

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
OCTOBER 10, 2017

7:15PM

Pole Hearing – High Street

The hearing opened at 7:16pm. 8 councillors present, 3 absent (Devlin, Giunta, Zeid). John Butler from National Grid spoke in favor. Motion to approve by Councillor Connell, seconded by Councillor Tontar. Roll call vote, 8 yes, 3 absent (Devlin, Giunta, Zeid). Motion passed. Motion to close by Councillor Tontar, seconded by Councillor Cameron. So voted. 7:21pm.

7:30PM

The City Council President called the meeting to order at 7:30pm. A moment of silence was held for the victims of the shooting in Las Vegas and Louis Remigio. 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: Cameron, Connell, Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, OBrien. 11 present.

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS Mayor's Update, Agenda version 2, Zoning Map Change – Proposed (Corrected), Amended ODNC011_06_26_17**

5. PUBLIC COMMENT

- | | | |
|-------------------|---------------|-------------------------|
| 1. Tom Kolterjahn | 64 Federal St | Zoning Amendments |
| 2. Rita Mihalek | 53 Warren St | Zoning Amendments |
| 3. Jennie Donahue | 18 Cherry St | Special Event Ordinance |
| 4. Judy Tymon | 39 Lime St | Zoning Amendments |

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 25, 2017

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- **COMM112_10_10_17** Walk MS: Newburyport – 4/28/2018 (PS)

10. APPOINTMENTS

- **APPT062_10_10_17** Harrison L. Whitney, Jr. 23 Low St, Newbury Spec Pol Officer N/A

**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

- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen
(Additional photos on file in Clerk's office)

Removed from Consent Agenda by Councillor Giunta. Motion to refer to Neighborhood & City Services by Councillor Giunta, seconded by Councillor Cameron. So voted.

13. APPOINTMENTS

Second Reading

- **APPT061_09_25_17** Tania Hartford 22 Jackson St Planning Board 1/31/2019
Motion to approve second reading appointment by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

14. ORDERS

- **ORDR054_10_10_17** Stop Intersection - Marlboro and High Street
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **ORDR055_10_10_17** No Parking - 59th Street
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.

15. ORDINANCES

- **ODNC007_06_12_17** Zoning Amendment - I2 Zone Change (**2nd Reading**)
Motion to approve second reading by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.
- **ODNC015_10_10_17** Amend Sec. 12-1.3 Signs in Public Ways
Motion to refer to Public Utilities and Committee of the Whole by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **ODNC016_10_10_17** Update Rules for Special Events
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Tontar. 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
- **TRAN043_09_25_17** Gen Budget Contingency \$55336 to Pol Sal Officers \$55336
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Cameron.
Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.

General Government

In Committee:

Joint Education

In Committee:

Councillor Giunta gave an update on the meeting held on 10/2 regarding the superintendent search and the possibility of increasing instructional hours at the middle school.

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
- **ODNC014_09_25_17** No Smoking at Certain Municipal Facilities (**COTW**)

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
- **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**)
Motion to remove from Planning & Development and Committee of the Whole by Councillor Cameron, seconded by Councillor Tontar. Motion to approve, with amendments: 1. Map entitled “Zoning Map Change – Proposed (Corrected), 2. Map dated July 25, 2017, 3. Change bound from Bromfield Street to Marlboro Street, 4. Delete any changes to Section VI-A – General Regulations, by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.
- **ODNC011_06_26_17** Zoning Amendment – Inclusionary Affordable Housing (**COTW**)
Motion to remove from Planning & Development and Committee of the Whole by Councillor Cameron, seconded by Councillor Tontar. Motion to approve as amended by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 11 yes. Motion passed.
- **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

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
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Tontar.
Motion to approve by Councillor Eigerman, seconded by Councillor Connell. So voted.
- **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 Cameron gave an update on a meeting of the Planning Board, Affordable Housing Trust, and Merrimack Valley Planning Council at the library about demographic and population projections. Councillor Tontar thanked the many volunteers for their work on Bartlett Mall Day on October 7th.

17. EXECUTIVE SESSION – *To Discuss the Minutes and possible release thereof relating to four Executive Sessions called to discuss the Purchase and Sale Agreement for the Intermodal Transit and Parking Facility located at 90 Pleasant Street and 83 Merrimack Street in Newburyport. The four meetings referenced were held on April 10, 2017, January 9, 2017, December 12, 2016, and October 31, 2016.*

Motion to go into Executive Session, for the purpose of discussing the purchase of real estate and associated minutes GL chapter 39 Section 23B #6, by Councillor Tontar, seconded by Councillor Cameron. Motion to table by Councillor Cronin, seconded by Councillor Earls. Roll call vote, 7 yes, 4 no (Devlin, Eigerman, Giunta, Zeid). Motion passed.

18. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 9:03pm.