

CITY OF WORCESTER
AGENDA OF THE CITY COUNCIL

Tuesday, December 18, 2012

Esther Howland Chamber

7:00 P.M.

Mayor
Joseph M. Petty



City Manager
Michael V. O'Brien

Councilors

Tony Economou William J. Eddy
Michael J. Germain Konstantina B. Lukes
Joseph C. O'Brien Philip P. Palmieri
Sarai Rivera Frederick C. Rushton
George J. Russell Kathleen M. Toomey

City Auditor
James A. DeSignore

www.worcesterma.gov

City Clerk
David J. Rushford

City Hall - 455 Main Street Worcester, Massachusetts

- 1. PLEDGE OF ALLEGIANCE**
- 2. STAR SPANGLED BANNER - DOHERTY MEMORIAL HIGH SCHOOL MADRIGAL SINGERS**
- 3. ROLL CALL**
- 4. ELECTION OF TWO MEMBERS TO THE LIBRARY BOARD OF DIRECTORS**
- 5. APPROVAL OF THE MINUTES**

5a Adopt

- 5a.** Order - That the City Council of the City of Worcester hereby approves the minutes of the City Council meeting of December 4, 2012.

[Attachments](#)

- 6. ITEMS OF PUBLIC INTEREST - a person may speak for no more than 2 minutes on any items appearing on the agenda**
- 7. ITEMS OF DEPARTMENTAL OR EMPLOYEE INTEREST**
- 8. PETITIONS - A Petitioner may speak up to three (3) minutes the first time their petition appears on an agenda**

8a & 8b Refer to Public Works Committee

8a. John Kurkulonis, Jr. request a barrier be installed at the end of Longmeadow Ave. where it abuts with the back yard of 1 Stratton Rd. [Attachments](#)

8b. Donna Mooradian request Chiltern Hill Drive be repaved. [Attachments](#)

8c Refer to Traffic & Parking Committee

8c. Councilor George J. Russell and Councilor Sarai Rivera request that the crosswalk in College Street between Caro Street and the main gate of Holy Cross College be repainted. [Attachments](#)

9. COMMUNICATION OF THE CITY AUDITOR

9a. Transmitting Auditor's Report for October 2012. [Attachments](#)

10. CHAIRMAN'S ORDERS

10a & 10b Adopt

10a. FROM THE COMMITTEE ON ECONOMIC DEVELOPMENT - Request City Manager provide City Council with a comprehensive report concerning the progress in the City of Marlborough and the towns of Natick and Ashland around the topic of the aggregation of electricity purchase by customers in their respective communities. [Attachments](#)

10b. FROM THE COMMITTEE ON ECONOMIC DEVELOPMENT - Request City Manager provide City Council with a report revealing more details concerning the 15 Coppage Drive property as follows: a.) the number of jobs at this location over the past five years, b.) more data concerning the cost of the building to be constructed, and c.) data concerning the growth potential of the oil and gas cable industry. [Attachments](#)

11. ORDERS

- 11a.** Request Commissioner of Public Works & Parks begin the discussion of aquatic placement and construction within District 1. (Economou) [Attachments](#)
- 11b.** Request City Manager provide an update as to what steps are being taken to market and improve the Pullman St. Industrial Park and what the level of interest has been and feedback from any potential developers to date. (Economou) [Attachments](#)
- 11c.** Request City Manager, working with the Worcester Redevelopment Authority, explore the feasibility of taking the Wyman – Gordon property on Madison Street and throughout the Kelly Square area by eminent domain for public purposes and/or explore the feasibility of taking said property as a demonstration project under urban renewal regulations for economic development purposes. (Petty, Palmieri, Germain, Eddy, Rushton, Economou, O'Brien, Russell, Toomey) [Attachments](#)
- 11d.** Request City Manager report on the city's policies for dealing with "Grow Houses" and if no protocol is in place to make recommendations as to policies dealing with illegal Grown Houses. (Lukes) [Attachments](#)
- 11e.** Request City Manager report to City Council concerning options available for the development of solar energy installations on municipal buildings and parking garages as well as larger scale solar energy installation at the former Greenwood Street landfill site. (Petty, Russell) [Attachments](#)

11f Adopt

11f. SEWER BETTERMENT ASSESSMENT: STARK ROAD

[Attachments](#)

12. RECESS TO FINANCE COMMITTEE

12a. #10a CC June 19, 2012 Communication of the City Auditor transmitting Auditor's Report for May 2012.

[Attachments](#)

12b. #13a CC July 17, 2012 Communication of Helen Friel, Ed.D., Assistant to the Superintendent/Clerk of School Committee, transmitting communication relative to the motion of School Committee Members Mr. O'Connell and Miss Biancheria requesting to coordinate with the City Council and the City Manager to schedule the school department budget hearings for fiscal year 2014 so that the School Committee will address its budget before the City Council conducts its own budget hearings.

[Attachments](#)

12c. #10.24A CM November 13, 2012 Communication of the City Manager transmitting informational communication relative to the Commonwealth's Revenue Shortfall for First Quarter of Fiscal Year 2013.

[Attachments](#)

12d. #11a CC November 13, 2012
Communication of the City Auditor transmitting a letter from the Department of Revenue certifying Free Cash in the general fund as of July 1, 2012 in the amount of \$4,284,511, this amount is available for appropriation in fiscal 2013. Free Cash was also certified for the city's enterprise funds and is available in them for expenditure in fiscal 2013 as follows: Water \$2,374,068 and Sewer \$2,161,700.

[Attachments](#)

13. COMMUNICATIONS

13a Approve

13a. Mayor Joseph M. Petty transmitting communication to City Council for approval of the proposed 2013 City Council meeting calendar.

[Attachments](#)

- 13b.** The Bridge of Central Massachusetts transmitting their 2012 Annual Report. [Attachments](#)

14. RESOLUTION

14a Adopt on a roll call

- 14a.** That if the City of Worcester as a proposed host community for gaming signs an agreement with a gaming license applicant, that the City Council goes on record at this time in favor of opting out of the provisions of Massachusetts General Laws, Chapter 23K, sec 15, paragraph 13 so that the binding vote on said agreement shall be by the voters of the entire community and not just the voters of the ward in which the gaming establishment is proposed to be located. [Attachments](#)

15. REPORT OF THE HISTORICAL COMMISSION

15a Refer to Economic Development Committee

- 15a.** REPORT OF THE HISTORICAL COMMISSION Upon the Petition of Janet Merrill, President of Crown Hill Neighborhood Association requesting to create a Local Historic District to include some properties in the area of Pleasant, Piedmont, Chandler, Irving, Clinton Streets and Houchin Avenue.

16. TO BE ORDAINED

16a Ordain on a roll call

- 16a.** Amending the Compensation of the Cultural Development Officer. [Attachments](#)

17. TABLED UNDER PRIVILEGE

- 17a.** COMMUNICATION of the City Manager, transmitting informational communication relative to 5 May St. (Tabled - O'Brien December 4, 2012 & December 11, 2012) [Attachments](#)

- 17b.** ORDER of Councilor Joseph C. O'Brien - Request City Manager provide City Council with an update concerning negotiations with the U.S. Department of Housing and Urban Development in regards to the recent CDBG audit of local Community Development Corporations. Further, request he also provide the information concerning the city's repayment to HUD for non-performance on the city funded project at 5 May Street. (Tabled - O'Brien December 4, 2012 & December 11, 2012) [Attachments](#)

- 17c.** COMMUNICATION of the City Manager transmitting informational communication relative to Statistics of Opiate Overdoses and Prescription Drug Abuse. (Tabled - O'Brien December 11, 2012) [Attachments](#)

18. TABLED ITEMS

- 18a.** RESOLUTION of Mayor Joseph C. O'Brien - That the City Council of the City of Worcester hereby goes on record in support Senate Bill 610, an act protecting condominium owners filed by Senator Harriette Chandler and Senator Richard Moore. (Tabled - O'Brien July 19, 2011) [Attachments](#)

- 18b.** RESOLUTION of Mayor Joseph C. O'Brien - That the City Council of the City of Worcester hereby goes on record in support of the Administration's efforts to negotiate the maximum hiring of local residents in Tax Increment Financing agreements and other tools used to attract business and to expand our tax base. (Tabled - O'Brien September 13, 2011) [Attachments](#)

- 18c.** COMMUNICATION of the City Manager transmitting informational communication relative to an update on the status of #5 May Street. (Tabled - O'Brien January 31, 2012) [Attachments](#)

- 18d.** COMMUNICATION of the City Clerk transmitting communication expanding upon the newspaper article regarding the human error factor which occurred in the city's recount. (Tabled - Lukes February 7, 2012) [Attachments](#)
- 18e.** COMMUNICATION of the City Manager transmitting Informational Communication Relative to Finance for Housing Developments within the City of Worcester. (Tabled - O'Brien February 28, 2012) [Attachments](#)
- 18f.** REPORT OF THE COMMITTEE ON ECONOMIC DEVELOPMENT Upon the Order of Councilor Konstantina B. Lukes - Request City Council support more diverse new housing development with an emphasis on market-rate housing with a maximum of 10% affordable units if there are going to any units available for development in the downtown Worcester area: recommend Order be placed on file. (Tabled - Lukes May 1, 2012) [Attachments](#)
- 18g.** COMMUNICATION of the City Manager transmitting informational communication relative to Out of State Residents Working on Local Projects and Not Meeting the State's Health Care Mandates. (Tabled Under Privilege - O'Brien August 14, 2012) (Tabled - Lukes September 4, 2012) [Attachments](#)
- 18h.** ORDER of Councilor Michael J. Germain - Request City Manager recommend to City Council an ordinance similar to the "Unruly Gathering Ordinance" in effect in Narragansett, Rhode Island in light of the fact that recent enforcement actions relied upon to control gatherings have not resulted in a permanent solution to the problems negatively affecting quality of life in our neighborhoods in close proximity to colleges. (Tabled Under Privilege - Germain September 4, 2012) (Tabled - Germain September 11, 2012) [Attachments](#)

- 18i. COMMUNICATION of City Clerk transmitting information concerning the current composition of the Library Board of Directors and notice of upcoming vacancies effective January 1, 2013. (Tabled Under Privilege - Lukes November 13, 2012) (Tabled - Lukes November 20, 2012)

[Attachments](#)

Scheduled Meetings of the Standing Committees

Wednesday, Dec. 19, 2012 11:00 AM -	Education Committee Chairperson Joseph C. O'Brien, Tony Economou, Sarai Rivera Re: Joint Meeting with School Committee's Finance & Operations Committee	Durkin Administration Building
Wednesday, Dec. 19, 2012 05:30 PM - Cancelled	Public Works Committee Chairperson Kathleen M. Toomey, Michael J. Germain, George J. Russell	Esther Howland (South) Chamber
Thursday, Jan. 3, 2013 05:30 PM -	Joint Public Health and Human Services and Municipal Operations Committee Co-Chairperson Michael J. Germain, Co-Chairperson Konstantina B. Lukes, Tony Economou, William J. Eddy, Sarai Rivera	Levi Lincoln (North) Chamber
Wednesday, Jan. 16, 2013 05:30 PM -	Public Works Committee Chairperson Kathleen M. Toomey, Michael J. Germain, George J. Russell	Esther Howland (South) Chamber