil War Weekend – req. to use the Common Park -
Ord. Comm-Approved**

At the request of Council President Blanchette, Councilor Kolofoles provided Council Members with a report of the Ordinance Committee recommending the approval of the item. The report was presented in the form of a motion to approve the proposed use of the Compagnone Common for the 4th Annual Civil War Weekend. The motion was seconded by Councilor Gonzalez and Council Members present voted unanimously [7-0] to approve the measure.

Doc. 200/06 - Approved

**Doc. 201/06: Pawnbroker, Second Hand & Old Gold Dealer Licenses-
Jon M. Wolf – Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Alvarez-Rodriguez. The Council Members present voted unanimously [7-0] to approve the request for the issuance of a Pawnbroker and Second Hand-Old Gold Dealer Licenses to John M. Wolf.

Doc. 201/06 - Approved

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**Doc. 202/06: Pawnbroker and Old Gold Dealer Licenses –
Belkis Oslan – Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Gonzalez. The Council Members present voted unanimously [7-0] to approve the Pawnbroker and Old Gold Dealer Licenses to Belkis Oslan.

Doc. 202/06 - Approved

Doc. 243/06: South Lawrence Fountain – Ord. Comm.-Approved

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Gosselin.

Upon being recognized Councilor Silva discussed her concerns for keeping the park and fountain at that location due to the density of population and the vehicular traffic in that area.

Councilor Gosselin explained that it is a “park” and not a playground, “but a park intended as a memorial to Vietnam War Veterans. Councilor Gosselin informed the Council Members that the park is known as “Stockton Park” and was commissioned simultaneously with a park location on the north side of Park Street. Councilor Gosselin also spoke in favor of improving the park along with other various improvement projects conducted by the City of Lawrence.

Upon being recognized Councilor Alvarez-Rodriguez commented on the beautiful way the community decorates the fountain and park at Christmas time to which Councilor Gosselin discussed her past efforts with decorations.

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Upon no further discussion, the motion presented was approved by unanimous vote of the Council Members present [7-0].

Doc. 243/06 - Approved

**Doc. 245/06: Dedication of Kevin Ord Square –
Park & Willow Sts. – Ord. Comm.-Approved**

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

Upon being recognized, Councilor Kolofoles discussed the history of Kevin Ord's commitment and dedication to the Lawrence Fire Department.

Upon no further discussion, inquiry, or comment on the matter, the Council Members present voted unanimously [7-0] to approve the measure.

Doc. 245/06 - Approved

**Doc. 247/06: Iglesia Evangelica Restauración y Vida –
req. to use The Compagnone Common– Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee presenting an unfavorable recommendation on the petition. The report was presented in the form of a motion to deny the petition presented which was seconded by Councilor Frechette.

Upon being recognized, Councilor Alvarez-Rodriguez asked for clarification and reasons that an unfavorable recommendation was being presented.

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Councilor Kolofoles explained that the petition presented received an unfavorable recommendation because the petitioner was insisting that the City provide portable restrooms at the cost and expense to the City of Lawrence.

Councilor Alvarez-Rodriguez stated that it was her understanding that the petition was now agreeing to provide portable restrooms at their cost and expense.

Councilor Kolofoles stated that the petitioner was informed that all the petitioner was responsible for all accommodations at the Ordinance Committee meeting and that the unfavorable recommendation was made because the petitioner would not make the necessary assurance that the cost and expense for all necessary accommodations would be met.

Councilor Kolofoles stated that the Ordinance Committee Members voted 3-1 to support the unfavorable recommendation.

Upon no further comment or discussion, Council President Blanchette presented the motion to approve the unfavorable recommendation to the Council Members present and explained that a “yes vote” would result in a denial of the petition and a “no vote” would grant the petition. The Council Members present voted against approval of the Ordinance Committee recommendation as follows: 2 = YES; 5 = NO; 2 = ABSENT

Councilor Gosselin – No
Councilor Gonzalez – No
Councilor Parolisi – ABSENT
Councilor DiMarca – ABSENT
Councilor Kolofoles – No
Councilor Alvarez-Rodriguez – No
Councilor Silva – Yes
Councilor Frechette – Yes
Council President Blanchette – No

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Upon the failure to approve the Ordinance Committee recommendation to deny the petition presented, Councilor Alvarez-Rodriguez presented a motion to approve the use of The Campagnone Common which was seconded by Councilor Kolofoles. The Council Members present voted to approve the petition as follows: 5 = Yes; 2 = No; 2 = Absent.

Councilor Frechette – No
 Councilor Silva – No
 Councilor Alvarez-Rodriguez – Yes
 Councilor Kolofoles – Yes
 Councilor DiMarca – ABSENT
 Councilor Parolisi – ABSENT
 Councilor Gonzalez – Yes
 Councilor Gosselin – Yes
 Council President Blanchette – Yes

Doc. 247/06 - Approved

**Doc. 253/06: Cambridge College – locate Banner on Union St. –
 Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval of the measure and seconded by Councilor Alvarez-Rodriguez. The Council Members present voted unanimously [7-0] to approve the petition presented.

Doc. 253/06 - Approved

**Doc. 261/06: Marion Avenue & County Road –
 abandonment – Ord. Comm.-Tabled**

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

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measure which was seconded by Councilor Frechette and unanimously [7-0] approved by Council Members present.

Doc. 261/06 - Tabled

Council President Blanchette announced the next meeting will be Wednesday September 20, 2006, because of the Primary on Tuesday September 19, 2006.

**Doc. 220/06: Surplus Declaration – 56-58 Bromfield Street –
Hous. Comm.- Declared Surplus**

**Doc. 223/06: Surplus Declaration – 79 Market Street –
Hous. Comm.- Declared Surplus**

**Doc. 227/06: Surplus Declaration – 79 Spruce Street –
Hous. Comm.- Declared Surplus**

**Doc. 228/06: Surplus Declaration – 31-33 Trenton Street –
Hous. Comm.- Declared Surplus**

Councilor Alvarez-Rodriguez presented a motion to have the Council Members consider documents 220/06, 223/06, 227/06 and 228/06 in “block form” and to have the City owned parcels declared surplus. The motion was seconded by Councilor Gonzalez and unanimously approved [7-0] by the Council Members present.

Doc. 220/06, Doc.223/06, Doc. 227/06, Doc. 228/06 - Declared Surplus

**Doc. 242/04: Surplus Declaration – 319-323 Broadway Street –
Hous. Comm.- Disposition Approved**

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez read the report of the Housing Committee recommending the disposition of the parcel subject to the petition to Bryan DePeña. Councilor Alvarez-Rodriguez stated that the proposed sale price for the parcel was \$2,000.00. The report was presented in the form of a motion to approve the recommended disposition. The motion was seconded by Councilor Gonzalez.

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Upon being recognized Councilor Silva asked about and discussed the bids received through the proposal process and inquired about the proposed uses submitted with the bids.

Upon being recognized, Planning Director Michael Sweeney explained that the proposal selected for approval stated that the location would be used for auxiliary parking to adjacent properties. He informed the Council Members present that bid proposals usually request a minimum but this bid request was approved without a minimum bid required.

Upon being recognized, Councilor Alvarez-Rodriguez stated that he appreciated Planning Director Sweeney's description of the process and reasons for offering this parcel without a minimum bid amount which served to expedite the disposition process. At request of Councilor Alvarez-Rodriguez, Director Sweeney provided the Council Members with a list of required conditions of the transfer.

Upon no further discussion, comment, or inquiry, the Council Members present voted as follows to approve the disposition subject to conditions as provided by Director Sweeney:

6 = YES; 1 = PRESENT; 2 = ABSENT.

Councilor Gosselin – Yes
 Councilor Gonzalez – Yes
 Councilor Parolisi – ABSENT
 Councilor DiMarca – ABSENT
 Councilor Kolofoles – Yes
 Councilor Alvarez-Rodriguez – Yes
 Councilor Silva – PRESENT
 Councilor Frechette – Yes
 Councilor Blanchette – Yes

Doc. 242/04: Disposition Approved

Doc. 117/06: Central Bridge – low rails - Public Safety Comm.-Accepted

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At the request of Council President Blanchette, Councilor Gosselin presented the report of the Public Safety Committee concerning its inquiry and findings on the measure presented.

After completion of the report presented, the Council Members present voted unanimously [7-0] to accept the report of the Public Safety Committee.

Doc. 117/06 – Report Accepted

**Doc. 264/06: Enforcement of curfew ordinance –
Public Safety Comm.-recommitted to Ordinance Committee**

At the request of Council President Blanchette, Councilor Gosselin read the report from the Public Safety Committee concerning the enforcement of the curfew ordinance. Councilor Gosselin stated that the Public Safety Committee referred the matter to the Full Council for further discussion.

After the matter was presented, Council President Blanchette requested all Committee Chairmen to provide recommendations and findings of the sub-committee to the Full Council rather than to refer the matter for discussion.

Councilor Gosselin explained that the matter presented is different than the typical petition that is presented to the City Council. She stated that she believed that the Full Membership of the City Council and the public would benefit from further discussion of the matter.

At the request of Council President Blanchette, Lawrence Police Chief John Romero presented the legal history of curfew legislation and the constitutionality of such laws and regulation with specific applications in the City of Lawrence. He stated that the current curfew ordinance effective in the City of Lawrence only applies to individual aged 16 or

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under and that there presently is no City Ordinance that provides for the enforcement of a curfew otherwise.

Councilor Gosselin stated that the initial consideration was to explore the possible application of the existing curfew with particular application to establishments that may remain open past an applicable curfew time which may be enforced against individuals who may be subject to the provisions of the existing ordinance.

Councilor Frechette asked the Chief to submit a report and requested the matter be sent to the Ordinance Committee for further consideration for possible deletion. Councilor Frechette presented a motion to recommit the matter to the Ordinance Committee which was seconded by Councilor Alvarez-Rodriguez.

Upon being granted the floor Councilor Alvarez-Rodriguez stated that it may be cost effective to review and eliminate any and all “status offenses” that may not be of any effect or use.

Upon being recognized, Councilor Kolofoles read the current curfew ordinance into the record. In response to questions posed by Councilor Kolofoles concerning curfew ordinances, Assistant City Attorney James Bowers discussed the results of his recent research into other curfew laws in other jurisdictions. In further response, Police Chief Romero stated that a recent study of statistical data supports the repeal of curfew ordinances like the ordinance that presently exists in the City of Lawrence. Chief Romero commented that such ordinances are virtually ineffective to curb or prevent crime and provide no assistance to law enforcement.

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In response to Councilor Kolofoles' inquiry concerning the reason that the matter was placed on the Council Agenda, Councilor Gosselin stated that she initially believed that the present ordinance applied to 18 and 19 year olds. She explained that she believed that if such an ordinance was in effect and enforced that it may offer the police an additional tool to help prevent violence. Councilor Kolofoles asked Chief Romero if he had the authority to impose a curfew. Chief Romero stated that enforcement of a curfew ordinance was the responsibility of the Mayor.

Upon being granted the floor, Councilor Silva stated that she believes the recent vote to roll back hours that licensed liquor establishments may operate amended by the recent vote of the Licensing Commission will help with enforcement against young people who are associated with gangs. Councilor Silva stated further that the spirit of the curfew ordinance needs to be addressed by the parents of children who may be out of the home late at night.

Upon being recognized Councilor Alvarez-Rodriguez discussed other positive methods of assisting young people to become responsible individuals and help solve problems.

Upon no further discussion, inquiry or comment by the Council Members present, the Council Members voted to recommit Doc. 264/06 to the Ordinance Committee for further proceedings as follows: 6=Yes; 1=No; 2=Absent

Councilor Frechette – Yes
Councilor Silva - Yes
Councilor Alvarez-Rodriguez - Yes
Councilor Kolofoles - No
Councilor DiMarca - ABSENT

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Councilor Parolisi – ABSENT
 Councilor Gonzalez - Yes
 Councilor Gosselin - Yes
 Councilor Blanchette – Yes

Doc. 264/06 - Recommitted to Ord. Cmt.

VII: WITHDRAWALS:

**Doc. 246/06: St. Anthony’s Maronite – Mahrajan Festival –
 Ord. Comm.-Withdrawn**

At the request of Council President Blanchette, Councilor Kolofoles presented a motion to withdraw the matter from the City Council Agenda. The motion was seconded by Councilor Gosselin and unanimously approved by the Council Members present [7-0].

Doc. 246/06 - Withdrawn

Doc. 205/06: Loading Zone – Motta’s Club – Ord. Comm.-Recommitted to Ord.

At the request of Council President Blanchette, Councilor Kolofoles presented a motion to withdraw the above matter from the City Council Agenda. The motion was seconded by Councilor Frechette.

Upon being recognized Councilor Gonzalez stated that this matter should be recommitted to the Ordinance Committee.

Upon being granted the floor, Councilor Silva stated that the Police Department submitted an investigative report. She informed the Council Members present that the petitioner failed to appear at the sub-committee meeting.

[9:27 p.m. - Councilor DiMarca arrived to the Council Meeting]

Councilor Gonzalez explained the reason that the matter should be re-committed to the Council Members present.

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Councilor Frechette commented that each of the City Council Members should remain in contact with district representatives concerning matters submitted for consideration that may be outside their district.

Upon no further discussion, comment or inquiry the Council Members, the motion to withdraw the item was defeated by the following vote: 3=Yes; 5=No;

1=Absent;

Councilor Gosselin – No
 Councilor Gonzalez – No
 Councilor Parolisi – ABSENT
 Councilor DiMarca – No
 Councilor Kolofoles – No
 Councilor Alvarez-Rodriguez – No
 Councilor Silva – Yes
 Councilor Frechette – Yes
 Councilor Blanchette – Yes

Councilor Kolofoles then presented a motion to recommit the matter to the Ordinance Committee which was seconded by Councilor Gonzalez.

Upon being recognized, Councilor Alvarez-Rodriguez commended Council President Blanchette for the decorum of the meeting that was being followed.

Upon no further comment or discussion presented, The Council Members voted unanimously [8-0] to recommit the matter to the Ordinance Committee for further proceedings.

Doc. 205/06 - Recommited to Ordinance Cmt.

Doc. 210/06: Animal Control – Ordinance review – Ord. Comm.-Withdrawn

At the request of Council President Blanchette, Councilor Kolofoles presented a motion to withdraw the above matter from the City Council Agenda. The motion was

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seconded by Councilor Frechette and unanimously approved by the Council Members present [8-0].

Doc. 210/06 0 - Withdrawn

**Doc. 231/06: Maple & White Street – Parking issues –
Ord. Comm.-Withdrawn**

Doc. 194/06: Stop Sign – Essex & Ames Streets – Ord. Comm.-Withdrawn

Doc. 195/06: Stop Sign – Lowell & Ames Streets – Ord. Comm.-Withdrawn

Doc. 196/06: Stop Sign – Essex & Tower Hill Street – Ord. Comm.-Withdrawn

Councilor Kolofoles presented a motion to allow Documents 231/06, 194/06, 195/06, and 196/06 to be presented in “block form” for the purpose of withdrawing the items from the City Council Agenda. The motion was seconded by Councilor Gosselin and unanimously approved by the Council Members present [8-0].

Doc. 231/06- Withdrawn

Doc. 194/06- Withdrawn

Doc. 195/06- Withdrawn

Doc. 196/06-Withdrawn

Doc. 259/06: Lawrence Redevelopment Authority – Hous. Comm.-Withdrawn

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez presented the above matter for withdrawal from the City Council Agenda in the form of a motion to withdraw. The motion was seconded by Councilor Kolofoles. Councilor Alvarez-Rodriguez modified her motion to send a letter to the City Attorney concerning the Lawrence Redevelopment Authority and the City of Lawrence. Upon no further comment or discussion, the Council Members present voted unanimously [8-0] to withdraw the measure.

Doc. 259/06-Withdrawn

Doc. 90/06: Spring into Safety – Public Safety Comm.-Withdrawn

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Upon the request of Council President Blanchette, Councilor Gosselin presented the report of the Public Safety Committee recommending the withdrawal of the measure from the City Council Agenda. The report was presented in the form of a motion to withdraw and was seconded by Councilor Gonzalez. The Council Members present voted unanimously [8-0] to withdraw the item.

Doc. 90/06-Withdrawn

Doc. 91/06: Police Mobile Unit – discussion – Public Safety Comm.-Withdrawn

Upon the request of Council President Blanchette, Councilor Gosselin presented the report of the Public Safety Committee recommending the withdrawal of the measure from the City Council Agenda. The report was presented in the form of a motion to withdraw and was seconded by Councilor Gonzalez. The Council Members present voted unanimously [8-0] to withdraw the item.

Doc. 91/06-Withdrawn

VIII: OLD BUSINESS:

**Doc. 185/06: Handicapped Parking Sign – to be removed from 10 Bunkerhill Street-
Reconsidered-Amended-Approved**

Council President Blanchette explained that the measure had erroneously been approved to remove the handicapped parking designation at 10 Bennington Street and that it was the intention of the item to approve the removal of the handicapped parking location at “10 Bunkerhill Street”.

Upon being recognized, Councilor Silva presented a motion to reconsider the prior approval removing the handicapped parking space at 10 Bennington Street, to amend the

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request to reflect the removal of the handicapped parking space at 10 Bunkerhill Street, and to approve that request. The motion was seconded by Councilor Kolofoles and unanimously approved [8-0] by the Council Members present.

Doc. 185/06: Reconsider-Amended-Approved

IX: NEW BUSINESS

**Doc. 280/06: Guilmette School – request for a new polling location due to the fire on 9/1/06 at the LHA Multiservice Center on Essex St.-
William J. Maloney, City Clerk-Approved**

Council President Blanchette presented the matter to the attention of the Council Members present. Upon being recognized, Councilor Frechette presented a motion to suspend the Rules of the City Council to address the matter out of agenda order and to have the Council Members present declare the matter an emergency measure. The motion was seconded by Councilor Gonzalez and a discussion with the City Clerk on the item ensued with Councilor Alvarez-Rodriguez and Councilor Kolofoles.

Upon no further comment or discussion, Councilor Kolofoles presented a motion to approve the proposed new polling location as an emergency which was seconded by Councilor Gonzalez and approved unanimously [8-0] by Council Members present.

Doc. 280/06-Approved

Doc. 278/06: School Committee Member – Amy McGovern – resignation – filling of vacancy – Council Pres. Blanchette-Ref to Cmt of the Whole

Council President Blanchette stated that it was necessary to select a new School Committee person to represent District E due the resignation of Amy McGovern. He briefly outlined the process required by the City Charter and suggested that the item should proceed

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through the Committee on the Whole of the City Council to select a suitable replacement from those filing letters of interest.

Upon being recognized, Councilor Kolofoles presented a motion to Doc. 278/06 to the Committee of the Whole which was seconded by Councilor DiMarca. The motion was unanimously approved by the Council Members present [8-0].

Doc. 278/06 - Ref to Committee of the Whole

X: TABLED MATTERS

The following items remain “tabled” without further action:

- 60/06 Zoning Board of Appeals, Planning Board, Lawrence Redevelopment Authority & Conservation Commission – hearing held
- 99/06 National Grid and Verizon New England, Inc. – request permission to locate poles,wires and fixtures on East Gilbert Street – hearing held
- 146/06 Captain Pizza-262 Essex St. –permission to place tables and chairs on sidewalk
- 163/06 FY 07 Budget – Budget and Finance Comm. & hearing to be ordered – Ref. Back to Mayor Sullivan
- 215/06 Good Citizenship Award – Mayor
- 128/06 Acting Jobs Positions and Consultants – on more than 90 days
- 257/06 Resolution – Dr. Claire Paradiso

XI: NEW BUSINESS

The following matters were referred to the City Council Subcommittee as noted:

- 266/06 Flashing traffic lights – Osgood and Salem Streets – Council. Gosselin-Ref to Ord.
- 267/06 Stadium Enterprise Fund – discussion on establishment – Council. Gosselin-Ref to Ord.
- 271/06 Idling Law – enforcement –Council. Alvarez-Rodriguez-Ref to Ord.
- 272/06 Appointment–Zoning Board of Appeals–Mr. Dan Clark–nomination–Michael Sweeney,
Planning Department Director-Ref to Per.
- 273/06 Parking Issues – Robinson Court – Revised Ordinance – Council. Silva-Ref to Ord.
- 274/06 Tenney Street (between Park and Arlington Streets) to be closed during school dismissal hours-Council.
Silva-Ref. to Ord.
- 276/06 Newsracks – placement and maintenance – Council Pres. Blanchette-Ref to Ord.
- 277/06 Veteran Affairs Director – Daniel Lannon – termination review –Council. Pres. Blanchette-Ref to
Personnel
- 279/06 Canal St. @ Lawrence St. – two way traffic – left hand turn –Council. Pres. Blanchette-Ref to Ord.

Item(s) Added/Addressed at Meeting

New Business

- 281/06: Handicapped Parking - 9 Whitman Street - Council. Blanchette –Ref to Ord.

XI: ADJOURNMENT:

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Upon a motion to adjourn made by Councilor Kolofoles and duly seconded by Councilor DiMarca the Council Members present voted unanimously [8-0] to Adjourn.

ADJOURNED
(9:56 p.m.)

Attest:

William J. Maloney
City Clerk