



# 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*

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Tuesday, September 26, 2023

7:00 PM

City Council Chambers  
215 Pleasant Street  
Malden, MA 02148

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Watch the live stream on YouTube

<https://www.youtube.com/live/nHBFWp-7Qd0?si=DEQPI079y0wMAuOg>

### 1. CALL TO ORDER

*Acting Council President Spadafora called the meeting to order at 7:00 PM.*

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

### 3. ROLL CALL

*Also in attendance were Maria Luise and Alicia McNeil.*

**Present - Councillors:** 9 - Carey McDonald, Jadeane Sica, Karen Colon Hayes, Ryan O'Malley, Craig Spadafora, Peg Crowe, Amanda Linehan, Paul Condon and Stephen Winslow

**Absent - Councillors:** 2 - Barbara Murphy and Chris Simonelli

### 4. PUBLIC COMMENT

### 5. APPROVAL OF MINUTES

[330-23](#)

Minutes from the meeting of September 19, 2023

**A motion was made by Councillor Sica, seconded by Councillor Condon, that the Minutes be approved. The motion carried by a unanimous vote.**

### 6. MOTIONS, ORDERS AND RESOLUTIONS

[331-23](#)

Be it ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) Title 2, Chapter .20, Section .020 ELECTED OFFICIALS SALARY CLASSIFICATION PLAN is hereby amended by inserting the following language

underneath the salary chart:

**Sponsors:** Carey McDonald

*This paper was introduced by Councillor McDonald with the hopes in the future to have regular updates from the Human Resources Department about how salaries for City staff as a whole are changing on average so that the Council has the chance to keep up with inflation moving forward.*

**A motion was made by Councillor at Large McDonald, seconded by Councillor O'Malley, that the Order be referred to the Rules & Ordinance Committee. The motion carried by a unanimous vote.**

## **7. ENROLLED ORDINANCES**

### [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

**Attachments:** [CCP 198 2023 SelfStor PSR wAtts](#)  
[CCP 198 2023 PBR 7.23 wAtts](#)

**A motion was made by Councillor Crowe, seconded by Councillor Winslow, that the Ordinance be ordained. The motion carried by the following vote:**

**Yea:** 8 - McDonald, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow  
**Nay:** 1 - Sica

## **8. COMMITTEE REPORTS**

### [332-23](#)

Committee Report: The Standing Committee on Rules and Ordinance, to whom was referred Paper 227 Series of 2023, having considered the same make the following report: Committee recommends that the City Council accept the Planning Board recommendation as is outlined in their communication from the July 17, 2023 public hearing to:

1. Approve of the amendment of §§12.12.030 & 12.12.150 regarding the Neighborhood Business zoning district.
2. Disapprove of the amendment of §§12.12.030 & 12.12.150 regarding the Central Business zoning district.

**Sponsors:** Peg Crowe

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

### [227-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) Title 12, Chapter 12 be amended as follows:

12.12.030 USE REGULATIONS be amended by striking "SP" in the Drive Thru category and replacing it with "No" in the Neighborhood Business (BN) and Central Business (BC) columns.

12.12.150 DRIVE-THRU be amended by striking "Neighborhood Business (BN), Central Business (BC)," in the first paragraph.

**Sponsors:** Ryan O'Malley, Amanda Linehan and Carey McDonald

**Attachments:** [CCP 227 2023 Drivethrus PSR wAtts](#)  
[CCP 227 2023 PBR 7.23 wAtts](#)

*This proposal is to eliminate drive-thrus in the Neighborhood Business and Central Business zoning districts. They will continue to be allowed in Highway Business, Industrial 1, and Industrial 2 by Special Permit. During their public hearing of July 17, 2023 the Planning Board recommended only approving the part striking drive-thrus from Neighborhood Business but keeping them in Central Business. Councillor Crowe reported on behalf of the Rules and Ordinance Committee that they were in agreement with the Planning Board recommendation as a satisfactory compromise.*

**A motion was made by Councillor Crowe, seconded by Councillor O'Malley, that the Ordinance be enrolled as amended to the City Council. The motion carried by the following vote:**

**Yea:** 9 - McDonald, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

### [333-23](#)

Committee Report: The Standing Committee on Rules and Ordinance, to whom was referred Paper 304 Series of 2023, having considered the same make the following report: Committee recommends that this paper be referred out favorably, as amended, to the Full Council.

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

### [304-23](#)

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 2.20.020 Elected Officials Salary Classification Plan be hereby amended to reflect the following compensation levels to be effective January 1, 2024.

**Sponsors:** Barbara Murphy and Stephen Winslow

*Councillor Crowe spoke on behalf of this paper stating first that the salaries for Mayor, Council, School Committee have not changed since 2006. This paper represents what would have been a 2% annual increase between 2006-2023. The only amendment that was made by the Rules and Ordinance Committee was to include a \$3,000 stipend to the position of Council President to accommodate the additional workload and lost wages from full time employment that occurs while the President is tending to city business. A similar amendment was made by the Finance Committee for the accompanying Paper 305-23, which funds this ordinance change and amendment.*

**A motion was made by Councillor Crowe, seconded by Councillor Sica, that the Ordinance be enrolled as amended to the City Council. The motion carried by the following vote:**

**Yea:** 9 - McDonald, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

[334-23](#)

Committee Report: The Standing Committee on Finance, to whom was referred Paper 305 Series of 2023, having considered the same make the following report: Committee recommends that this paper be referred out favorably, as amended, 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.**

[305-23](#)

Order: That the sum of Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) is transferred from Salary Reserve (0010-996-5110) to Executive Salaries (0010-121-5110) and that Forty-Two Thousand Seven Hundred Fifty Dollars (\$42,750.00) is transferred from Salary Reserve (0010-996-5110) to Legislative Salaries (0010-111-5110)

**Sponsors:** Barbara Murphy

*With the approval of Mayor Christenson, Finance Committee amended this paper from \$41,250 to \$42,750 transfer into Legislative Salaries to accommodate the additional stipend for the Council President position.*

**A motion was made by Councillor at Large McDonald, seconded by Councillor Condon, that the Order be adopted as amended. The motion carried by the following vote:**

**Yea:** 9 - McDonald, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

## **9. TABLED PAPERS**

[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](#)

### 214-23

Petition: ExteNet Systems, 3030 Warrenville Road, Suite 340 Lisle, IL, Project No. 100523 - ExteNet Systems seeking grant of location to install fiber conduit beginning at a point approximately located at 244-248 Main Street running up to approximately 22 Charles Street.  
(Hearing Required)

**Attachments:** [ExteNet Systems Fiber Plans 244-288 Main Street Project No. 100523](#)  
[ExteNet Systems Abutters List Main and Charles Project No. 100523](#)

## **10. EXECUTIVE SESSION**

### 335-23

Order: That the City Council will vote to go into Executive Session with legal counsel for the City regarding the matter of Benevolent Botanicals and 926 Eastern Avenue v. The City of Malden for the purposes of Exemption Three Massachusetts General Laws Chapter 30A Section 21(a)(3) to discuss strategy with respect to litigation, where such discussion in open meeting may have a detrimental effect on the litigation position of the City, if so declared by the chair. And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.  
(Roll Call Required)

**Sponsors:** Barbara Murphy

*Acting Council President Spadafora declared public discussion of Paper 335-23 would have a detrimental effect on the City's litigating position on the matter of Benevolent Botanicals and 926 Eastern Avenue v. City of Malden. After the roll call vote, he then announced that the Council would reconvene the session only for the purpose of adjournment and no further business would be taken up this evening.*

**A motion was made by Councillor Sica, seconded by Councillor Condon, that the Order be adopted. The motion carried by the following vote:  
Council entered into Executive Session at 7:29 PM.**

**Yea:** 9 - McDonald, Sica, Colon Hayes, O'Malley, Spadafora, Crowe, Linehan, Condon and Winslow

## **11. PERSONAL PRIVILEGE**

**12. ADJOURNMENT**

A motion was made by Councillor Sica, seconded by Councillor at Large McDonald, that the meeting be adjourned. The motion carried by a unanimous vote.

Meeting adjourned at 8:02 PM.

**CAROL ANN DESIDERIO, CITY CLERK**