

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
NOVEMBER 13, 2017

7:15PM

Tax Classification Hearing

The hearing opened at 7:15pm. 11 Councillors present. Grace Connolly and Jill Brennan spoke in favor. No vote was taken. The hearing closed at 7:24pm.

7:30PM

The City Council President called the meeting to order at 7:30pm. A moment of silence was held for Ray Brooks, retired firefighter, and Sandy Siemasko, Lt. Richard Siemasko's mother. 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: Cronin, Devlin, Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, OBrien. 11 present.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update, ORDR055_10_10_17, COMM113_10_30_17

Motion to waive the rules, to allow late files, by Councillor Zeid, seconded by Councillor Cameron. So voted.

5. PUBLIC COMMENT

1. Stephanie Niketic

93 High St

Towle Building

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

October 30, 2017

(Approve)

8. TRANSFERS

- **TRAN044_11_13_17** Free Cash \$20K to High School Roof Repairs \$20K (B&F)
- **TRAN045_11_13_17** Free Cash \$35K to Rail Trail Phase 2 Capital Project \$35K (B&F)
- **TRAN046_11_13_17** Free Cash \$373,762 to General Fund Budget Reserve \$373,762 (B&F)
- **TRAN047_11_13_17** Free Cash \$300K to Roadway Reconstruction Program \$300K (B&F)

9. COMMUNICATIONS

- **COMM116_11_13_17** Retirement Board Expense Budget CY2018 (R&F)
Changed from Budget & Finance at request of Councillor OBrien
- **COMM117_11_13_17** Ltr re: Morrill Foundation Funding Directive (B&F)
- **COMM118_11_13_17** Plum Fest - 5/19/2018 (R&F)
- **COMM119_11_13_17** Ltr re: Towle Project / Samuel Morse House (P&D)

10. APPOINTMENTS

- NONE

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. APPOINTMENTS

Second Reading

- | | | | | | |
|---|------------------|-----------------|----------------------------|-------------------|----------|
| • | APPT063_10_30_17 | Karina Moltz | 15 Summit Pl | Disabilities Comm | 11/30/20 |
| • | APPT064_10_30_17 | Lisa Rowan | 17 Boardman St | Disabilities Comm | 11/1/20 |
| • | APPT065_10_30_17 | Keith R. Carter | 13 Monarch Wy, Kingston NH | Spec Pol Officer | N/A |

Re-Appointments

- | | | | | | |
|---|------------------|-------------------|--------------------|-----------|----------|
| • | APPT066_10_30_17 | Crispin S. Miller | 1 Parker Ridge Way | Tree Comm | 11/1/20 |
| • | APPT067_10_30_17 | Constance Preston | 18 Atwood St | Tree Comm | 11/30/20 |

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

13. ORDERS

- **ORDR059_11_13_17** Order Authorizing Acceptance of Samuel Morse ("1690") House
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Giunta. So voted.
- **ORDR060_11_13_17** Order Authorizing Acceptance of Towle Building
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR061_11_13_17** Home Rule Petition re: Special Election to Accept Clause 41C1-2
Councillor Tontar added as sponsor. Motion to refer to Budget & Finance and Committee of the Whole by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **ORDR062_11_13_17** Residential Factor FY2018
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR063_11_13_17** Tax Rate FY2018
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR064_11_13_17** Newburyport Parks Conservancy Gift Acceptance \$1689.77
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.
- **ORDR065_11_13_17** Senior Tax Work-Off Income Limit
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Cameron. So voted.

14. ORDINANCES

- **ODNC013_09_11_17** Zoning – High Street Residential Districts (**2nd Reading**)
Motion to approve by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 recused (Eigerman). Motion passed.
- **ODNC014_09_25_17** No Smoking at Certain Municipal Facilities (**2nd Reading**)
Motion to approve by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 11 yes. Motion passed.
- **ODNC016_10_10_17** Update Rules for Special Events (**2nd Reading**)
Motion to approve by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.

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
- **ORDR057_10_30_17** Parks Gift Acceptance
Motion to remove from Budget & Finance (Comm vote 3-0) by Councillor Tontar, seconded by Councillor Giunta. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.

General Government

In Committee:

Joint Education

In Committee:

Councillor Giunta reported that the superintendent search has received 40 applicants, and also discussed the bus contracts.

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
Motion to remove from License & Permit (Comm vote 2-1) by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. Withdrawn. Motion to refer to License & Permit by Councillor Zeid, seconded by Councillor Vogel. So voted.
- **COMM109_09_11_17** A-Frames - Ivy Lane
Motion to remove from License & Permit (Comm vote 3-0) by Councillor Vogel, seconded by Councillor Zeid. Motion to approve by Councillor Vogel, seconded by Councillor Zeid. So voted, 1 no (Eigerman).
- **COMM114_10_30_17** A-Frames - Metzy's Cantina
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Zeid. Motion to approve at corner of Boston Way and Parker Street (Comm vote 3-0) by Councillor Vogel, seconded by Councillor Zeid. So voted, 1 no (Connell). Motion to approve at Scotland Road and Parker Street (Comm vote 2-1) by Councillor Vogel, seconded by Councillor Zeid. 8 yes, 3 no (Connell, Earls, Eigerman). Motion passed.

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**)
- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen

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**)
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**PU, COTW**)
- **ODNC012_09_11_17** Zoning Amendment – Off-Street Parking Regulations (**COTW**)
- **COMM115_10_30_17 LATE FILE** Memo re: Proposed Zoning Amendments on Council Agenda
- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
- **ODNC018_10_30_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (**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**)
- **COMM112_10_10_17** Walk MS: Newburyport – 4/28/2018
- **ORDR055_10_10_17** No Parking - 59th Street
- **COMM113_10_30_17** Harborside Half Marathon - 11/19/2017
Motion to remove from Public Safety (Comm vote 3-0) by Councillor Cronin, seconded by Councillor Cameron. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. So voted.

Public Utilities

In Committee:

- **COMM060_05_31_16** Mobilitie, LLC Highway Access Permit
- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)
- **ORDR047_08_14_17** Pilot Program for Wayfinding Signage (**P&D, COTW**)
- **ODNC015_10_10_17** Amend Sec. 12-1.3 Signs in Public Ways (**COTW**)
- **ORDR056_10_30_17** Swazy Alexander Landscaping, LLC - Lic Contractor
Motion to remove from Public Utilities by Councillor Eigerman, seconded by Councillor Zeid. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. So voted.

Rules Committee

In Committee:

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

16. GOOD OF THE ORDER

It was reported that the Beacon Coalition would meet at Blue Ocean in Salisbury on December 1st. The Clerk commented that the poll workers and the Clerk's office were once again very professional and worked tirelessly during a long day in which just over 7000 votes were cast.

17. TABLED – 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 Merrimac 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 remove from the table by Councillor Tontar, seconded by Councillor Vogel. Motion to table by Councillor Vogel, seconded by Councillor Cameron. So voted.

18. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Vogel. So voted. 8:28pm.