

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
SEPTEMBER 25, 2017

7:15PM

Pole Hearing – 54th Street

The hearing opened at 7:21pm. 11 councillors present. John Butler from National Grid spoke in favor. Motion to approve by Councillor Connell, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed. The hearing closed at 7:26pm.

7:30PM

The City Council President called the meeting to order at 7:30pm. A moment of silence was held for the victims of hurricane Maria and Irma. Also remembered was Jason Rock, brother-in-law of firefighter Jeff Cutter. The Council President 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: Zeid, Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, OBrien. 11 present.

(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. Lisa Mead	30 Green St	I2 Zone Change
2. Matthew Pieniazek	36 Marlboro St	WFT Appt
3. Steve Comley, Sr.	Rowley	NRC Letter
4. Tania Hartford	22 Jackson St	Planning Board Appt
5. Jane Snow	9 Coffin St	I2 Zone Change
6. Rob Germinara	2 Ashland St	I2 Zone Change

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

September 11, 2017

(Approve)

September 18, 2017

(Approve)

8. TRANSFERS

- **TRAN043_09_25_17** Gen Budget Contingency \$55336 to Pol Sal Officers \$55336 (B&F)

9. COMMUNICATIONS

- **NONE**

10. APPOINTMENTS

**END OF CONSENT AGENDA
REGULAR AGENDA**

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

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- **COMM110_09_25_17** Table for Bake Sale Fundraiser (re-file) - 10/9
Motion to suspend the rules and approve in one reading by Councillor Earls, seconded by Councillor Cameron. So voted.

13. APPOINTMENTS

Second Reading

- | | | | | |
|---------------------------|----------------------|----------------|------------------|------------|
| • APPT054_09_11_17 | Cynthia Kowal | 76 Prospect St | Cultural Council | 10/1/2020 |
| • APPT055_09_11_17 | Susan Williamson | 39 Temple St | Cultural Council | 6/1/2020 |
| • APPT056_09_11_17 | Matthew D. Pieniazek | 36 Marlboro St | Waterfront Trust | 12/31/2019 |

Re-Appointments

- | | | | | |
|---------------------------|----------------|---------------------|------------------|-----------|
| • APPT057_09_11_17 | Janice Kelley | 24 Dorothy Lucey Dr | Council/Aging | 5/31/2022 |
| • APPT058_09_11_17 | Jo Ann Kincaid | 17 Otis Pl #2 | Council/Aging | 5/31/2022 |
| • APPT059_09_11_17 | Fran Munroe | 7 Christopher St | Council/Aging | 5/31/2022 |
| • APPT060_09_11_17 | Judy Avery | 54 Milk St | Cultural Council | 6/1/2020 |

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

14. ORDERS

- NONE

15. ORDINANCES

- **ODNC014_09_25_17** No Smoking at Certain Municipal Facilities
Motion to refer to Neighborhood & City Services and Committee of the Whole by Councillor Eigerman, seconded by Councillor Cameron. Councillor Cronin asked that all playgrounds be looked at. So voted

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**)
- **ORDR032_06_12_17** Nock Parking Lot Order

General Government

In Committee:

Joint Education

In Committee:

Councillor Giunta announced there will be a Joint Education Sub-Committee of the School Committee and City Council on Monday, October 2nd at 5:30pm in the Senior/Community Center.

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
- **COMM091_08_14_17** A-Frames - Star Nails
- **COMM109_09_11_17** A-Frames - Ivy Lane

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
- **COMM090_08_14_17** Ltr re: Parking Garage

Planning & Development

In Committee:

- **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
- **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
Motion to remove from Planning & Development by Councillor Connell, seconded by Councillor Giunta. Motion to amend to special permit by Planning Board by Councillor Eigerman, seconded by Councillor Cronin. Roll call vote, 4 yes, 7 no (Zeid, Cameron, Connell, Devlin, Earls, Tontar, Vogel). Motion failed. Motion to approve by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 7 yes, 4 no (Cronin, Eigerman, Giunta, OBrien). Motion failed. Three-minute recess. Motion to reconsider by Councillor Giunta, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 no (OBrien). Motion passed. Motion to amend to special permit by Planning Board by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 8 yes, 3 no (Cameron, Connell, Vogel). Motion passed. Motion to approve as amended by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 no (Vogel). Motion passed.
- **ODNC008_06_26_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC010_06_26_17** Zoning Amendment – Zoning Map, R-2, Dimensional Controls (**COTW**)
- **ODNC011_06_26_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**PU, COTW**)
- **ODNC012_09_11_17** Zoning Amendment – Off-Street Parking Regulations (**COTW**)
- **ODNC013_09_11_17** Zoning – High Street Residential Districts (**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**)
- **COMM095_08_14_17** Newburyport River Run - 5/6/18
- **COMM102_08_28_17** Ltr re: Request for Public Hearing on Evacuation Plan
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted (1 no, Vogel). Motion passed.
- **ORDR051_09_11_17** Handicapped Parking Space - 29 Tyng St
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **ORDR052_09_11_17** Handicapped Parking Space - 53 Washington St
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Tontar. Motion to approve by Councillor Cronin, seconded by Councillor Tontar. So voted.
- **ORDR053_09_11_17** No Parking - Malcolm Hoyt Drive
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Giunta. So voted.

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)
- **ORDR048_08_14_17** Scott Blood Excavation, LLC, Lic Contractor
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**P&D, COTW**)

Rules Committee

In Committee:

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

16. GOOD OF THE ORDER

Councillor Zeid mentioned that there would be meeting on Thursday, September 28, 2017 to discuss the rail trail.

Councillor Cameron mentioned that on Thursday, September 28, 2017 there will be a meeting on the Affordable Housing Trust and it will be his wedding anniversary – he is looking forward to spending it with many of his colleagues.

Race Withdrawal – Councillor Cameron explained his withdrawal from the Council race and thanked his colleagues on the Council for their hard work, wisdom and friendship over the years. He received a standing ovation.

17. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 8:47pm.