



City Council

Regular Meeting

~ Final ~

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

Gladys Oyola-Lopez
413-787-6096

Monday, March 21, 2022

7:00 PM

Virtual Meeting (Zoom)

Possible Public Speak-Out Time 6:30 PM

Call to Order

Attendee Name	Title	Status	Arrived
Maria Perez		Present	
Jesse Lederman	Vice President	Present	
Sean Curran	At-Large Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Malo Brown	Ward 4 Councilor	Present	
Victor Davila	Ward 6 Councilor	Present	7:38 PM
Justin Hurst	At Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Zaida Govan	Ward 8 City Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Tracye Whitfield	At Large City Councilor	Present	
Marcus J Williams	President	Present	

Moment of Silence - Pledge of Allegiance

Reports of Committee

Councilor Tracye Whitfield reported two finance meetings 3/16 & 3/21.

Reports of committee accepted.

Informational

Introduction of City Solicitor

Councilor President Williams introduces the new City Solicitor, Judge John Payne.

Special Permits

1. Special Permit (ID # 6487)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Marijuana Cultivator) at a Portion of the Property Known as 299 Page Boulevard (09440-1100) (Book#22629/Page#91), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.2.

Request: See Above
Owner: DAL Page, LLC
By: Davis Goodman, Manager
Petitioner: Page Cultivate, LLC
By: Mark Waldron, Manager

HISTORY:

11/22/21 **City Council** **TABLED**
Next: 12/13/21

COUNCILOR HURST MADE A MOTION TO TABLE. COUNCILOR HURST REFERENCED THE AUDIT THAT WAS DONE BY AUDITOR YUNG NO. COUNCILOR HURST ALSO STATED TWO COUNCILORS ARE MISSING WHO WOULD WANT TO HEAR THIS ITEM. MADE REFERENCE TO POSSIBLE COURT CASES. MOTION TO TABLE WAS SECONDED BY COUNCILOR ALLEN.

COUNCILOR EDWARDS ASKED WHETHER THE PETITIONERS WERE GIVEN THE OPTION TO TABLE THIS ITEM.

COUNCIL PRESIDENT WILLIAMS ASKED THE COUNCIL TO DISPOSE OF THIS MOTION BEFORE OPENING DISCUSSION ANY FURTHER.

THE ITEM WAS TABLED. COUNCILORS LEDERMAN AND EDWARDS VOTED NO. COUNCILOR FENTON RECUSED HIMSELF. COUNCILOR BROWN ABSTAINED. COUNCILORS HURST, WILLIAMS, DAVILA, WALSH, WHITFIELD, ALLEN AND RAMOS VOTED IN FAVOR OF TABLING THE ITEM.

12/13/21 **City Council** **CONTINUE VOTE**
Next: 01/24/22

01/24/22 **City Council** **CONTINUE VOTE**
Next: 02/07/22

Attorney Phil Silverman, speaks in favor for item #3.

Screen shares presentation for Page Cultivate.

Tim St.Germain speaks about the existing conditions, proposed facility and building layout.

Phil Silverman discusses he construction plan & budget and the policies and procedures.

Dan Linkskey, former narcotics cop, speaks about security.

Phil Silverman speaks about employment, diversity and inclusion. Silverman also speaks about the community benefits.

Gladys Oyola-Lopez, City Clerk, reads testimony in favor, letter submitted by East Springfield Neighborhood Council.

Attorney Brian Shea speaks in opposition to this petition. (1:54-1:59) where he got disconnected.

Atty. Phil Silverman rebuts.

Brian Shea connected back to finish

Councilor Whitfield addressed Silverman. Stating how if you don't meet a certain requirement you cant move forward for the adult-use marijuana establishment.

Whitfield was on the Selection Committee.

Councilor Walsh states how she is troubled & concerned by the issues that Atty Brian Shea has brought up in his opposition.

Walsh questions

02/07/22 **City Council** **TABLED**
Next: 02/28/22

02/28/22 **City Council** **TABLED**
Next: 03/21/22

Items 1-6 were tabled to be heard at a later date.

Councilor Lederman made a motion to table items #1-6 (all marijuana items) until a later date.

Councilor Lederman is not comfortable moving forward until City Council has a meeting to discuss the issues (auditing & laws)

Motion Seconded by Councilor Edwards.

COMMENTS - Current Meeting:

Vote to table 299 Page Boulevard until the City Council gets a legal opinion regarding to Page Blvd.

ATTACHMENTS:

- 299_Page_BI_Adult_Use_Cultivation_Tax_Formal (PDF)
- Page_BI_299_Adult_Use_2021 (PDF)

RESULT: TABLED

Next: 4/25/2022 7:00 PM

2. Special Permit (ID # 6516)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 1685 Boston Road (01655-0415) (Book#21891/Page#196) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1.

Request:	See Above
Owner:	1685 Boston Road, LLC
By:	Chuck Breidenbach
Petitioner:	Diem Springfield, LLC
By:	Christopher Mitchem/Luiselis Hernandez

HISTORY:

12/13/21 **City Council** **CONTINUE VOTE**
Next: 01/24/22

01/24/22 **City Council** **TABLED**
Next: 02/01/22

02/01/22 **City Council** **CONTINUE VOTE**
Next: 02/07/22

02/07/22 **City Council** **TABLED**
Next: 02/28/22

02/28/22 **City Council** **TABLED**
Next: 03/21/22

COMMENTS - Current Meeting:

No further questions from the council

No further testimony

Motion to approve made by Councilor Govan seconded by Councilor Perez

Special Permit approved

ATTACHMENTS:

- Boston_Rd_1685_Tax_Formal_Retail (PDF)

- Boston_Rd_1685_Adult_Use_2021 (PDF)

RESULT: **ADOPTED [11 TO 0]**
MOVER: Zaida Govan, Ward 8 City Councilor
SECONDER: Maria Perez
AYES: Perez, Lederman, Curran, Walsh, Davila, Hurst, Edwards, Allen, Govan, Whitfield, Williams
ABSTAIN: Malo Brown, Michael A. Fenton

3. Special Permit (ID # 6517)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Marijuana Cultivation) at the Property Known as 1685 Boston Road (01655-0415) (Book#21891/Page#196) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.2.

Request: See Above
 Owner: 1685 Boston Road, LLC
 By: Chuck Breidenbach
 Petitioner: Diem Springfield, LLC
 By: Christopher Mitchem/Luiselis Hernandez

HISTORY:

12/13/21 Next: 01/24/22	City Council	CONTINUE VOTE
01/24/22 Next: 02/01/22	City Council	TABLED
02/01/22 Next: 02/07/22	City Council	CONTINUE VOTE
02/07/22 Next: 02/28/22	City Council	TABLED
02/28/22 Next: 03/21/22	City Council	TABLED

COMMENTS - Current Meeting:

No further testimony

Councilor Lederman questioned the condition on this facility about the odor control plan.

Petitioner, Brian Shea stated that they will have the latest advancement and technology to help this issue.

ATTACHMENTS:

- Boston_Rd_1685_Tax_Formal_Cultivation (PDF)
- Boston_Rd_1685_Adult_Use_2021 (PDF)

RESULT: **ADOPTED [11 TO 0]**
MOVER: Victor Davila, Ward 6 Councilor
SECONDER: Maria Perez
AYES: Perez, Lederman, Curran, Walsh, Davila, Hurst, Edwards, Allen, Govan, Whitfield, Williams
ABSTAIN: Malo Brown, Michael A. Fenton

4. Special Permit (ID # 6564)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 479 Main Street, I.O. (08132-0172) (Book#07157/Page#0528), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(1).

Request: See Above
 Owner: Linden Shopping Center, Inc.
 By: Mark Melikian
 Petitioner: Enlight Cannabis Dispensary
 By: Matt Yee, Chief Operating Officer

HISTORY:

01/24/22	City Council	TABLED
Next: 02/01/22		
02/01/22	City Council	CONTINUE VOTE
Next: 02/07/22		
02/07/22	City Council	TABLED
Next: 02/28/22		
02/28/22	City Council	TABLED
Next: 03/21/22		

COMMENTS - Current Meeting:

No remaining testimony in favor or opposition

Councilor Govan and Councilor Hurst commented on Mr. Rushing in the meeting to speak in opposition

Mr. Rushing, Business Development Director, (opposition) spoke (**1:21:00-1:28:00**)

ATTACHMENTS:

- Main_St_IO_479_Adult_Use_Tax_Formal (PDF)
- Main_St_479_IO_Adult_Use_Jan_2022 (PDF)

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

5. Special Permit (ID # 6576)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Delivery) at the Property Known as 1860 Main Street (08130-0177) (Book#3328/Page#504), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(2).

Request: See Above
 Owner: The Republican Company
 By: George Arwady
 Petitioner: Tree N' Brick
 By: Taylor Shubrick

HISTORY:

02/28/22	City Council	TABLED
Next: 03/21/22		

COMMENTS - Current Meeting:

Fred Shubrick, Tree N' Brick, Spoke in favor of this special permit.

Councilor Walsh questioned the delivery, the petitioner stated they will be delivering to homes.

Councilor Whitfield asked if their were going to be different retail location- Shubrick responded just one at 1860 Main St.

Councilor Davila asked who it'll be delivered to- Shubrick responded, residents 21 & older. (ID required)

Councilor Govan asked how many employees- (8 employees)

Motion to continue made by Councilor Whitfield, seconded by Councilor Govan.

ATTACHMENTS:

- Main_St_1860_Adult_Use_Delivery_Tax_Formal (PDF)
- Main_St_1860_Adult_Use_2022 (PDF)

RESULT:	CONTINUE VOTE [11 TO 0]
MOVER:	Tracye Whitfield, At Large City Councilor
SECONDER:	Zaida Govan, Ward 8 City Councilor
AYES:	Perez, Lederman, Curran, Walsh, Davila, Hurst, Edwards, Allen, Govan, Whitfield, Williams
ABSTAIN:	Malo Brown, Michael A. Fenton

6. Special Permit (ID # 6577)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 587-595 Main Street (08130-0623) (Book#19962/Page#263) and ES Main Street (08130-0621) (Book#20551/Page#461) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(1).

Request:	See Above
Owner:	New Glory, Inc./Glory Inc.
By:	Hyo J. Lee, Director
Petitioner:	Lemonade Springfield, LLC
By:	Brittany Washum, Manger

HISTORY:

02/28/22	City Council	TABLED
Next: 03/21/22		

COMMENTS - Current Meeting:

Ryan McCullum, Margaret Nash, Brittney Bennett, & Travis Best all spoke in favor. The team all presented their power point for the Special Permit.

Councilor Whitfield thanked the team & said it was the best proposal heard.

Councilor Govan asked how many employees. (35-45 employees)

Motion to continue item made by Councilor Allen, Seconded by councilor Govan.

ATTACHMENTS:

- Main_St_595_Adult_Use_Tax_Formal (PDF)
- Main_St_587_595_Adult_Use_2022 (PDF)

RESULT:	CONTINUE VOTE [11 TO 0]	Next: 3/28/2022 7:00 PM
MOVER:	Timothy C. Allen, Ward 7 Councilor	
SECONDER:	Zaida Govan, Ward 8 City Councilor	
AYES:	Perez, Lederman, Curran, Walsh, Davila, Hurst, Edwards, Allen, Govan, Whitfield, Williams	
ABSTAIN:	Malo Brown, Michael A. Fenton	

Petitions

7. Petition (ID # 6688)

Eversource-Verge Street

ATTACHMENTS:

- Verge St - For Permit Only Drawing (PDF)
- Verge St - Springfield City Council Letter (PDF)
- Verge St. Report (PDF)

RESULT:	CONTINUE	Next: 3/25/2022 12:00 PM
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8. Petition (ID # 6690)

Eversource- Main Street & Locust St.

ATTACHMENTS:

- Main St at Locust St - Springfield City Council Letter (PDF)
- FPO MA-SPR-PIP-22-025RA 21-83600 MAIN-LOCUST, SPRINGFIELD (1) (PDF)
- Locust St. Report (PDF)

RESULT:	CONTINUE	Next: 3/25/2022 12:00 PM
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Grants

9. Order (ID # 6691)

Parks - MVP Program Action Grant Increase Funding - \$1,587,953 - No Match Required

ATTACHMENTS:

- FY23 Forestry Op Center State Amendment - Parks (PDF)

RESULT:	LAY ON TABLE	Next: 3/25/2022 12:00 PM
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10. Order (ID # 6674)

Council on Aging Grant - No Match Required - \$286,608.00

ATTACHMENTS:

- FY22 Council on Aging Grant - Elders (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****11. Order (ID # 6671)**

FY22 S.A.F.E and Senior SAFE Grant - No Match Required - \$14,930

ATTACHMENTS:

- S.A.F.E. and Senior S.A.F.E. Grant - Fire (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****12. Order (ID # 6672)**

Hazardous Materials Grant Program (HMEP) - No Match Required - \$3,000

ATTACHMENTS:

- HMEP Grant - Fire (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****Orders****13. Order (ID # 6662)**

Free Cash to 13-31 Elm Street Project - \$6,500,000

HISTORY:**03/07/22****City Council****REFER COMMITTEE VOTE****Next: 03/16/22****ATTACHMENTS:**

- CAFO Cert - Free Cash - Court Square (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****14. Order (ID # 6673)**

Pawnbroker Moratorium Chapter 270

Pawnbroker Moratorium Chapter 270

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****15. Order (ID # 6689)**

Collective Bargaining Agreement Ratification - United Public Service Employees Union - (UPSEU) Local 424

ATTACHMENTS:

- 2022-02-24 UPSEU Tentative Agreement - Signed (PDF)
- 2022-03-16 Letter to City Council re. UPSEU - Final (PDF)
- UPSEU 424 CAFO CERT (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****16. Order (ID # 6685)**

Budget Transfer Across Departments - \$36,000

FINANCIAL IMPACT:

Budget Transfer Across Departments - \$36,000

ATTACHMENTS:

- CAFO Cert Budget Transfer (DOCX)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****17. Order (ID # 6692)**

Bills of Prior Year - Various Departments - \$2,906.48

ATTACHMENTS:

- CAFO Cert various depts. (DOCX)
- Elections - Republican Invoices (PDF)
- TJO - Grainger Invoices (PDF)

RESULT: LAY ON TABLE**Next: 3/25/2022 12:00 PM****Ordinances****(18.) ORD-2022-1 Springfield Housing Trust Fund Ordinance**

An Ordinance Amending the Revised Ordinances of the City of Springfield, 1986, as Amended by Inserting in Chapter 16, Entitled, "Boards, Commissions and Committees", Article XXI, "Springfield Housing Trust Fund"

Chapter 16. Boards, Commissions and Committees.
Article XXI. Springfield Housing Trust Fund Ordinance.
[Adopted 2-7-2022]

§ 16-79. Establishment.

§ 16-80. Administration, Board of Trustees, Appointment of Advisory Committee & Length of Advisory Committee Appointment

§ 16-81. Authority and responsibility.

§ 16-82. No necessity for appropriation of monies.

§ 16-83. Annual Audit.

RESULT: LAY ONTABLE**Next: 3/25/2022 12:00 PM****ATTACHMENTS:**

- 7261 (PDF)
- 7262 (PDF)
- Order Amending Chapter 16 (PDF)