



City Council

Regular Meeting

~ Final ~

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

Gladys Oyola-Lopez
413-787-6096

Monday, November 15, 2021

7:00 PM

Springfield City Hall -- Council Chambers

Possible Public Speak-Out Time 6:30 PM

Call to Order

7:00 PM Meeting called to order on November 15, 2021 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Melvin A. Edwards	Ward 3 Councilor	Present	
Jesse Lederman	At-Large Councilor	Present	
Gumersindo Gomez	Ward 1 Councilor	Absent	
Timothy C. Allen	Ward 7 Councilor	Present	
Sean Curran	At-Large Councilor	Present	
Tracye Whitfield	Vice President	Present	
Orlando Ramos	Ward 8 Councilor	Present	
Malo Brown	Ward 4 Councilor	Absent	
Kateri B. Walsh	At-Large Councilor	Present	
Victor Davila	Ward 6 Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Marcus J Williams	President	Present	

Moment of Silence - Pledge of Allegiance

Reports of Committee

Informational

1. Order (ID # 6504)

September Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Patrick Burns, City Comptroller, spoke in favor of item #1 September Rev Vs. Expenditure Report

ATTACHMENTS:

- September Revenue Vs. Expenditure Report (PDF)

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

Grants

2. Order (ID # 6499)

Parks - EEA Grant - Van Horn Dam Phase II - \$249,975.00 - Match Required

COMMENTS - Current Meeting:

PAT SULLIVAN - SPOKE ON THIS ITEM

COUNCILOR FENTON - SPOKE AND GAVE THANKS TO THE PARKS DEPT AND PAT SULLIVAN REGARDING THIS PROJECT AND SECURING THIS REDESIGN OF THE DAM.

ATTACHMENTS:

- FY22 Parks - EEA Grant - Upper Van Horn Dam Phase 2 (PDF)
- CAFO Cert - Parks - Van Horn Dam Phase II (PDF)

RESULT:	ADOPTED [10 TO 0]
MOVER:	Kateri B. Walsh, At-Large Councilor
SECONDER:	Justin Hurst, At Large Councilor
AYES:	Edwards, Lederman, Allen, Curran, Whitfield, Walsh, Davila, Fenton, Hurst, Williams
ABSTAIN:	Orlando Ramos
ABSENT:	Gumersindo Gomez, Malo Brown

3. Order (ID # 6490)

Massachusetts Cultural Council Grant - No Match Required - \$15,000.00

COMMENTS - Current Meeting:

ITEMS 3 AND 4 WERE TAKEN TOGETHER AS THEY ARE UNDER \$50,000

NO COMMENTS - PASSED

ATTACHMENTS:

- Mass Cultural Council Grant \$15,000 (PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Edwards, Lederman, Allen, Curran, Whitfield, Walsh, Davila, Fenton, Hurst, Williams
ABSTAIN:	Orlando Ramos
ABSENT:	Gumersindo Gomez, Malo Brown

4. Order (ID # 6498)

The Springfield Library Foundation Donation - \$2,050.00

COMMENTS - Current Meeting:

ITEMS 3 AND 4 WERE TAKEN TOGETHER AS THEY ARE UNDER \$50,000

NO COMMENTS - PASSED

ATTACHMENTS:

- Libraries Donations Check \$2,050 (PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Edwards, Lederman, Allen, Curran, Whitfield, Walsh, Davila, Fenton, Hurst, Williams
ABSTAIN:	Orlando Ramos
ABSENT:	Gumersindo Gomez, Malo Brown

Orders

5. Order (ID # 6459)

Transfer - Stabilization Reserve to Law Department Settlement Account - \$5,000,000.00

HISTORY:

10/04/21	City Council	CONTINUE VOTE
10/13/21	City Council	MEETING CANCELLED
Next: 10/26/21		
10/26/21	City Council	CONTINUE VOTE

FINANCIAL IMPACT:

Transfer - Stabilization Reserve to Law Department Settlement Account - \$5,000,000.00

COMMENTS - Current Meeting:

CITY SOLICITOR PIKULA SPOKE ON THIS MATTER

- CITY COUNCIL WILL RECEIVE MONTHLY REPORT FROM LAW DEPARTMENT AS FUNDS ARE EXPENDED.

COUNCILOR ALLEN SPOKE

ATTORNEY LISA DESOUSA SPOKE ON THIS

COUNCILOR WHITFIELD SPOKE ON THE MATTER

COUNCILOR WALSH SPOKE ON THIS MATTER

COUNCILOR HURST SPOKE ON THE MATTER - PLANS TO VOTE AGAINST

COUNCILOR DAVILA SPOKE - ASKED ABOUT DOJ. DO WE FACE EXPOSURE?

PIKULA RESPONDED - DOJ AND BUDGET TRANSFER ARE TWO SEPARATE ISSUES. MONEY WILL ONLY HELP TO CLEAR UP THE BACK LOG.

COUNCILOR RAMOS SPOKE ON THIS - WILL SUPPORT THE TRANSFER BUT NOT DOING SO LIGHTLY

COUNCILOR HURST SPOKE AGAIN -HE NOTED THAT HE IS IN FAVOR OF SETTLING BUT AGAINST PROVIDING MONEY UP FRONT IN ORDER TO SETTLE.

COUNCILOR WHITFIELD SPOKE AGAIN - PUTTING THE \$5MIL GIVES THE CITY LEVERAGE.
 AGREES WITH COUNCILOR RAMOS ABOUT TELLING THE TRUTH TO THE
 COMMUNITY.

ATTACHMENTS:

- CAFO Cert -Law Settlements Transfer from Reserves (DOCX)
- Memo to file 5 million (PDF)

RESULT: **ADOPTED [10 TO 1]**
MOVER: Kateri B. Walsh, At-Large Councilor
SECONDER: Tracye Whitfield, Vice President
AYES: Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Williams
NAYS: Justin Hurst
ABSENT: Gumersindo Gomez, Malo Brown

6. Order (ID # 6502)

Bills of Prior Year - Various Departments - \$1,690.20

COMMENTS - Current Meeting:

LINDSAY HACKETT, COS DEPUTY CAFO, SPOKE ON THE PRIOR YEAR BILLS

ATTACHMENTS:

- BOPys 11.15.21 (PDF)
- CAFO Cert - BOPys 11.15.21 (PDF)

RESULT: **ADOPTED [11 TO 0]**
MOVER: Tracye Whitfield, Vice President
SECONDER: Kateri B. Walsh, At-Large Councilor
AYES: Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Hurst, Williams
ABSENT: Gumersindo Gomez, Malo Brown

7. Order (ID # 6506)

Order Approving an Intergovernmental Agreement with the Springfield Parking Authority

WHEREAS, the City of Springfield is seeking to enter into a three-year contract agreement with an option to renew for two additional years ("Agreement") with the Springfield Parking Authority ("SPA") to provide on-street and off-street parking management services, as well as, parking enforcement services, in the City of Springfield; and

WHEREAS, the SPA is a body politic and corporate and political subdivision of the Commonwealth of Massachusetts as set out in Chapter 674 of the Acts of 1981; and

WHEREAS, the SPA in compliance with Massachusetts General Law Chapter 30B has procured a private vendor to provide on-street street and off-street parking management services, as well as, parking enforcement services in the City of Springfield; and

WHEREAS, the Intergovernmental Agreement must be approved by the City Council and the Mayor pursuant to Massachusetts General Laws chapter 40, section 4A; and

NOW THEREFOR BE IT ORDERED, pursuant to Massachusetts General Laws chapter 40, section 4A, that the City Council approves the On Street Parking Management Agreement between the City of Springfield and the Springfield Parking Authority in substantially the same form as the draft contract attached hereto as Exhibit A, subject to the approval of the Mayor.

COMMENTS - Current Meeting:

ROBERT SHEWCHUCK, COS LAW DEPARTMENT, SPOKE ON THE MATTER.

COUNCILOR FENTON SPOKE ON THIS MATTER. ASKED FOR CLARIFICATION ON THE MASS MUTUAL CENTER GARAGE.

DANNY BARROW, SPRINGFIELD PARKING AUTHORITY REPRESENTATIVE, RESPONDED THAT THE GARAGE WAS TRANSFERRED TO THE STATE AND WILL BE REPAIRED OR DEMOED.

ATTACHMENTS:

- On-Street Parking Management Agreement (PDF)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Timothy C. Allen, Ward 7 Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Hurst, Williams
ABSENT:	Gumersindo Gomez, Malo Brown

Special Permits

8. Petition (ID # 6388)

For a Special Permit for an Accessory Wall Sign(S), Above the First Floor, at the Property Known as 1500 Main Street (08130-0132) (Book#22635/Page#265), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request:	See Above
Owner:	Mittas Hospitality LLC & DD Development LLC
By:	Vid Mitta/Dinesh Patel
Petitioner:	YMCA of Greater Springfield
By:	Dexter Johnson

HISTORY:

10/25/21 City Council CONTINUE VOTE
Next: 12/13/21

COMMENTS - Current Meeting:

DEXTER JOHNSON, SPRINGFIELD YMCA, SPOKE ON THIS

- COUNCILOR LEDERMAN - RECUSED BASED ON HIS PLACE OF EMPLOYMENT IN THE SAME BUILDING.
- COUNCILOR RAMOS - ASKED FOR CLARIFICATION ON THE LEGALITY OF NOTICE BECAUSE THE MATTER WAS ON FOR FIRST STEPS ON A REGULAR MEETING.

PHIL DROMEY - RESPONDED THAT ALL ABUTTERS HAD BEEN NOTIFIED AS THE ORIGINAL MEETING DATE FOR THIS ITEM WAS IN OCTOBER AND WAS CONTINUED BECAUSE THE PETITIONER WAS NOT PRESENT AT THE MEETING

- c. COUNCILOR HURST SPOKE IN SUPPORT THE YMCA
- d. COUNCILOR WHITFIELD SPOKE IN SUPPORT OF THE YMCA - GREAT JOB ON COLLABORATIONS THAT THE YMCA HAS IN THE COMMUNITY

ATTACHMENTS:

- Main_St_1500_Tax_Formal (PDF)
- Main_St_1500_2021 (PDF)

RESULT:	CONTINUE
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9. Petition (ID # 6412)

For a Special Permit to Operate a Trash Hauling Service Facility at the Property Known as 1635 Page Boulevard (09440-0785) (Book#23895/Page#398, as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 15.3.

Request:	See Above
Owner:	DDM Property Group, LLC
By:	Daniel Hannoush
Petitioner:	DDM Property Group, LLC
By:	Daniel Hannoush

HISTORY:

10/25/21	City Council	CONTINUE VOTE
Next: 11/15/21		

COMMENTS - Current Meeting:

No remaining testimony or further questions for the petitioner.

Motion to approve made by Councilor Whitfield, Seconded by Councilor Edwards.

ATTACHMENTS:

- Page_BI_1635_Tax_Formal (PDF)
- Page_BI_1635_2021 (PDF)

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

10. Petition (ID # 6434)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 666 State Street11110-0135) (Book#21065/Page#123), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(1).

Request:	See Above
Owner:	Ellen & Lewis Boynton
By:	Ellen & Lewis Boynton

Petitioner: Primus, LLC
By: Lamont Clemons, Manager

HISTORY:

10/25/21 **City Council** **CONTINUE VOTE**
Next: 11/15/21

COMMENTS - Current Meeting:

No remaining testimony, no further questions from the Council.

Motion to approve made by Councilor Edwards, Seconded by Councilor Whitfield.

ATTACHMENTS:

- State_St_666_Tax_Formal (PDF)
- State_St_666_Adult_Use_2021 (PDF)

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

11. Petition (ID # 6452)

To Amend an Existing Special Permit (Motor Vehicle Repairs), Granted February 1994, by Allowing a Change to the Petitioner, at the Property Known as 867 Boston Road (01655-602) (Book#14260/ Page#0570), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Table 4-4, Section 12.3(4).

Request: See Above
Owner: Linda Ronen
By: Linda Ronen
Petitioner: Eric R Morin Jr.
By: Eric R Morin Jr.

HISTORY:

10/25/21 **City Council** **CONTINUE VOTE**
Next: 11/15/21

COMMENTS - Current Meeting:

Gladys Oyola-Lopez, City Clerk, read 4 pieces of testimony in favor of this special permit into the record.

No further questions from the Council.

Motion to approve made by Councilor Walsh, Seconded by Councilor Whitfield.

ATTACHMENTS:

- Boston_Rd_867_Tax_Formal (PDF)
- Boston_Rd_867_2021 (PDF)

RESULT: **APPROVED [10 TO 0]**
MOVER: Kateri B. Walsh, At-Large Councilor
SECONDER: Tracie Whitfield, Vice President
AYES: Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Hurst
ABSENT: Gumersindo Gomez, Malo Brown
RECUSED: Marcus J Williams

Petitions

12. Petition (ID # 6458)

21-14 New Parking Meters

HISTORY:

10/04/21 City Council **CONTINUE VOTE**
 Next: 10/07/21

10/07/21 City Council **REFER TO COMMITTEE**
 Next: 11/15/21

ATTACHMENTS:

- TCM 8-2-2021 Agenda (PDF)
- TCM 8-2-2021 (PDF)
- TRAFFIC mins AUGUST 2 21 (PDF)

RESULT: **WITHDRAWN VOTE [11 TO 0]**
MOVER: Jesse Lederman, At-Large Councilor
SECONDER: Kateri B. Walsh, At-Large Councilor
AYES: Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Hurst, Williams
ABSENT: Gumersindo Gomez, Malo Brown

Ordinances

(13.) ORD-2021-12 Gasoline Stations-Amending Chapter 178

Please see attached

Please see attached

RESULT: **ADOPTED AS AMENDED [11 TO 0]**
MOVER: Melvin A. Edwards, Ward 3 Councilor
SECONDER: Tracie Whitfield, Vice President
AYES: Edwards, Lederman, Allen, Curran, Whitfield, Ramos, Walsh, Davila, Fenton, Hurst, Williams
ABSENT: Gumersindo Gomez, Malo Brown

COMMENTS - Current Meeting:

Councilor Orlando Ramos spoke in favor of the ordinance.

Councilor Fenton, Hurst, Whitfield, Walsh, Davila & Allen spoke and all support this ordinance.

ATTACHMENTS:

- Amended City Ordinances 178-4 I and 1-V-1-25 - Final (2) (DOCX)