



City Council

Regular Meeting

~ Draft ~

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

Tasheena Davis
4137876589

Monday, July 20, 2020

6:30 PM

City Hall -- Room 200

Possible Public Speak-Out Time 6:30 PM

Call to Order

6:30 PM Meeting called to order on July 20, 2020. THE MEETING WILL BE HELD VIA ZOOM (utilizing remote collaboration technology).

Attendee Name	Title	Status	Arrived
Adam Gomez	Ward 1 Councilor	Remote	
Tracye Whitfield	Councilwoman	Remote	
Victor Davila	Councilman	Late	
Michael A. Fenton	Ward 2 Councilor	Absent	
Sean Curran	Councilman	Remote	
Orlando Ramos	Vice President - Ward 8 Councilor	Remote	
Kateri B. Walsh	At-Large Councilor	Remote	
Marcus J Williams	Vice-President	Remote	
Timothy C. Allen	Ward 7 Councilor	Remote	
Jesse Lederman		Remote	
Melvin A. Edwards	Ward 3 Councilor	Remote	
Malo Brown	Councilman	Absent	
Justin Hurst	President	Remote	

Moment of Silence - Pledge of Allegiance

Reports of Committee

Informational

Petitions

1. Petition (ID # 5773)

Wilbraham Ave. Pet. 10,291

COMMENTS - Current Meeting:

Chris Cignoli, Director of the Department of Public Works, addressed the Council. He explained the item regards land being taken from Springfield College for a park near DeBerry school by discontinuing a section of Wilbraham Avenue.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Wilbraham Ave. Report (PDF)
- Letter Capital Asset (PDF)
- 18-12019--Surv-ANR Plan11-07-19 (PDF)

RESULT: RECEIVED PASSED**2. Petition (ID # 5774)**

Verizon- Lombard St.

COMMENTS - Current Meeting:

The Council took items #2,3,4 & 6 together.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Report Lombard Street (PDF)
- Petition-Lombard St.Verizon (PDF)
- plan Lombard St. Verizon (PDF)

RESULT: RECEIVED PASSED**3. Petition (ID # 5776)**

Verizon- Washington St.

COMMENTS - Current Meeting:

Chris Cignoli, Director of the Department of Public Works stated this is for Washington Road, not Washington Street.

The Council took items #2,3,4 & 6 together.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Report Washington Road (PDF)
- Plan Washington Rd. (PDF)
- Washigton Rd. Petition (PDF)

RESULT: RECEIVED PASSED**4. Petition (ID # 5777)**

Verizon- Oakland St.

COMMENTS - Current Meeting:

The Council took items #2,3,4 & 6 together.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Report Oakland St, (PDF)
- plan Okland St (PDF)
- Oakland St. Petition Verizon (PDF)

RESULT: RECEIVED PASSED**5. Petition (ID # 5778)**

CMA-Plainfield St.

COMMENTS - Current Meeting:

The Council took items #5, 7, 8, 9 & 10 together.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Plainfield Petition CMA (PDF)
- Plan- Plainfield CMA (PDF)
- CMA-Plainfield Street Report (PDF)

RESULT: RECEIVED PASSED**6. Petition (ID # 5779)**

Comcast- Madison St.

COMMENTS - Current Meeting:

The Council took items #2, 3, 4, 5 & 6 together.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- COMCAST REPORT -Madison Ave, (PDF)
- 38 Madison Ave - Petition Signed (PDF)
- 38 Madison Ave -Aerial View (PDF)
- 38 Madison Ave-Springfield (PDF)

RESULT: RECEIVED PASSED**7. Petition (ID # 5782)**

CMA High Street

COMMENTS - Current Meeting:

The Council took items #5, 7, 8, 9 & 10 together.

Chris Cignoli, Director of the Department of Public Works stated this is for work at High and School Streets.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Petition High St (PDF)
- plan High St. (PDF)
- CMA-High Street Report (PDF)

RESULT: RECEIVED PASSED

8. Petition (ID # 5783)

CMA Rush St.

COMMENTS - Current Meeting:

The Council took items #5, 7, 8, 9 & 10 together.

Chris Cignoli, Director of the Department of Public Works stated this is for gas work in Upper Hill neighborhood.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- RUSH-DRAWING (Rev 2)(PDF)
- Petition Rush St. (PDF)

RESULT: RECEIVED PASSED

9. Petition (ID # 5785)

CMA- Fenwick Street

COMMENTS - Current Meeting:

The Council took items #5, 7, 8, 9 & 10 together.

Chris Cignoli, Director of the Department of Public Works stated this is for gas work in Upper Hill neighborhood.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- FENWICK ST.- Drawing REV1 (PDF)
- Petition Fenwick St. (PDF)
- CMA-Fenwick Street Report (PDF)

RESULT: RECEIVED PASSED

10. Petition (ID # 5784)

CMA-Florida Street

COMMENTS - Current Meeting:

The Council took items #5, 7, 8, 9 & 10 together.

Chris Cignoli, Director of the Department of Public Works stated this is for gas work in Upper Hill neighborhood.

The Council passed the order by unanimous roll call vote.

ATTACHMENTS:

- Petition Florida St. (PDF)
- PLAN Florida St (PDF)
- CMA-Florida Street Report (PDF)

RESULT:	RECEIVED PASSED
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Grants

11. Order (ID # 5750)

State 911 Support & Incentive Grant - No Match - \$963,535.00

COMMENTS - Current Meeting:

Tim Sheehan, Chief Development Officer, addressed the Council. He stated the project was rewarded with HUD as the lead applicant and Springfield was one of 23 communities selected. The project consists of an entry and navigation project with Gandara and CHD. It is a two year grant that is renewable on an annual basis.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- FY21 State 911 S&I Grant (PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Gomez, Whitfield, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Victor Davila, Michael A. Fenton, Malo Brown

12. Order (ID # 5740)

Youth Homelessness Demonstration Program Grant - \$2,426,044 - No Match

COMMENTS - Current Meeting:

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Youth Homelessness Demonstration Program grant (PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Gomez, Whitfield, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Victor Davila, Michael A. Fenton, Malo Brown

13. Order (ID # 5768)

Community Mitigation Grant-\$250,000- No Match

COMMENTS - Current Meeting:

BJ Calvi, Fire Commissioner, stated that it is a grant from the state 911 commission that has increased and is to maintain the 911 system.

Councilor Gomez thanked Commissioner Calvi and all his firemen who worked tirelessly through the night to put out a fire on his street. He asked if the increase is due to cell phone use.

Mr. Calvi stated the increase is because Springfield is now answering calls, where it was previously the state answering them.

Councilor Ramos asked how this falls on the lap of the Fire Dept.

Mr. Calvi stated the Fire Dept. began oversight 6-7 months ago.

Councilor Ramos states his issues with the system pre-date Commissioner Calvi's post. He explained there has been many issues where the identity of the caller was revealed, causing serious issues and this may contribute to crime being unreported.

Mr. Calvi stated that there is a grant for training and training includes confidentiality.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Impact grant (PDF)
- Community Mitigation grant (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

14. Order (ID # 5751)

State 911 Training Grant - No Match - \$189,384.54

COMMENTS - Current Meeting:

BJ Calvi, Fire Commissioner, stated that it is a grant from the state 911 commission that has increased and is to maintain the 911 system. He explained the City has received the grant for the past decade.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- FY21 State 911 Training Grant (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

15. Order (ID # 5766)

Springfield Library Foundation Trust & Endowments Grant - No Match Required \$180,000.00

COMMENTS - Current Meeting:

Molly Fogarty, Director of Springfield Libraries, addressed the Council. She explained this is funding restricted to supplies and materials.

Councilor Lederman asked how curbside pick up is going.

Ms. Fogarty stated it is going well and there is money going into ebooks and virtual systems.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Library Foundation Trust & Endowments (PDF)
- SLF T & E (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

16. Order (ID # 5763)

FY21 Mason Square Library Grant - No Match Required - \$145,394.12

ATTACHMENTS:

- FY 21 Form Mason Square Libr Fnd (PDF)
- SLF - Mas Sq FY21 (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

17. Order (ID # 5767)

FY21 Local Consumer Aid Grant - No Match Required \$110,605.00

COMMENTS - Current Meeting:

Milagros Johnson, Director of Consumer Information, addressed the Council. She stated the grant is for education of consumers and has increased by \$11,000.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- MOCI Grant Set Up Form Docs FY21 (PDF)
- MOCI grant award letter (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

18. Order (ID # 5770)

Community Mitigation Grant - No Match Required - \$110,000

COMMENTS - Current Meeting:

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- PD Community Mitigation Funding (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

19. Order (ID # 5744)

Mass in Motion Grant Award - No Match Required \$100,000.00

COMMENTS - Current Meeting:

Helen Caulton, Commissioner of Health & Human Services, stated the grant is to promote health & wellness for underserved communities.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- HHS MIM PGCHW GRANT (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

20. Order (ID # 5745)

FY21 SHINE Grant - No Match Required \$99,996.00

COMMENTS - Current Meeting:

Helen Caulton, Commissioner of Health & Human Services, stated the grant is to serve the elderly and is very important because it links the elderly with health insurance.

Council voted to accept the grant and pass the order by unanimous roll call vote.

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

21. Order (ID # 5733)

DPW Rideshare Funding - No Match - \$91,572.40

COMMENTS - Current Meeting:

Chris Cignoli, Director of the Department of Public Works stated this is the City's third year receiving the grant for complete streets program.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- DPW Rideshare Funding (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

22. Order (ID # 5743)

FY21 Tobacco Control Grant - No Match Required \$70,000.00

COMMENTS - Current Meeting:

Helen Caulton, Commissioner of Health & Human Services, stated the grant is annual for tobacco control through compliance checks.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- TOBACCO CONTROL PROGRAM (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

23. Order (ID # 5742)

Mass Substance Abuse Collaborative Grant Award Increase- No Match Required- \$25,000.000

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- HHS SAPC GRANT (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

24. Order (ID # 5746)

FY21 PFS Grant - No Match Required \$21,250.00

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- HHS PFS GRANT (PDF)
- HHS -PFS Grant info (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

25. Order (ID # 5764)

Springfield Library Foundation Staff Development Grant - No Match Required \$10,000.00

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Libraries SLF Staff Development 7 9 2020 (PDF)
- SLF - Staff Development1 (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

26. Order (ID # 5765)

Libraries Rose Smith Music Fund Grant - No Match Required \$7,500.00

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Libraries Rose Smith Music Fund \$7500 (PDF)
- SLF - Rose Smith (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

27. Order (ID # 5771)

Parks - Springfield Water & Sewer Grant - \$4,000 - No Match Required

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Parks- Spfld Water & Sewer Grant 7.20.2020 (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

28. Order (ID # 5741)

Libraries Lead with Digital Skills Grant - \$2,000.00 - No Match Required

COMMENTS - Current Meeting:

Read and the Council took items #23-28 together.

Council voted to accept the grant and pass the order by unanimous roll call vote.

ATTACHMENTS:

- Libraries Lead Digital Skills 6 29 2020 (PDF)
- Awardee Toolkit - Libraries Lead with Digital Skills_Award Letter_Signed-LW (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

Orders

29. Order (ID # 5754)

Bond Authorization - MSBA Construction - Homer-DeBerry - \$95,051,267.00

COMMENTS - Current Meeting:

TJ Plante, CAFO, addressed the Council. He stated the order is for replacing DeBerry with a \$95 million dollar estimated cost with a \$42 million dollar cost to the City.

Councilor Ramos asked about the MSBA and their contribution and if any costs were not reimbursable.

Mr. Plante stated the MSBA would reimburse the City \$52.9 million dollars. He stated the MCDI building was not reimbursable.

Peter Garvey, Capital Asset Construction Director, stated there would be a \$2.5 million dollar gap.

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

ATTACHMENTS:

- CAFO Cert - Bond Order - Homer-DeBerry Construction (DOCX)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

30. Order (ID # 5755)

Bond Authorization - MSBA ARP Projects - \$3,792,034.00

COMMENTS - Current Meeting:

TJ Plante, CAFO, addressed the Council. He stated this is for the Harris, Sumner Avenue and Indian Orchard Elementary Schools' boiler replacements.

Councilor Edwards stated that the REO Committee needs to be updated on ongoing construction in the City. He asked a month ago for an update.

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

ATTACHMENTS:

- CAFO Cert - Bond Order - FY21 MSBA ARPs (DOCX)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

31. Order (ID # 5769)

Order Approving Increases in Community Preservation Fund Specific Reserve Accounts Totaling \$142,740, from FY 2020 Community Preservation Fund Actual Revenues

COMMENTS - Current Meeting:

Bob McCarroll, Chair of the Community Preservation Committee addressed the Council. He explained that the Committee is required to put 10% into reserves of projected revenue.

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

32. Order (ID # 5757)

Community Preservation Committee FY21 Budget

COMMENTS - Current Meeting:

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

33. Order (ID # 5780)

Order Approving Easement to Bay State Gas Company, DbA Columbia Gas of Massachusetts in Connection with the Construction and Operation of the New DeBerry Park On Wilbraham Avenue

COMMENTS - Current Meeting:

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

ATTACHMENTS:

- Exhibit #1 Draft Gas Easement, and Exhibit A Easement Plan (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

34. Order (ID # 5762)

Order Authorizing Transfer of the Care, Custody, Management and Control of WS Sylvester Street, Lot 197 (Parcel-ID # 11365-0004) and WS Sylvester Street, Lot 198 (Parcel-ID # 11365-0003) from the Tax Title Custodian to the Board of Park Commissioners

COMMENTS - Current Meeting:

Melvyn Altman, Associate City Solicitor, addressed the Council explaining the Park Commission was accepting custody and control of the parcel.

Council voted to suspend Rule 19 and to pass the order by unanimous roll call vote.

RESULT:	ADOPTED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

35. Informational (ID # 5546)

National Needle Building-Historic District-55 Emery Street

National Needle Building LHD (55 Emery Street)

COMMENTS - Current Meeting:

Walter Kroll of the Springfield Historic Commission addressed the Council.

Councilor Davila was recused from the vote.

Mr. Kroll stated that a 9 month demolition delay was triggered for this property. In February the Historic Commission approved and forwarded the application to the Mass Historic Commission. The property was founded in 1873 and made 6 million needles a year. A fourth floor was added after WWII.

Councilor Gomez explained the building is attached to the Kittredge Building, not in the building. He asked to be added as a sponsor.

Councilor Ramos stated he would like the item to go to committee as this is an attractive location.

Councilor Lederman stated he has talked to the owner and the intent was to demolish the building. There was no active proposal in place. He stated historic architecture is a catalyst to new development.

Mr. Kroll stated the demolition delay expires on September 9th.

Alvin Allen, Planner, stated the delay ends September 5th but there may be a caveat to that by Governor's order due to the current state of affairs (COVID-19).

Atty. Thomas Moore addressed the Council stating this is an ordinance amendment that requires three steps.

Councilor Walsh stated she is concerned with impacting the rights of the property owner with him not being present.

Councilor Gomez stated the landlord is almost like an absentee landlord and they have tried to work with him.

Councilor Walsh made a motion to committee, seconded by Councilor Ramos which failed by a vote of 2-7.

By roll call vote, the Council voted to pass first step on the ordinance.

ATTACHMENTS:

- SHC_Letter_to_City_Council(National_Needle_Bldg_LHD) (PDF)
- AQCANatlNeedle7-2020 (PDF)
- Emery St SHC Cov Letter (PDF)
- Emery St Demo Delay Analysis (PDF)

Special Act

36. Special Act (ID # 5781)

Special Act Related to Outstanding Fines, Fees, Penalties Related to Fireworks

COMMENTS - Current Meeting:

Motion to continue the item was made by Councilor Gomez, seconded by Councilor Whitfield. By roll call vote, the item was continued to September 14, 2020.

ATTACHMENTS:

- Draft Special Act (PDF)

RESULT:	CONTINUED [11 TO 0]	Next: 9/14/2020 6:30 PM
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst	
ABSENT:	Michael A. Fenton, Malo Brown	

Unfinished Business

(37.) **ORD-2020-2 Limitations on Fireworks or Pyrotechnics**

AMENDING CHAPTER 178 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, AS AMENDED, BY INSERTING NEW SECTION 13 F, AND AMENDING CHAPTER 1, ARTICLE V SECTION 1-25

Be it ordained by the City Council, in session assembled, that the following amendments to the Revised Ordinances of the City of Springfield, as amended, be enacted:

1. CHAPTER 178 § 13 of the Revised Ordinances of the City of Springfield, as amended, is hereby amended to include new Section 13 F, as follows:

“Chapter 178, § 13 - Limitations on Fireworks or Pyrotechnics

F. Use of fireworks or pyrotechnics in violation of this Section shall be punishable by the issuance of a non-criminal disposition fine of three hundred dollars (\$300.00) per violation, to be enforced by the Springfield Fire Department. Any person aggrieved by the unlawful use of fireworks or pyrotechnics resulting in unreasonable or excessive noise (as those terms are defined in City Ordinance Chapter 259 Section 1), may complain to the Springfield Police Department about such unreasonable or excessive noise constituting a disturbance of the peace. The Police Department shall verify the complaint and may thereupon arrest and/or make application in the appropriate court for issuance of a criminal complaint for violation of M.G.L. c. 272, § 53, which sets forth the penalties for disturbing the peace.

2. CHAPTER 1, Article V, § 1-25 of the Revised Ordinances of the City of Springfield as amended, is hereby amended to include the following new provision:

Offense	Fine	Enforcing Personnel
Unpermitted Use of Fireworks (Chapter 178 - Section 13 F)	\$300.00	Fire Department

3. The effective date for the amendments listed above shall be July 30, 2020.

Approved as to form,

Associate City Solicitor

Chapter 178-Limitations on fireworks or pyrotechnics

RESULT:	SECOND & THIRD STEPS [11 TO 0]
MOVER:	Victor Davila, Councilman
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

COMMENTS - Current Meeting:

Councilor Gomez made a motion to take the item out of committee with no objection from Councilor Ramos.

The ordinance passed second and third step by roll call vote

(38.) (ID # 5724) Ordinance for Police Commissioner and Community Police Hearing Board

See Attachment

RESULT:	LAY ONTABLE	Next: 9/14/2020 6:30 PM
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COMMENTS - Current Meeting:

The item was not taken out of committee.

ATTACHMENTS:

- Ordinance for Police Commissioner and Community Police Hearing Board 6 17 2020 (PDF)

Resolutions**39. Resolution (ID # 5761)**

Support of Holyoke Soldiers' Home

COMMENTS - Current Meeting:

Councilor Gomez made a motion to lay the item on the table, seconded by Councilor Whitfield. By unanimous roll call vote, the motion passed.

RESULT:	LAY ON TABLE	Next: 9/14/2020 6:30 PM
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40. Resolution 2020-18

Reform, Shift and Build Act

COMMENTS - Current Meeting:

Councilor Whitfield stated an overview. She explained black women, mothers, grandmothers, aunts and friends are being impacted. With the tragic death of George Floyd,

racial injustice has become national news. Families are experiencing domestic abuse and other struggles. She asked if qualified immunity is fair to all as a court created doctrine made to shield public officials from the use of excessive force possibly even causing death. Qualified immunity leaves no chance at justice. Courts have blocked lawsuits even when clear wrongdoing has occurred. She stated she does not want to eliminate the qualified immunity doctrine, but would like the burden shifted to police based on caselaw. She supports the senate moving toward accountability. Councilor Whitfield then read the resolution into the record.

Councilor Ramos thanked Councilor Whitfield and stated residents are sick of paying for negligent officers' wrongdoing. He asked why the City chooses to indemnify.

Councilor Allen stated he supports a police reform bill from what he understands of it but he is getting confused.

Councilor Gomez stated they are discussing Bill S2800, not S2820. He stated the bill addresses Fourth Amendment violations. It has been confirmed that police mistreatment is an issue in Massachusetts. Bad cops need to be held accountable.

Councilor Curran stated the senate bill has many great things like a reformed cadet program for state police. The doctrine was created by judges 40 years ago and will give police hesitation if they are called in to help but are sued as an individual. He does not support the amendment.

Councilor Whitfield stated the victims don't have a voice.

Councilor Ramos stated this is an opportunity for police to voice their concerns on public record.

Councilor Allen asked to set up a hearing to hear both sides.

Atty. Moore stated the Council can request a formal opinion from the Law Department.

Councilor Gomez asked if the amendment would expose good cops to liability and increase frivolous lawsuits. He stated the doctrine applies to all public officials but others do not violate rights the way officers do.

The resolution was passed by a roll vote of 9-1.

RESULT:	ADOPTED [10 TO 1]
MOVER:	Tracye Whitfield, Councilwoman
SECONDER:	Victor Davila, Councilman
AYES:	Gomez, Whitfield, Davila, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
NAYS:	Sean Curran
ABSENT:	Michael A. Fenton, Malo Brown

41. Resolution 2020-19

Stop the Spread Program

COMMENTS - Current Meeting:

The resolution was passed by a unanimous roll call vote.

RESULT:	ADOPTED [11 TO 0]
MOVER:	Jesse Lederman
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

Under Suspension

42. Petition (ID # 5688)

For a Special Permit for the Reuse of an Existing Structure(S), Containing More Than Twenty Six (26) Units of Housing, at the Properties Known as 13-31 Elm Street (04570-0062)(Book#17140/Page#232), 7 Elm Street (04570-0070)(Book#17140/Page#232), NS State Street (11110-0020)(Book#11230/Page#0181), NS State Street (11110-0021) (Book#17129/Page#298) and NS State Street (11110-0022)(Book#16992/Page#366), as Authorized by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 2.3(2).

Request:	See Above
Owner:	Springfield Redevelopment Authority
By:	Armando Feliciano, Chairman
Petitioner:	31 Elm, LLC
By:	Lawrence H Curtis

HISTORY:

06/29/20	City Council	CONTINUE
Next: 07/20/20		

COMMENTS - Current Meeting:

Items #42-46 were taken out of order and heard at the beginning of the meeting. Micheal Flynn of Winn Companies stated he was present on behalf of the Petitioner.

President Hurst explained there would be no questions, as this item is on the agenda for taking public input only. With no public input, the Council voted to approve the special permit by roll call vote with Councilors Fenton and Brown absent.

ATTACHMENTS:

- Elm_St_13_31_Formal (PDF)
- Elm_St_13_31_2020 (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

43. Petition (ID # 5551)

For a Special Permit to Operate a Recycling Center at the Properties Known as 74 Randall Place (10060-0018) (Book#20032/Page#205), 76 Randall Place (10060-0022) (Book#21652/Page#79) and WS Randall Place (10060-0014) (Book#21652/Page#79),, as Authorized by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 15.4.

Request:	See Above
Owner:	Randall Seventy Four, LLC
By:	Armando Camerota
Petitioner:	International Automotive Core Parts, Inc.
By:	Armando Camerota

HISTORY:

06/29/20	City Council	CONTINUE
Next: 07/20/20		

COMMENTS - Current Meeting:

Councilor Ramos asked if there was any correspondence from the neighborhood council regarding this item.

Philip Dromey, Deputy Director of Planning, stated that there was no letter received from the Forest Park Neighborhood Council (FPCA) but Councilor Davila stated the neighborhood council did meet with the petitioner.

The Council voted to approve the special permit by roll call vote with Councilors Fenton and Brown absent.

Councilor Gomez stated FPCA did support the petition.

ATTACHMENTS:

- Randall_PL_74_Tax_Formal (PDF)
- Randall_PL_74_2020 (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Gomez, Whitfield, Davila, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Michael A. Fenton, Malo Brown

44. Zoning Ordinance (ID # 5560)

To Change the Zoning of the Properties Known as NS Buchholz (02030-0001, 0002, 0003, 0004, 0005, 0006 & 0007), SS Buchholz Street (02030-0010, 0011, 0012, 0013, 0014, 0015 & 0016), NS Providence Street (09965-0001, 0004, 0005 & 0006), 14 Providence Street (09965-0003), SS Providence Street (09965-0007 & 0009) and 17 Providence Street (09965-0008) from Residence B to Commercial P.

PETITIONER: Mass Mutual Life Insurance Company

ADDRESS: NS Buchholz Street, et.al. - NS Providence Street, et. al.

CHANGE REQUESTED: Res B to Com P

HISTORY:

03/16/20 City Council LAY ON THE TABLE

Councilor Lederman made a motion to table items ten (10) through twelve (12) and seventeen (17) through nineteen (19), seconded by Councilor Fenton.

06/03/20 Planning Board MOTION TO CONTINUE
Next: 06/17/20

06/17/20 Planning Board APPROVED

06/29/20 City Council LAY ON THE TABLE
Next: 07/20/20

COMMENTS - Current Meeting:

Read on March 16, 2020 and passed 1st step. The Planning Board recommendation is to approve.

Hearing held on June 29, 2020 and continued to July 20, 2020 to take public input/testimony.

Councilor Lederman was recused from participating in the discussion and voting for this item.

John Furman of VHB stated he was present for the petitioner. He had technical difficulties but stated the lots are being intended for a parking lot with the abutting parcels meetings buffer zone requirements with landscaping included.

The Council voted to pass the zone change by roll call vote with Councilor Lederman recused and Councilors Fenton and Brown absent.

ATTACHMENTS:

- 3213_NS_Buchholz_St_Formal (PDF)
- 3123_3124_Buchholz_Clarence_2020 (PDF)

RESULT: **APPROVED [9 TO 0]**

AYES: Gomez, Whitfield, Curran, Ramos, Walsh, Williams, Allen, Edwards, Hurst

ABSENT: Victor Davila, Michael A. Fenton, Malo Brown

RECUSED: Jesse Lederman

45. Zoning Ordinance (ID # 5561)

To Change the Zoning of the Properties Known as ES Clarence Street (02810-0012, 0013, 0014, 0015, 0017 & 0019) from Residence a to Commercial P.

PETITIONER: Mass Mutual Life Insurance Company

ADDRESS: ES Clarence Street, et.al.

CHANGE REQUESTED: Res A to Com P

HISTORY:

03/16/20 City Council LAY ON THE TABLE

Councilor Lederman made a motion to table items ten (10) through twelve (12) and seventeen (17) through nineteen (19), seconded by Councilor Fenton.

06/03/20 Planning Board MOTION TO CONTINUE
Next: 06/17/20

06/17/20 Planning Board APPROVED

06/29/20 City Council LAY ON THE TABLE
Next: 07/20/20

COMMENTS - Current Meeting:

Read on March 16, 2020 and passed 1st step. The Planning Board recommendation is to approve.

Hearing held on June 29, 2020 and continued to July 20, 2020 to take public input/testimony.

Councilor Lederman was recused from participating in the discussion and voting for this item.

John Furman of VHB stated he was present for the petitioner. He explained that this item is for the same project discussed on item #44. He had technical difficulties but stated the lots are being intended for a parking lot with the abutting parcels meetings buffer zone requirements with landscaping included.

The Council voted to pass the zone change by roll call vote with Councilor Lederman recused and Councilors Fenton and Brown absent.

ATTACHMENTS:

- 3214_ES_Clarence_St_Formal (PDF)
- 3123_3124_Buchholz_Clarence_2020 (PDF)

RESULT: APPROVED [9 TO 0]

AYES: Gomez, Whitfield, Curran, Ramos, Walsh, Williams, Allen, Edwards, Hurst

ABSENT: Victor Davila, Michael A. Fenton, Malo Brown

RECUSED: Jesse Lederman

46. Zoning Ordinance (ID # 5653)

To Change the Zoning of a Portion of the Property Known as 11 Merwin Street (08580-0035) from Residence B to Business A.

PETITIONER: Zahoor Haq

ADDRESS: 11 Merwin Street

CHANGE REQUESTED: Res B to Bus A

HISTORY:

06/03/20	Planning Board	MOTION TO CONTINUE
Next: 06/17/20		
06/17/20	Planning Board	APPROVED
06/22/20	City Council	RECEIVED 1ST STEP
06/29/20	City Council	LAY ON THE TABLE
Next: 07/20/20		

COMMENTS - Current Meeting:

Read on June 22, 2020 and passed 1st step. The Planning Board recommendation is to approve.

Hearing held on June 29, 2020 and continued to July 20, 2020 to take public input/testimony.

Rob Levesque of R. Levesque Associates explained he is representing the petitioner, Sonny, the owner of the gas station. He stated the intent is to round out the property so he can utilize more space for expansion of the convenience store.

Opposition to the special permit was received. The voicemail was played on the record.

-Kathy Farrell, an abutting resident of 16 Merwin Street, expressed her concerns with extending the business. She included concern about traffic issues, violence, overnight crowds and children being on the street.

Mr. Dromey stated that there will also be a requirement for a special permit for the proposed drive-thru and renovations.

Councilor Lederman asked about the traffic pattern and its impact on residents and asked Mr. Dromey to speak with the resident.

The Council voted to pass the zone change by roll call vote with Councilors Fenton and Brown absent.

ATTACHMENTS:

- 3215_11_Merwin_St_2020 (PDF)

RESULT:	APPROVED [10 TO 0]
AYES:	Gomez, Whitfield, Curran, Ramos, Walsh, Williams, Allen, Lederman, Edwards, Hurst
ABSENT:	Victor Davila, Michael A. Fenton, Malo Brown