

CITY OF LYNN

**Special City Council Meeting, January 26, 2021
Council President Darren P. Cyr**

*****MEETING WILL BE TELEVISED LIVE ON THE LYNN COMMUNITY TELEVISION (LCTV) GOVERNMENT CHANNEL AND ALSO STREAMED ON THE LCTV'S FACEBOOK PAGE *****

Ten Councilors Present (Councilor Lozzi absent).

Moment of Silence

Pledge of Allegiance

Motion made by Councilor Colucci and seconded by Councilor Field to accept the Meeting Minutes of December 29, 2020.

Motion carried

COMMUNICATIONS:

Re-Appointment/Attorney George Markopoulos to the position of City Solicitor

Motion made by Councilor Walsh and seconded by Councilor Field to Reappoint Attorney George Markopoulos to the Position of City Solicitor.

Motion carried by the following yea and nay:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS:

Public Hearing on Abandonment of Carrol Street.

The following spoke in Favor:

Attorney Vitali

No one spoke in Opposition.

Public Hearing Closed

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Petition of David E. Zeller, owner of Dream Carz Inc, to operate a Class 2 Auto Dealership, (on-line only), in a waterfront zone with an office and no cars on the premises, at 204 Blossom Street Extension.

The following spoke in Favor:

David Zellar, 37 Walnut Road, Swampscott

No one spoke in Opposition.

Public Hearing Closed.

Motion made by Councilor Hogan and seconded by Councilor Colucci to grant with the following stipulations:

1. No vehicles for sale shall be parked or stored at the property at 204 Blossom Street Extension at any time, day or night.
2. Use of the Second Class Dealer's License shall be confined solely to office Internet sales of motor vehicles.
3. No motor vehicles sold by the License holder shall be stored anywhere within the City of Lynn.
4. The License Holder shall at all times possess a contractual relationship with a licensed auto repair business(es) to perform needed and required warranty repairs obligations pursuant to M.G.L. c. 90, s. 7N1/4 and c. 140, s. 58.
5. No repairs of automobiles shall be conducted on the premises.
6. Said repair obligations shall be required even if motor vehicle is sold to an out-of-state resident as Massachusetts warranty obligations shall apply to all transactions.
7. No customers or prospective customers shall be permitted upon the premises as all sales shall be conducted via the Internet.
8. At all times, employees shall be limited in number to the amount needed to operate the business.
9. No illegal activities shall be conducted upon the premises.
10. A violation of these stipulations and Conditions shall be sufficient grounds to revoke the Second Class Dealer's License.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition for a Sign Permit for Global Kitchen Banquet at 138 Boston Street
(*Chakoutis*)

-Petition for a Sign Permit for Shell Gas Station at 535-543 Lynnway (*Hogan*)

Motion made by Councilor Colucci and seconded by Councilor Net to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the January 26, 2021 Committee on Utilities recommending the following to be accepted:

Petition of J.J. Welch to construct a line of underground electric conduits from the underground transformer on Pleasant St around the corner down Tremont Street. **(Chakoutis)- Granted**

Petition of Comcast to install a new conduit to provide service to 189 North Common St. **(Hogan) -Granted**

Petition of Comcast to place a conduit on Johnson St to place a PVC conduit to Lynn City Hall **(Chakoutis) - Granted**

Petition of Verizon place a 4 inch conduit to 38-44 Andrew Street **(Chakoutis) - Granted**

Petition of National Grid to install one SO pole and install a new stub pole and anchor on Auburn Street **(Lozzi) – Granted**
REPORT ACCEPTED.

Report of the January 26, 2021 Committee on Licensing recommending the following to be accepted:

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – Transfer of ownership
 195 Chestnut St., Auto Hub, LLC (formerly 287 Essex Street Auto) – **Granted with the following stipulations:**

1. **No vehicles for sale shall be parked or stored at the property at 204 Blossom Street Extension at any time, day or night.**
2. **Use of the Second Class Dealer’s License shall be confined solely to office Internet sales of motor vehicles.**
3. **No motor vehicles sold by the License holder shall be stored anywhere within the City of Lynn.**
4. **The License Holder shall at all times possess a contractual relationship with a licensed auto repair business(es) to perform needed and required warranty repairs obligations pursuant to M.G.L. c. 90, s. 7N1/4 and c. 140, s. 58.**
5. **No repairs of automobiles shall be conducted on the premises.**
6. **Said repair obligations shall be required even if motor vehicle is sold to an out-of-state resident as Massachusetts warranty obligations shall apply to all transactions.**
7. **No customers or prospective customers shall be permitted upon the premises as all sales shall be conducted via the Internet.**

8. At all times, employees shall be limited in number to the amount needed to operate the business.
9. No illegal activities shall be conducted upon the premises.
10. A violation of these stipulations and Conditions shall be sufficient grounds to revoke the Second Class Dealer's License.

AUTO BODY/REPAIR/FLAMMABLE LICENSE – Transfer of ownership- same location

46 Bennett St., BF Collision-(formally Tatiana's Auto Body & Rental) – **Granted with Standard Stipulations.**

148 Fayette St., Roja's Auto Body & Auto Repair-(formally Mik's Auto Repair) – **Granted with Standard Stipulations.**

AUTO REPAIR/FLAMMABLE LICENSE- Transfer of ownership – same location

371 Summer St., Perez Auto Repair, Inc.-(formally Express Auto and Tire Repair) – **Granted with Standard Stipulations.**

SECOND HAND ARTICLE -NEW

19 Wilson Street, Oluwashina Oladego, (On line Business Only – has Home Occupation Permit) – **Granted with stipulation that there be no customer traffic.**

CLASS I AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

715 Lynnway, Pride Chevrolet Inc. - **Granted**

777-795 Lynnway, Pride Hyundai of Lynn Inc., DBA Pride Kia- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

87A Rear Bennett St., Bennett St. Auto Sales Inc. - **Granted**

106 Chestnut St., Lynn Auto Center and Repair- **Granted**

350 Chestnut St., Duran Auto Repair- **Granted**

136 Cottage St., Bay State Auto Service and Sales, LLC- **Granted**

475 Lynnway, LAS Inc. - **Granted**

592 Lynnway, The Hertz Corporation, Dba Hertz Car Sales- **Granted**

1071 Western Ave., Joan Bonia DBA Bonia Motors- **Granted**

AUTO BODY/REPAIR/FLAMMABLE LICENSE- RENEWAL

174 Broad St., Olympic Auto Body & Sales, LLC - **Granted**

SECOND HAND ARTICLE -RENEWAL

51 Central Sq., Prendas Inc. (Omar & Oscar Jewelry- **Granted**

32 Market Sq., The Pawnshop at Market Square- **Granted**

41 State St., Duc Anh Watch and Clock Repair- **Granted**

193 Union St., B & V Jewelry- **Granted**

242 Union St., Galactronica- **Granted**

857 Western Ave., Lynn Phnom Penh- **Granted**

OLD GOLD & SILVER – RENEWAL

51 Central Sq., Prendas Inc. (Omar & Oscar Jewelry- **Granted**

101 Commercial St. My Son's Store- **Granted**

431 Lynnway, Empire Loan- **Granted**

32 Market Sq., The Pawnshop at Market Square- **Granted**

62 Market Sq., All Checks Cashed Inc. - **Granted**

193 Union St., B & V Jewelry- **Granted**

433 Washington St., A & S Pawn & Used Jewelry- **Granted**

857 Western Ave., Lynn Phnom Penh Jewelry- **Granted**

PAWN BROKER- RENEWAL

51 Central Sq., Prendas Inc. (Omar & Oscar Jewelry- **Granted**

431 Lynnway, Empire Loan- **Granted**

32 Market Sq., The Pawnshop at Market Square - **Granted**

193 Union St., B & V Jewelry- **Granted**

433 Washington St., A & S Pawn & Used Jewelry- **Granted**

SIGN LICENSE-RENEWAL

105 Essex St., T.C. Nails & Spa- **Granted**

183 Lewis St., Casa Amelia- **Granted**

234 Lynnfield St., Salon 234 - **Granted**

REPORT ACCEPTED.

Report of the January 26, 2021 Committee on Public Property and Parks recommending the following to be accepted:

Bid Openings / 342-344 Parkland Avenue

Three Bids were received:

Meninno Construction - \$52,200.00

Neighborhood Development Associates - \$141,050.00

Lynnwood Development (Tom McGovern) - \$175,000.00

Ordered to award the property to Lynnwood Development (Tom McGovern) in the amount of \$175,000.00.

Motion carried. Councilor Field voting PRESENT.

Soofa Signs / Proposed Locations

Ordered to approve the following locations at City Hall Square, 12 Market Street, 30 Exchange Street, 50 Central Avenue, and 111 North Common Street with the following stipulations: Street Permit is required from DPW before work is done, and the Solicitor's Office review all contracts.

Motion carried.

Report of the January 26, 2021 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of THREE HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (\$360,000.00)

From the Account of <u>98035-7800</u>	Reserve-Exp	437,000.00
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To the Account of <u>22105-8504</u>	LPD -Lease Equip Exp	360,000.00
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To the Account of <u>22104-1113</u>	LPD -Stipends PR	77,000.00
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Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety

of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Ordered that the City of Lynn will transfer the amount of one hundred twenty thousand (\$120,000.00) dollars from its budget and General Reserve line item for the purpose of paying costs of a Schematic Design Study for window/door replacement on the Lynn Vocational Technical Institute, located at 80 Neptune Blvd., Lynn, Massachusetts, including the payment of all costs incidental or related thereto, and for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction the School Building Committee. The City of Lynn, acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City of Lynn incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Lynn.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Transfer the sum of FORTY THOUSAND DOLLARS AND ZERO CENTS (\$40,000.00)

From the Account of <u>98035-7800</u>	Reserve-Exp	40,000.00
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To the Account of <u>22405-3200</u>	LFD -Tuition Exp	40,000.00
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Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Transfer the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$150,000.00)

From the Account of <u>22104-1000</u>	LPD-PR	150,000.00
To the Account of <u>22105-3099</u>	LPD -Prof Exp	115,000.00
To the Account of <u>22105-3404</u>	LPD -Telephone Exp	35,000.00

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of FOUR HUNDRED NINETY THREE THOUSAND FOUR HUNDRED FORTY EIGHT DOLLARS AND SEVENTY EIGHT CENTS (\$493,448.78) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security for the FY21 Municipal Staffing Grant. Grant Period is 01/26/21-12/31/21

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of FORTY THOUSAND DOLLARS AND ZERO CENTS (\$40,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security for the FY21 Municipal Road Safety Grant. Grant Period is 12/22/20-09/15/21

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of THIRTY EIGHT THOUSAND TWO HUNDRED FORTY NINE DOLLARS AND ZERO CENTS (\$38,249.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security for the Edward Byrne Memorial Justice Assistance Grant (JAG). Grant Period is 12/22/20-06/30/21

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" an additional amount of FIFTY FIVE THOUSAND EIGHTY DOLLARS AND ZERO CENTS (\$55,080.00) as allotted to the City of Lynn Health Division by the Department of Public Health (DPH) for additional COVID-19 Emergency Response Funding. Grant Period is 07/01/20 to 6/30/21

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of SEVENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (75,000.00) as allotted to the City of Lynn School Department by the United Way via LHAND for the Project RISE/SIEMER Grant. Grant 01/01/20-12/31/20

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of EIGHT THOUSAND ONE HUNDRED NINETY NINE DOLLARS AND ZERO CENTS (8,199.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 298 Early Childhood Targeted Special Education Program Improvement and Safety Grant. Grant Period 11/30/20-06/30/21

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Order to establish one revolving account under section Chapter 44 Section 53E ½ for the purposes of accepting proceeds from the following funding from the establishment of the Site Review Services that was recently issued via ISD. The monies used to fund these expenses are to be under the discretion of the Building Commissioner. Building inspections and or the stipend for the Plan Review Services, which shall be not less than \$2,500 a year. This account (Revolving Fund) will be used at the Building Commissioners discretion for distribution of the aforementioned purposes only and should be capped at 200,000.00 with the remaining funds to be reallocated to the General Fund.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Ordered that pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a monetary gift in the amount of eight hundred and sixty-four (\$864.00) dollars for the purpose of purchasing a trophy case for the Lynn Fire Department.

Councilor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE

FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Ordered that the Lynn City Council hereby accepts and approves the Disclosure by Municipal Employee of a Financial Interest in a Municipal Contract as required by MGL Chapter 268A, Section 20(b) filed by Richard C. Colucci to continue to serve as a snow plow operator on behalf of the City of Lynn.

Motion made by Councilor Net and seconded by Councilor Starbard to grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

NEW BUSINESS:

Motion made by Council President Cyr and seconded by Councilor LaPierre to recommend His Honor the Mayor to initiate a Financial Transfer to fund the Diversity, Equity and Inclusion Officer to be placed in the Mayor’s Office payroll line item and said position to be staffed within the Mayor’s Office.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi)

Nomination / Council President

<i>Barton</i>	<i>CYR</i>	<i>Lozzi</i>	<i>ABSENT</i>
<i>Chakoutis</i>	<i>CYR</i>	<i>Net</i>	<i>CYR</i>
<i>Colucci</i>	<i>CYR</i>	<i>Starbard</i>	<i>CYR</i>
<i>Field</i>	<i>CYR</i>	<i>Walsh</i>	<i>WALSH</i>
<i>Hogan</i>	<i>CYR</i>	<i>Cyr</i>	<i>CYR</i>
<i>LaPierre</i>	<i>CYR</i>		

**Darren P. Cyr = 9 Votes John M. Walsh, Jr. = 1 Vote
(Councilor Lozzi absent)**

Nomination / Council Vice-President

<i>Barton</i>	<i>BARTON</i>	<i>Lozzi</i>	<i>ABSENT</i>
<i>Chakoutis</i>	<i>BARTON</i>	<i>Net</i>	<i>BARTON</i>
<i>Colucci</i>	<i>BARTON</i>	<i>Starbard</i>	<i>BARTON</i>
<i>Field</i>	<i>BARTON</i>	<i>Walsh</i>	<i>BARTON</i>
<i>Hogan</i>	<i>BARTON</i>	<i>Cyr</i>	<i>BARTON</i>
<i>LaPierre</i>	<i>BARTON</i>		

**Buzzy Barton = 10 Votes
(Councilor Lozzi absent)**

Motion made by Councilor Colucci and seconded by Councilor Chakoutis to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK