

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, May 20, 2008

A **REGULAR MEETING** of the City Council was held on **Tuesday May 20, 2008** at 7: 09 p.m. in the City Council Chamber with all Members present except for Councilor Silva.

Approximately Six [6] 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 May 6, 2008, were submitted by the City Clerk for consideration by the City Council Members.

Upon the motion of Councilor Fielding to accept the minutes as presented, as seconded by Councilor Gonzalez, the Council Members present voted unanimously [8-0] to approve the minutes as presented.

II. PUBLIC PARTICIPATION:

Council President Blanchette requested those who wished to provide public input and participation to present themselves and address the City Council. Upon the invitation of Council President Blanchette, the following individuals addressed the City Council:

Mario VanCamper, 7B Farnham Street, Lawrence, MA informed the Council Members about the unclear water coming from the plumbing in his home. He insisted that the problem be addressed and repaired. He also stated that he was the person who called for emergency assistance when the train derailed in South Lawrence. He stated that something

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should be done to protect the residents from the dangers of chemical spills like those that were released when the train derailed.

Councilor Alvarez-Rodriguez asked if something can be done to address chemical releases into the neighborhoods that occur. Council President Blanchette stated the matter was already scheduled as an agenda item and will be addressed through the action of the City Council.

Councilor Fielding presented a motion to take document #101/08 out of the order appearing on the agenda. The motion was seconded by Councilor Gonzalez and unanimously approved by the Council Members present [8-0].

Doc. 101/08: Appointment – Lawrence Cultural Council – Janice Jacobs – Mayor Sullivan – Approved

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee in the form of a motion to appoint Ms. Janice Jacobs to the Lawrence Cultural Council. The motion was seconded by Councilor Kolofoles.

Upon a call for discussion, Councilor Kolofoles presented favorable comments concerning the recommendation and approval of Ms. Jacobs and stated he supports the nomination.

Upon being recognized, Councilor Alvarez-Rodriguez asked Ms. Jacobs to discuss her interest in Cultural Affairs. In response, Ms. Jacobs stated that she is pleased to volunteer and assist as a member of the Cultural Council.

Upon no further discussion, inquiry or comment the Council Members present voted unanimously [8-0] to appoint Ms. Janice Jacobs to the Lawrence Cultural Council.

Doc. 101/08: Approved

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III. PUBLIC HEARINGS:

Doc. 276/07: Yield Signs – Pearl St. and Cypress Ave. -Ord. Committee-Hearing Held - Approved

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above as published. Upon the conclusion of the Clerk's reading of the public notice, Council President Blanchette opened the public hearing portion of the proceedings and invited anyone who wished to be heard to present themselves before the Council Members.

Upon no discussion or comment offered by anyone present, Council President Blanchette closed the public comment portion of the proceedings and called upon the Council Members present to offer comment or discussion.

Upon no discussion or comment offered by the Council Members present, Council President Blanchette closed the discussion portion of the hearing and called upon the Members present to consider the matter presented. Upon a motion to approve the measure presented by Councilor Kolofoles, as seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [8-0] to approve the measure.

Doc. 276/08: Approved

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

Council President Blanchette introduced the following matter to the attention of the Council Members as appearing on the Agenda and suggested the matter be referred to the Personnel Committee.

Doc. 110/08: Health Benefits-Retirees and City Employees-Counc. Pres. Blanchette – Ref. to Personnel Cmt.

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Doc. 111/08: Water Treatment Center-Legal Opinion-Council Pres. Blanchette- Letter to Mayor - Tabled

Council President Blanchette introduced the item and reviewed an opinion letter rendered by the City Attorney. He commented that the City Council and the Legislature of the Commonwealth approved a Home Rule Petition in 2001 requiring contracts in a certain amount be approved by the City Council. He expressed his concern about the manner which the re-organization and contracting to run the City Water Treatment Center has been proceeding and believes that there may be a violation of the City Charter provisions relating to the reorganization of the Water Department.

A discussion ensued between Councilor Kolofoles and Council President Blanchette regarding matters pertaining to privatization of the Water Department.

Upon being granted the floor, Councilor Alvarez-Rodriguez requested a further explanation about the method and manner of Administrative operations pursuant to the Home Rule Petition. A discussion ensued between Council President Blanchette and Councilor Alvarez-Rodriguez regarding this issue.

Council President Blanchette suggested that a letter be sent to the Mayor to request his attendance before the Council Members in regard to the opinion rendered by the City Attorney. He also suggested that the item could then be tabled or otherwise referred to the Committee on the Whole for further proceedings. Further discussion ensued between Council President Blanchette and Councilor Alvarez-Rodriguez concerning recent emergency measures implemented at the Water Treatment Plant.

Upon being recognized, Councilor Alvarez-Rodriguez presented a motion to send a letter to the Mayor and to table the measure until further proceedings are necessary. The

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motion was seconded by Councilor Moran and the Council Members present voted unanimously [8-0] to approve sending a letter inviting the Mayor to address the City Council Members in public session.

Doc. 111/08: Letter to Mayor/Tabled

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.123/08: Airport-Land Deal-Counc. Pres. Blanchette – Ref. to Ord. Cmt.

V. APPROPRIATIONS-ORDERS-RESOLUTION:

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. 121/08: Appropriation Transfer Request- City Clerk William Maloney – Ref. to Budget and Finance Cmt.

VI. COMMITTEE REPORTS:

Doc. 98/08: Building Technologies, Inc. – Airport Property Lease Request in Excess of 20 years – Michael P. Miller, Airport Commissioner– Approved

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Budget & Finance Committee to approve the measure. The report was presented in the form of a motion to approve the measure presented which was seconded by Councilor Abdo.

At the request of Councilor Kolofoles, Airport Commissioner Michael Miller provided the Council Members with information concerning the item presented.

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Upon no further comment, inquiry or discussion the Council Members present vote unanimously [8-0] to approve the item.

Doc. 98/08: Approved

VII. WITHDRAWALS: - None

VIII. OLD BUSINESS: - None

IX. TABLED MATTERS:

Councilor Kolofoles presented a motion to remove doc. 217/07 from the “table”. The motion was seconded by Councilor Silva and unanimously approved by the Council Members present [9-0].

Doc. 217/07: Utility Lines and Telephone Poles prohibited – hearing – Tabled

Discussion ensued among the Council Members concerning the process to be followed.

Upon no further comment or discussion concerning the item, Councilor Kolofoles presented a motion to “table” the item. The motion was seconded by Councilor Gonzalez and the Council Members present voted unanimously [8-0] to table the matter.

Doc. 217/07: Tabled

The following items remained “tabled” without further action:

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.
217/07	Utility Lines and Telephone Poles prohibited - hearing

X. NEW BUSINESS:

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Doc. 116/08: No Smoking Policy-City Vehicles- Coun. Pres. Blanchette – Withdrawn

Upon being recognized Councilor Kolofoles presented a motion to advance the new business item and to present a motion to withdraw Doc. 116/08 from the Council Agenda. The motion was seconded by Councilor Twomey and the Council Members present voted unanimously [8-0] to withdraw the item from the Council Agenda.

Doc. 116/08: Withdrawn

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:

- 112/08 9 Freeman Court-Declaration of Surplus-Plan. Dir. Sweeney-Ref. to Housing
- 113/08 Nesmith St.-Declaration of Surplus- Plan. Dir Sweeney-Ref. to Housing
- 114/08 65-73 Oxford St.-Declaration of Surplus-Plan Dir. Sweeney-Ref. to Housing
- 115/08 101-105 Oxford St.-Declaration of Surplus-Plan Dir. Sweeney-Ref. to Housing
- 116/08 No Smoking Policy-City Vehicles- Coun. Pres. Blanchette - Withdrawn
- 117/08 Ordinance/Policy-City Take home vehicles/all depts. Coun. Pres Blanchette- Ref. to Ord.
- 118/08 Ordinance-Hubbard Place-No parking-both sides – Coun. Gonzalez from West St.- to a distance to be determined.– Vice Pres. Kolofoles.- Ref. to Ord.
- 119/08 West St.-1hr. parking, west side-from Hubbard Place –Coun. Gonzalez to utility pole#6j-2. – Vice Pres. Kolofoles – Ref. to Ord.
- 120/08 Delete Ordinance: 10.36.010- Haverhill St. @ Hampshire St.- Coun.Gonzalez- Ref. to Ord.
- 122/08 Board Appointments-Library Board of Trustees-ordinance establishment of staggered terms of office- Vice.Pres.Kolofoles – Ref. to Personnel
- 124/08 Quality of Water-Counc. Gonzalez – Ref. to Ord.

ITEMS ADDED AT THE MEETING

- 125/08 Handicapped Parking – 167 Arlington Street – Ref. to Ord.

XI. ADJOURNMENT:

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Upon Motion of Councilor Alvarez-Rodriguez duly seconded by Councilor Kolofoles, the Council Members present voted unanimously to Adjourn.

ADJOURNED
(7:49p.m.)

Attest:

William J. Maloney
City Clerk