

## CITY OF LYNN

**City Council Meeting, March 16, 2021  
Council President Darren P. Cyr**

ANY INDIVIDUAL INTERESTED IN SPEAKING FOR OR AGAINST OR REGARDING ANY PETITION SHOULD CALL (781) 586 – 6783 OR (781) 586-6773 AT THE DATE AND TIME OF THE PUBLIC HEARING. ALL INDIVIDUALS WILL BE PERMITTED TO SPEAK VIA A SPEAKER PHONE FUNCTION. IN SOME INSTANCES, THE LYNNCITY COUNCIL WILL CALL BACK AN INDIVIDUAL WISHING TO SPEAK TO ENSURE AN ORDERLY MEETING. INDIVIDUALS WISHING TO SPEAK MAY PROVIDE THEIR NAME AND PHONE NUMBER TO THE LYNN CITY COUNCIL AND WILL BE CALLED AT THE APPROPRIATE DATE AND TIME TO SPEAK. THIS INFORMATION SHOULD BE SUBMITTED TO THERESA C. YOUNG VIA EMAIL: [tyoung@lynnma.gov](mailto:tyoung@lynnma.gov) OR TELEPHONE: (781) 586-6740. THE EMAIL OR TELEPHONIC MESSAGE REQUESTING TO SPEAK MUST BE RECEIVED AT LEAST ONE HOUR PRIOR TO THE SCHEDULED MEETING.

ANY INDIVIDUAL DESIRING TO SUBMIT WRITTEN MATERIALS EITHER FOR OR AGAINST A PARTICULAR PETITION SHOULD SUBMIT THE SAME VIA E-MAIL: [tyoung@lynnma.gov](mailto:tyoung@lynnma.gov) OR REGULAR MAIL TO: LYNN CITY COUNCIL, C/O THERESA C. YOUNG, LYNN CITY COUNCIL OFFICE, LYNN CITY HALL, LYNN, MA 01901. DOCUMENTS MAY ALSO BE SUBMITTED VIA THE LYNN CITY HALL DROP BOX LOCATED AT THE JOHNSON STREET ENTRANCE WITH A DEADLINE OF ONE HOUR PRIOR TO THE SCHEDULED MEETING. THE DOCUMENTARY SUBMISSIONS MAY BE SUBMITTED VIA A ZIP DRIVE OR SIMILAR DEVICE COMPATIBLE A WINDOWS OPERATING SYSTEM

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

10 Councilors Present (Councilor Lozzi absent).

Moment of Silence – Council President Cyr stated that one year ago today on March 16, 2020, Mayor McGee declared a Local State of Emergency in the City of Lynn in Order to Protect the General Health, Safety and Well-Being of the Residents of the City of Lynn due to the Covid-19 Virus. Council President Cyr stated that 199 Lynn residents have died from the Virus. Let us have a moment of silence to honor these residents, family and friends who have died from the COVID-19 Virus.

Pledge of Allegiance

**Motion made by Councilor Barton and seconded by Councilor Walsh to accept the Meeting Minutes of February 16, 2021.**

**Motion carried.**

**Motion made by Councilor Starbard and seconded by Councilor Colucci to accept the Meeting Minutes of February 23, 2021.**

**Motion carried.**

**COMMUNICATIONS:**

Council Appointment to the Human Rights Commission - Jordan Avery, 20 Heath Court, Lynn, MA 01905, effective immediately and expires March 16, 2023.

**Motion made by Councilor Barton and seconded by Councilor Colucci to appoint Jordan Avery, to the Lynn Human Rights Commission, effective immediately and will expire on March 16, 2023.**

**Motion carried.**

**PUBLIC HEARINGS:**

Public Hearing on an Ordinance Establishing a Building Permit Plan Review Revolving Fund pursuant to MGL Chapter 44, Section 53G.

No one spoke in Favor.

No one spoke in Opposition.

Public Hearing Closed

**Motion made by Councilor Net and seconded by Councilor Barton to grant.**

**Motion carried by the following ye and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

Petition of Grace City Church (ECIC) to use the parking lot at 31 Stetson Street for Food Truck Use.

No one spoke in Favor.

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 ye and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

Public Hearing on an Ordinance Establishing a Planning Department in the City of Lynn.

The following spoke in Favor:

Mayor Thomas M. McGee

No one spoke in Opposition.

Public Hearing Closed

**Motion made by Councilor Hogan and seconded by Councilor Field to grant with Mayor's Amendments.**

**Motion carried by the following ye and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

Public Hearing on the Recodification of the City of Lynn Zone Ordinance Order to Recodify the Zone Ordinance to incorporate all changes made to the Zone Ordinance since 2018. The recodified Zone Ordinance does not contain any substantive changes to the Zone Ordinance, but rather incorporates the amendments

made piecemeal since 2018 into a singular readable document. \*Full copy available in City Clerk's office.

No one spoke in Favor.

No one spoke in Opposition.

Public Hearing Closed

**Motion made by Councilor Hogan and seconded by Councilor Barton to grant.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

Petition of Nouria Energy Corp for a Sign Permit at the Shell Gas Station at 535-543 Lynnway.

The following spoke in Favor:

Attorney Sam Vitatli

No one spoke in Opposition.

Public Hearing Closed

**Motion made by Councilor Hogan and seconded by Councilor Colucci to grant.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

**PUBLIC HEARINGS TO BE SET DOWN:**

Petition of El Pecas, an existing Restaurant at 201 Lewis Street for permission to serve beer and wine. *(Cyr)*

***Motion made by Councilor Colucci and seconded by Councilor Field to set down for a Public Hearing.***

***Motion carried.***

Petition of **EXTENET SYSTEMS** for a Grant of Location on the following streets:

**Ward 4**

Hamilton Ave/Washington St

**Ward 5**

Blake St/Central Square

Blake St/Central Square/Munroe St.

Central Ave/Liberty St.

Franklin St/North Common/Central Ave

Franklin St/South Common St.

Hanover St/South Common St.

Johnson St.

North Common/Central Ave/Liberty St.

Pleasant St/South Common

Rogers Ave

Rogers Ave/Essex St.

Washington St/Munroe St.

Whiting St/North Common

**Ward 6**

Huss Court/South Common/North Common

Huss Court/South Common

Mall St/North Common

Market St/South St/North Common

Market St/North Common

Minot St/Western Ave

North Common/Hannify Square

North Common/Market Square

South St/Market Square

Summer St/Western Ave

**Ward 7**

Cottage St/Summer St.

Spencer St/Western Ave

Western Ave/Summer St.

***Motion by Councilor Colucci and seconded by Councilor Field to set down for Public Hearings.***

***Motion carried.***

**COMMITTEE REPORTS:**

**Report of the March 16, 2021 Committee on Ordinance and Rules recommending the following to be accepted:**

Order to set down a Public Hearing regarding a Proposed Ordinance Amending an Ordinance Regulating Litter Refuse and Trash in the City of Lynn. Proposed: IN THE YEAR TWO THOUSAND AND TWENTY ONE AN ORDINANCE AMENDING AN ORDINANCE REGULATING LITTER REFUSE AND TRASH IN THE CITY OF LYNN Section 1:00 Enforcement, Penalties and Non-Criminal Disposition

Section 14:00(B)(2) is hereby amended by increasing the fine for the first offense to one hundred (\$100.00) dollars, and two hundred (\$200.00) dollars for the second violation and three-hundred dollars (\$300.00) for all subsequent violations, unless another fine is stated herein.

**Motion made by Councilor Hogan and seconded by Councilor Chakoutis to set down for a Public Hearing.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councilor Lozzi absent).**

**REPORT ACCEPTED.**

**Report of the March 16, 2021 Committee on Licensing recommending the following to be accepted:**

**SECOND HAND –NEW ONLINE BUSINESS**

9 Needham's Landing Road, #105 "Simply Fash It" Elisa Raias Vasquez  
(selling clothing on line only, has Home Occupation Permit) 781-854-2410- **Granted**

**SECOND HAND -RENEWAL**

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

**SIGN LICENSE-RENEWAL**

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

95 Union St., Desi Barbershop- **Granted**

659 Western Ave., Desi Barbershop- **Granted**

**CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE- RENEWAL**

10 Heath's Ct., Unique Motors Inc. - **Granted**

**AUTO REPAIR/FLAMMABLE – RENEWAL**

8 Burrus Sq., Tenares Auto Repair Inc. - **Granted**

**REPORT ACCEPTED.**

**Report of the March 16, 2021 Committee on Public Safety and Public Health recommending the following to be accepted:**

Discussion regarding public safety at the former Thurgood Marshall Middle School, 19 Porter Street, Lynn

**Motion made by Council President Cyr and seconded by Councilor Vice-President Barton to notify the Lynn Police and Lynn Fire Department to request their input on how to maintain security at the former Thurgood Marshall Middle School. Motion carried.**

**OTHER BUSINESSS**

**REPORT ACCEPTED.**

**Report on the March 16, 2021 Committee on Public Property and Parks recommending the following to be accepted:**

Discussion re: A Proposed RFP / Former Marshall Middle School, 19 Porter Street

**Motion made by Councilor Field and seconded by Councilor Walsh to authorize the Solicitor's Office to craft another RFP for the Former Marshall Middle School, 19 Porter Street.**

**Motion carried.**

**REPORT ACCEPTED.**

**Report of the March 16, 2021 Committee on Ways and Means recommending the following to be accepted:**

Transfer the sum of SIXTY FOUR THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS (64,200.00)

From the Account of <u>98035-7800</u> Reserve	\$64,200.00
To the Account of <u>44045-8500</u> DPW-Expense	\$64,200.00

To fund repair of hydraulic lift for vehicles.

**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).**

Transfer the sum of TWENTY SEVEN THOUSAND SIX HUNDRED TWENTY FOUR DOLLARS AND ZERO CENTS (27,624.00)

From the Account of <u>98035-7800</u> Reserve	\$27,624.00
To the Account of <u>99305-3200</u> Essex Tech-Expense	\$27,624.00

To fund additional students enrolled in Essex Tech.

**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).**

Transfer the sum of TWENTY FOUR THOUSAND DOLLARS AND ZERO CENTS (24,000.00)

From the Account of <u>98035-7800</u> Reserve	\$24,000.00
To the Account of <u>11915-3000</u> Law-Expense	\$24,000.00

To fund appraisal services for several parcels of land.

**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).**

Transfer the sum of FIVE HUNDRED SIXTY ONE DOLLARS AND ZERO CENTS (\$561.00

From the Account of <u>65825-7700</u>	Veterans-Exp	\$561.00
To the Account of <u>98025-6582</u>	Veterans Bill of PY-Exp	\$561.00

To fund invoice received after close of FY.

**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 NINE MILLION THREE HUNDRED FOUR THOUSAND ONE HUNDRED EIGHTY FOUR DOLLARS AND ZERO CENTS (9,304,184.00) as allotted to the City of Lynn by the U. S. Department of Housing Urban Development (HUD) for the Lead Paint Mitigation Grant, previously provided by the LHA. Grant Dates 03/17/20-09/30/21

**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 SIX THOUSAND THREE HUNDRED DOLLARS AND ZERO CENTS (76,300.00) as allotted to the City of Lynn by the Mass Cultural Council (ART) for the Lynn Cultural Council Allocation for FY21. Further ordered that His Honor the Mayor is hereby authorized to execute all documents necessary to enter into and to effectuate this MCC Grant. Grant Dates 03/10/21-06/30/21

**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" the amount of TWENTY EIGHT THOUSAND ONE HUNDRED FIFTY DOLLARS AND ZERO CENTS (28,150.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 432 FAFSA Completion Opportunity Grant.

Grant Period 03/08/21-06/30/21

**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).**

**REPORT ACCEPTED.**

**NEW BUSINESS:**

Discussion: Open Meeting Law Complaint filed by Ms. Joanne Linder regarding February 23, 2021 City Council meeting.

**Attorney Lamanna stated that the complaint will be answered by their office and a copy of the response will be forward to the Council Office.**

**Motion made by Councilor Colucci and seconded by Councilor Hogan 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:**

*Janet L. Rowle*

**CITY CLERK**