



City Council

Regular Meeting

~ Minutes ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Anthony I. Wilson
413-787-6096

Monday, May 15, 2017

7:00 PM

City Hall--Room 220

Possible Public Speak-Out Time 6:30 PM

Call to Order

7:00 PM Meeting called to order on May 15, 2017 at City Hall--Room 220, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Melvin A. Edwards	Ward 3 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Absent	
Timothy J. Rooke	At-Large Councilor	Present	
Adam Gomez	Ward 1 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Marcus J Williams	Ward 5 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Absent	
Kenneth E. Shea	Ward 6 Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Justin Hurst	Vice-President	Remote	
Bud L. Williams	At-Large Councilor	Present	
Orlando Ramos	President- Ward 8 Councilor	Present	

Moment of Silence - Pledge of Allegiance

Informational

1. Order (ID # 4006)

April Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Patrick Burns, Comptroller, gave the report.

ATTACHMENTS:

- April Revenue Vs Expenditure Report (PDF)

RESULT: RECEIVE REPORT

Reports of Committee

Councilor Walsh gave report of maintenance and development committee. Met on PVTA's pouring of concrete landing pads.

Council recieved report by voice vote.

Councilor Gomez gave report of the Economic Development subcommittee.

Council recieved report by voice vote.

Petitions

2. Petition (ID # 3898)

Petition MGM 10,278

HISTORY:

03/20/17 City Council REFER TO COMMITTEE

Tim Williams, Allen and Major Associates, appeared to represent the petitioner.

Councilor Fenton referred the item to the City Council's Casino Oversight committee. Seconded by councilor Bud Williams. Passed unanimously by voice vote.

04/24/17 Casino Oversight Committee

COMMENTS - Current Meeting:

Motion to committee by Councilor Fenton, seconded by Councilor Gomez.

Referred to the Casino Oversight committee.

ATTACHMENTS:

- RIGHT OF WAY EXTENSION MGM (PDF)
- S-1839-02A-ROW-ALT-M-B-2016-06-07 (PDF)
- S-1839-02A-ROW-ALT-H-U-2016-06-07 (PDF)

RESULT:	REFER TO COMMITTEE	Next: 7/17/2017 7:00 PM
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3. Petition (ID # 4011)

CMA-Warwick St.

ATTACHMENTS:

- Warwick st (PDF)
- Warwick St BPW Petition_4-14-17 (PDF)

RESULT:	RECEIVED PASSED
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4. Petition (ID # 4012)

CMA-Mary Coburn

ATTACHMENTS:

- 29 Mary Coburn Rd. (PDF)
- 29 Mary Cobourn rd. petition (PDF)

RESULT: RECEIVED PASSED

5. Petition (ID # 4014)

CMA- Stafford Street

ATTACHMENTS:

- Stafford petition (PDF)
- Stafford St Petition drawing (PDF)

RESULT: RECEIVED PASSED

6. Petition (ID # 4010)

Lighttower- 732 Chesnut St.

ATTACHMENTS:

- Petition Letter - Chestnut St, Springfield MA (PDF)
- Springfield, MA_732 Chestnut St_Civil_Prop_10-12-16 (PDF)

RESULT: WITHDRAWN

7. Petition (ID # 4013)

Lighttower- 43 Homer St.

ATTACHMENTS:

- Petition Letter -Homer and Reed Streets, Springfield MA (PDF)
- Springfield, MA_43 Homer St_Civil_Prop_9-1-16 (PDF)

RESULT: WITHDRAWN

8. Petition (ID # 4015)

Lighttower- 1840 Roosevelt Ave.

ATTACHMENTS:

- Petition Letter -Roosevelt Ave and Bay St, Springfield MA (PDF)
- Springfield MA_1840 Roosevelt Ave_Civil_Prop_10-12-16 (PDF)

RESULT: WITHDRAWN

Grants

9. Order (ID # 4016)

Springfield City Library Donation - \$210.00

ATTACHMENTS:

- Library Donation (PDF)

RESULT:	PASSED BY VOICE VOTE
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Orders

10. Order (ID # 4007)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of SS Orange St. (09340-0092) to Morrissette Properties, LLC

COMMENTS - Current Meeting:

Robert Demusis spoke in favor of the order. Councilor Bud Williams stated that it was his understanding that this was a buildable lot and that the abutter auctions were for non-buildable lots.

Mr. Demusis, stated that the lot was not marketable. He stated that the program applies to any lot assessed at less than \$35,000.

Councilor Shea asked if there was a restriction in the deed to ensure that the lot could only be used as a parking lot. Mr. Demusis said that there was a restriction on the deed.

The Council unanimously voted to suspend rule 19.

RESULT:	ADOPTED [11 TO 0]
AYES:	Edwards, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Williams, Ramos
ABSENT:	Timothy C. Allen, E. Henry Twiggs

11. Order (ID # 4008)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Clark St. (02830-0015) to Javish A. Garcia and Walleska Quinones

COMMENTS - Current Meeting:

Robert Demusis spoke in favor of the order.

The Council unanimously voted to suspend rule 19.

RESULT:	ADOPTED [11 TO 0]
AYES:	Edwards, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Williams, Ramos
ABSENT:	Timothy C. Allen, E. Henry Twiggs

12. Order (ID # 4009)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of WS Bowdoin Street (01680-0006) & Rear Bowdoin Street (01680-0007) to Matilda Pavao

COMMENTS - Current Meeting:

Robert Demusis spoke in favor of the order.

Mr. Demusis explained the history of the lot. There were three applicants for the abutter lot program.

Motion to committee by councilor Edwards, seconded by Councilor Walsh.

Councilor Bud Williams stated that he supported the motion.

The motion passed unanimously.

The matter was referred to the Economic Development sub-committee.

RESULT:	REFERRED TO COMMITTEE	Next: 7/17/2017 7:00 PM
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Ordinances

13. Ordinance 2017-2

Mobile Food Trucks

There are two parts to the Mobile Food Truck regulations. One is the actual ordinance and the other is the Occupancy Manual and Permit Application created by Engineering (DPW).

HISTORY:

04/10/17	City Council	REFERRED TO COMMITTEE
Next: 04/26/17		

Chris Cignoli spoke in favor of the ordinance. He further explained the permitting process for vendors. He stated that no permit will be allowed for a location within 500 feet of a residential area.

Councilor Marcus Williams spoke in favor of the ordinance and he explained the effort expended that the Young Professionals Special sub-committee in developing the ordinance.

Chris Russell, Executive Director of the Business Improvement District, spoke in favor of the ordinance.

Councilor Gomez had a conversation in spanish with a member of the audience whom he identified as Williams Sanchez. Councilor Gomez explained the fee structure of the proposed ordinance to this person.

Councilor Marcus Williams moved to amend section **279-43(C)(1)** of the proposed ordinance to read as follows:

Within fourteen (1) days of the submission of a completed application, the DPW shall either issue or deny the application for a permit. Any application not acted on within sixty (14) days shall be deemed denied.

Councilor Marcus Williams moved to add subsection C to section **279-56** which would state:

Application fees will not be prorated.

Both motions were seconded by Councilor Edwards. The amendments passed unanimously.

Councilor Rooke moved to amend the ordinance to state:

John Verducci be allowed remain at the location between fat cats and adolf's on worthington street until December 1st, 2017.

Seconded by Councilor Bud Williams.

Councilor Marcus Williams stated that he did not support Councilor Rooke's amendment as it was preferential treatment.

Councilor Gomez expressed concern about the motion.

Councilor Edwards spoke against the motion.

Councilor Rooke asked for a role call vote on the motion.

Edwards	no
Allen	no
Rooke	yes
Gomez	yes
Walsh	no
M. Williams	no
Ashe	yes
Twiggs	absent
Shea	no
Fenton	no
Hurst	no
B. Williams	yes
Ramos	no

Councilor Rookes motion failed.

Councilor Ashe moved to send the amendment back to committee. Seconded by Councilor Rooke. Motion failed by voice vote.

In response to a question from Councilor Hurst, Mr. Cignoli stated that the spaces in the downtown area will be allocated on a "first-come-first-serve" basis.

Councilor Gomez stated that he would like to see the downtown locations assigned randomly rather than by "first-come" basis.

Councilor Fenton moved to add subsection C to section 279-44 to read:

If there are more than 6 interested applicants under A or B during any quarter than Director of DPW shall conduct a lottery to determine the lottery holders.

Seconded by Councilor Gomez.

Councilor Shea spoke against the amendment stating that it causes a delay in the issuance of the permits.

Councilor Edwards spoke against the amendment.

Councilor Fenton withdrew his motion.

Councilor Gomez stated that a "first-come-first-serve" permit issuance is unfair.

Councilor Ashe made a motion to send the ordinance to committee. Seconded by Councilor Walsh.

Referred to general government

04/26/17 City Council

05/01/17 City Council FIRST STEP

Councilor Walsh stated that the sub-committee passed a motion to amend section 279-44 to go from six permits to eight.

Chris Cignoli stated that the he wanted to fines increased from \$300 to \$750. Thats the application fee should be reduced from \$200 to \$75 and the quarterly fee be increased from \$75 to \$150. In addition. section 279-44(B) should include Lyman and Kaynor streets.

Councilor Marcus Williams stated that he was in agreement with the changes suggested by Director Cignoli. Councilor Williams also stated that numerous stake holders worked very hard to bring this ordinance forward and that the council should pass the ordinance.

Councilor Gomez stated that his concerns about fairness in the distribution of permits had been addressed by the subcommittee and he supports passage.

Councilor Allen commended Councilor Marcus Williams for his efforts.

Councilor Walsh stated that she was concerned about the amount of the fines. Director Cignoli stated that the fines are meant to encourage compliance.

Councilor Marcus Williams made a motion to amend section 279-44(B) to include Lyman and Kaynor streets. Seconded by Councilor Rooke. The Motion passed unanimously.

Councilor Marcus Williams made a motion to amend § 279-47: Application Fee so that the application fee is \$75 and the quarterly fee is \$150. Seconded by Councilor Edwards. The Motion passed unanimously.

Councilor Gomez made a motion to amend § 279-44 to issue 8 pemits in subsections A and B. Seconded by Councilor Walsh. The Motion passed unanimously.

COMMENTS - Current Meeting:

Christopher Cignoli spoke in favor of the ordinance.

Councilor Ashe made a motion to hear from a member of the public. Councilor Marcus Williams objected.

Motion to Committee Councilor Ashe. Seconded by Councilor Rooke.

Motion failed:

Edwards	N
Allen	A
Rooke	Y
Gomez	N
Walsh	N
Marcus Williams	N
Ashe	Y
Twiggs	A

Shea	N
Fenton	N
Hurst	N
Bud Williams	N
Ramos	N

Councilor Rooke invoked Rule 20. Councilor Ramos ruled that rule 20 does not apply.

Moved to amend the ordinance to delete section 279-56. Seconded by Councilor Gomez.

The council invoked rule 22C to pass the ordinance in one step.

The Council passed the ordinance in one step:

Edwards	Y
Allen	A
Rooke	N
Gomez	Y
Walsh	Y
Marcus Williams	Y
Ashe	N
Twiggs	A
Shea	Y
Fenton	Y
Hurst	Y
Bud Williams	Y
Ramos	Y

Councilor Rooke moved for reconsideration.

ATTACHMENTS:

- Mobile Food Trucks_Ch. 279_4-5-2017 (DOCX)

RESULT: RECONSIDERATION

Next: 6/5/2017 7:00 PM

14. Ordinance (ID # 3949)

Occupancy Manual-DPW

This is being presented by Chris Cignoli of DPW. It is related to the Mobile Food Truck Ordinance, but also has other changes he'd like to discuss.

HISTORY:

04/10/17

City Council

REFERRED TO COMMITTEE

Next: 04/26/17

Motion to committee by Councilor Walsh. Seconded by Councilor Gomez.

Referred to general government

04/26/17 City Council

05/01/17 City Council **REFERRED TO COMMITTEE**

Next: 05/15/17

Councilor Fenton moved to send this matter to Committee. Seconded by Councilor Rooke.

ATTACHMENTS:

- 2017 Occupancy Manual - Food Truck Ordinance Update--DRAFT FINAL (1) (2) (PDF)
- Appendix E-Mobile Food Truck Vendor Permit Application (DOCX)

RESULT: WITHDRAWN

Suspension of Rules

15. Ordinance (ID # 4017)

Air Pollution

COMMENTS - Current Meeting:

Councilor Edwards spoke in favor of the ordinance.

Councilor Walsh stated that she was concerned about the amount of the fine.

RESULT: FIRST STEP **Next: 6/5/2017 7:00 PM**