

## **CITY COUNCIL MEETING**

**Minutes - July 25, 2011**

Council President O'Brien called the meeting to order at 7:30 pm and asked for a moment of silence for the recent passing of Water Superintendent Paul Colby's father, Louis Colby and mother, Marie Colby. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Cronin, Derrivan, Earls, Heartquist, Herzog, Hutcheson, Ives, Jones and O'Brien. Councillor Connell absent.

### **LATE FILE ITEMS**

Communications #5 and #6

**Motion to suspend the rules to allow late file items by Councillor Earls, seconded by Councillor Cronin. 10 yes, 1 absent (Connell). So voted.**

### **PUBLIC COMMENT –**

1. Jason Mello, G. Mello Disposal Corp., Solid Waste
2. Molly Ettenborough, Health Department, Solid Waste
3. Dale Eckart, 89 Lime Street, Hydrant Markers

## **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.

### **1. APPROVAL OF MINUTES**

July 11, 2011

(Approved)

### **2. COMMUNICATIONS**

- |   |            |
|---|------------|
| 1. Block Party Request, Beck Street, August 20, 2011                      | (Approved) |
| 2. 4 <sup>th</sup> Annual Boot Drive for Alzheimer's Assoc. Sept. 3, 2011 | (Approved) |
| 3. Letter regarding European traffic/congestion trends                    | (R&F)      |
| 4. Amended Election Calendar  | (R&F)      |

### **3. APPOINTMENTS**

#### **Re-Appointment**

- |                   |                              |                              |              |
|-------------------|------------------------------|------------------------------|--------------|
| 1. Brian Brunault | 83 Garden Street, W. Newbury | Constable for Civil Business | July 1, 2014 |
|-------------------|------------------------------|------------------------------|--------------|

**Motion to approve the Consent Agenda by Councillor Earls, seconded by Councillor Jones. 10 yes, 1 absent (Connell). So voted.**

## **END OF CONSENT AGENDA**

## **REGULAR AGENDA**

### **4. COMMUNICATIONS**

5. Block Party Request, Payson & Woodland Streets., August 20, 2011

**Motion to approve by Councillor Derrivan, seconded by Councillor Earls. 10 yes, 1 absent (Connell). So voted.**

6. Block Party Request, 54<sup>th</sup> Street, August 13, 2011

**Motion to approve by Councillor Earls, seconded by Councillor Hutcheson. 10 yes, 1 absent (Connell). So voted.**

### **5. APPOINTMENTS – 2<sup>nd</sup> Reading**

## **Re-Appointment**

2. Margaret Welch 82 Curzon Mill Rd Community Preservation Act Com April 1, 2014

**Motion to approve by Councillor Herzog, seconded by Councillor Earls. 10 yes, 1 absent (Connell). So voted.**

## **6. ORDINANCES**

1. Amend Ordinance 13-180 Parking Resident Fair Street between Middle & Temple

**Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Derrivan. 10 yes, 1 absent (Connell). So voted.**

2. Amend Ordinance 12-10 Streets, Sidewalks and Other Public Places – Cameras

**Motion to refer to Public Safety by Councillor Cameron, seconded by Councillor Ives. 10 yes, 1 absent (Connell). So voted.**

3. Amend Ordinance 13-121 One-Way Streets Griffin Court

**Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Derrivan. 10 yes, 1 absent (Connell). So voted.**

4. Amend Ordinance 13-179 Handicapped Parking Otis Place

**Motion to refer to Public Safety by Councillor Earls, seconded by Councillor Hutcheson. 10 yes, 1 absent (Connell). So voted.**

## **7. COMMITTEE ITEMS**

### **Budget & Finance**

#### ***In Committee:***

1. Mayor Green Initiatives REV APPR (\$20,000) to Mayor-CHMM \*11/29/2010
2. Mayor Cap. Improve Stab Fd to Gen Admin-Phone System (\$140,914.74) \*03/14/2011
3. Health-Reg Hlth Serv Rev Fd \$10,142.05 to Mayor City Hall Rev Fd \$10,142.05 \*7/11/2011
4. Order Community Preservation Fund appropriations \*07/11/2011
5. Order IT Plan Bond \*07/11/2011

### **General Government**

#### ***In Committee***

1. Atmospheric Pollution Ordinance \*02/08/2010
2. Proposed Special Act Water & Sewer Commission \*01/10/2011
3. Proposed Charter on Ballot for November 8, 2011 Municipal Election \*05/09/2011
4. Campaign Finance Reports-Municipal Forms posting on City Website \*05/09/2011
5. Union Contract posting on City Website \*05/09/2011

### **Joint Education**

#### ***In Committee:***

### **License & Permits**

#### ***In Committee:***

1. Cars Port Taxi rate increase request \*05/31/2011

### **Neighborhoods & City Services**

#### ***In Committee:***

1. Newburyport Tree Ordinance \*07/22/2010
2. Delete Ordinance entitled Traffic & Motor Vehicles Sec.13-30 \*02/28/2011
3. Amend Ch.8 Sec. 8-83 Solid Waste Regulations \*05/31/2011

**Motion to remove by Councillor Herzog, seconded by Councillor Jones. Motion to approve and order published by Councillor Herzog, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Connell). So voted.**

4. Amend Ch.8 Sec. 8-90 Solid Waste Recycling Collection \*05/31/2011

5. Amend Ch.3 Sec. 3-26 Animals Dogs Leash Required \*05/31/2011

**Motion to remove by Councillor Herzog, seconded by Councillor Heartquist. Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. 7 yes, 3 no (Derrivan, Jones, O'Brien), 1 absent (Connell). So voted.**

6. Amend Ch.3 Sec. 3-28 Animals Dogs Nuisances \*05/31/2011

**Motion to remove by Councillor Herzog, seconded by Councillor Heartquist. Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. 5 yes (Cameron, Earls, Heartquist, Herzog, Hutcheson), 5 no, 1 absent (Connell). So voted. Motion failed.**

7. Amend Ch.3 Sec. 3-30 Animals Dogs Certain Dogs to be Muzzled \*05/31/2011

**Motion to remove by Councillor Herzog, seconded by Councillor Heartquist. Motion to approve by Councillor Herzog, seconded by Councillor Heartquist. 5 yes (Cameron, Earls, Heartquist, Herzog, Hutcheson), 5 no, 1 absent (Connell). So voted. Motion failed.**

### **Planning & Development**

#### ***In Committee:***

1. Residential Handicap Parking Ordinance \*01/11/2010

2. Atmospheric Pollution Ordinance \*02/08/2010

3. Green Communities Order \*03/29/2010

4. Zoning Ord – Sec II Definitions/Sec VI Dimensional Contr \*06/28/2010

5. Newburyport Tree Ordinance \*07/22/2010

6. Letter to designate Matthews Court at Inn Street Mall \*05/31/2011

7. Intermunicipal Agreement Newburyport and Newbury \*07/11/2011

8. Order Community Preservation Fund appropriations \*07/11/2011

### **Public Safety**

#### ***In Committee:***

1. Residential Handicap Parking Ordinance \*01/11/2010

2. Amend Sec. 13-86 Water St. (25mph) State to Federal \*05/09/2011

3. St. Paul's Church request to restrict parking on Summer Street entrance \*05/31/2011

4. Amend Ord.13-180 Parking Resident Green, Pleasant, Washington Sts \*07/11/2011

**Motion to remove by Councillor Cronin, seconded by Councillor Derrivan. Motion to approve and publish by Councillor Cronin, seconded by Councillor Derrivan. 10 yes, 1 absent (Connell). So voted.**

### **Public Utilities Committee**

#### ***In Committee:***

1. Letter regarding Pole at 114 High Street \*5/31/2011

### **Rules Committee**

Councillor Jones said that the committee is reviewing the process of removing items from committee for approval and discussion and roll call procedures.

#### ***In Committee:***

### **14. GOOD OF THE ORDER**

**Councillor Earls spoke to amending ordinances in general. Councillor Jones said he is trying to set up a meeting with the Labor Council.**

### **15. ADJOURNMENT**

**Motion to adjourn by Councillor Derrivan, seconded by Councillor Cameron. Unanimous voice vote. 8:20 p.m.**