



City of Malden

Malden City Hall
215 Pleasant Street
Malden, MA 02148

Meeting Minutes - Final City Council

Council President Barbara Murphy
Councillor at Large Karen Colon-Hayes
Councillor Paul Condon
Councillor Peg Crowe
Councillor Amanda Linehan
Councillor at Large Carey McDonald
Councillor Ryan O'Malley
Councillor Jadeane Sica
Councillor Chris Simonelli
Councillor at Large Craig Spadafora
Councillor Stephen Winslow

Tuesday, May 9, 2023

7:00 PM

215 Pleasant Street
City Council Chambers
Malden, MA 02148

Live stream on YouTube:

<https://www.youtube.com/live/DJCiAyBY0D0?feature=share>

1. CALL TO ORDER

Council President Murphy called the meeting to order at 7:06 PM.

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

An additional moment of silence with tribute given by Councillor Linehan was offered for Thomas J. Feagley, Director Bread of Life for over 30 years and pillar of the Malden community, who passed away unexpectedly on May 5.

3. ROLL CALL

Also in attendance were Special Assistant to the Mayor Maria Luise, Assistant City Solicitor Zaheer Samee, City Engineer Yem Lip, and several members of the public.

Present - Councillors: 11 - Barbara Murphy, Carey McDonald, Chris Simonelli, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow

4. GUESTS, CITIZEN ACHIEVEMENT AND ANNOUNCEMENTS

Paul Hammersley, Addiction Recovery Resource Specialist, will appear before the City Council to discuss outreach numbers, outcomes, and youth homelessness as well as other issues he has been covering on behalf of the Board of Health's Substance Abuse Prevention Program.

Specialist Hammersley presented to the Council per this request, a copy of which is attached to the history of Paper 206-23.

5. PUBLIC COMMENT

The evening's public comment consisted of six emails read into the record and are attached to the history of their respective papers and three in-person speakers. Lara Thompson of 53 Playstead Road on Paper 205-23, Candace Julyan of 5 Ridgewood Road on 201-23, Stefanie Alberto of 409 Bryant Street on Paper 205-23.

6. APPROVAL OF MINUTES

[189-23](#)

Minutes for the meeting of April 25, 2023

Councillor McDonald had a clarification question on minutes from April 25 to note Paper 238-22 was changed in committee from an ordinance to a resolve. This was noted in the meeting minutes and he wanted to make sure it was also reflected in the wording of the vote count.

A motion was made by Councillor Winslow, seconded by Councillor at Large McDonald, that the Council Minutes be approved as amended. The motion carried by a unanimous vote.

[190-23](#)

Minutes for the meeting of May 2, 2023

A motion was made by Councillor Winslow, seconded by Councillor at Large McDonald, that the Council Minutes be approved. The motion carried by a unanimous vote.

7. APPOINTMENTS & ELECTIONS

[191-23](#)

Appointment: Mayoral Appointment of Kathleen Higgins, 34 Forest Street, to the Disability Commission, said term to commence upon confirmation by the City Council, and to expire September 23, 2025. This appointment is to fulfill the unexpired term of Frank Cina who passed away.
(Confirmation Required)

Sponsors: Amanda Linehan

A motion was made by Councillor Linehan, seconded by Councillor Simonelli, that the Appointment be referred to the Personnel/Appointments Committee. The motion carried by a unanimous vote.

8. HEARINGS, PETITIONS, MEMORIALS AND REMONSTRANCES

[192-23](#)

Petition: Livery: Amarjit Signh, 228 Pearl Street, Malden, 1 vehicle (New)

A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[193-23](#)

Petition: Outdoor Parking: Andy's Service Center, Inc. 356 Lebanon Street, 12 spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[194-23](#)

Petition: Outdoor Parking: Malden Middlesex Motor Sales, 35 Canal Street, 10

spaces (Renewal)

A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[195-23](#)

Petition: Pool Tables: L&K Billiard Pool Hall, 94B Pleasant Street, 7 tables (Renewal)

A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

[196-23](#)

Petition: Second-Hand Dealer: Great Eastern Vintage, 258 Highland Avenue (Renewal)

A motion was made by Councillor Sica, seconded by Councillor at Large Colon Hayes, that the Petition be referred to the License Committee. The motion carried by a unanimous vote.

9. MOTIONS, ORDERS AND RESOLUTIONS

[197-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.08.020 Zoning Map is hereby amended to better reflect the current uses of the surrounding neighborhood by changing the zoning district from Highway Business ("BH") to Neighborhood Business ("BN") for the following contiguous parcels:

1038 MAIN ST	(044 855 510)
5 ISLAND HILL AVE	(044 855 505A)
1100 MAIN ST	(044 855 507)
1128 MAIN ST	(044 855 506)

Sponsors: Ryan O'Malley

A motion was made by Councillor O'Malley, seconded by Councillor Simonelli, that the Ordinance be recommended for referral to a joint session of the Rules & Ordinance Committee with Planning Board. The motion carried by a unanimous vote.

[198-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12.030 Use Regulations is hereby amended to prohibit any new Self-Storage Facilities by striking "SP" under both I1 and I2 and inserting "No" in their places.

Sponsors: Ryan O'Malley, Amanda Linehan, Chris Simonelli, Stephen Winslow, Karen Colon Hayes and Carey McDonald

Councillor O'Malley explained this paper was inspired by the number of storage facilities coming online around the city. Although there is a need for these facilities, they don't do much to enrich the community, do not contribute to long-term employment, and encourages a transient nature of short-term residency. The goal of the city should be to encourage homeownership.

Councillor Linehan warned of what a city zones for in light industrial areas can affect the local job force, affordability, crowding out of locally owned businesses and so she supports looking at this zoning for future consideration of the direction of the city. Multiple councillors agreed with these points and paper was unanimously supported for further evaluation.

A motion was made by Councillor O'Malley, seconded by Councillor Linehan, that the Ordinance be referred to a joint session of Rules & Ordinance Committee with Planning Board. The motion carried by a unanimous vote.

[199-23](#)

Order: That the City Solicitor provide a written opinion on the validity of the Charter Review process currently being undertaken by the City Council in light of the charter commission process defined by M.G.L. c. 43b.

Sponsors: Ryan O'Malley

Attachments: [Final Paper: 199-23](#)

Councillor O'Malley introduced this paper stating he wants to be certain the Council is moving forward in an appropriate way regarding preserving/revising the Charter and welcomed discussion from the Body.

Councillor Winslow invited Assistant City Solicitor Zaheer Samee to the podium where Attorney Samee then explained there are two directions a city may go when revising Charter. One is by special act of the legislature and the other is electing a local Charter Commission (M.G.L. c. 43b). The special act of the legislature is the choice this Body has chosen and has been in contact with the local delegation. Council President Murphy explained the Council had been advised that their recommendations for any revisions would be submitted to the legislature and then the state would let the city know if the amendments could be moved forward or if they were so substantive a ballot question was necessary.

Councillor McDonald stated he would welcome an overview of the limitations of the process. Attorney Samee said the Legal Department would be happy to provide further information on the two different avenues available to the Council for this process. With this, the Council was happy to place Paper 199 on file.

A motion was made by Councillor O'Malley, seconded by Councillor Simonelli, that the Order be placed on file. The motion carried by a unanimous vote.

[200-23](#)

Resolve: That it is the sense of the City Council that the City of Malden explore options to restore street sweeping notifications and other notifications that help improve the quality of life for our residents.

Sponsors: Ryan O'Malley

Attachments: [Final Paper: 200-23](#)

This issue came to the attention of Councillor O'Malley by Ward 4 resident, Sarah Strickland but the City has confirmed this notification system is being restored, making this paper moot. Councillor O'Malley was happy to place Paper 200 on file.

A motion was made by Councillor O'Malley, seconded by Councillor Sica, that the Resolution be placed on file. The motion carried by a unanimous vote.

[201-23](#)

Resolve: That it is the sense of the City Council that they wish to support the establishment of a Poet Laureate program in Malden, and work with the Malden Mayor's Office and Malden Arts to move this initiative forward. It is further the sense of the City Council that this program shall encourage and highlight the art of poetry and the written word, educate and entertain people of all ages, and expand access to literature and the literary arts across the community. The Poet Laureate

shall be the official City Poet and will serve as an arts ambassador, reading poetry at ceremonial events and cultural occasions, and illuminating not only their own work, but the work of other writers in reflection of our diverse community.

Sponsors: Amanda Linehan, Barbara Murphy, Karen Colon Hayes, Ryan O'Malley and Carey McDonald

Attachments: [Mayor's Letter Malden Poet Laureate](#)
[Final Paper: 201-23](#)

A motion was made by Councillor Linehan, seconded by Councillor at Large Colon Hayes, that the Resolution be passed. The motion carried by a unanimous vote.

[202-23](#)

Resolve: That it is the sense of the City Council that they wish to invite representatives from the Malden People's Budget to present the results from their 2023 survey during the Committee of the Whole meeting of May 16, 2023. Be it further noted that the Sponsor of this Resolve will seek a vote on a motion to suspend docket rules per Council Rule 1.03 for the purpose of achieving this presentation.

Sponsors: Carey McDonald

Attachments: [Malden People's Budget 2023 Survey](#)
[Final Paper: 202-23](#)

A motion was made by Councillor at Large Spadafora, seconded by Councillor at Large Colon Hayes, that the Resolution be passed. The motion carried by a unanimous vote.

10. ENROLLED ORDINANCES

[135-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.16.005 AFFORDABLE HOUSING TRUST FUND BOARD OF TRUSTEES is hereby amended

Sponsors: Carey McDonald, Amanda Linehan and Stephen Winslow

Attachments: [AHTF Ordinance Update](#)
[Final Paper: 135-23](#)

A motion was made by Councillor Crowe, seconded by Councillor at Large McDonald, that the Ordinance be ordained. The motion carried by a unanimous vote.

11. COMMITTEE REPORTS

[203-23](#)

Committee Report: The Standing Committee on Personnel/Appointments, to whom was referred Paper #119 Series of 2023, having considered the same make the following report that this appointment be recommended out favorably to the Full Council.

Sponsors: Amanda Linehan

A motion was made by Councillor Linehan, seconded by Councillor Simonelli, that the Committee Report be received and filed. The motion carried by a unanimous vote.

[119-23](#)

Mayoral Appointment: Kristen Homeyer, 51 Concord Street, #27, Malden, as a member of the Conservation Commission, said term to expire on February 7, 2025, to replace Khalil Kaba who stepped down at the completion of his term due to moving out of the City.
Confirmation required

Sponsors: Amanda Linehan

A motion was made by Councillor Linehan, seconded by Councillor Condon, that the Appointment be confirmed. The motion carried by a unanimous vote.

[204-23](#)

Committee Report: The Standing Committee on Finance, to whom was referred Papers # 174, 175, 176, and 177 Series of 2023, having considered the same make the following report: Committee recommends these papers out favorably to the Full Council.

A motion was made by Councillor at Large McDonald, seconded by Councillor Condon, that the Committee Report be received and filed. The motion carried by a unanimous vote.

[174-23](#)

Order: That the sum of \$3,000,000 is appropriated to pay costs of street reconstruction, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Sponsors: Carey McDonald

Attachments: [Malden City Council Roadwork May 2023](#)

[Final Paper: 174-23](#)

Councillor McDonald expressed his desire to highlight some important strategic work that went into Papers 174 and 175 through weekly meeting across multiple departments that included Engineering, Water, Public Works, Tree Warden, with representatives from utility companies to optimize how all these different projects for underground repairs, inclusion of tree pits, etc. are coordinated with the street paving. Additionally, the Engineering Department commissioned a pavement condition assessment to keep track of conditions of all public roads in the entire city.

A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Order be adopted. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

[175-23](#)

Order: That the sum of \$3,000,000 is appropriated from available general fund free cash to pay for costs associated with street and sidewalk reconstruction.

Sponsors: Carey McDonald

A motion was made by Councillor Winslow, seconded by Councillor O'Malley, that the Order be adopted. The motion carried by the following vote:

Yea: 11 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

[205-23](#)

Order: Councillors Winslow and Spadafora will introduce a Notice of Intent via a motion that the Finance Committee prepare and submit its final reports of Papers 139 and 140 Series of 2023 by May 17, 2023 for inclusion and consideration at the Council meeting on May 23, 2023 and in the event that the Finance Committee fails to do so, Councillors Winslow and Spadafora will introduce a motion at the May 23, 2023 City Council meeting to Discharge the Finance Committee from further consideration of such Papers so that the Council may consider those Papers at its meeting of May 23, 2023.

Sponsors: Stephen Winslow and Craig Spadafora

Attachments: [Paper 205-23 Roosevelt Park Len Murello](#)

[Final Paper: 205-23](#)

Discussion began with Councillor Winslow explaining the process, allowable through Robert's Rules of Order, to set a timeline for a full vote by announcing a notice of intent to discharge a committee if the timeline is not met. He explained that this paper is not a reflection of how Chair McDonald is running his committee, but Councillor Winslow was concerned during the last Finance meeting where there were proposals that were outside the order of what was reasonable to ask of staff given the size and scope of the request on a project that was not part of the paper being considered. Especially, too, with the budget season coming up, he doesn't want Papers 139 and 140 to fall behind. Co-sponsor Councillor Spadafora is also concerned with the time frame involved with these two papers given what he viewed as deliberate stall tactics in past Finance meetings.

As Chair of the Finance Committee, Councillor McDonald said he is mindful of the need to spend time on the upcoming budget and has accounted for that with planning and scheduling of his committee's time and agendas. Currently, Papers 139 and 140 have brought about good conversations within committee but having them come out for a vote of the Full City Council in time for the May 23 agenda was his plan all along and he feels imposing this timeline is unnecessary.

It was the overwhelming consensus of the Council that the Body has faith in the job the Chair is doing with the work presented to Finance Committee and that they are confident the Committee will be able to bring Papers 139 and 140 to a Full Council vote by the May 23 agenda. A compromise was discussed to preserve the right to discharge the committee while also showing respect for Councillor McDonald's efforts with the Roosevelt Project; for that reason, a tabling motion was made.

A motion was made by Councillor Sica, seconded by Councillor at Large Spadafora, that the Order be tabled to the City Council. The motion carried by the following vote:

Yea: 10 - Murphy, McDonald, Simonelli, Sica, Colon Hayes, Spadafora, Crowe, Linehan, Condon and Winslow

Nay: 1 - O'Malley

12. TABLED PAPERS

Tabled to a Future Meeting

[138-22](#)

Resolve: That the City of Malden City Council establish "The Malden Youth Council" Ad Hoc Committee with three (3) City Councillors as voting members assigned by the Council President; to provide an opportunity for the youth of Malden and foster civic engagement and an opportunity to be involved and participate in local government to acquire a greater knowledge of and appreciation for local government through active participation in the system.

Sponsors: Karen Colon Hayes, Amanda Linehan and Carey McDonald

Attachments: [Youth Board Presentation for City Council April 25 2023](#)

[399-22](#)

Petition: Boston Gas d/b/a National Grid, 40 Sylvan Road, Waltham MA, W.O. No. 90000XX to install a new gas Regulator Station on Green Street near the intersection of Medford Street in accordance with the attached plans.

Hearing required

Attachments: [National Grid Green Street WO #90000XX](#)
[Notice of Public Hearing & Abutters Green and Medford](#)

[171-23](#)

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30683608 to construct a line of underground electric conduits located at the intersection of Eastern Avenue and Marlboro Street in accordance with the attached plans

(Hearing Required)

Attachments: [National Grid Eastern @Marlboro Plan# 30683608](#)
[Abutters List - National Grid Eastern @Marlboro Plan# 30683608](#)

[172-23](#)

Petition: Massachusetts Electric Company dba National Grid of North Andover, Plan #30511632 to construct a line of underground electric conduits located at the intersection of Main Street and Cross Street in accordance with the attached plans

(Hearing Required)

Attachments: [National Grid Main @Cross Plan# 30511632](#)
[Abutters List - National Grid Main @Cross Plan# 30511632](#)

13. PERSONAL PRIVILEGE

14. ADJOURNMENT

A motion was made by Councillor at Large Spadafora, seconded by Councillor Simonelli, that the meeting be adjourned. The motion carried by a unanimous vote. Meeting was adjourned at 9:55 PM.

CAROL ANN DESIDERIO, CITY CLERK

