

CITY OF LYNN

**Regular City Council Meeting – December 2, 2014
Council President Daniel F. Cahill, Presiding**

**Eleven Councillors Present
Moment of Silence
Pledge of Allegiance**

**Motion made by Councillor Colucci and seconded by Councillor Cyr to accept the Meeting Minutes of November 18, 2014.
Motion carried.**

PUBLIC HEARINGS:

Petition of T-Stop Superette, Anthony Leo, for permission for al All Alcohol Package store License at 546 Walnut Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Ford and seconded by Councilor Trahant to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi at vote).

Petition of Comcast, Timothy Broderick, for permission to intercept existing conduit on Washington Street and place vault/manhole. From new vault/manhole, place (1) 4" PVC conduit 30' +/- in a northeasterly direction to property of 10-20 Central Avenue.

The following appeared in Favor:

Timothy Broderick, Comcast

No one appeared in Opposition

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant the prayer of the Petitioner with the stipulations that the street be put back to its original condition and that it be paved curb to curb.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).

Petition of Lightower Fiber Networks, Scott Harnois, for permission to install approximately 840' linear feet of (1) 4" SCH40 PVC concrete encased conduit, starting at National Grid MH 1-21 to #112 Market Street.

The following appeared in Favor:
 Mark Pavone, Phoenix Communication
 No one appeared in Opposition.
 Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Trahant to grant the prayer of the Petitioner with the stipulations that the street be put back to its original condition and that it be paved curb to curb.

**Motion carried by the following yea and nay vote:
 9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).**

PUBLIC HEARINGS TO BE SET DOWN:

-Public Hearing on a Proposed Ordinance amending the City of Lynn Zone Ordinance to include Floodplain Districts, Amending Section 9 of the Parking Regulations and Amending Use Provisions Pertaining to the Central Business District and the Washington Street Corridor/Sagamore Hill Overlay District.

-Petition of R. F O'Sullivan's, Richard Sullivan, for permission for a sign permit at 151 Central Avenue.

Motion made by Councilor Colucci and seconded by Councilor Net to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the December 2, 2014 Committee on Economic and Workforce Development recommending the following to be accepted:

1. Presentation by Mass Development and EDIC Director, James Cowdell re: Mass Development's "Study of the Central Business" findings.
2. OTHER BUSINESS:

REPORT ACCEPTED.

Report of the December 2, 2014 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller is hereby authorized to take the following actions:

Transfer the sum of Three Thousand Five Hundred Twelve Dollars and Fifty Nine Cents (\$3,512.59) from the Fire Expense Account to the LFD Unpaid Bills of Prior Year Account.

Councillor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer in the sum of Three Thousand Five Hundred Twelve Dollars and Fifty Nine Cents (\$3,512.59) from the Fire Expense Account to the LFD Unpaid Bills of Prior Year Account.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).

Certify as an "Available Fund" the amount of Three Million Four Hundred Fifty Six Thousand Four Hundred Eighty One Dollars and Zero Cents (\$3,456,481.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education to fund the FY15 SPED 240 Grant. Grant Period 7/1/14-6/30/15.

Councillor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of Three Million Four Hundred Fifty Six Thousand Four Hundred Eighty One Dollars and Zero Cents (\$3,456,481.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education to fund the FY15 SPED 240 Grant. Grant Period 7/1/14-6/30/15.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).

Emergency Order was then adopted by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).

Certify as an "Available Fund" the amount of Two Hundred Thousand Five Hundred Ninety Four Dollars and Zero Cents (\$200,594.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education to fund the FY15 Perkins Grant. Grant period 7/1/14 to 6/30/15.

Councillor Barton attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial Order certifying as an "Available Fund" the amount of Two Hundred Thousand Five Hundred Ninety Four Dollars and Zero Cents (\$200,594.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education to fund the FY15 Perkins Grant. Grant period 7/1/14 to 6/30/15.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

**9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilor Capano and Councilor Lozzi absent at vote).
REPORT ACCEPTED.**

Report of the December 2, 2104 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Garrido, Mercedes, 8 Carnes St. #1- **Tabled**

Gittens, Ann M., 1 Breed Terrace - **Granted**

Gullion, Daniel, 31 Hillside Ave., Revere, MA 02151- **Granted**

Tate, Jayla, 17 Morris St. #2- **Granted**

TAXI OPERATOR (REVIEW)

Bingham, Joseph, 58 Broad St. #2- **Granted with stipulation he comes to the first meeting every month.**

LIVERY SERVICE (RENEWAL)

Smood Transportation, 271 Western Avenue, Suite 211-A7A- **Granted**

Solomon, Odunayo, 12 Castle Rising Court, #204- **Granted**

DOOR TO DOOR SALES-NEW

55 Concord St., North Reading, MA, Comcast- **Granted**

OLD GOLD & SILVER-RENEWAL

810 Lynnway, We Buy Gold 24- **Granted**

433 Washington St., A & S Pawn and Used Jewelry- **Granted**

PAWN SHOP-RENEWAL

433 Washington St., A & S Pawn and Used Jewelry- **Granted**

SECOND HAND- NEW

88 Lewis St., North Shore Wireless (*tabled at 11/18 no show*) – **Granted with stipulation hours are Monday – Saturday to 6pm NO SUNDAYS**

46 Ocean St, The Yard Sale – **Granted with stipulations hours are Tuesday – Monday 11:00 a.m. to 5:00 p.m.**

SECOND HAND-RENEWAL

270 Lynnway, R & B Imports- **Granted**

810 Lynnway, We Buy Gold 24- **Granted**

433 Washington St., A & S Pawn and Used Jewelry- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – TRANSFER

921 Western Ave. – EDU Auto Sales (from Eduardo Bettencourt to Sebastino Gilmar Pinto) – **Granted with stipulations there be No Tow Trucks and no Flatbeds.**

AUTO REPAIR/FLAMMABLE LICENSE – NEW

373 Summer St. – Xavier Auto Repair- **Granted**

CLASS I AUTO DEALER/AUTO REPAIR/FLAMMABLE LICENSE/RENEWAL

164 Blossom St. – Jim McLaughlin's Lynnway Truck Center- **Granted**

522 & 540 Lynnway – Kelly Automotive Group, Inc. dba Kelly Honda- **Granted**

671 Lynnway – Atlantic Toyota Group, Inc. dba Atlantic Toyota dba Toyota Scion - **Granted**

CLASS II AUTO DEALER/AUTO BODY/ REPAIR/FLAMM LICENSE – RENEWAL

174 Broad St. – Olympic Auto Body & Sales, LLC- **Granted**

171 Commercial St.- Col-Craft, Inc. - **Granted**

44 Marion St. – Mark A. King, Inc dba Marion St. Auto Body- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE/RENEWAL

164 Blossom St. – JEM Auto Sales- **Granted**

75 Boston St. – Boston St. Auto Sales, LLC- **Granted**

136 Cottage St. – Bay State Auto Service- **Granted**

100 Ford St. – Sooren Inc. dba Performance Auto Brokers- **Granted**

315 Lynnway – 315 Lynnway dba Lynn Motor Sales- **Granted**

361 Lynnway – Ron Costa’s Auto World- **Granted**

358 Summer St. – Commercial St. Auto, LLC- **Granted**

CLASS II DEALER/AUTO REPAIR/FLAM-RENEW & CHANGE OF LOCATION

(Tabled 11/18/14)

168-170 Franklin St. – A Starr Auto Sales – **Motion made by Councilor Cyr and seconded by Councilor Net to remove from the Table.**

Motion carried.

Motion made by Councilor Cyr and seconded by Councilor Net to DENY.

Motion carried.

Motion made by Councilor Cyr and seconded by Councilor Net to request a letter be forwarded to EDIC Director James Cowdell and OECD Director James Marsh requesting them to reach out to this business and assist them in finding an appropriate location.

Motion carried.

**OTHER BUSINESS:
REPORT ACCEPTED.**

Motion made by Councillor Colucci and seconded by Councillor Capano to adjourn.

Notice of this meeting was posted in the City Clerk’s Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK