

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 23, 2013

Meeting was called to orders at 7:30 P.M.

Attendance was taken by a roll call vote; all members were present.

The Committee on Records reported that the records through September 4, 2013 were examined and found to be in order. The records were accepted.

The following COMMUNICATION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

C-7 Dean J. Mazarella, Mayor: Request that the Millette Memorial Fund be established.

The following COMMUNICATION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Conservation Commission and the Mayor.

C-8 Dean J. Mazarella, Mayor: Accept certain parcels of land from the Leominster Land Trust for conservation purposes.

The following COMMUNICATION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Health Director.

C-9 Dean J. Mazarella, Mayor: Request the City Council approve an inter-municipal agreement to join a public health network with 10 other cities and towns.

The following PETITION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

18-14 Susan Chalifoux Zephir: Perform a review and analysis of ambulance rates to ensure they are competitive and require that ambulance rates are reviewed annually.

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE, given REGULAR COURSE and referred to the Police Department, Mass Department of Transportation (DOT), and the Mayor.

19-14 Edmond Favreau et al: Support the abandonment and closure of Old Mill Road as a public way after 67 Old Mill Road to the beginning of the last entrance/exit to Liberty Commons.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Police Department Traffic Division, Principals at Fallbrook and Samoset Schools, the Athletic Director and the Superintendent of Schools.

20-14 David R. Cormier, Brian J. Flathers, Donna J. Ciccone and Michael Ciccone: Install "No Parking This Side of Street" signs on DeCicco Drive on the side of the street opposite of the ballfield from the ballfield to the corner of DeCicco Drive and Union Street.

Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was RATIFIED. Vt. 9 "yeas" Granted with an Emergency Preamble on September 9, 2013; another vote was required.

C-6 Relative to the appropriation of \$25,000.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 9/0

12-14 Aaron Kennedy for the Leominster Police Department: Install a stop sign at the intersection of Dewey Avenue against southbound drivers at Leland Avenue.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 8/1, Councillor Freda opposed.

13-14 Stephen J. Mullaney and Ten Registered Voters: Amend Chapter 22 of the Revised Ordinances entitled "Zoning" by adding to "Health Care Overlay District (HCO) Definitions" in Section 22-4 a definition for Medical Marijuana Treatment Center and by adding the following entry to "Institutional Uses" in Section 22-18 Overlay Districts Table of Uses.

<u>Institutional Uses</u>	<u>DO</u>	<u>MSO</u>	<u>UCO</u>	<u>HCO</u>
Medical Marijuana Treatment Center	U	U	U	SPPB

A recess was called at 8:22 P.M. to discuss the following petition with Vernon Beauvais, representing Joel Baker.

Meeting reconvened at 8:30 P.M.

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 23, 2013, continued

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME and referred to the City Solicitor for review. Vt. 9/0

14-14 Joel H. Baker, Trustee E.K. and J.H. Baker Nominee Trust: Modify the width of an existing City of Leominster Utility Easement at 495 Main Street as shown on a plan prepared by Hannigan Engineering Inc. entitled "Easement Modification Plan in Leominster" dated May 28, 2013.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was DENIED. Vt. 9/0

15-14 Mark Woodward et al: Impose a parking restriction on the paved portion of Brown Avenue for its full length, from Prospect Street to the dead end.

Upon recommendation of the PUBLIC SAFETY COMMITTEE the following PETITION was given LEAVE TO WITHDRAW. Vt. 9/0. Petition will be sent to the Mayor

16-14 David Rowlands: Install a "Dangerous Curve Ahead" sign on Prospect Street in the area of homes with addresses in the 300's based on the location identified by the Police Department.

Upon recommendation of the WAYS & MEANS COMMITTEE the following PETITION was GRANTED. Vt. 9/0

17-14 Andrew Rome -Romedeau Inc. d/b/a The Columbia Tavern: Renew the License for one pool table at 16 Central Street Rear.

Upon recommendation of the WAYS & MEANS COMMITTEE the following APPOINTMENT was CONFIRMED. Vt. 9 "yeas"

Council on Aging - Birdie Siciliano - term to expire April 15, 2016

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 8 "yeas" and 1 "nay", Councillor Freda opposed.

THE CITY OF LEOMINSTER
In the year two thousand and thirteen

AN ORDINANCE

Amending Chapter 22 of the Revised Ordinances entitled "Zoning."

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

Section 22-79 of Chapter 22 of the Revised Ordinances entitled "Zoning" is hereby amended by adding to Section 79.1, after the words "public interest," the following:

..., except that if the sign for which the special permit is sought is to be located on city property, the special Permit authority applying the above standard shall be the Leominster City Council.

And said section is further amended by adding to Section 79.2, immediately after the words "the Board," the words "or the City Council".

Councillor Rowlands requested that the item Special Permit granted to Manoel Loka Leite on April 23, 2012 be removed from the agenda. It was discussed at an informational meeting prior to the meeting.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for October 15, 2013 at 6:45 P.M. Vt. 9 "yeas"

1st Reading Ordinance – Amend Chapter 22 of the Revised Ordinances, entitled "General Use Regulations," by inserting the subsection 16.12 entitled "Temporary Moratorium on Medical Treatment Centers."

Under New Business, Council President Chalifoux Zephir reminded everyone that the Referendum Election was tomorrow and voters should cast their votes at their regular polling location. She also congratulated Council Nickels on his recognition by the Fire Department last week.

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to request the Mayor and a Leominster Land Trust representative attend the next meeting on October 15, 2013 to discuss Communication C-8. Also a vote was taken to request the Health Director to attend the next meeting on October 15, 2013 to discuss Communication C-9.

MEETING ADJOURNED AT 9:15 P.M.

Lynn A. Bouchard, City Clerk
and Clerk of the City Council