

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 27, 2017

7:15PM PUBLIC HEARING

- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way
The hearing commenced at 7:15 pm. 10 Councillors present, 1 absent (O'Brien). Councillor Connell presided and asked for anyone to speak in favor or against the proposed name change from Park Circle to Kelleher Way. No one spoke in opposition or in favor. Motion to adjourn at 7:22 pm by Councillor Vogel, seconded by Councillor Cameron. So voted.

7:30PM

Councillor Connell called the meeting to order at 7:30pm. A moment of silence was followed by the Pledge of Allegiance. Councillor Connell then instructed the City Clerk to call the roll. The following Councillors answered present: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, Cronin, Devlin, O'Brien (remote). 11 present, 0 absent.

(Sound Check and Call to Councillor O'Brien)

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

1. Mayor Holaday	6 Parsons St	Chapter 32B
2. Patricia Levitt	34 Oakland St	Chapter 32B
3. Gordon Bowman	8 Applehill Rd, Pbdy	Chapter 32B
4. John Piretti	200 Northern Blvd	Chapter 32B
5. Shawn Flaherty	3 Summit Pl	Chapter 32B
6. Joe Spaulding	6 Bayberry Rd	Chapter 32B
7. Lauren Eramo	49 Kent St	Chapter 32B
8. Joan Sheehan	66 Longfellow Dr	Chapter 32B
9. Boyd Hancock	4 Tilton St	Chapter 32B
10. Sean King	15 Charles St	Chapter 32B
11. Michael Nesson	317 Merrimac St	Chapter 32B
12. Kelly Crowley	50 N Atkinson St	Chapter 32B
13. Michelle MacDougall	36 Bayberry Rd	Chapter 32B
14. Lynne Cote	9 Butler St	Chapter 32B
15. Lisa Christie	196 High St	Chapter 32B
16. Kathy Desilets	196 High St	Chapter 32B
17. Deborah Szabo	14 Atwood St	Chapter 32B
18. Kathleen Cutter	17 Rawson Ave	Chapter 32B
19. Melissa Farmer	2 Foster Ct	Chapter 32B
20. Mike Comora	66 Thompson St	Chapter 32B
21. Jeff Cutter	26 N Atkinson St	Chapter 32B

- 6. MAYOR'S COMMENT**

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

February 16, 2017

(Approve)

8. TRANSFERS

- **TRAN004_02_27_17** K9 Unit Grant 14K, Rsv. Appr. Sale Municipal Property 2K, POL Fuel/Oil Vehicles 23.5K, POL Purchase Cruisers 5.5K to Utility Vehicle Purchase 45K (B&F)
- **TRAN005_02_27_17** Free Cash 25K to Dog Park Project 25K (B&F)

9. COMMUNICATIONS

- **COMM023_02_27_17** Zoning Changes to Waterfront West (P&D) (COW)
Removed from Consent Agenda by Councillor Cronin.

10. APPOINTMENTS

Re-Appointments

- **APPT013_02_27_17** Suzanne Marzi Cameron 17 Oakland St Aff Housing Trust 1/1/2019
- **APPT014_02_27_17** Susanne F. Gallagher 3 Garnet St Brd of Registrars 3/31/2020
- **APPT015_02_27_17** Richard Goulet 19 Kent St ZBA 3/30/2022

APPT013_02_27_17 removed from Consent Agenda by Councillor Cameron.

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Vogel. So voted.

11. MAYOR'S UPDATE

Motion to receive and file by Councillor Cameron, seconded by Councillor Giunta So voted. Roll call 11 yes

COMM023_02_27_17- Zoning Changes to Waterfront West

Motion to refer to Planning & Development and Committee of the Whole by Councillor Zeid, seconded by Councillor Cameron. So voted.

Roll Call vote 9 yes / 2 recused (Councillor Cronin and Councillor Vogel Recused)

APPT013_02_27_17

Motion to approve in one reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 recused (Cameron). Motion passed.

12. APPOINTMENTS

Second Reading

- **APPT010_02_13_17** Steven D. Hines 54 Ferry Rd Spec Police Officer
- **APPT011_02_13_17** Ahmer Ibrahim 85 Prospect St Human Rights Comm 6/1/2018

Re-Appointments

- **APPT012_02_13_17** Paul J. Harrington 251B High St Tree Comm 3/1/2020

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

13. ORDERS

- **ORDR008_02_27_17** Change the Name of Crow Lane to Colby Farm Lane
Motion to refer to Neighborhood & City Services and Public Utilities by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR009_02_27_17** Revolving Fund Spending Limits
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR010_02_27_17** Dog Park Grant Acceptance
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR011_02_27_17** Health Insurance Implementation
Motion to take out of order by Councillor Zeid, seconded by Councillor Cameron. So voted. This Order was acted on after the Consent Agenda. Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. Motion withdrawn. Motion to receive and file by Councillor Cameron, seconded by Councillor Zeid, Roll call vote, 8 yes, 1 present (Vogel), 2 recused (Earls, Eigerman). Motion passed.
- **ORDR012_02_27_17** Update of Rules for Special Events
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.
- **ORDR013_02_27_17** Amend City Council Rules Relating to Bonding Funds
Motion to refer to Rules and Committee of the Whole by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.

14. ORDINANCES

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15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR002_01_25_16** Accept Gift of \$25,000 Repairing Brown's Wharf Culvert (**COW**)
- **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**)
- **ORDR094_12_12_16** Resolution on Funding Capital from Operating Budget
- **COMM013_01_30_17** FY2017 Mid-Year Budget Report
- **ORDR003_01_30_17** Graf Road Pump Station Loan Order (**PU**)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.
- **TRAN002_2_13_17** Mayor's Office - Free Cash, 10K to Maint. Trees
- **TRAN003_2_13_17** Clerk's Office - Free Cash, 5K to Elections & Reg

General Government

In Committee:

- **ORDR005_01_30_17** Human Rights Commission Resolution (**COW**)

Joint Education

In Committee:

Councillor Giunta announced a meeting on March 6th at 5:30pm in Room 118 at Newburyport High School

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman (**COW**)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ORDR079_09_26_16** Movie Location Order (**B&F**)
- **ODNC013_07_11_16** Amend Outdoor Seating (Two Year Renewals)
- **ODNC001_01_30_17** BYOB Ordinance
- **COMM019_02_13_17** Seacoast Taxi, App by Richard Hewlett, 2017
- **COMM020_02_13_17** Port Taxi, App by Harold Congdon, 2017
Motion to remove COMM019_02_13_17 and COMM020_02_13_17 collectively from License & Permit by Councillor Vogel, seconded by Councillor Cameron, Roll call vote, 11 yes. Motion passed.
Motion to approve COMM019_02_13_17 and COMM020_02_13_17 collectively by Councillor Vogel, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

Neighborhoods and City Services

In Committee:

Councillor Connell announced a meeting on March 14th at 7:00pm in the City Council Chamber

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COW**)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM099_10_31_16** Proposed Improvement in Our Scenic Byway
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**PU**)

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
- **COMM014_01_30_17** 30% Garage Design Docs (**COW**)

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM015_02_13_17** Ltr from Charter School re: Flasher Beacons, Low Street
- **COMM016_02_13_17** Ltr from Chamber re: Use of Downtown Streets

- **COMM018_02_13_17** Chocolate Tour, Central Cong, May 20, 2017

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR003_01_30_17** Graf Road Pump Station Loan Order (**B&F**)
Motion to receive and file by Councillor Eigerman, seconded by Councillor Giunta. So voted.
- **ORDR006_2_13_17** TW Excavating & Dev, Newbury, Licensed Contractor
- **ORDR007_02_13_17** Change the Name of Park Circle to Kelleher Way (**NCS**)

Rules Committee

In Committee:

16. GOOD OF THE ORDER

Councillor Zeid gave a reminder about the upcoming meeting at PITA Hall on March 2nd at 6:30pm. Councillor Vogel commented about the amount of paper used in the City Council packets and asked that other Councillors consider using a binder to collect their agenda items rather than the same being copied multiple times.

17. EXECUTIVE SESSION

Motion to go in to Executive Session by Councillor Vogel, seconded by Councillor Eigerman for the purpose of discussing strategy with respect to possible litigation. Councillor Connell stated that the Council would not come back into regular session. Roll call vote, 10 yes, 1 absent (O'Brien) Note: Councillor O'Brien left the meeting at this time. Motion passed. 9:25 pm

18. ADJOURNMENT

Motion to adjourn by Councillor Eigerman seconded by Councillor Cronin, roll call vote, 10 Y, 1 A 10:30 pm