

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**JANUARY 9, 2017**

**7:30PM**

The City Council President, Thomas O'Brien, called the meeting to order at 7:30pm. A moment of silence was held for Dan Lynch, David Streiff, Pete Morse, Patricia Welch, Albert Hirsch, and Jane Welch Connor, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Connell, Cronin, Earls, Eigerman, Giunta, Vogel, Zeid, Cameron, O'Brien. 9 present, 2 absent (JD, CT).

**(Sound Check)**

## 1. MOMENT OF SILENCE

## 2. PLEDGE OF ALLEGIANCE

### 3. CALL TO ORDER

- ## 1. Election of Council President

Roll call vote, 9 votes for Councillor O'Brien, 2 absent (JD, CT). Councillor O'Brien to continue serving as Council President.

- ## 2. Committee Assignments (to be announced)

Committee assignments to remain the same.

3. **COMM007\_01\_09\_17** 2017 City Council Schedule

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

4. **COMM008\_01\_09\_17** 2017 City Council Rules

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

#### 4. LATE FILE ITEMS Mayor's Update

Motion to waive the rules, to accept late files, by Councillor Zeid, seconded by Councillor Giunta. So voted.

## 5. PUBLIC COMMENT

- ## 1. Kevin Parseghian

13 Columbus Ave

NBPT Fire Local 827

## 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

December 12, 2016

(Approve)

## 8. TRANSFERS

- **NONE**

## 9. COMMUNICATIONS

- **COMM001\_01\_09\_17 Spring Fever 5K & Family Fun Run**

(PS)

- **COMM002 01 09 17** 2016 River Valley Charter School Report Card

(R&amp;F)

- **COMM003 01 09 17 Whittier VoTech Annual Operational Report**

(R&amp;F)

- **COMM004\_01\_09\_17** PERAC Appropriation for FY18 (R&F)
- **COMM005\_01\_09\_17** LCA Motors Class II Vehicle License (L&P)
- **COMM006\_01\_09\_17** State Automotive Class II Vehicle License (L&P)
- **COMM009\_01\_09\_17** Pole Hearing 1/30/17 – Willow Ave (PU)

#### 10. APPOINTMENTS

- **APPT001\_01\_09\_17** Ann M. Gardner 239 Water St Planning Board 05/31/2019

#### **Re-Appointments**

- **APPT002\_01\_09\_17** Ethan R. Manning 31 Howard St Auditor 02/01/2020

### **END OF CONSENT AGENDA REGULAR AGENDA**

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Connell. So voted.

#### 11. MAYOR'S UPDATE

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

#### 12. APPOINTMENTS

#### **Second Reading**

- **APPT079\_12\_12\_16** Dan Mello 2B Fulton St Waterfront Trust 12/31/2021

Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.

#### 13. ORDERS

- **ORDR001\_01\_09\_17** Newburyport Five Cent Richard A. Eaton Baseball Field \$100,000 Gift Acceptance

Motion to refer to Budget & Finance by Councillor Vogel, seconded by Councillor Earls. So voted.

#### 14. ORDINANCES

- **NONE**

#### 14. 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 /(L&P)
- **ORDR080\_09\_26\_16** LATE FILE Order of Taking Parking Facility/(P&D)
- **TRAN031\_12\_12\_16** Budget Contingency (38,919.76) to SAL Deputy Chief (5,427.33), SAL Firefighters (33,492.43)

Motion to remove TRAN031\_12\_12\_16 and TRAN032\_12\_12\_16 collectively from Budget & Finance by Councillor Cronin, seconded by Councillor Cameron. Motion to approve

TRAN031\_12\_12\_16 and TRAN032\_12\_12\_16 collectively by Councillor Cronin, seconded by Councillor Vogel. So voted.

- **TRAN032\_12\_12\_16** Longevity (7,270.47) to SAL Firefighters (7,270.47)
- **TRAN033\_12\_12\_16** General Fund - Free Cash (21,908) to Compensated Absences (21,908)
- **COMM110\_12\_12\_16** Newburyport High School Roof/ (**JE**)  
Motion to remove from Budget & Finance by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.
- **ORDR093\_12\_12\_16** Odor Control Loan Order \$800,000/(**PU**)  
Motion to remove from Budget & Finance and Public Utilities by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.
- **ORDR094\_12\_12\_16** Resolution on Funding Capital from Operating Budget

## **General Government**

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

## **Joint Education**

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

- **COMM110\_12\_12\_16** Newburyport High School Roof/(**B&F**)  
Motion to receive and file by Councillor Giunta, seconded by Councillor Cameron. So voted.

## **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/(**B&F**)
- **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
- **ORDR080\_09\_26\_16** LATE FILE Order of Taking Parking Facility/(**B&F**)
- **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

Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Cronin. Motion to approve by Councillor Cameron, seconded by Councillor Cronin. Roll call vote, 9 yes, 2 absent (JD, CT). Motion passed.

- **COMM114\_12\_12\_16** Memo on Master Plan - Work Plan and Appendix XX

## **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"  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron.  
Motion to receive and file by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM101\_11\_14\_16** Walk MS Newburyport on 4/1/2017  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **ORDR086\_11\_28\_16** Stop Signs for Chestnut St and Oak St
- **COMM113\_12\_12\_16** Snow and Ice Plan 2016-2017  
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Giunta. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. Motion to add the Kelley School by Councillor Giunta, seconded by Councillor Cronin. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **ORDR090\_12\_12\_16** Parking Restriction – High St at Ashland St
- **ORDR091\_12\_12\_16** Parking Restriction - Howard St at Chapel St
- **ORDR092\_12\_12\_16** Stop Sign – Howard St at Chapel St

## **Public Utilities**

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

- **COMM060\_05\_31\_16** Mobilitie, LLC Highway Access Permit
- **ORDR093\_12\_12\_16** Odor Control Loan Order \$800,000/(B&F)  
Motion to receive and file by Councillor Cronin, seconded by Councillor Zeid. So voted.

## **Rules Committee**

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

## **15. GOOD OF THE ORDER**

## **16. EXECUTIVE SESSION**

Motion to go into Executive Session, to discuss purchase of real estate and possible litigation, by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 8 yes, 2 absent, Councillor Vogel recused himself. President O'Brien stated the Council would not come back into session. 8:28pm.

## **17. ADJOURNMENT**

Motion to adjourn by Councillor Cameron, seconded by Councillor Zeid. So voted. 9:53pm.