

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
DECEMBER 12, 2016

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. The Pledge of Allegiance was recited. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, O'Brien. 11 present, 0 absent.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update, COMM111EP_12_12_16

Motion to waive the rules, to accept late files, by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 no (Cronin). Motion passed.

5. PUBLIC COMMENT

1. Dan Mello

2B Fulton Street

WFT Appointee

2. John Powers

11 Warrenton Rd, Haverhill

Plum Autoworks

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication.

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

7. APPROVAL OF MINUTES

November 28, 2016

(Approve)

8. TRANSFERS

- **TRAN031_12_12_16** Budget Contingency (38,919.76) to SAL Deputy Chief (5,427.33), SAL Firefighters (33,492.43) (B&F)
- **TRAN032_12_12_16** Longevity (7,270.47) to SAL Firefighters (7,270.47) (B&F)
- **TRAN033_12_12_16** General Fund - Free Cash (21,908) to Compensated Absences (21,908) (B&F)

9. COMMUNICATIONS

- **COMM110_12_12_16** Newburyport High School Roof (B&F)(JtEd)
- **COMM113_12_12_16** Snow and Ice Plan 2016-2017 (PS)
- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX (P&D)

10. APPOINTMENTS

- **APPT079_12_12_16** Dan Mello 2B Fulton St Waterfront Trust 12/31/2021

END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Earls, seconded by Councillor Zeid. So voted.

11. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Connell. So voted.

12. TRANSFERS

- **TRAN030EP_12_12_16 EMERGENCY PREAMBLE** Sewer Retained Earnings (80K) to Odor Control (80K)
Motion to waive rules, to take in one reading, by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 present (Cronin). Motion passed.
- **TRAN030_12_12_16** Sewer Retained Earnings (80K) to Odor Control (80K)
Motion to approve by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.

13. COMMUNICATIONS

- **COMM111EP_12_12_16 LATE FILE** Plum Autoworks
Motion to approve by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 no (Cronin). Motion passed.
- **COMM111_12_12_16** Plum Autoworks, Inc. - Secondhand Vehicle License
Removed from Consent Agenda by Councillor Vogel. Motion to approve by Councillor Vogel, seconded by Councillor Connell. So voted.
- **COMM112_12_12_16** Interfaith Candle Lighting - Ahavas Achim – Dec. 24, 2016
Motion to approve the emergency preamble Councillor Zeid, seconded by Councillor Cameron, 10 yes, 1 present.
(Cronin). Motion to approve by Councillor Cameron, seconded by Councillor Tontar. 9 yes, 2 present, (Cronin), (Connell)

14. ORDERS

- **ORDR087_11_28_16** Resolution Girls' Soccer Team (**TABLED**)
Motion to remove, ORDR087_11_28_16 and ORDR088_11_28_16 collectively, from the table by Councillor Connell, seconded by Councillor Cronin. Motion to approve, ORDR087_11_28_16 and ORDR088_11_28_16 collectively, by Councillor Connell, seconded by Councillor Zeid. So voted.
- **ORDR088_11_28_16** Resolution Cross Country Team (**TABLED**)
Motion to remove, ORDR087_11_28_16 and ORDR088_11_28_16 collectively, from the table by Councillor Connell, seconded by Councillor Cronin. Motion to approve, ORDR087_11_28_16 and ORDR088_11_28_16 collectively, by Councillor Connell, seconded by Councillor Zeid. So voted.
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR093_12_12_16** Odor Control Loan Order \$800,000

Motion to refer to Budget & Finance and Public Utilities by Councillor Tontar, seconded by Councillor Zeid. So voted.

- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.

15. ORDINANCES

- **NONE**

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ORDR079_09_26_16** Movie Location Order
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility

General Government

In Committee:

Joint Education

Councillor Giunta gave update for December 5th meeting with School Committee concerning crosswalks and public safety. Also discussed Coltin and Low St crossing guards, Budget forum with City Council and School Committee to be held on January 28th.

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (COTW)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order
- **COMM106_11_28_16** Families for Peace – Tables in Market Square on 1/20/17
Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.
- **COMM077_08_08_16** Communications re: Seacoast Taxi

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **COMM076_07_11_16 LATE FILE** Boyd Drive Petition
- **ODNC014_08_08_16** Zoning Amend Sidewalks/Trees Sec XI-K et al
Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Tontar. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 4 yes, 7 no (EC, BC, JD, GE, JE, CT, BV). Motion failed.
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA
- **COMM096_10_31_16** Draft of Newburyport's Master Plan
- **ORDR089_11_28_16** Order of Taking - 223 High St

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM098_10_31_16** Use of Streets for "Most Pine Boards Broken in One Minute"
- **COMM101_11_14_16** Walk MS Newburyport on 4/1/2017
- **ORDR085_11_28_16** Stop Sign Avon St & Alberta
Motion to remove Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.
Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak St
- **COMM109_11_28_16 LATE FILE** Griffin Ct Block Party
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit

Rules Committee

In Committee:

17. GOOD OF THE ORDER

Councillor Cronin –Lack of notification at gas station on Kent Street. On a pile driving project there should be notice to the abutting residents.

18. EXECUTIVE SESSION

Motion to go into executive session, to discuss litigation...by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 present (JD). The Council President stated the Council would not come back into session. 8:52PM

19. ADJOURNMENT

Motion to come out of executive session by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion to adjourn by Councillor Cameron, seconded by Councillor Zeid. So voted.