

OCTOBER 22, 2015

## REGULAR MEETING OF THE CITY COUNCIL

**“Know Your Rights Under the Open Meeting Law, M.G.L. Chapter 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”**

**Assistive Listening System Now Available for City Council Meetings.  
Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Cheryl LaPointe at 978-619-5610 or [clapointe@saalem.com](mailto:clapointe@saalem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, October 22, 2015 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 16, 2015 at 11:03 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Sargent presided.

Councillor Milo moved to dispense with the reading of the record of the previous meeting. It was so voted.

President Sargent requested that everyone please rise to recite the Pledge of Allegiance.

**PUBLIC TESTIMONY**

**There was no one signed up for public testimony**

It was noted that Boy Scout Troop 83 was present at the meeting.

Councillor Sargent moved to take out of Order and go to Mayor's Information page.

Councillor Sargent moved suspension of the rules to allow the Mayor to address the City Council with a representative from AARP.

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**#622 – REAPPOINTMENT OF HARRY WAGG AS ASSISTANT BUILDING INSPECTOR**

The Mayor's reappointment of Harry Wagg to serve as the Assistant Building Inspector with a term to expire on October 22, 2017, was confirmed by a roll call vote of 10 yeas, 0 nays, 0 absent. Councillors Turiel, Siegel, Milo, McCarthy, Legault, Gerard, Furey, Famico, Eppley and Sargent were recorded as voting in the affirmative.

**#623 – CONSTABLE**

The Mayor's appointment of Luis Adriano Polanco to serve as a Constable with the term to expire on September 4, 2016, was received and placed on file.

**#624 – CONSTABLE**

The Mayor's reappointment of Christopher Chigas to serve as a Constable with the term to expire on October 3, 2018, was received and placed on file.

**#625 - APPROPRIATION FROM RETIREMENT STABILIZATION – VACATION SICK LEAVE BUYBACK ACCOUNT**

The following Order recommended by the Mayor was adopted under suspension of the rules.

ORDERED: That the sum of fifty-five Thousand, five Hundred and sixty-three Dollars, and fifty Cents (\$55,563.50) is hereby appropriated in the "Retirement Stabilization Fund – Vacation/Sick Leave Buyback" account to be expended for FY2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Victor Theriault	School Dept.	\$13,916.00
William Nadeau	School Dept.	21,647.50
Alan LeClair	School Dept.	<u>20,000.00</u>
		<b>\$55,563.50</b>

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**#626 – DONATION TO POLICE LAW ENFORCEMENT TRUST FUND ACCOUNT**

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donation from the Commonwealth of Mass. – Eastern District Attorney totaling Fifteen Thousand Dollars (\$15,000.00). These funds will be deposited into to “Police Law Enforcement Trust Fund Donation” account to support the On-Point program in accordance with the recommendation of Her Honor the Mayor.

**#627 – DONATION TO SALEM POLICE K9 DONATION FUND**

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donation from the Salem Lodge No. 218 Loyal Order of Moose totaling One Thousand Nine Hundred and Twenty-Eight Dollars (\$1,928.00). These funds will be deposited into the “Salem Police K9 Donation Fund” to support the Salem Police Department K9 Unit in accordance with the recommendation of Her Honor the Mayor.

**#628 – ORDINANCE AMENDING BOARDS & COMMISSIONS FOR YOUTH COMMISSION**

The following Ordinance recommended by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs.

In the year two thousand and fifteen

An Ordinance to amend an Ordinance relative to Boards, Commissions, Committees and Authorities by establishing a Youth Commission

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

**Section 1.** Chapter 2 is hereby amended by adding a new division within Article IV, Boards, Commissions, Committees and Authorities as follows:

Division 17. Youth Commission

Section 2-1030. Established

There is hereby established a youth commission for the purpose of promoting positive activities and opportunities for Salem youth, coordinating and enriching existing youth services through community education and advocacy, and working with city officials to share concerns and ideas to improve the lives of Salem youth.

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## Section 2-1031. Composition; appointment, term; filling of vacancies

The commission shall consist of nine members, two members representing Salem not-for-profit agencies offering programs or services for Salem youth and seven members selected from Salem youth ages 13 to 21. Members shall be appointed by the Mayor, subject to City Council approval. The Mayor shall make every effort to appoint youth members so that a majority of the city's wards are represented on the commission. The terms of the initial members of the commission shall be for one, two or three years and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for a term of three years each. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

**Section 2.** This ordinance shall take effect as provided by city charter.

**#629 – RESOLUTION HOTEL SALEM ESTATE HOLDINGS LLC**

**Received after the deadline of Tuesday noon and referred to the Committee on Administration and Finance co-posted with the Committee of the Whole**

**RESOLUTION**

**WHEREAS**, Hotel Salem Real Estate Holdings, LLC (hereinafter "Hotel Salem.") wishes to purchase and redevelop the building located at 203 Essex Street, Salem, MA, known, as Assessor's Parcel ID 35-0240-0 into a new 44 room boutique hotel; and

**WHEREAS**, the City of Salem (hereafter "City") is willing to grant tax concessions in return for a guarantee of the purchase 203 Essex Street in Salem, and redeveloping it into a +/- 27,700 sq. ft. 44 room boutique hotel, and the creation of employment opportunities for local workers;

**NOW, THEREFORE, BE IT RESOLVED** that the Salem City Council hereby

- Endorses the use of Tax Increment Financing as a tool to encourage economic development at 203 Essex Street, and;
- Provides for a tax exemption at 203 Essex Street for a period of five (5) years, beginning the first full fiscal

Term	Exemption %
1	100%
2	80%

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3	60%
4	40%
5	20%

Said exemption being in accordance with M.G.L. Chapter 23A, Section 3E, Chapter 40, Section 59, Section 5.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized, on behalf of the City, to enter into a Tax Increment Financing Agreement, a copy of which is attached hereto, with Hotel Salem Real Estate Holdings, LLC.

**BE IT FURTHER RESOLVED** that the City of Salem is hereby authorized to submit an application to the Economic Assistance Coordinating Council (EACC) for approval of the Tax Increment Financing Agreement.

**#630 – TAX INCREMENT FINANCING AGREEMENT WITH HOTEL SALEM REAL ESTATE HOLDINGS, LLC**

**Received after the deadline of Tuesday noon and referred to the Committee on Administration and Finance co-posted with the Committee of the Whole**

**TAX INCREMENT FINANCING AGREEMENT  
CITY OF SALEM, MASSACHUSETTS  
AND  
HOTEL SALEM REAL ESTATE HOLDINGS, LLC**

This agreement is made this \_\_\_\_\_ day of November, 2015 by and between the CITY OF SALEM, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at City Hall, 93 Washington Street, Salem, Massachusetts, 01970, acting through the Mayor Kimberley Driscoll (hereinafter called the "CITY") and Hotel Salem Real Estate Holdings, LLC, a Massachusetts Corporation with a principal place of business at 133 Old Ferry Road, Newburyport, MA 01950 (hereinafter called "the COMPANY"). The base year for this Agreement will be FY2016. The exemptions associated with this Agreement will take effect beginning in FY2017. For exact location of site, refer to Attachment "Exhibit A".

*(Exhibit A, a copy may be viewed in the City Clerks office during normal business hours.)*

WHEREAS, the COMPANY wishes to acquire and redevelop the +/- 27,700 square foot former Newmark Department Store, currently a commercial office building, at 203 Essex Street in Salem; and

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WHEREAS, The CITY is willing to grant tax concession in return for guarantee of the purchase and redevelopment of the +/- 27,700 square feet office building into a 44 room boutique hotel and the creation of employment opportunities for local workers; and

WHEREAS, the Salem City council resolved on November \_\_\_\_, 2015, to allow the use of Tax Increment Financing as a tool to encourage economic development at 209 Essex Street in Salem; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

A. THE COMPANY'S OBLIGATIONS

1. The COMPANY shall purchase and renovate a +/- 27,700 sq. ft. building at 203 Essex Street in Salem (herein after "the BUILDING"). The BUILDING is indentified as Salem Assessor's Parcel ID 35-0240-0. For an exact location of the BUILDING, refer to Attachment, "EXHIBIT A."
2. During the life of the Agreement, if the COMPANY decides to sell the BUILDING or the business or to otherwise transfer control of the BUILDING or business and/or operations thereof, the COMPANY shall give the CITY at least three months written notice of said sale or transfer. Said notice shall be given by certified mail, return receipt requested, to the Mayor, City Hall, 93 Washington Street, Salem, Massachusetts, 01970.

B. THE CITY'S OBLIGATION

1. The CITY shall grant a tax increment financing exemption to the COMPANY in accordance with Massachusetts General Laws, Chapter 23A, Section 3E, Chapter 40, Section 59, and Chapter 59, Section 5. Said exemption shall be granted on the improvements to the BUILDING. Said exemption shall be valid for a period of five (5) years, beginning with Fiscal Year 2018. During each year of this Agreement, the COMPANY will pay taxes based on the portion of the value of the BUILDING which is not exempt under this Agreement.
2. The exemption schedule on the value of the BUILDING works as follows: for each of the five (5) years of this AGREEMENT, the COMPANY will pay taxes on a percentage of the value of the BUILDING and be granted an exemption of a per4centatge of the full value of the BUILDING.

<b><u>FISCAL YEAR</u></b>	<b><u>EXEMPTION</u></b>
2018	100%
2019	80%

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2020	60%
2021	40%
2022	20%

## C. OTHER CONSIDERATIONS

1. This Tax Increment Financing Agreement shall be binding on all subsequent owners of the property. The CITY reserves the right to review and negotiate the Tax Increment Financing Agreement if the business activity ceases to be fully operational during the life of the Tax Increment Financing Agreement.
2. If the COMPANY decides to expand the BUILDING at any time during the life of the Tax Increment Financing Agreement, the CITY and the COMPANY may renegotiate the Tax Increment Financing Agreement to exempt all or part of the expansion from property taxes. The exact amount of that exemption will be determined at the time of the expansion.

Executed as sealed instrument on the day and year first above written.

CITY OF SALEM

HOTEL SALEM REAL ESTATE HOLDINGS, LLC

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Kimberley Driscoll, Mayor

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Rich Cooper, Principal**#631 – ORDINANCE TRAFFIC AND PARKING COMMISSION**

**Received after the deadline of Tuesday noon and referred to the Committee on Government Services co-posted with the Committee of the Whole**

***In the year Two Thousand and Fifteen***

**An Ordinance** to amend an ordinance relative to traffic and parking

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

**Section 1.** Delete in their entirety the Parking Department Board, Chapter 2, Article VIII, Division 2 and the Transportation Advisory Commission, Chapter 2, Article IV, Division 12 and replace with a new Traffic and Parking Commission within Chapter 2, Article IV as follows:

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**"DIVISION 12. – TRAFFIC AND PARKING COMMISSION**

Sec. 2-986. - Created; composition; compensation of members.

The traffic and parking commission is established. Such commission shall consist of seven members. Four members shall serve ex-officio, the police chief, fire chief, director of public services and city engineer. The ex-officio members may designate a subordinate member of their department to serve on the commission. One member shall be nominated by the Chamber of Commerce for appointment by the mayor and two residents shall be appointed by the mayor, all three subject to city council confirmation. The members of the commission shall serve without compensation, but shall be allowed their reasonable and necessary expenses incurred in the performance of their duties as such members.

Sec. 2-987. - Appointment; term; removal; filling vacancies; organization.

The Mayor shall appoint the initial members, excluding ex-officio members, of the Commission as follows: one member shall serve for a term of one year; one member shall serve for a term of two years; and one member shall serve for a term of three years. Thereafter and upon expiration of the term of each such member, the Mayor shall appoint members of the Commission to succeed such appointees whose terms expire and each member so appointed shall hold office for a term of three years. Members shall hold office for specified terms from February 1 next following such appointment.

Immediately after their appointment, the members of the traffic and parking commission shall meet and organize by electing one of the members as chairperson and such other officers as may be necessary. Each officer shall serve for a one year term from February 1 next following such election.

Sec. 2-988. - Powers, duties and responsibilities generally.

The traffic and parking commission shall be charged with the control, development, management, operation, and maintenance of all on-street and off-street, automobile parking facilities within the city or to contract therefor, provided there is compliance with competitive bidding requirements. Reasonable regulations not inconsistent with the provisions of any statute or ordinance for the orderly use of off-street parking facilities shall be prescribed by the commission, as well as a schedule of parking fees and other charges for the use of such facilities with the approval of the mayor and the city council, whether such facilities are operated by the commission or under contract therefore. In determining parking fees, the commission shall give consideration to the needs of the public and merchants to provide parking at the lowest cost possible.

The traffic and parking commission shall also oversee traffic planning and policy development for the city; implementation of the city's complete streets policy; planning and implementation of any residential traffic calming initiatives; planning and installation of on and off-street parking and transit related technology improvements; and implementation of the city's comprehensive parking plan, updating it as necessary.

Sec. 2-989. - Limitations.



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Nothing in this division shall be construed as giving the traffic and parking commission power to supersede the police department in the regulation and enforcement of parking on the city streets."

**Section 2.** Amend Chapter 2, Article VIII, by deleting Division 2 in its entirety and renaming Division 3 as Division 2, renumbering the sections within the newly created Division 2 beginning with Sec. 2-1396 and further amending the newly created Article VIII, Division 2 by:

- a) replacing the term "parking department" with the term "traffic and parking department" as it appears in this Article;
- b) replacing the Appointment term of the Traffic and Parking Executive Director of "one year" with "two years"; and
- c) inserting the following responsibilities of the Executive Director immediately following Responsibilities (b)(5):
  - (6) Carry out traffic planning and policy development for the City, including providing review of all traffic modifications, parking changes, or other similar activities, whether regulatory or through construction
  - (7) Assist with implementation of the City's Complete Streets Policy
  - (8) Oversee Residential Traffic Calming initiatives and other similar traffic programs
  - (9) Serve as the City lead on major state and local roadway and corridor improvement projects
  - (10) Plan, install, and oversee parking and transit related technology improvements
  - (11) Continue implementation of the existing comprehensive parking plan, updating it as necessary, including, but not limited to, parking meter control and regulation, resident parking programs, the creation of new parking, and the improvement or alteration of existing parking
  - (12) Staff the Traffic and Parking Commission

**Section 3.** This Ordinance shall take effect as provided by city charter.

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**#632 – HOME RULE PETITION TO ESTABLISH A SALEM HARBOR PORT AUTHORITY**

**Received after the deadline of Tuesday noon and referred to the Committee on Government Services co-posted with the Committee of the Whole**

**Ordered:**

That a petition to the General Court, accompanied by a bill for the establishment of the Salem Harbor Port Authority, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to intent of this home rule petition:

An Act authorizing the City of Salem to establish the Salem Harbor Port Authority.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1:**

The City of Salem is hereby authorized to establish the Salem Harbor Port Authority, hereinafter referred to as the Authority, which shall consist of the mayor and the ward one city councilor, both ex officio, and three members to be appointed by the Mayor and confirmed by the City Council of Salem. Appointments to the authority shall include at least two Salem residents who have one of the following prerequisites, either are maintain a membership of the Salem Marine Society, hold an advanced degree in Marine Transportation or Marine Engineering, maintains a membership in a Marine Pilot Association, or equivalent experience and/or education demonstrating knowledge of port operation or marine transportation.

A majority of the members of the Authority shall constitute a quorum, and the affirmative vote of a majority of all the members of the Authority shall be necessary to adopt any motion, resolution or binding action.

**SECTION 2:**

- a) The Mayor shall appoint the initial members of the Authority as follows: one member shall serve for a term of one year; one member for a term of two years; and one member for a term of three years. Thereafter and upon expiration of the term of each such member, the Mayor shall appoint members of the Authority to succeed such appointees whose terms expire and each member so appointed shall hold office for a term of three years. Each appointed member shall hold office until his or her successor is appointed and qualified. Any member of the Authority shall serve at the pleasure of the Mayor and shall be removed by the Mayor for misfeasance, malfeasance or neglect of duty. The powers of the Authority shall be vested in and exercised by these appointed members of the Authority to further the purposes of this Act in accordance with all applicable law and for the best interests of the people of the City of

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Salem, as shall be determined by the Authority. Each appointed member of the Authority before commencing service shall take an oath before the City Clerk to administer the duties of office faithfully and in conformance with applicable law.

- b) Any vacancy for any reason other than ordinary and usual expiration of term shall be filled by special appointment of the Mayor as promptly as possible for the remainder of the unexpired term. No less than thirty (30) days prior to the first meeting of the Authority, the Mayor shall designate the chairperson whose designation will be maintained for one calendar year from the first meeting. Thereafter and no less than thirty (30) days prior to the expiration of said designation, a majority of the Authority members present at meeting of the Authority for which a quorum is in attendance may designate the first and each subsequent vice-chairperson from the membership. The Mayor shall continue to designate the chairperson. The members shall also elect a Secretary, Clerk and Treasurer, who may or may not be voting members of the Authority.
- c) Appointed members of the Authority may not designate a representative to vote on their behalf. Any appointed member who fails to attend three consecutive meeting of the Authority or who fails to attend fifty percent of all officially scheduled meetings of the Authority held during any calendar year may be deemed by the Mayor to have resigned from the Authority, at the Mayor's discretion.
- d) No member of the Authority shall be compensated for their membership, beyond reimbursement for actual and reasonable expenses, if any, incurred in the performance of their duties. Further, ex-officio members of the Authority may continue to receive any usual and customary compensation arising from said official position.
- e) The Authority, with approval of the Mayor, may appoint and may, subject to contractual obligation, remove a paid executive director, who may or may not also serve the City of Salem in an additional professional capacity for additional compensation. The Authority shall establish said executive director's contractual obligations and powers, which shall include adhering to the provisions of this Act. Subject to the supervision and control of the Authority, said executive director shall be the chief operating officer of the authority. Said executive director shall attend all public meetings of the Authority but shall have no vote thereon unless said executive director is also an appointed member of the Authority. Said executive director shall have the authority to hire and terminate additional staff and consultants, within a budget approved by the Authority. The duration of any executive director employment contract shall not exceed three years but may be extended any number of times.

## SECTION 3:

The Salem Harbor Port Authority shall have the duty, power and authority generally to coordinate port development within Salem Harbor and related lands as said geographic area is defined in Section 4 of this Act (the "Harbor Port Area") and shall cause to be made plans for the development and operation of said Harbor Port Area with a focus on enhancing private and public revenues and investments, pursuit of and

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readiness to obtain or receive private and public funds for any and all port infrastructure improvements, including but not limited to dredging, to increase the operational and economic capacity of said Harbor Port Area all for the benefit primarily of the public interest of the City of Salem. The Authority shall be granted and may delegate operational control of any and all land, piers, docks, and other structures and facilities now owned or operated by the City or conveyed to the City, in whole or in part such as by deed, easement, license or shared operational controls, in the Harbor Port Area. Notwithstanding the foregoing, to the extent necessary to comply with applicable law or contract, such as but not limited to any pending inter-governmental agreements or bonding obligations of the City of Salem, existing management of land, piers, docks, and other structures described in Section 4 shall remain in effect until such time as any legal or contractual obligations for their management expires or otherwise ceases to remain in effect. During any such period, to the maximum extent legally feasible, operational control shall be delegated to the Authority. Further, if the Authority shall deem necessary or appropriate, it shall coordinate the planning and funding of capital projects and operational and fee agreements promoting the efficient development and operation of the Harbor Port Area including, but not limited to:

1. Develop organizational and management structures that will best accomplish the purposes of the Authority;
2. Employ assistants, agents, contractors, consultants and employees as may be deemed necessary or desirable by the Authority to undertake its duties and responsibilities;
3. Receive and accept aid or contributions, from any source, of money, property, labor or other things of value, to be held, used and applied to carry out the duties, powers and authorities of this Act. Notwithstanding any special or general law to the contrary, the Authority may receive donated money, property, labor or other things of value without competitive public bid for such donation; and
4. Invest in, acquire, lease, purchase, own, manage, hold and dispose of real property interests including but not limited to, interests in the land, piers, docks, and other structures in the Harbor Port Area. Any such real property interests remain subject to all applicable state, local and federal laws, except as specified herein. In no event shall property interests acquired or held by the Authority be deemed subject to Article 97 of the Massachusetts Constitution, so long as said real property interest is used by or on behalf of the Authority primarily for the purposes of the Authority.

With the approval of the Mayor and City Council, to further the purposes of this Act, the Authority may take by eminent domain any land or interest in land within the Harbor Port Area. The price paid for any such land or interest in land shall not exceed fair market value as reasonably determined by the Authority at the time of such taking. All proceedings in the taking of land shall be under the advice of the City Solicitor of the City of Salem, and a record thereof shall be kept by said Solicitor.

## SECTION 4:

The Harbor Port Area shall include, but not be limited to the land and appurtenances at 10 Blaney Street, Salem, the buildings and improvements thereon and the Salem Ferry, Nathaniel Bowditch.

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## SECTION 5:

The operations of the Authority shall be conducted in a manner to promote and encourage the use of the Harbor to the fullest extent possible in an environmentally and economically sustainable manner and pursuant to this Act, the Authority:

1. Shall procure insurance against any liability or loss in connection with its property interests and other assets or obligations, in such amounts and from such insurers as it deems necessary or appropriate and to procure insurance for employees and Authority members as it deems necessary or appropriate; The Authority shall at all times maintain adequate and reasonable insurance for its members and any agents hired by or acting on behalf of the Authority, as well as adequate and reasonable property and liability insurance;
2. May borrow money or secure credit on a temporary, short-term, or interim or long-term basis. Subject to its usual and applicable authority, the City of Salem may also borrow and issue bonds or notes of the city for the purposes of the Authority in addition to the purposes specified in MGL Chapter 44, Section 7;
3. May sue and be sued in its own name, and plead and be impleaded, but notwithstanding any special or general law to the contrary, shall not be liable for punitive damages; and
4. Make and enter into contracts and agreements necessary or incidental to the performance of its duties and the execution of the powers granted by this Act, including, but not limited to the granting of leasehold interests, concessions, access and development rights and privileges, supplier, vendor, contractor and consultant contracts.

## SECTION 6:

In the event there is an excess of Authority income received over current expenses and liabilities, all such amounts shall be retained by the Authority for execution of the purposes stated in this Act, including but not limited to maintaining reserves or enhancement of credit worthiness, and shall not be diverted to other funds or purposes outside this Act. Excess of income received over current expenses and liabilities shall be determined at least annually, with a certified public audit at least every three years.

## SECTION 7:

The Authority shall be a public instrumentality for purpose of this Act, shall have an official seal and may alter the same at its pleasure.

## SECTION 8:

The Authority may apply for, receive, accept and spend any federal or state agency grants or loans for, or in aid of, its purposes, including but not limited to public works. The Authority may receive and accept contributions from any source, of money, property, labor or any other thing of value, to be held, used and

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applied only for the purposes of this Act, and may do all acts and things necessary or convenient to carry out the powers granted or implied by this act.

## SECTION 9:

This act shall take effect upon its enactment.

**#633 – CITY OF SALEM JOINING THE AARP’S AGE-FRIENDLY NETWORK**

Mayor requesting an opportunity to address the City Council with a representative of AARP to help celebrate the City of Salem joining the AARP’s Age-Friendly network. During the presentation the City will be presented a certificate making this special occasion, was taken up earlier and received and placed on file.

**#634 – ORDINANCE TRAFFIC RESIDENT STICKER PARKING SUMMIT AVENUE**

Councillor Turiel introduced the following Ordinance which was adopted for first passage.

In the year two thousand and fifteen

An Ordinance to amend an Ordinance relative to traffic

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

Section 1. Chapter 42, Section 75 “ Parking Prohibitions Towing Zone (Resident Sticker)” is hereby amended by adding the following:

Summit Street, both sides between Ocean Avenue and Willow Avenue, Zone E, Color Orange, Resident Sticker Parking only at all times.

Section 2. This Ordinance shall take effect as provided by City Charter.

**#635 – ORDINANCE TRAFFIC PARKING PROHIBITED CERTAIN TIMES REPEAL OCEAN AVENUE**

Councillor Turiel introduced the following Ordinance which was adopted for first passage.

In the year two thousand and fifteen

An Ordinance to amend an Ordinance relative to traffic

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

Section 1. Chapter 42, Section 51B "Parking Prohibited at certain times on certain streets" is hereby amended by repealing the following:

Repeal Ocean Avenue, southerly side, beginning at the intersection of Lafayette Street and running in an easterly directions for a distance of 100 feet, 2 hour parking. (11/18/76)

Section 2. Repeal Ocean Avenue, southerly side, extending 100 feet from Lafayette Street, 2 hour parking (10/5/76)

Amend by adding the following:

Section 3. Chapter 42, Section 51B, Parking Certain Times on Certain Streets is hereby amended by adding the following:

Ocean Avenue, southerly side, beginning at Lafayette Street and running in an easterly direction for one hundred fifty-eight (158) feet, two (2) hour parking.

Section 4. Chapter 42, Section 51B, Parking Certain Streets is hereby amended by adding the following:

Ocean Avenue, from Lafayette Street to the westerly property line of #39 Ocean Avenue, total distance one hundred fifty-eight (158) feet.

Section 5. This Ordinance shall take effect as provided by City Charter.

**#636 – MONTHLY FINANCIAL REPORT**

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: Monthly Financial Report dated September 30, 2015, be referred to the Committee on Administration and Finance.

**#637 – YEAR TO DATE BUDGET REPORT**

Councillor Turiel introduced the following Order which was adopted.

ORDERED: Year to Date Budget Report for the months of July, August and September 2015, be referred to the Committee on Administration and Finance.

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**#638 – RESOLUTION LOYAL ORDER OF MOOSE LODGE #218**

Councillor Milo introduced the following Resolution which was adopted.

**RESOLUTION:**

WHEREAS: the Loyal Order of Salem Moose Lodge 218 is located in Salem Massachusetts and the roots of the first lodge can be traced back to 1888; and,

WHEREAS: the Loyal Order of Moose is founded on the philosophy that “A burden heavy to one is borne lightly by many”;

WHEREAS: Whereas the Loyal Order of Salem Moose Lodge has made significant contributions to our city’s social and cultural growth and will continue as a center for humanitarian ideals

WHEREAS: the Loyal Order of Salem Moose Lodge has been instrumental in bringing events that directly benefit our older citizens to fruition, including collaborating with the Friends of the Council on Aging and the Salem Council on Aging to host and sponsor dinners, dances and informational meetings

WHEREAS: the Loyal Order of Salem Moose Lodge continues to open its doors to community groups like the Mack Park Neighborhood Association for its monthly meetings and to the community at large for community meetings, political debates and forums – all for no cost to the community groups.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Salem hereby thanks the Loyal Order of Salem Moose Lodge for its significant contributions to our older citizens, to Salem, and to the public welfare.

AND FURTHER BE IT RESOLVED that the City Council make this resolution a matter of record of these proceedings and that a suitable copy be presented to the Loyal Order of Salem Moose Lodge along with a copy of the City Seal as a token of our deep respect and gratitude.

**#639 – MEET TO DISCUSS CITY-WIDE MASTER PLAN**

Councillor Legault introduced the following Order which was adopted.

ORDERED: The Committee on Community and Economic Development meet in order to discuss the current and future use of the existing City-Wide Master Plan as it applies to both current and future growth and development in Salem, and whether or not a new and more



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comprehensive City-Wide Master Plan should be developed. Invited are the Mayor or her designee, City Planner and City Solicitor.

**#640 – MEET TO DISCUSS THE SUNSHINE ORDINANCE**

Councillor Legault introduced the following Order which was adopted.

ORDERED: The Committee on Government Services co-posted with Committee of the Whole meet in order to discuss the Sunshine Ordinance and its use as it applies to public meeting notices. Invited are the City Solicitor and Jim Kearney.

**#641 – NOISE GENERATED FROM LOUD MOTORCYCLE EXHAUST PIPES**

Councillor Legault introduced the following Order which was adopted.

ORDERED: That the Committee on Public Health, Safety and Environment co-posted with Committee of the Whole meet to discuss the impact of noise generated from loud (illegal) motorcycle exhaust pipes. Included in this discussion will be current efforts to enforce local laws and any future steps to be considered. Invited are the Mayor or her designee, City Solicitor, Chief of Police or her designee, Jeanne Kempthorne and Health Agent.

**#642 – (#616) GRANTING LICENSES**

Councillor Siegel offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred granting certain licenses has considered said matter and would recommend that the following license be granted.

TAG DAY                      Marine JROTC, December 11, 2015, January 2, 2016 & February 13, 2016

**#643 – (#596) APPROPRIATION FOR REPAIR WATER FOUNTAINS**

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

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## REGULAR MEETING OF THE CITY COUNCIL

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation in the amount of \$26,242.00 from Capital Outlay Renovation and Repair account to be expended for the repair of public water fountains, has considered said matter and would recommend approval.

**#644 – (#597) APPROPRIATION FOR RENOVATION & REPAIR OF WATER FOUNTAINS**

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation in the total amount of \$8,758.00 to Golf Renovation & Repair (\$4,379.00) and Recreation Renovation & Repair (\$4,379.00) has considered said matter and would recommend approval.

**#645 – BLOCK PARTY ORCHARD TERRACE**

A request from residents of Orchard Terrace to hold a Block Party on Friday, October 30, 2015 from 5:00 P.M. to 10:00 P.M. was granted.

**#646 – REQUEST FOR PUBLIC HEARING**

A request from Francis Riggieri to hold a public hearing to discuss issues regarding the proposed development plans at the current property located at 331-333 Lafayette Street, was referred to the Committee of the Whole.

**#647 - #648 LICENSE APPLICATIONS**

The following license applications were granted.

TAXICAB:	Tri City Services, Inc. 55 R Walnut St., Peabody	(4 Taxis)
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TAXI OPERATORS:	Joany Perez-Alicea, 33 Franklin St., Salem
	Oscar Gutierrez, 34 Prince St., Salem
	Israel Anderson Pool, 50 Warren St., Peabody
	Randely Lora, 132 Common St., Lynn
	Mateo Calderon, 6 Grant St., Beverly
	Yorski Ducos, 33 Harbor St., Salem

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TAXI OPERATORS  
CONTINUEDJorge Guerrero, 50 Palmer St., Salem  
Jason Sheets, 8 ½ Allen St., Saoem  
Mariah Salah, 7 Stone Ct., Gloucester**#649 - CLAIMS**

The following claim was referred to the Committee on Ordinances, Licenses and Legal Affairs.

CLAIM                      James Nyhan, 171 North St., Salem

**#650 – BONDS**

The following bond was referred to the Committee on Ordinances, Licenses and Legal Affairs and returned approved.

CONSTABLE:                      Luis Adriano Polanco, 60 Pleasant St., Lawrence

**(#21) – SECOND PASSAGE ORDINANCE – COMPENSATION OF MEMBERS OF THE CITY COUNCIL**

The matter of second passage of an Ordinance amending Chapter 2, Section 2-271, Compensation of members of the Council, was then taken up. It was adopted for second and final passage.

**(#467) – SECOND PASSAGE ORDINANCE TRAFFIC SCHEDULE OF FINES**

The matter of second passage of an Ordinance amending Traffic Ch. 42, Sec. 17A Schedule of Fines during the month of October for parking in resident parking zones, was then taken up. It was adopted for second and final passage.

**(#603) – SECOND PASSAGE ORDINANCE TRAFFIC, HANDICAP PARKING BEAVER STREET**

The matter of second passage of an Ordinance amending Traffic Chapter 42, Section 50B “Handicap Parking Limited Time” Beaver Street, was then taken up. It was adopted for second and final passage.

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**(#604) – SECOND PASSAGE ORDINANCE TRAFFIC, HANDICAP PARKING CABOT STREET**

The matter of second passage of an Ordinance amending Traffic Chapter 42, Section 50B “Handicap Parking Limited Time” Cabot Street, was then taken up. It was adopted for second and final passage.

On the motion of Councillor Furey the meeting adjourned at 8:00 P.M.

ATTEST:

CHERYL A. LAPOINTE  
CITY CLERK