

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
October 31, 2016

7:30PM

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. A moment of silence was held for Louis Vallee, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Tontar, Vogel, Zeid, Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, 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, Map for 115 Water Street lease, ORDR075 Resolution on Evergreen Commons
Motion to waive the rules, to accept late files, by Councillor Zeid, seconded by Councillor Cameron. So voted.

5. PUBLIC COMMENT

- | | | |
|-------------------|---------------|-------------------|
| 1. Peter Hatcher | 15 Boyd Drive | Evergreen Commons |
| 2. Ann Marie Vega | 21 Boyd Drive | Evergreen Commons |

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

October 11, 2016

(Approve)

8. TRANSFERS

- **TRAN026_10_31_16** 2002 Overlay (25K) to Overlay Surplus (25K) (B&F)
- **TRAN027_10_31_16** Budget Ctgcy. (32,026.24) to Multiple Sal. Items (32,026.24) (B&F)
- **TRAN028_10_31_16** Rsv Appr (4,550,014.36) to PI Utility Fund (4,550,014.36) (B&F, PU)
- **TRAN029_10_31_16** PI Utility Fund (530,654.47) to Water EF (283,303.59) and Sewer EF (247,350.88) (B&F, PU)

9. COMMUNICATIONS

- **COMM096_10_31_16** Draft of Newburyport's Master Plan (P&D)
- **COMM097_10_31_16** Retirement Board Expense Budget C/Y 2017 (R&F)
- **COMM098_10_31_16** Use of Streets for "Most Pine Boards Broken in One Minute" (PS)
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway (NCS)
- **COMM100_10_31_16** RL Currie Corp - Secondhand Vehicle License (L&P)

10. APPOINTMENTS

Appointments

- **APPT076_10_31_16** Jill Brennan 24 Webster St, Haverhill Assessor 1/1/2018

Re-Appointments

- **APPT077_10_31_16** Kathleen Chase 2 Belcher St Asst Treasurer 11/1/2019
- **APPT078_10_31_16** Dr. Barry Spiro 4 Lafayette St Disability Comm 11/1/2019

END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. So voted. Councillor O'Brien present.

11. MAYOR'S UPDATE

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

12. APPOINTMENTS

Second Reading

Re-Appointments

- **APPT071_10_11_16** Vaughn Abbott 61 Prospect St Cultural Cncl 10/1/2019
- **APPT072_10_11_16** Paul S. Cardaci 135 Beach Rd, Slsby Constable 12/1/2019

Appointments

- **APPT073_10_11_16** Susan Bryant Carnduff 12 Washington St Cultural Cncl 11/1/2019
- **APPT074_10_11_16** Afroz Khan 85 Prospect St Cultural Cncl 11/1/2018

Motion to approve second reading appointments collectively by Councillor Cameron, seconded by Councillor Vogel. Roll call vote, 11 yes.

13. ORDERS

- **ORDR076_09_12_16** Supplemental Budget Request #1 (**TABLED**)
Motion to remove from table Councillor Cronin, seconded by Councillor Cameron. Motion to table by Councillor Cronin, seconded by Councillor Cameron. 2 no (CT, BV).
- **ORDR082_10_31_16** Residential Factor - Fiscal Year 2017
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR083_10_31_16** Tax Rate - Fiscal Year 2017
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.

14. ORDINANCES

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR009_02_08_16** Increase Fees for Fire Dept.
- **ORDR010_02_08_16** Increase Fines Parking Violations
- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (COTW)
- **ORDR039_05_31_16** Increase Hourly Parking Rate to \$1.50
- **ODNC016_09_12_16** Plum Island Utility Fund
- **ORDR079_09_26_16** Movie Location Order
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **TRAN025_10_11_16** HR Health Ins. to HRA Prog. (30K), HRA Admin. (1,950)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.

General Government

In Committee:

- **COMM063_06_13_16** Letter from Abutters of the I-95 Project

Joint Education

Next meeting will be November 7th at 5:30pm at Newburyport High School, Room 118.

- **COMM095_10_11_16** Ltr re: Crossing Guard at Coltin Drive

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
- **COMM092_10_11_16** Ltr re: Youth Hockey 'Tag Day' on 11/19/2016
Motion to remove from License & Permits by Councillor Vogel, seconded by Councillor Cameron.
Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.

Councillor Vogel - Motion to direct the Clerk to contact Seacoast Taxi to be in compliance with the Taxi Ordinance.

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (COTW)
- **ORDR048_06_13_16** Sidewalk Order
- **ORDR075_09_12_16** Resolution on Boyd Drive Development
Motion to remove from Neighborhood & City Services by Councillor Connell, seconded by Councillor Cronin. So voted. Motion to approve by Councillor Connell, seconded by Councillor Vogel. Roll call vote, 1 present (JD). Motion passed.

Planning & Development

In Committee:

- **COMM020_02_08_16** Memo re: Hiring Process for Building Commissioner
- **ORDR055_06_27_16** Order re: Surplus Property – WWTP

Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Tontar. Motion to approve as amended by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 10 yes (Councillor Connell recused). Motion passed.

- **COMM076_07_11_16 LATE FILE** Boyd Drive Petition
- **ODNC014_08_08_16** Zoning Amend Sidewalks/Trees Sec XI-K et al
- **ORDR078_09_26_16** Titcomb Street Order
- **ORDR080_09_26_16 LATE FILE** Order of Taking Parking Facility
- **COMM091_10_11_16** Ltr to Council from J. Sweet on ZBA

Public Safety

In Committee:

- **COMM063_06_13_16** Letter from Abutters of the I-95 Project
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to receive and file by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **ORDR068_08_29_16** High Street – Resident Parking
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion to receive and file by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM093_10_11_16** LOCO Sports Road Race on 11/13/2016
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Connell. Motion to approve by Councillor Cronin, seconded by Councillor Vogel. So voted.
- **COMM094_10_11_16** Fuel River Run on 5/7/2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.
- **ORDR081_10_11_16** Parking Restriction, High Street near Barton St
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **COMM095_10_11_16** Ltr re: Crossing Guard at Coltin Drive
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion to receive and file by Councillor Cronin, seconded by Councillor Giunta. So voted.

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR075_09_12_16** Resolution on Boyd Drive Development
- **ODNC016_09_12_16** Plum Island Utility Fund

Rules Committee

In Committee:

17. GOOD OF THE ORDER

Councillor Connell thanked all for their support on the resolution for Evergreen property. Councillor Connell also suggested a policy to limit the number of road races per year that interrupt the flow of traffic. Councillor Eigerman concurred. Councillor Zeid announced a December 1, 2016 Rail Trail meeting.

18. EXECUTIVE SESSION

Motion to go in to Executive Session by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. President O'Brien stated the Council would not come back into session.

19. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 8:37pm.