



City Council

Regular Meeting

~ Final ~

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

Gladys Oyola-Lopez
413-787-6096

Monday, January 9, 2023

7:00 PM

Springfield City Hall -- Council Chambers

Call to Order

7:00 PM Meeting called to order on January 9, 2023 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Kateri B. Walsh	At-Large Councilor	Remote	
Michael A. Fenton	Ward 2 Councilor	Present	
Maria Perez		Remote	
Tracye Whitfield	At Large City Councilor	Remote	
Zaida Govan	Ward 8 City Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Malo Brown	Ward 4 Councilor	Remote	
Justin Hurst	At Large Councilor	Present	
Lavar Click-Bruce	Ward 5 City Councilor	Absent	
Melvin A. Edwards	Ward 3 Councilor	Present	
Sean Curran	At-Large Councilor	Present	
Victor Davila	Ward 6 Councilor	Remote	
Jesse Lederman	President	Present	

Petitions

1. Petition (ID # 7157)

Eversource- Cass St. & Franklin St.

HISTORY:

12/12/22

City Council

CONTINUE

Next: 01/09/23

COMMENTS - Current Meeting:

Chris Cignoli spoke on the petition

ATTACHMENTS:

- Report Cass St & Franklin St. (PDF)
- Petition Cass & Franklin (PDF)
- plan Cass & Franklin (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce

Grants

2. Order (ID # 7183)

Mass in Motion Grant Increase - No Match Required \$29,053.00

COMMENTS - Current Meeting:

Lindsay Hackett, deputy cafo, spoke on the grant

ATTACHMENTS:

- Mass in Motion Grant Increase (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce

Orders

3. Order (ID # 7181)

Bills of Prior Year - Various Departments - \$919.03

ATTACHMENTS:

- 1-9-23 BOPY (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce

4. Order (ID # 7158)

Collective Bargaining Agreement Ratification - Collective Bargaining Agreement Ratification- Service Employees International Union (Civil Engineers) Local-888

COMMENTS - Current Meeting:

Bill Mahoney spoke on this item.

Councilor Walsh said she would be supporting the contract

ATTACHMENTS:

- Letter to City Council Re City Engineers Ratification (PDF)
- City Engineers TA on contract 11-29-22 (PDF)
- CAFO CERT - Service Employees International Union (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce

5. Order (ID # 7178)

Collective Bargaining Agreement Ratification - Collective Bargaining Agreement Ratification- International Brotherhood of Police ("IBPO 364) Local-364

COMMENTS - Current Meeting:

Bill Mahoney spoke on the item.

Negotiations began April 20, 2021

14 Bargaining sessions and 2 Mediation sessions.

Settlement agreement with DOJ was a factor in the final contract.

Attorney Mahoney provided details of some of the changes that were included in the contract.

Councilor Whitfield commended the negotiation work that was done. Asked about the changes in the body work camera policy.

Attorney Mahoney gave details on the new body worn camera policy. Councilor Whitfield asked for a copy of the BWC policy.

Councilor Whitfield asked about the "at the employer's discretion" language in the contract. Attorney Mahoney responded to this concern. Disciplinary hearings were of specific concern from Councilor Whitfield. Councilor Whitfield stated that she thinks those hearings should be taped at all times.

Councilor Fenton congratulated the team that negotiated the collective bargaining agreement. He believes the agreement is fair and commensurate and will be supporting the CBA tonight.

Councilor Davila asked about the FTO Program (Field Training Officers) and compensation for officers participating. He encourages in the future for the city to be open to compensating the officers who participate. He asked about the disciplinary matrix specifically about the "failure to appear". Attorney Mahoney explained what was covered under "failure to appear". Councilor Davila asked about taped hearings. Attorney Mahoney responded.

Councilor Walsh urged that the contract be supported and voted on tonight.

Councilor Govan mentioned that she spoke to Joe Gentile. She is supporting the contract and is promoting more officers being hired to live and work in the City of Springfield. Supports to the recording of all proceedings to protect the officers and the City.

Councilor Whitfield it's time to stop doing things the same way we have always done it. If the DOJ recommends that recording of disciplinary hearings then it should be included in the contract rather than having "at the discretion of employer". Wants to send this contract to committee. Councilor Whitfield made a motion to send the contract to committee. There was no second. The motion failed.

Councilor Perez spoke on the item. She is in support of the contract.

Councilor Hurst asked if there was any language regarding the recording of the disciplinary hearing. To Councilor Whitfield's point the language is ambiguous.

He is not holding up this particular contract because the ambiguity is on the part of the administration.

Attorney Mahoney corrected saying that the compromise that was made was to record the hearings and provide them to the Compliance Evaluator. I hope this contract allows us to move forward with a clean slate.

Councilor Allen thinks that Councilor Whitfield brought up some good points that were satisfactorily answered. He spoke about the challenges in policing over the last few years and thanked all the police.

ATTACHMENTS:

- 2022-12-28 Executed Letter to CC IBPO 364 (PDF)
- 2022-12-06 IBPO TA (PDF)
- CAFO CERT - International Brotherhood of Police (PDF)

RESULT: ADOPTED [11 TO 0]

AYES: Walsh, Fenton, Perez, Whitfield, Govan, Allen, Hurst, Edwards, Curran, Davila, Lederman

ABSENT: Lavar Click-Bruce

AWAY: Malo Brown

6. Order (ID # 7182)

Collective Bargaining Agreement Ratification -Springfield Organization of Library Employees ("SOLE")

COMMENTS - Current Meeting:

Bill Mahoney spoke on this item.

There were no questions from the council.

ATTACHMENTS:

- 2022-12-22 SOLE Executed TA (PDF)
- 2022-12-22 SOLE City Council Report -Executed (PDF)

- CAFO CERT - SOLE (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce
AWAY:	Malo Brown

7. Order (ID # 7186)

Order Authorizing Contract Term Over 3 Years for Two Fiber Optic Networks Project for City and School Department

Proposed contract terms for the project options include up to 9 years, and up to 20 years, including renewal options. Renewal options are exercised in the City's sole discretion.

COMMENTS - Current Meeting:

TJ Plante spoke on the item.

Paul Foster, SPS IT, was present to answer questions

Councilor Fenton congratulated Mr. Foster on his work and his new venture with the City of Hartford.

Councilor Whitfield congratulated Paul Foster and asked him about the Fiber Optic service and connectivity in the City to date.

Foster stated the Fiber Optic was going well- just looking for better prices.

Councilor Perez wished Mr. Foster Good Luck.

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce

8. Order (ID # 7187)

Appropriation Order for Taking Damages for St. James Avenue at Carew Street Intersection Improvement

COMMENTS - Current Meeting:

Chris Cignoli spoke on the item

Councilor Fenton thanked Chris Cignoli and Mass DOT for their work on this repair.

He mentioned the concerns introduced by Reverend Watson and New Canaan Baptist Church on amount the church will be reimbursed by the City.

Cignoli spoke to Reverend Watson before the regular meeting to explain the taking process and how the church will be affected. Reverend Watson seemed to be content with the explanation about the improvements.

Councilor Fenton said if the opposition from the church remained he would have made a motion for the item to go to committee. Seeing that the church seems to be in agreement then he urges his colleagues to support the item.

Councilor Davila asked how the compensation amount was arrived at. Cignoli asked Attorney Shewchuk to share the compensation formula with Pastor Watson.

Councilor Hurst makes a motion to send this committee. Would like to hear from Reverend Watson. Without the Reverend being here his motion is

Councilor Walsh will support the motion to send to committee.

Councilor Davila agrees with the motion to committee but wants to bring it back to the Council for a vote ASAP.

Councilor Fenton asked about when the next regular meeting was. Council President Lederman noted the next regular meeting is in February and the next hearings meeting is January 23. Councilor Lederman said he would be amenable to taking up the Appropriation Order at a Hearings Meeting.

RESULT: REFERRED TO COMMITTEE

9. Order (ID # 7188)

Order of Taking of Land and Easements for St. James Avenue at Carew Street Intersection Improvement

RESULT: REFERRED TO COMMITTEE

10. Resolution 2023-1

Order to Use 3.7 Million Dollars to Eliminate Trash Fee

COMMENTS - Current Meeting:

Councilor Fenton is a little caught off guard and embarrassed about the remarks that were just made. The city is not in a financial position to eliminate the trash fee.

Councilor Fenton spoke on the original proposal (revoke trash fee) after- the CC received a memo from the CAFO that the CC has no authority to extinguish the trash fee. The City of Springfield is not in a financial position to eliminate the trash fee. It is impractical to do so. A yes vote for this would not be honest to the public.

Councilor Whitfield stated there are valid points on both sides but stated that the message is clear. People are struggling.

Councilor Govan read into the record posts from the Next Door App regarding the increase in property taxes. She is in favor of the resolution.

Councilor Perez spoke on the item. Stated the realistic facts and not risk health insurance/retirement/work mans comp etc. We should look at long term help.

Councilor Edwards spoke on the item. Not into delivering messages but he supports in theory that the trash fee should go away and would support properly presented legislation that would do that.

He will not argue that the residents need relief. He will support the resolve because it is only a message. The Council should do a better job on communicating to the constituents where the money is being spent. He stated the residents deserve relief.

Councilor Davila spoke on this item. He believes it is a delicate issue but residents need relief and he is going to continue to talk about it.

Councilor Whitfield spoke on various occasions where she introduced ideas to provide financial relief to residents. Stated that she is getting calls from constituents on property taxes and the ARPA awards.

Councilor Allen is not sure he will be voting on the resolution tonight as he doesn't think it's the right thing to do. Mentioned the importance of fiscal oversight by the Council and the Control Board. Councilor Allen noted that the Pension Fund continues to be an issue that should not be forgotten. Proposed to Councilor Lederman that we look at a way where we can reduce expenses. Start a process to look at that and see what can be done by meeting in the Finance Committee.

Councilor Davila democracy requires intense debate. During the tax factor vote he proposed adding more money to the Pension and the administration said no.

Councilor Hurst spoke again on the item. Residents of Springfield need financial relief now not 6 months from now.

Councilor Whitfield echoed Councilor Davila's and Councilor Hurst's sentiments. Start thinking about our city equitably and be fair to everyone.

Councilor Curran asked CAFO Plante if it is possible to utilize ARPA funds for one time tax relief. CAFO Plante said he can look into it as a fee. He knows that ARPA funds cannot be used to reduce taxes.

Councilor Walsh spoke on the difference between an order and a resolve. The way she looks at a resolve is a sentiment or sending a message. The message here tonight is relief.

Councilor Fenton supports the message of reducing taxes and increasing investments in other areas. The implications of our decisions carry a cost. He asked CAFO Plante to summarize the amount of tax relief.

CAFO Plante noted the following amounts of tax relief: FY 21 \$1-2 million and FY 22 \$2 Million. \$10 Million this year. prior to FY 21 close to zero tax relief.

Councilor Fenton noted that the City would have a budget deficit. Only city that has a bill lower than Springfield is North Adams.

Councilor Govan stated that we can do more based on the unprecedented revenue that the City has at this time. Move the question. Seconded by Councilor Edwards. Point of Order by Councilor Davila. Councilor Lederman

RESULT:	ADOPTED AS AMENDED [7 TO 4]
MOVER:	Justin Hurst, At Large Councilor
AYES:	Walsh, Whitfield, Govan, Hurst, Curran, Davila, Lederman
NAYS:	Michael A. Fenton, Maria Perez, Timothy C. Allen, Melvin A. Edwards
ABSENT:	Lavar Click-Bruce
AWAY:	Malo Brown

Motion to Amend the Order

Councilor Hurst spoke on the item. He acknowledged that the item was filed as an order and read an amendment to the item correcting the language to reflect that it is a resolution not an order.

Councilor Hurst read the resolution on the record.

Councilor Hurst stated the Mayor had DPW & the finance director give reasons why this could not move forward as an order. Cignloi & TJ Plante gave a reasons why we couldn't do this- Hurst stated they never took the time to tell City Council how it could occur and what we needed for it to occur. Residents need financial relief. Hurst thought about the people making recommendations and looked into their salaries. Hurst stated their salaries on the record. He believes it is difficult for those individuals to be able to relate on what some residents are going through (with higher property taxes.)

Councilor Hurst wants City Council to send a message to the Mayor by supporting this resolution.

Councilor Hurst made the motion to amend and seconded by Councilor Govan.

The votes were as follows:

YES= Walsh, Whitfield, Govan, Hurst, Curran, Davila and Lederman

NO= Fenton, Perez, Allen, Edwards

AWAY= Brown

ABSENT = Click-Bruce

Motion To: Motion to Move to Question

RESULT:	ADOPTED [11 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce
AWAY:	Malo Brown

Ordinances

Motion To: Invoke 22C

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Maria Perez
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce
AWAY:	Malo Brown

(11.) (ID # 7126) Federal Square/Upper State Street Local Historic District

Proposed Ordinance

TEXT:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED BY CHAPTER 2.46 ENTITLED "SPRINGFIELD HISTORICAL COMMISSION"

Be it ordained by the City Council of the City of Springfield, as follows:

Chapter 49, Article II of the Revised Ordinances of the City of Springfield, as amended, entitled "Historic Districts" is amended by the addition of the following section:

Subsection "49-29":

49-29 Federal Square - Upper State Street

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Federal Square - Upper State Street Historic District as shown on the map labeled Exhibit 29-2Y, entitled "Federal Square - Upper State Street"; said map to be considered part of this chapter.
- B. Exemption from Controls:
1. Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify;
 2. Terraces, walks, driveways, and sidewalks provided that any such structure is substantially at grade level;
 3. Storm windows, screens, window air conditioners, antennas, and similar appurtenances as decided by the Commission;
 4. Color of paint;
 5. Signs of not more than one (1) square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one (1) such sign is displayed in connection with each residence and, if illuminated, are illuminated only indirectly;
 6. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Hurst, Edwards, Curran, Davila, Lederman
ABSENT:	Lavar Click-Bruce
AWAY:	Malo Brown

COMMENTS - Current Meeting:
On for 2nd & 3rd step

Vincent Walsh-Chair of SPFD Historical Commission spoke on the item.

ATTACHMENTS:

- AQCA-FedSq-Letter_of_Support (PDF)
- MHSCNC-FedSq-Letter_of_Support (PDF)
- SPT - support letter (PDF)
- Federal_Square-Upper_State_Street_LHD(Final_Report with conveyance_letter) (PDF)