

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
JULY 10, 2017

7:30PM

The City Council President called the meeting to order at 7:30pm and led the Council in the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Cronin, OBrien. 9 present, 2 absent (Connell, Devlin).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update; Description of Public Benefit, Preservation Restriction Agreement as it relates to CPC Project #4

The Clerk noted there was a notice of a special City Council meeting, to be held on Thursday, July 13th, at 6:30pm in the Council Chamber, given to the councillors.

5. PUBLIC COMMENT

Motion to waive the rules, to allow Stephen Comley, Sr. to speak, by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 6 yes, 3 no (Eigerman, Vogel, OBrien), 2 absent (Connell, Devlin). Motion passed.

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|------------------------|------------------|--------------|
| 1. Stephen Comley, Sr. | | WTP Letter |
| 2. Amantha Moore | 10 N Atkinson St | CPA |
| 3. Jennie Donahue | 18 Cherry St | March's Hill |
| 4. Kim Turner | 27 High St | March's Hill |

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

June 26, 2017

(Approve)

8. TRANSFERS

- **TRAN040_07_10_17** Revisions to March's Hill Pathway Connecting to Rail Trail
Councillor Cronin removed from the Consent Agenda. Motion to refer to Budget & Finance by Councillor Cronin, seconded by Councillor Cameron. So voted.

9. COMMUNICATIONS

- **COMM084_07_10_17** Whittier Regional VoTech 2017-18 Assessment (R&F)
- **COMM085_07_10_17** A-Frames - Wellsco Realty (L&P)
- **COMM086_07_10_17** A-Frames – Plum Island Coffee Roasters (L&P)
- **COMM087_07_10_17** Walk Against Domestic Violence - 10/1/17 (PS)
- **COMM088_07_10_17** Newburyport Half Marathon - 10/22/17 (PS)

- **COMM089_07_10_17** Merrimack River Feline Rescue Society 25th Anniversary - 9/23/17 (PS)

10. APPOINTMENTS

- **APPT049_07_10_17** Sandy Friede 44 Ferry Rd Water/Sewer Comm 8/1/2022

END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. 8 yes, 1 present (Vogel). Motion passed.

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- **COMM079EP_07_10_17** Emergency Preamble - A-Frames - Greetings by Design
Motion to approve by Councillor Vogel, seconded by Councillor Earls. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed.
- **COMM079_06_26_17** A-Frames - Greetings by Design
Motion to approve, at 1 Water Street, by Councillor Earls, seconded by Councillor Cameron. So voted.
- **COMM083EP_07_10_17** Emergency Preamble - Block Party - Congress/Buck/Olive 8/5/17
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed.
- **COMM083_07_10_17** Block Party - Congress/Buck/Olive 8/5/17
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.

13. APPOINTMENTS

Second Reading Re-Appointments

- **APPT048_06_26_17** Kimberley Logue 18 Woodman Way #3 Housing Authority 5/1/2022
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 8 yes, 1 present (OBrien), 2 absent (Connell, Devlin). Motion passed.

14. ORDERS

- **ORDR042_07_10_17** Stop Sign - Independent St at Water St
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Cameron. So voted.
- **ORDR043_07_10_17** Order of Taking - West End Sewer Access Road Project
Motion to refer to Planning & Development and Public Utilities by Councillor Zeid, seconded by Councillor Cameron. So voted.

15. ORDINANCES

- NONE

15. 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**)
- **TRAN005_02_27_17** Free Cash 25K to Dog Park Project 25K
- **ORDR010_02_27_17** Dog Park Grant Acceptance
- **COMM032_03_28_17** Line Items Reduced in FY17 Adopted Budget
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN022_04_24_17** PI Utility Fund \$1.9M to PI Hydrant Replacement \$1.9M (**PU**)
- **ORDR032_06_12_17** Nock Parking Lot Order
- **TRAN037_06_26_17** Hwy Sal Labor \$40K, Hwy Sal Facilities Maint \$7K to Hwy Streetlight Electricity \$47K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **TRAN038_06_26_17** School Expenses \$42K to School Lunch \$42K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN039_06_26_17** FY18 Gen Budget Conting \$20,876 to Pol Sal Officers \$20,876
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR041_06_26_17** CPC FY2018 Recommended Appropriations (**COTW**)
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Giunta. Motion to exclude Projects #3 and #18 by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to amend Project #4 to include Public Benefit and Preservation Restriction Agreement by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to amend Project #11, that all design monies associated with any work should be for the City of Newburyport portion and not outside the city, by Councillor Cronin, seconded by Councillor Eigerman. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to approve as amended by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (Connell, Devlin). Motion passed. Motion to approve Projects #3 and #18 by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 8 yes, 1 recused (Cameron), 2 absent (Connell, Devlin). Motion passed.

General Government

In Committee:

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Joint Education

Councillor Giunta announced the next meeting will be held August 7th at 5:30pm in Room 118 at Newburyport High School.

In Committee:

License & Permits

In Committee:

- **COMM010_01_25_16** Licensing Commission Acoustic & Amplified Entertainment
- **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
- **COMM079_06_26_17** A-Frames - Greetings by Design
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Tontar. So voted. Motion to receive and file by Councillor Vogel, seconded by Councillor Tontar. So voted.

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COTW**)
- **ORDR048_06_13_16** Sidewalk Order
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM080_06_26_17** Ltr re: Dedication of Public Space to Recognize Citizens

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**)
- **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 (**COTW**)
- **COMM024_03_13_17** Newburyport's Master Plan - Final Document (**COTW**)
- **COMM030_03_28_17** Pres. Trust Ltr to City Council re: 1690 House
- **COMM034_03_28_17** Evergreen Special Permit Issued by Planning Board
- **COMM038_03_28_17** Lower Custom House Way
- **ORDR015_04_10_17** Complete Streets Policy (**PU**)
- **COMM069_06_12_17** Air Quality Analysis of Intermodal Facility
- **ODNC007_06_12_17** Zoning Amendment - I2 Zone Change
- **ODNC008_06_26_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC009_06_26_17** Zoning Amendment – Ag/Con District, Lot Area/Lot Cov (**COTW**)
- **ODNC010_06_26_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011_06_26_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)

Public Safety

In Committee:

- **ORDR077_09_12_16** Parking Restricted on Daniel Lucy Way
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**N&CS**)
- **COMM081_06_26_17** Fill the Boot for Muscular Dystrophy Assoc. - 8/3-5, 2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.
Motion to approve by Councillor Cronin, seconded by Councillor Zeid. So voted.
- **COMM082_06_26_17** Bed Race - 8/3/2017
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. So voted.
Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)

- **TRAN022_04_24_17** PI Utility Fund \$1.9M to PI Hydrant Replacement \$1.9M (**B&F**)
- **ORDR037_06_12_17** Contractor Application - Northern Drill Services
Motion to remove ORDR037_06_12_17, ORDR038_06_12_17, ORDR039_06_26_17, and ORDR040_06_26_17, collectively, from Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to waive the rules regarding Committee Items by Councillor Zeid, seconded by Councillor Tontar. So voted. Motion to approve ORDR037_06_12_17, ORDR038_06_12_17, ORDR039_06_26_17, and ORDR040_06_26_17, collectively, by Councillor Eigerman, seconded by Councillor Zeid. So voted.
- **ORDR038_06_12_17** Contractor Application - Brennan Construction, Inc.
- **ORDR039_06_26_17** New England Paving, LLC, Lic Contractor
- **ORDR040_06_26_17** Tim Zanelli Excavating, LLC, Lic Contractor

Rules Committee

In Committee:

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

16. GOOD OF THE ORDER

Councillor Zeid gave an update on the Plum Island grant for the mats to create an accessible path to the ocean. Councillor Cameron wished a happy birthday to Councillor Giunta and Councillor Vogel.

17. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Tontar. So voted. 8:45pm.