**CITY COUNCIL MEETING MINUTES v.1**

**CITY COUNCIL CHAMBERS**

***December 14, 2015***

**7:30 PM**

Council President O’Brien called the meeting to order at 7:35 pm. A moment of silence was held for William J. Farrell, father of former assistant superintendent Deirdre Farrell. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel and O’Brien. 11 present.

1. **LATE FILES –** Communication #2 Mayor’s Update
2. **PUBLIC COMMENT - None**
3. **MAYOR’S UPDATE**

**The Mayor gave an update.**

**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**

November 16, 2015 (Approved)

November 30, 2015 (Approved)

1. **TRANSFERS - None**
2. **COMMUNICATIONS**
	1. Renewal of Second hand motor vehicle license LCA Motors (L&P)
3. **APPOINTMENTS – First Reading - None**

**END OF CONSENT AGENDA**

**Motion to approve the Consent Agenda by Councillor Cameron, seconded by Councillor Kinsey. So voted.**

**REGULAR AGENDA**

1. **COMMUNICATIONS**
2. LATE FILE –Mayor’s Communication

**Motion to waive the rules and accept the late file items by Councillor Connell, seconded by Councillor Cameron. So voted.**

1. **APPOINTMENTS – 2nd Reading**

**APPOINTMENTS**

1. Adam R. Hayden 76 Longfellow Dr. Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
2. Joseph Grande 52 Linwood Ave,Methuen Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
3. Benedetto Orlando 104 North Ave #2,Haverhill Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
4. Robert Padellaro 17 56th St. Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
5. Daniel Scott 4 Ferry Rd, Methuen Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
6. Philip Stern 271 Merrimac St.#2, Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
7. Lance Thokle 1886 SE Erwin Rd,Port St. Lucie, FL Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
8. David Willey 13 Devonshire Crossing, Lowell Asst HM/Shellfish Constable/Spec. PO Dec. 31, 2017
9. Kristian Zoeller 115 Timber Swamp Rd,HamptonNH. Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017
10. James Maranto 167 Harper Ridge Rd,EHampsteadNH Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017
11. Richard Cummings 7 Jewett St, Georgetown Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017
12. Francis F. Chaisson 300 Merrimac St. Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017
13. Michael Chaisson 46 Lake Attitash Rd, Amesbury Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017
14. Enrico Caruso 34 Russett Hill Rd, Haverhill Asst HM/Shellfish Constable/Spec PO Dec. 31, 2017

**Motion to approve collectively by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 11 yes.**

1. **ORDERS**
	* + 1. TABLED Order License Contractor Street Occupancy NE Boring Contractors w/ bond

**Motion to remove by Councillor Herzog, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. So voted.**

* + - 1. TABLED Order Signs on Crow Lane Recycling Center

**Motion to remove by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Connell, seconded by Councillor Cameron. So voted.**

1. **ORDINANCES**
2. 2nd Reading ORD Ch9 Sec2-125a Uphold human rights of all people

**Motion to approve 2nd reading by Councillor Vogel, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.**

1. **COMMITTEE ITEMS**

**Budget & Finance**

 ***In Committee:***

1. Order Home Rule Petition- supplementing education budget (COTW) *\*05/12/2014*
2. Amend ORD Ch. 2 Section 2-45 City Council Salary *\*05/12/2014*
3. Amend ORD Ch. 2 Section 2-61A School Committee Salary *\*05/12/2014*
4. Letter from Hope Church regarding Master Box fee \**11/10/2014*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Statement re: Human Resources Dependent Audit *\*08/10/2015*
2. Loan Order intermodal transit parking facility $630,300 *\*10/13/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to refer to next session per Rule 7C by Councillor Tontar, seconded by Councillor Cameron. 10 yes, 1 no (O’Brien), so voted.**

1. Mayor memo regarding Material Weakness - Cash Reconciliation *\*10/26/2015*
2. DPS Sewer Ret’d Earnings to Sewer Easement $225, 000 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. So voted.**

1. DPS Water Ret’d Earnings to Meter Replacement $225,000 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.**

1. Mayor Gen Fd Free Cash $101,835.31 to Compensated Absences Rsv Fd $91,835.31,

to Assessment Ctr $10,000 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. 10 yes, 1 no (Herzog). So voted.**

1. Mayor Budget Contingency To Multiple Salary Line Items $22,190.48 (with Memo) *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Police Dept. Reserve Approp Ins Claims to Purchase of Cruisers $27,427 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. PERAC required Fiscal Year 2017 Appropriation *\*11/30/2015*
2. Retirement Board Expense Budget C/Y 2015 *\*11/30/2015*
3. Memo from Mayor to Council on 2016 Retirement Bd Budget *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Order Accepting Gift from Odd Fellows $3,500 – smoke ejector fan *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Order Accepting the Gift of a 1977 UTI 41’ fire/rescue vessel *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. 10 yes, 1 no (Connell). So voted.**

1. Order Senior Center Appropriation $52,500 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Order Accepting Gift from Morrill Foundation $90,000 *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.**

1. Order Accept Ch.41 sec. 108P *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Herzog. So voted.**

1. Order Amending Municipal Fees and Fines *\*11/30/2015*

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to delete Parking section by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 2 no (Tontar, Vogel). So voted. Motion on Right of Way Occupancy to reduce fee to $50 by Councillor Cronin, seconded by Councillor Kinsey. 9 yes, 2 no (Giunta, Vogel), so voted. Motion on Right of Way Occupancy to add “per week” by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 2 no (Giunta, Vogel), so voted. Motion to approve as amended by Councillor Tontar, seconded by Councillor Cameron. 8 yes, 3 no (Cronin, Giunta, Herzog), so voted.**

1. Ordinance Animal Control Fees Nuisance *\*11/30/2015*
2. Ordinance Animal Control Fees Dog License Fees (Unspayed/Unneutered) *\*11/30/2015*
3. Ordinance Animal Control Fees Dog Fines on Plum Island *\*11/30/2015*

 **General Government**

 ***In Committee:***

1. Letter re: Health Insurance Benefit *\*05/11/2015*

**Motion to remove by Councillor Vogel, seconded by Councillor Connell. So voted. Motion to receive and file by Councillor Vogel, seconded by Councillor Connell. So voted.**

1. Changes to City Hall Rental Application and Rules of Use *\*09/15/2015*

**Motion to remove by Councillor Vogel, seconded by Councillor Connell. So voted. Motion to receive and file by Councillor Vogel, seconded by Councillor Connell. So voted.**

1. Create Ch. 2-2.5 City Flag *\*09/15/2015*

 **Joint Education**

 ***In Committee:***

1. Order Home Rule Petition- supplementing education budget (COTW) *\*05/12/2014*

 **License & Permits**

***In Committee:***

1. Movable Sign Application Newburyport Brewing Company *\*02/10/2014*
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *\*04/28/2014*
3. Letter regarding transient vendor licensing \**06/30/2014*
4. Regulations *\*08/10/2015*
5. Phat Cabbie Transportation Taxi License Application *\*11/09/2015*

**Motion to remove by Councillor Heartquist, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Heartquist, seconded by Councillor Cameron. So voted.**

1. Renewal of Second hand motor vehicle license RL Currie Corp *\*11/30/2015*

**Motion to remove by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Heartquist, seconded by Councillor Herzog. So voted.**

1. Renewal of Second hand motor vehicle license LCA Motors *\*12/14/2015*

**Motion to remove by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to add Emergency Preamble by Councillor Heartquist, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Heartquist, seconded by Councillor Herzog. Roll call vote, 11 yes. So voted.**

 **Neighborhoods and City Services**

 ***In Committee:***

1. Amend Ch11 Parks and Recreation (COTW) *\*08/10/2015*

**Motion to remove by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to move to the next session per Rule 7C by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 no (O’Brien). So voted.**

1. Letter from Commission for Diversity and Tolerance *\*11/09/2015*

**Motion to remove by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Connell, seconded by Councillor Cameron. So voted.**

 **Planning & Development**

 ***In Committee:***

1. Letter from Newburyport Preservation Trust *\*03/31/2014*
2. First Refusal to Purchase Lot 8 Low Street *\*01/12/2015*
3. Amend ORD Zoning Map Sec. III-C “Back Bay Area Zoning Map Change” *\*01/12/2015*
4. Amend Zoning VIII-D Sign regulations *\*09/15/2015*
5. Amend Zoning XI-I Glare *\*09/15/2015*
6. Amend Ch. 2-116 Planning Board Established, membership, appointment *\*09/15/2015*
7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties *\*09/15/2015*
8. Zoning Amendment and DOD Map *\*11/16/2015*
9. Memo from Mayor re 8 Strong Street Demolition *\*11/30/2015*

**Motion to remove by Councillor Cameron, seconded by Councillor Tontar. So voted. Motion to receive and file by Councillor Cameron, seconded by Councillor Tontar. So voted.**

1. Memo re: Harbormaster project value engineering *\*11/30/2015*
2. Order Auth Easement for Utility Purposes–Eastern Side of Custom Hse for Boater Facility *\*11/30/2015*

**Motion to remove by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to amend by changing title of plan by Councillor Eigerman, seconded by Councillor Cameron. So voted. Motion to approve as amended by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.**

 **Public Safety**

 ***In Committee:***

1. London Livery request for valet parking at 38 State Street *\*04/27/2015*
2. Order regarding Signs *\*05/26/2015*
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson *\*06/29/2015*
4. Letter regarding condition of Dove Street *\*07/13/2015*
5. Amend Ch. 3-2 Disposal of Animal Waste *\*09/15/2015*
6. Amend Ch. 13-180 Resident Parking *\*09/15/2015*

**Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Tontar. So voted.**

1. Amend Ch. 13-168 Parking Restricted on Pauline Street *\*09/15/2015*
2. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot *\*09/28/2015*
3. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles *\*09/28/2015*
4. Snow & Ice Plan 2015-16  *\*10/26/2015*

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.**

1. Amend ORD Ch. 13 -171 Service Zone 153-155 State Street *\*10/26/2015*

**Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.**

1. Order Parking Restricted On High Street at Kent *\*11/30/2015*

**Motion to remove by Councillor Cronin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.**

1. Order on Crosswalks with list attached *\*11/30/2015*

**Motion to remove by Councillor Cronin, seconded Cameron. So voted. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.**

 **Public Utilities Committee**

 **Rules Committee**

1. **GOOD OF THE ORDER**

**Council President O’Brien thanked the three retiring City Councillors for their good work and efforts.**

**Councillors Herzog, Heartquist and Kinsey spoke in turn an offered their farewell thoughts.**

1. **ADJOURNMENT**

**Motion to adjourn by Councillor Cameron, seconded by Councillor Cronin at 9:04 pm. So voted.**