

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
APRIL 24, 2017

7:30PM

The City Clerk hand delivered notice of a Special Council Meeting to be held on Thursday, April 27th, at 6:00pm. The City Council President called the meeting to order at 7:30pm. A moment of silence was held for Mary Ellen Clarkson, Leonidas Chetsas, Thomas Smolski ___, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Zeid, Cameron, Connell, Cronin, Earls, Eigerman, Giunta, Tontar, OBrien. 10 present, (Devlin).8:10 PM

(Sound Check)

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

1. Ahmer Ibrahim	85 Prospect St	HRC Statement
2. John Harwood	66 Church St	HRC Statement
3. David St. Cyr	25 Tyng St	NRA
4. Owen Davis	8 Warren St	Education
5. Luke Nelson	25 Harding Ave	HRC Statement
6. Rob Germinara	2 Ashland St	NRA

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

April 10, 2017

(Approve)

8. TRANSFERS

- **TRAN021_04_24_17** General Fund \$20K to Ins FICA Payroll Taxes \$20K (B&F)
- **TRAN022_04_24_17** PI Utility Fund \$2,030,765 to PI Hydrant Replacement 1.9M, SEW Municipal Insurance \$130,765 (B&F, PU)
- **TRAN023_04_24_17** General Fund \$15,735.83, Wtr Retained Earnings 7,224.95, Swr Retained Earnings 3,945.12 to Retire Approp \$26,905.90 (B&F, PU)

9. COMMUNICATIONS

- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events
Removed from Consent Agenda by Councillor Vogel. Motion to receive and file by Councillor Vogel, seconded by Councillor Earls. Withdrawn. Motion to refer to Public Safety and Neighborhood & City Services by Councillor Vogel, seconded by Councillor Zeid. So voted.
- **COMM049_04_24_17** Coast to the Cure Bike Ride - 9/9/17 (PS)

10. APPOINTMENTS

- **APPT032_04_24_17** David St. Cyr 25 Tyng St NRA 4/1/2018

Re-Appointments

- **APPT033_04_24_17** Kevin Hunt 14 10th St Veterans Agent 4/1/2018
- **APPT034_04_24_17** Barry J. McBride 5 Pine St Asst Wiring Inspector 5/1/2018

END OF CONSENT AGENDA REGULAR AGENDA

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

11. MAYOR'S UPDATE

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

12. APPOINTMENTS

Second Reading

- **APPT031_04_10_17** Sean Bradley 31 Wildwood Dr Waterfront Trust 12/31/2017

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

13. ORDERS

- **ORDR018_04_24_17** Parking License between the City and the USPS
Motion to refer to Planning & Development and Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.
- **ORDR019_04_24_17** Stop Signs at Temple and Fair
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.
- **ORDR020_04_24_17** No Parking, Plum Island Turnpike, Right Turning Lane
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **ORDR021_04_24_17** Bond Premium Order
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR022EP_04_24_17** Resolution Recognizing NHS 2017 Valedictorian and Salutatorian
Motion to approve the emergency preamble by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ORDR022_04_24_17** Resolution Recognizing NHS 2017 Valedictorian and Salutatorian
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.

14. ORDINANCES

- **NONE**

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**)
- **TRAN005_02_27_17** Free Cash 25K to Dog Park Project 25K
- **ORDR010_02_27_17** Dog Park Grant Acceptance
- **COMM031_03_28_17** FY17-FY21 Capital Improvement Program Submission (**COW**)
- **COMM032_03_28_17** Line Items Reduced in FY17 Adopted Budget
- **TRAN012_04_10_17** Sewer Ret. Earn. 66,625.19, CIP WWTF Fence 12,358.05, CIP WWTF Improvements 11,016.76 to Pump&Valve Replacements 90K (**PU**)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor Eigerman. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **TRAN013_04_10_17** Rsv Appr I/I Fees 250K to Sewer & Manhole 250K (**PU**)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Vogel.
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **TRAN014_04_10_17** Water Ret. Earn. 115K to WTP Sump Pump Repair 50K, Artichoke Pump Station Roof Repairs 25K, Sludge Removal in Lagoons 40K (**PU**)
Motion to remove from Budget & Finance and Public Utilities collectively by Councillor Tontar, seconded by Councillor Eigerman. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN015_04_10_17** Free Cash 45K to Medicare Part B Reimbursement 45K
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.
- **TRAN016_04_10_17** Free Cash 46,830 to Purchase of Pickup w/ Plow 46,830
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Connell.
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.
- **COMM041_04_10_17** Annual Audit of FY16 Financial Statements
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN018_04_10_17** Multiple Accounts \$300K to Nock/Molin Parking Lot Repairs \$300K
- **TRAN019_04_10_17** Multiple Accounts \$88.5K to Communication System \$88.5K
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.
- **TRAN020_04_10_17** Multiple Accounts \$52.5K to Information Technology Hardware \$52.5K
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:

- **ORDR005_01_30_17** Human Rights Commission Resolution (**COW**)
Motion to remove from General Government and Committee of the Whole by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **APPT025_03_13_17** Leah McGavern | 21 Marlboro St | Planning Board | 5/31/2022 (**P&D**)
Motion to waive the rules, by Councillor Cameron, seconded by Councillor Vogel. So voted. Motion to remove from General Government and Planning & Development collectively by Councillor Vogel,

seconded by Councillor Cameron. So voted. Motion to approve by Councillor Cameron, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.

- **APPT027_03_13_17** Bonnie Sontag | 10 Upland Rd | Planning Board | 5/31/2022 **(P&D)**
- **ORDR016_04_10_17** Extension of Intermunicipal Agreement for Shared Animal Control

Joint Education

In Committee:

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **ODNC011_05_31_16** Amend Transient Vendors for Cashman **(COW)**
- **ORDR079_09_26_16** Movie Location Order **(B&F)**
- **ODNC001_01_30_17** BYOB Ordinance
- **COMM028_03_13_17 LATE FILE** Ltr from Smitten LLC re: A-Frames
- **COMM0042_04_10_17** Outdoor Seating Application - Harbor Creamery
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 **(COW)**
- **ORDR048_06_13_16** Sidewalk Order

Planning & Development

In Committee:

- **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
- **COMM023_02_27_17** Zoning Changes to Waterfront West **(COW)**
- **COMM024_03_13_17** Newburyport's Master Plan - Final Document **(COW)**
- **APPT025_03_13_17** Leah McGavern | 21 Marlboro St | Planning Board | 5/31/2022 **(GG)**
- **APPT027_03_13_17** Bonnie Sontag | 10 Upland Rd | Planning Board | 5/31/2022 **(GG)**
- **COMM030_03_28_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM034_03_28_17** Evergreen Special Permit Issued by Planning Board
- **COMM035_03_28_17** Rules of Professional Conduct Rule 3.9
- **COMM038_03_28_17** Lower Custom House Way
- **ORDR015_04_10_17** Complete Streets Policy **(PU)**
- **ODNC003_04_10_17** Zoning Amendment - Hardship for Variances
- **ODNC004_04_10_17** Zoning Amendment - Zoning Administrator

Public Safety

In Committee:

- **ODNC015_08_29_16** 25 MPH Speed Zones
- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way

- **ORDR012_02_27_17** Update of Rules for Special Events
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron. So voted.
Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM036_03_28_17** Unicorn Street Block Party - 6/3/2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to receive and file by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **COMM037_03_28_17** 7th Annual GNOCA 5K Walk - 9/24/17
- **COMM044_04_10_17** PMC Greater Newburyport Kids' Ride - 6/11/17
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.
- **COMM045_04_10_17** Flag Day 5K - 6/10/17
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.
- **COMM046_04_10_17** 60th Yankee Homecoming - 7/29-8/6

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ODNC002_03_28_17** Amend Sec 2 – 368, 14 – 32, Water and Sewer Board
- **TRAN012_04_10_17** Sewer Ret. Earn. 66,625.19, CIP WWTF Fence 12,358.05, CIP WWTF Improvements 11,016.76 to Pump&Valve Replacements 90K **(B&F)**
- **TRAN013_04_10_17** Rsv Appr I/I Fees 250K to Sewer & Manhole 250K **(B&F)**
- **TRAN014_04_10_17** Water Ret. Earn. 115K to WTP Sump Pump Repair 50K, Artichoke Pump Station Roof Repairs 25K, Sludge Removal in Lagoons 40K **(B&F)**
- **ORDR015_04_10_17** Complete Streets Policy **(P&D)**

Rules Committee

In Committee:

- **ORDR013_02_27_17** Amend City Council Rules Relating to Bonding Funds **(COW)**

16. GOOD OF THE ORDER

Councillor Zeid- stated there would be a Plum Island Meeting Thursday, May 4, 2017 6 pm Pita Hall agenda: beach access and improvement

Councillor Tontar- stated there would be a hearing as required by the Charter on the Capital Improvement Program on May 8, 2017 at 07:15pm

Councillor Eigerman - stated there would be a Human Rights / Peace Awards nights on Wednesday, April 26th at 6:30 pm in the City Hall Auditorium

President O'Brien – Appointed the following Councillors to the Human Rights Adhoc Committee: Councillor Cameron, Councillor Eigerman and Councillor Vogel

17. EXECUTIVE SESSION

18. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Tontar. So voted. 8:50pm.