



City of Malden

Malden City Hall
200 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Thursday, July 21, 2016

7:30 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 8:27 p.m by Council President Murphy.

2. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE IN HONOR OF SERVICEMEN & WOMEN

3. ROLL CALL

Present - Councillors: 10 - Neal Anderson, Paul Condon, David D'Arcangelo, Deborah DeMaria, Neil C. Kinnon, John P. Matheson, Ryan O'Malley, Jadeane Sica, Craig Spadafora and Barbara Murphy

Absent - Councillors: 1 - Peg Crowe

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

5. APPROVAL OF MINUTES

6. APPOINTMENTS & ELECTIONS

7. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[330-16](#) Self-Service Gas Station: Speedway #2504, 214-221 Broadway (Renewal)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[331-16](#) Livery Driver: Saillens Lareche, 1 Maude St. #11 (New)

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[332-16](#) Petition: Verizon Wireless to attach small cell antennas and supporting equipment to existing utility poles on Newland St., Highland Ave. and Summer St

A motion was made by Councillor Matheson that the Petition be tabled. The motion carried by a unanimous vote.

8. MOTIONS, ORDERS AND RESOLUTIONS

[333-16](#) Be it Ordained that Section 10.13 of the Revised Ordinances of 1991 be

amended relative to Charcoal and Propane Barbeque Grills.
Be it ordained by the Malden City Council that Section 10.13 of the Revised Ordinances of 1991 as amended be and the same are hereby further amended as follows:

-by striking out the words "five feet (5')"

as appearing in the second sentence of Paragraph A and inserting in place thereof the words "ten feet (10')"

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

334-16

Be it Ordained that Chapter 12 of the Revised Ordinances of 1991 be amended relative to parking and open space, special permits and development mitigation

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Ordinance be referred to the Rules & Ordinance Committee and Planning Board for joint public hearing. The motion carried by a unanimous vote.

335-16

Be it ordained that Chapter 12 of the Revised Ordinances of 1991 be amended relative to Inclusionary Zoning

Sponsors: Ryan O'Malley and Deborah DeMaria

A motion was made by Councillor O'Malley, seconded by Councillor DeMaria, that the Ordinance be referred to the Rules & Ordinance Committee and Planning Board for joint public hearing . The motion carried by a unanimous vote.

Yea: 9 - Anderson, Condon, D'Arcangelo, DeMaria, Matheson, O'Malley, Sica, Spadafora and Murphy

Nay: 1 - Kinnon

336-16

Be it Ordained that Chapter 12, Section 300.3 of R.O. 1991 be amended regarding Use Regulations for Adult Day Health Centers

Sponsors: Neal Anderson

A motion was made by Councillor Anderson that the Ordinance be referred to the Rules & Ordinance Committee and Planning Board for joint public hearing. The motion carried by a unanimous vote.

337-16

Be it Ordained that Chapter 12 Section 800.6.2.7 be amended relative to Asphalt, Brick, Concrete and Soil Recycling

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Ordinance be referred to the Rules & Ordinance Committee and Planning Board for joint public hearing. The motion carried by a unanimous vote.

338-16

Be it Ordained that Section 3.37 of R.O. 1991 be amended relative to

demolition notices to abutters

Be it ordained by the Malden City Council that the Revised Ordinances of 1991, as amended, be and the same are hereby further amended as follows:

-by striking out the words "300 feet" as appearing throughout the section and inserting in place thereof the words "1000 feet";

-by adding at the end of Section 3.37 (Demolition Permit - Notice of Abutters) the following new sentence:

The notice must also contain information on extermination activities at the demolition site and advise property owners of their right to request exterior baits be placed on their property if there is evidence of infestation resulting from the demolition.

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley that the Ordinance be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.

339-16

Order: That the City Clerk notify inhabitants of the State Primary to be held on September 8, 2016.

Ordered: That the City Clerk notify and warn the inhabitants of the City who are qualified to vote in Primaries to vote in their respective wards and precincts on TUESDAY, THE EIGHTH DAY OF SEPTEMBER, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS FOR THE 5TH DISTRICT

COUNCILLOR FOR THE 6TH DISTRICT

SENATOR IN GENERAL COURT FOR THE 5TH MIDDLESEX DISTRICT

REPRESENTATIVE IN GENERAL COURT FOR THE 32ND, 33RD OR 35TH MIDDLESEX DISTRICTS

SHERIFF FOR MIDDLESEX COUNTY

Sponsors: Barbara Murphy

A motion was made by Council President Murphy that the Order be adopted. The motion carried by a unanimous vote.

340-16

Order: That a revolving fund be established pursuant to MGL Chapter 44, Section 53E1/2

Sponsors: Craig Spadafora

A motion was made by Councillor Spadafora that the Order be referred to the Finance Committee. The motion carried by a unanimous vote.

[341-16](#)

Order: That the City Council meet with the City Solicitor in Executive Session regarding pending litigation (Dunn v. City of Malden)

Sponsors: Barbara Murphy

A motion was made by Council President Murphy that the Order be withdrawn. The motion carried by a unanimous vote.

[342-16](#)

Self-Service Gas Station: (Renewal) King Petroleum, 324 Broadway

A motion was made by Councillor Anderson that rules be suspended. The motion carried by a unanimous vote.

A motion was made by Councillor Anderson that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

9. COMMUNICATIONS

10. CLAIMS

11. COMMITTEE REPORTS

12. TABLED PAPERS

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

At 9:00 p.m., a motion was made by Councillor Matheson that the meeting be recessed subject to the call of the Chair. The motion carried by a unanimous vote.

KAREN ANDERSON, CITY CLERK