

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
JANUARY 30, 2017

7:15 PM POLE HEARING Willow Ave

The following Councillor's answered present: Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell. 10 present, 1 absent (O'Brien). The Clerk read the notice and Councillor Connell opened the meeting. National Grid explained that the guy wire needed to be moved to accommodate a driveway on Willow Ave. Motion to Approve, Councillor Cronin, seconded by Councillor Giunta, so voted.

7:30PM

The Councillor Connell called the meeting to order at 7:30pm., followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillor's answered present: Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell. 10 present, 1 absent (O'Brien). National Grid spokesman

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS Mayor's Update**

Motion to waive the rules, to accept late files, by Councillor Cameron, seconded by Councillor Cronin

5. PUBLIC COMMENT

1. Peter Doyle	164 Northern Blvd	Frigid Fiver Road Race
2. Benjamin Resnick	19 Otis Place	Human Rights Comm Order
3. Afroz Khan	85 Prospect Street	HRC Order
4. Elizabeth Goulland	9 Marquand Lane	HRC Order
5. Eileen Springer	27 Pond Street	HRC Order
6. Jillian Tilley	81 Bromfield Street	HRC Order
7. Cliff Goudey	21 Marlboro Street	HRC Order
8. Nancy Harrington	53 Federal Street	HRC Order
9. Sue-Ellen Lamb	62 Prospect Street	HRC Order
10. Christine Miller	12 ½ Market Street	HRC Order
11. Simone Bui	44 Lime Street	HRC Order
12. Becky Jacobs		

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

January 9, 2017

(Approve)

8. TRANSFERS

- **TRAN001_01_30_17** Water Retained Earnings 60K to Well Cleaning & Rehab 60K (B&F, PU)

9. COMMUNICATIONS

- **COMM011_01_30_17** Sunoco Class II Vehicle License (L&P)
- **COMM013_01_30_17** FY2017 Mid-Year Budget Report (B&F)
- **COMM014_01_30_17** 30% Garage Design Docs (P&D, COW)

10. APPOINTMENTS

Re-Appointments

- | | | | | |
|---------------------------|--------------------|--------------------|----------------------|-----------|
| • APPT003_01_30_17 | Robert A. Cook | 19 Everett Dr | Water/Sewer Comm | 2/13/2020 |
| • APPT004_01_30_17 | Jennie Donahue | 18 Cherry St | Disabilities Comm | 3/1/2020 |
| • APPT005_01_30_17 | Anthony J. Furnari | 10 Olsen Rd, Pbdy | DPS Director | 2/1/2020 |
| • APPT006_01_30_17 | Paul Hogg | 4 Coltin Dr | Shellfish Constable | 3/1/2020 |
| • APPT007_01_30_17 | Andrew R. Port | 61 Water St #5 | Planning Director | 1/31/2019 |
| • APPT008_01_30_17 | John Tomasz | 38 Storeybrooke Dr | Water/Sewer Comm | 2/13/2020 |
| • APPT009_01_30_17 | David Zinck | 6 Laurel Rd | Electrical Inspector | 1/31/2018 |

END OF CONSENT AGENDA REGULAR AGENDA

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

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- **COMM010_01_30_17** Election Calendar
Motion to approve by Councillor Zeid, seconded by Councillor Giunta. So voted.
- **COMM012_01_30_17** Frigid Fiver Road Race - 2/5/17
Motion to waive rules, to declare emergency due to the date of the race being February 5th, before the next Council meeting on February 13th, by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (TO). Motion to approve by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (TO). Motion passed.

13. APPOINTMENTS

Second Reading

- **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

Motion to approve collectively by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (TO). Motion passed.

14. ORDERS

- **ORDR002_01_30_17** Odor Control Loan Order #2
Motion to refer to Budget & Finance and Public Utilities by Councillor Tontar, seconded by Councillor Cronin. So voted.

- **ORDR003_01_30_17** Graf Road Pump Station Loan Order
Motion to refer to Budget & Finance and Public Utilities by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **ORDR004_01_30_17** Senior Tax Work Off Program Order
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR005_01_30_17** Human Rights Commission Resolution
Motion to amend by adding that the Council will investigate the steps necessary to become a sanctuary city by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (TO).
Motion to refer, as amended, to General Government and Committee of the Whole by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (TO). Motion passed.

15. ORDINANCES

- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
Motion to refer to License & Permit by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (TO). Motion passed.
- **ODNC001_01_30_17** BYOB Ordinance
Motion to refer to License & Permit by Councillor Cameron, seconded by Councillor Zeid. So voted.

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)
- **TRAN033_12_12_16** General Fund - Free Cash (21,908) to Compensated Absences (21,908)
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.
- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget
- **ORDR001_01_09_17** Newburyport Five Cent Richard A. Eaton Baseball Field \$100,000 Gift Acceptance
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to approve by Councillor Tontar, seconded by Councillor Giunta. So voted.

General Government

In Committee:

Joint Education

Councillor Giunta stated that there would be a meeting on 2/6 at the High School rm. 118 @ 5:30pm

In Committee:

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
- **COMM005_01_09_17** LCA Motors Class II Vehicle License
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **COMM006_01_09_17** State Automotive Class II Vehicle License
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. So voted.

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
- **COMM114_12_12_16** Memo on Master Plan - Work Plan and Appendix XX

Public Safety

Councillor Cronin reported that TSAC is reviewing the order specifying that streets within Newburyport should be posted at 25mph

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **ORDR086_11_28_16** Stop Signs for Chestnut St and Oak 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.
- **ORDR090_12_12_16** Parking Restriction – High St at Ashland St
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.
- **ORDR091_12_12_16** Parking Restriction - Howard St at Chapel St
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. Motion to table by Councillor Eigerman, seconded by Councillor Vogel. So voted.
- **ORDR092_12_12_16** Stop Sign – Howard St at Chapel St

Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Tontar, seconded by Councillor Giunta. Withdrawn. Motion to table by Councillor Vogel, seconded by Councillor Earls. So voted.

- **COMM001_01_09_17** Spring Fever 5K & Family Fun Run

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **COMM009_01_09_17** Pole Hearing 1/30/17 – Willow Ave

Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Cameron.

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

Rules Committee

In Committee:

15. GOOD OF THE ORDER- Go Patriots!!!!!!

16. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Cameron. So voted. 9:10pm.