



City of Cambridge

21.

IN CITY COUNCIL

October 21, 1985

COUNCILLOR DAVID SULLIVAN
COUNCILLOR GRAHAM

ORDERED:

That, in accordance with the January 1985 order of the City Council, the City Manager cause no payments to be made under the UDAG loan agreement to the Marcus Organization, until an arbitration occurs under the City Manager's direction of all matters remaining in dispute between Marcus and Mudflat Pottery Studio, provided that Marcus makes an immediate \$15,000. payment under the agreement.

In City Council October 21, 1985.

Adopted by a yea and nay vote:-

Yeas 6; Nays 0; Absent 0; Present 3.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk.



City of Cambridge

(Amended Order No. 18)

COUNCILLOR DAVID SULLIVAN

IN CITY COUNCIL

October 7, 1985

- ORDERED: That the City Council hold a hearing on October 21, 1985 at 6:30 p.m. on the communication of Attorney Michael D. Cutler of the Goodwin & Cutler Law Firm, Attorneys for the Mudflat Pottery School, on the issues raised with reference to the resolution of the City Council of June 11, 1984 and the contract dated January 31, 1985 between the City of Cambridge and the Marcus Organization, developer of the Lechmere Canal Project; and the contract dated January 31, 1985 between Mudflat and the Marcus Organization; and be it further
- ORDERED: That representatives of the Community Development Department, the Marcus Organization, Mudflat Pottery School, City Solicitor and attorneys involved in these transactions be requested to attend and be heard; and be it further
- ORDERED: That the City Manager be and hereby is requested to direct the Community Development Department and all others concerned to hold up any funds for the project area which would benefit the Marcus Organization until these issues are resolved; and be it further
- ORDERED: That the City Manager be and hereby is requested to conduct a thorough review of all transactions and actions taken pursuant to the Council's resolutions in the above referenced matter and be prepared to report his recommendations to this City Council prior to October 21, 1985.

In City Council October 7, 1985.

Adopted as amended by the affirmative vote of
9 members.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

Paul E. Healy, City Clerk.



City of Cambridge

(Original Order No. 18)

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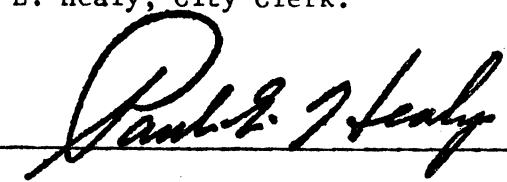
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ORDERED: That representatives of the Community Development Department, the Marcus Organization, Mudflat Pottery School, City Solicitor and attorneys involved in these transactions be requested to attend and be heard.

GOODWIN & CUTLER
ATTORNEYS AT LAW
65 FRANKLIN STREET, SUITE 500
BOSTON, MASSACHUSETTS 02110-1303

HERBERT N. GOODWIN
MICHAEL D. CUTLER

(617) 350-0005

RICHARD N. GOODWIN
MICHAEL SCOTT BAUM
OF COUNSEL

BROOKLINE OFFICE

1318 BEACON STREET, SUITE 9
COOLIDGE CORNER

September 30, 1985

BY-HAND

Paul Healy, City Clerk
Cambridge City Hall, 1st Floor
795 Massachusetts Avenue
Cambridge, MA 02138

Re: Mudflat Pottery Studio, Inc. and
VDAG Grant # B84-AA-25-0147,
The Lechmere Canal Project

Dear Clerk Healy:

On behalf of Mudflat Pottery Studios, Inc. (Mudflat), I ask that the Cambridge City Council (at its meeting tonight) place upon its next meeting agenda (the evening of October 7, 1985), a hearing for consideration of the following issue:

With reference to the City Council's resolution of June 11, 1984; the Contract dated January 31, 1985 between the City of Cambridge and the Marcus Organization, developer of the Lechmere Canal Project; and the Contract dated January 31, 1985 between Mudflat and the Marcus Organization;

Whether the Marcus Organization has failed to comply with its Contract with Mudflat (materially breaching that contract thereby), thus breaching its Contract with the City (by failure of consideration for the Marcus-City Contract, based on Marcus' breach of the Marcus-Mudflat Contract); and,

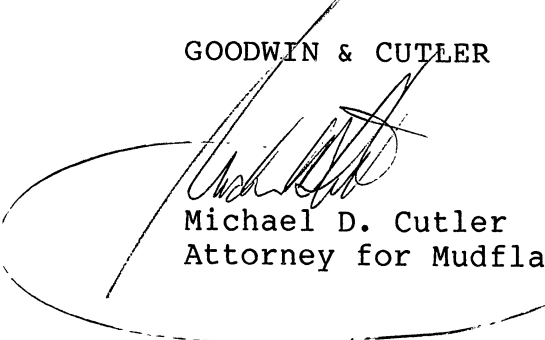
Whether the City's Community Development Department has unjustifiably failed to adequately enforce the terms of the City's Resolution, the City-Marcus Contract, the Marcus-Mudflat Contract and the provisions of G.L.c. 79A and its applicable regulations, pertaining to Marcus' relocation of Mudflat.

Paul Healy, City Clerk
September 30, 1985
Page Two

Please contact me if you have any questions.

Sincerely,

GOODWIN & CUTLER



Michael D. Cutler
Attorney for Mudflat

cc: Mr. Jim Campbell
Edward J. Lonergan, Esq.
Mr. Gary Duehr

MDC:rit
(17) 24

Copy # 8 S-752 # 10
Comm. from Michael D. Cutler, Esq., Goodwin &
Cutler, Attorneys for Mudflat Pottery School,
requesting a public hearing before the Coun-
cil on October 7, 1985 Re: Council reso-
lution & contract between the City & the
Marcus Organization, developer of the Lechmere
Canal Project & contract between Mudflat &
said developer & matters of contract com-
pliance & enforcement.

10/7/85
See Order for 10/21/85
In City Council,

Hearing as amended
September 30, 1985

Adopted - Time 6:30 PM

Mayor Duchay requests

Hearing October 7,

1985 AT 6:30 PM

BOT 9/30/85

Charter

Right Exercised

By

W. J. Sullivan

To Calendar for 10/7/85

10/7/85

Two Weeks - Hearing -