

CITY OF LYNN

**City Council Meeting, July 16, 2019
Council President Darren P. Cyr**

**Eleven Councilors Present
Moment of Silence:
Pledge of Allegiance.**

**Motion made by Councilor Colucci and seconded by Councilor Barton to accept the Meeting Minutes of June 18, 2019.
Motion carried.**

COMMUNICATIONS:

Presentation / Adoption of Plans: Open Space Plan, Revised Waterfront Master Plan, and Municipal Harbor Plan.

***Motion made by Councilor Motion made by Councilor Walsh and seconded by Councilor Barton to accept for the files.
Motion carried.***

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Jabbar Hashim of Lynn to open a “Eat in and Take Out Restaurant” at 12 Market Square with hours of operation 10am-10pm, 7 days per week. **(Hogan)**

-Petition of Kurt Lange of East Coast International Church and The Haven Project for 24 studio units of affordable housing in the vacant 3rd and 4th floor of 57 Munroe St. **(Chakoutis)**

-Petition of EDIC Director James Cowdell and Beyond Walls for permission to allow Food Trucks, catering by vendors, food on premises and music at “The Launch” located on Bubier Street, Mon – Sun 8am to 11pm. **(Hogan)**

-Petition of National Grid to install PVC conduit from an existing manhole to the property at 20 Neptune Blvd **(Hogan)**

Petition of Fiesta Shows for a Carnival for the 4th of July Fireworks Fund to be held at GEAA Field on Summer St from September 5-8 with set up from September 2-4.

(Walsh)

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

Motion carried.

COMMITTEE REPORTS:

Report of the July 16, 2019 Committee on Personnel recommending the following to be accepted:

1. Interview for the Position of Treasurer/Collector:

Elyse Fannon

Motion made by Councilor LaPierre and seconded by Councilor Chakoutis to Confirm.

Motion carried by the following yea and nay vote:

11 YES 0 NO

2. OTHER BUSINESS

REPORT ACCEPTED.

Report of the July 16, 2019 Committee on Utilities recommending the following to be accepted:

PUBLIC HEARINGS:

Petition of National Grid to install a JO pole on Barrett Court and install one wooden pole, downguy, anchor and a pole to a pole guy in front of 17 Barrett Court.

(Hogan) - Tabled

Petition of National Grid to begin on River St to install conduit to sweep up pole 28 for primary 3PH riser to feed the new apartment building at 6 Needham's Landing Road.

(Hogan) - Tabled

Petition of National Grid to install 1 JO pole on River St and a pole to be used as primary 3PH riser to feed new apartment building at 6 Needham's Landing Road.

(Hogan) - Tabled

Petition of National Grid to begin on Commercial St installing 6 new manholes and 2700 feet conduits and trenching to Circle Ave, Carolyn St, Day St and Harding St. Conduits will continue north crossing the Lynnway towards the proposed new 19th St – Lynnway Associates. ***(Hogan) – Tabled***

OTHER BUSINESS:

Attorney Pare, representing Crown Castle NG East LLC was present. He stated that on three of the sites, 15-19 Garland Street, 34-38 Bonavesta Street, and 35 Grosvenor Park, they need to do more due diligence, and asked that no action be taken as they will not be doing anything with these locations.

Motion made by Councilor Chakoutis and seconded by Councilor Colucci stating that the Committee is satisfied the conditions were met on the properties located at: 227 Lynnfield Street, 32 Erie Street, 16 Pierce Road, Chancery Lane, 16 Hanover Street, 201 Linwood Street, Tapley Street, 147 Fairmount Street, and to remove Garland, Bonavesta and Grosvenor Streets from the list.

Motion carried.

REPORT ACCEPTED.

**Report of the July 16, 2019 Committee on Recreational Cannabis Site Plan
Review recommending the following to be accepted:**

1. Discussion re: Essex Apothecary, 233 Western Avenue - **Granted**
2. Discussion re: The Harvest Club, LLC, 461 Broad Street
Petitioner submitted a Letter of Withdrawal.

3. **OTHER BUSINESS**

REPORT ACCEPTED.

Report of the July 16, 2019 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of ONE MILLION THREE HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (1,360,000.00)

From the Account of 11764-1700 WC-PR 1,360,000.00

To the Account of 71021176-1700 Stat WC-PR 1,360,000.00

To fund Statutory Workers Compensation Fund under Ch 40. Sec 13A from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19

.Councilor Field 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 transferring the sum of ONE MILLION THREE HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (1,360,000.00)

From the Account of 11764-1700 WC-PR 1,360,000.00

To the Account of 71021176-1700 Stat WC-PR 1,360,000.00

To fund Statutory Workers Compensation Fund under Ch 40. Sec 13A from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19 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:

11 YES 0 NO

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

11 YES 0 NO

Transfer the sum of ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (100,000.00)

From the Account of 11755-1700 Unemployment-Exp 100,000.00

To the Account of 71031175-1700 Stat UE-Exp 100,000.00

To fund Statutory Unemployment Benefits Fund under Ch 40. Sec 5E from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19.

Councilor Field 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 transferring the sum of ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (100,000.00)

From the Account of 11755-1700 Unemployment-Exp 100,000.00

To the Account of 71031175-1700 Stat UE-Exp 100,000.00

To fund Statutory Unemployment Benefits Fund under Ch 40. Sec 5E from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19.

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:

11 YES 0 NO

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

11 YES 0 NO

Transfer the sum of ONE HUNDRED NINE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (109,500.00)

From the Account of 22105-3103 LPD-Exp 45,000.00

From the Account of 22105-3104 LPD-Exp 45,000.00

From the Account of 22105-3107 LPD-Exp 3,000.00

From the Account of 22105-3116 LPD-Exp 3,500.00

From the Account of 22105-3199 LPD-Exp 13,000.00

To the Account of 71012210-Various Stat PS-IOD Exp 109,500.00

To fund Statutory Public Safety Injured on Duty Medical Expenses Fund under Ch 41. Sec 111F from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19.

Councilor Field 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 transferring the sum of ONE HUNDRED NINE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (109,500.00)

From the Account of	<u>22105-3103</u>	LPD-Exp	45,000.00
From the Account of	<u>22105-3104</u>	LPD-Exp	45,000.00
From the Account of	<u>22105-3107</u>	LPD-Exp	3,000.00
From the Account of	<u>22105-3116</u>	LPD-Exp	3,500.00
From the Account of	<u>22105-3199</u>	LPD-Exp	13,000.00

To the Account of 71012210-Various Stat PS-IOD Exp 109,500.00

To fund Statutory Public Safety Injured on Duty Medical Expenses Fund under Ch 41. Sec 111F from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19.

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

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

11 YES 0 NO

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

11 YES 0 NO

Transfer the sum of ONE HUNDRED TWENTY NINE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (129,500.00)

From the Account of	<u>22405-3103</u>	LFD-Exp	20,000.00
From the Account of	<u>22405-3104</u>	LFD-Exp	76,000.00
From the Account of	<u>22405-3105</u>	LFD-Exp	500.00
From the Account of	<u>22405-3107</u>	LFD-Exp	25,000.00
From the Account of	<u>22405-3115</u>	LFD-Exp	1,000.00
From the Account of	<u>22405-3116</u>	LFD-Exp	7,000.00

To the Account of 71012240-Various Stat PS-IOD Exp 129,500.00

To fund Statutory Public Safety Injured on Duty Medical Expenses Fund under Ch 41. Sec 111F from FY20 General Fund Appropriated Amount. This fund was initially adopted in FY19.

Councilor Field 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 transferring the sum of ONE HUNDRED TWENTY NINE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (129,500.00)

From the Account of	<u>22405-3103</u>	LFD-Exp	20,000.00
From the Account of	<u>22405-3104</u>	LFD-Exp	76,000.00
From the Account of	<u>22405-3105</u>	LFD-Exp	500.00
From the Account of	<u>22405-3107</u>	LFD-Exp	25,000.00

From the Account of 22405-3115 LFD-Exp 1,000.00
 From the Account of 22405-3116 LFD-Exp 7,000.00
 To the Account of 71012240-Various Stat PS-IOD Exp 129,500.00
 To fund Statutory Public Safety Injured on Duty Medical Expenses Fund under
 Ch 41. Sec 111F from FY20 General Fund Appropriated Amount. This fund was
 initially adopted in FY19.

**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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an "Available Fund" the amount of SEVENTY FOUR THOUSAND EIGHTY EIGHT DOLLARS AND FIFTY CENTS (\$74,088.50) as allotted to the City of Lynn by the Department of Public Utilities (DPU) for the proceeds of the Transportation Network Companies (Uber/Lyft) Funds to be used for Transportation infrastructure needs.

The city receives .10 per ride from the DPU annually for this TNC agreement.

Councilor Field 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 to certify as an "Available Fund" the amount of SEVENTY FOUR THOUSAND EIGHTY EIGHT DOLLARS AND FIFTY CENTS (\$74,088.50) as allotted to the City of Lynn by the Department of Public Utilities (DPU) for the proceeds of the Transportation Network Companies (Uber/Lyft) Funds to be used for Transportation infrastructure needs.

The city receives .10 per ride from the DPU annually for this TNC agreement.

**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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an "Available Fund" the amount of SEVEN HUNDRED NINETY FOUR THOUSAND ONE HUNDRED SEVENTY EIGHT DOLLARS AND ZERO CENTS (\$794,178.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security for the State 911 Support and Incentive Grant Grant Period is 07/09/19-06/30/20

Councilor Field 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 to certify as an “Available Fund” the amount of SEVEN HUNDRED NINETY FOUR THOUSAND ONE HUNDRED SEVENTY EIGHT DOLLARS AND ZERO CENTS (\$794,178.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security for the State 911 Support and Incentive Grant Grant Period is 07/09/19-06/30/20

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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an “Available Fund” the amount of TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (22,500.00) as allotted to the City of Lynn School Department by the Essex County District Attorney’s Office (EAS) for the FY20 All Star Program Grant, which is located at the Breed Middle School.

Grant Period 09/01/19-06/30/20

Emergency Preamble

Councilor Field 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 to certify as an “Available Fund” the amount of TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (22,500.00) as allotted to the City of Lynn School Department by the Essex County District Attorney’s Office (EAS) for the FY20 All Star Program Grant, which is located at the Breed Middle School.

Grant Period 09/01/19-06/30/20

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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an “Available Fund” the amount of FIFTEEN THOUSAND DOLLARS AND ZERO CENTS (15,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY20 FC405 Career and Tech Education Partnership Planning Summer 2019 Grant. Grant Period

07/01/19-08/31/19

Councilor Field 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 to certify as an “Available Fund” the amount of FIFTEEN THOUSAND DOLLARS AND ZERO CENTS (15,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY20 FC405 Career and Tech Education Partnership Planning Summer 2019 Grant. Grant Period 07/01/19-08/31/19

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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an “Available Fund” the amount of ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$125,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) MA Tobacco Cessation and Prevention Program
Grant Period is 07/01/19 to 06/30/20

Councilor Field 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 to certify as an “Available Fund” the amount of ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$125,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) MA Tobacco Cessation and Prevention Program

Grant Period is 07/01/19 to 06/30/20

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:

11 YES 0 NO

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

11 YES 0 NO

REPORT ACCEPTED.

PUBLIC PROPERTY AND PARKS

1. Discussion with Director of the Downtown Lynn Cultural District re: Approval of a Public Art Display on the corner of Mount Vernon and Exchange Street. **(Tabled June 18, 2019). - Granted**
2. Discussion re: Request from KIPP Academy to use the Johnson Street Parking Lot on Saturday, July 27, 2019, from 7:00 a.m. to 4:00 p.m. – **Granted**

REPORT ACCEPTED.**Report of the July 16, 2019 Committee on Licensing recommending the following to be accepted:****TAXI OPERATORS – NEW:**Martinez Guillen, Moises: 48 Ashland St - **Tabled**Santana, Julio C: 39 Cottage St- **Granted**Sasseville, Richard: 74 Collins St- **Granted****TAXI OPERATORS – TABLED – REVIEW:**Garcia-Gil, Erika: 87 Franklin St #3 (Tabled 6/18-No Show) - **Granted**Lopez, Hector L: 15 Cook St (90 Day Review) - **Granted****LIVERY OPERATORS NEW:**Stowe, Brian: 106 Bowler St - **Granted****EXTENDED HOUR RENEWALS – TABLED – NO SHOWS FROM 6/18/19****THE FOLLOWING WERE GRANTED:**

108	Boston St	Burger King	Sun-Wed 6:00am - 1:00 am/ Thurs-Sat 6am-2am
116	Boston St.	Wendy's	Drive Thru Till 4 am
124	Broad St	George's Roast	M-Sat 10:30 am-2:00 & Sun 12:00pm-2:00am
512	Chestnut St	Lynn Mobile	5:00 am-2:00 am 7 days
668	Chestnut St	Cumberland Farms	24/7 days
122	Liberty	Speedway	24/7 days
3	Lynnfield St	7-11	24/7 days
377	Lynnway	Wendy's	Drive thru only until 2am
535	Lynnway	Lynnway Shell	24/7 days
567	Lynnway	McDonalds	5am-12 am – Drive thru 24/7days
16	Market Sq.	Lynn House of RB	10:00am-2:00 am 7 Days
17	Market Sq.	People's Choice	6:00am-1:30 am 7 Days
50	Western Ave	7-11	24/7 days
969	Western Ave	AL Prime Energy	24/ 7 days

EXTENDED HOUR RENEWALS**THE FOLLOWING WERE ISSUED 30-60-90 REVIEWS:**

60	Boston St.	McDonalds	Drive thru 24/7 days
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65 Boston St. CVS Pharmacy 24/7 hours
 122 Boston St. Boston Shell Gas Station and Kiosk till 1:00 am
 124 Boston St. Taco Bell 7:00 am – 1:00 am (with stip)
 525 Lynnway Gulf 24/7 days

FLAMMABLE LICENSE –NEW

10 Heath's Court Unit 11-12, Northeast Oil Delivery Inc

(Tabled from 6/18/19)-Granted

AUTO BODY/REPAIR/FLAMMABLE RENEW AND NEW LOCATION

892 Washington St, Edna's Auto Body (formerly 1071 Western Ave Bay 5)- **Granted**

AUTO REPAIR/AUTO BODY FLAM LICENSE – TEMP AND REVIEW

129 Commercial St, Ernesto Auto Repair and Auto Body

(Temp Lic granted 6/11/19) - **Granted**

AUTO REPAIR/FLAM LICENSE – TEMP AND REVIEW

10 Heath's Court, Unit 4, Wally's Auto (30 day review) - **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL AND REVIEW – ALL

GRANTED

371 Summer St, Xpress Auto and Tire Repair

373 Summer St, Dianna Auto Repair

375 Summer St, P & P Tire

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL- ALL GRANTED

349 Lynnway, Morgan's Garage

985 Western Ave, MBTA Garage

1071 Western Ave, Kenny's Auto Repair

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE-RENEWAL – ALL GRANTED

69 Bennett St, Fast Lane Collision Center Inc

52 Oakville St, 26 Auto Body Inc

FLAMMABLE LICENSE – RENEWAL – ALL GRANTED

22 Bennett St, Perrotti's Welding

255 Blossom St, National Grid

152 Boston St, Advance Auto Parts

300 Broad St, North Shore Community College

134 Broadway, Catholic Cemetery

573 Chestnut St, Richdale Convenience Store/Gas station

59-61 Commercial St, O'Connors 16 Realty, LLC

32 Homesite, National Grid

282 Lynnway, U-Haul Moving and Storage

453 Lynnway, EZ Landscaping Inc

525 Lynnway, Gulf Gas Station

599 Lynnway, O'Reilly Auto Parts

637 Lynnway, Auto Zone #5122

88 Marion St, Demakes Enterprises Inc

625 Western Ave, Petroil Market

896-898 Western Ave, NRT Bus Co.

SIGN LICENSES-RENEWAL – ALL GRANTED

26 Bennett St., REM Auto Body & Truck Repair
 369 Boston St., Lucky 7 Market
 511 Boston St., Top of the Line Haircuts
 555 Boston St., Boston Tattoo
 170 Broad St., Conga Lounge
 328A Broadway, Lazy Dog
 102 Central Ave., The Sign Store
 250 Chatham St., Benjy's Conv.
 326 Chatham St., Automotive Service
 73 Cottage St., Instyle Barbershop
 65 Exchange St., Junction Deli
 88 Exchange St., One Mighty Mill
 103-105 Federal St., Hibernian
 143 Franklin St., New England Laundry
 60 Granite St., Bayridge Hosp.
 23 Market Sq., Del Pueblo Market
 129 Oxford St., Casa Antigua Restaurant
 53 Union St., Enjoys Liquors
 193 Union St., B & V Pawn Shop
 203-205 Union St., Lesli's Market
 235 Union St., Phersphone Food Corp (Caruso Pizza)
 269 Union St., Lynn Community Health Center
 32 Western Ave., W. Proodian & Sons, Inc.
 57 Western Ave., Salon 495
 101 Western Ave., Greg Rogers
 437 Western Ave., New Construction
 444 Western Ave., C & C Machinery
 524 Western Ave., Duran Market
 813 Western Ave., V & N Convenient

CANNING

Aborn School Camp Cody Field Trip (Adults Only) – August 19,20,29, 2019-**Granted**
 Lynn Wyoma Senior Softball Team (Adults Only) – July 29, 30, 2019- **Granted**

OTHER BUSINESS

REPORT ACCEPTED

Report of the July 16, 2019 Committee of the Whole recommending the following to be accepted:

- 1. Presentation and Overview of the Stretch Code and the Green Communities Program.**

**2. OTHER BUSINESS
REPORT ACCEPTED.**

OLD BUSINESS:

Motion made by Councilor Lozzi and seconded by Councilor Walsh to remove from the Table the Proposed Zone Ordinance (Washington Street District) and grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councilor Colucci and seconded by Councilor Starbard 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