

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
DECEMBER 11, 2017

7:30PM

The City Council President called the meeting to order at 7:30pm. 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: Earls, Eigerman, Giunta, Tontar, Vogel, Zeid, Cameron, Connell, Cronin, OBrien. 10 present, 1 absent (Devlin).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS Mayor's Update, COMM125EP_12_11_17, COMM127_12_11_17

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

5. PUBLIC COMMENT

1. Rick Taintor	10 Dexter St	Complete Streets
2. David Strand	10 Railroad St	Off Street Parking
3. Sheila Taintor	10 Dexter St	Complete Streets
4. Judy Tymon	39 Lime St	Complete Streets
5. Jane Snow	9 Coffin St	Happy Holiday Wish

6. MAYOR'S COMMENT

The mayor gave an update pursuant to her written communication, and also read a proclamation declaring December 11th as Firehouse Thrives! Day.

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

November 27, 2017

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- NONE

10. APPOINTMENTS

- NONE

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve the Consent Agenda as amended, that Clerk would review status of Complete Streets Policy, by Councillor Cameron, seconded by Councillor Connell. So voted.

11. MAYOR'S UPDATE

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

12. TRANSFERS

- **TRAN049EP_12_11_17** Emergency Preamble Nock Elevator Modernization Project
Motion to waive the rules and approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Zeid), 1 absent (Devlin). Motion passed.
- **TRAN049_12_11_17** Bres Schl Bldg Proj \$132,446.96, Nock/Molin Schl Bldg Proj \$31,263.04 to Nock Elevator Proj \$163,710
Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Zeid), 1 absent (Devlin). Motion passed.

13. COMMUNICATIONS

- **COMM124_12_11_17** PERAC Memo - Appropriation for FY2019
Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. So voted.
- **COMM125EP_12_11_17 LATE FILE** Emergency Preamble – Plum Autoworks, Inc.
Motion to approve by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **COMM125_12_11_17** Plum Autoworks, Inc. - Class II Vehicle License
Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.
- **COMM126_12_11_17** Newburyport Rotary Frigid Fiver - 1/28/2018
Motion to refer to Public Safety and to the next Council session per Rule 7C, with condition that insurance binder filed, by Councillor Tontar, seconded by Councillor Zeid. 2 no (OBrien, Vogel), 1 absent (Devlin). So voted.
- **COMM127_12_11_17 LATE FILE** Snow & Ice Plan 2017-2018
Motion to refer to Public Safety and to the next Council session per Rule 7C by Councillor Cronin, seconded by Councillor Zeid. So voted.

14. APPOINTMENTS

Second Reading				
•	APPT068_11_27_17	Joe Lamb	14 Russia St	Community Pres Comm 1/1/20
•	APPT069_11_27_17	Joseph A. Sederquist	2 Wightman Rd, Wilmington	Asst HarborMstr/Spec Pol Off 12/31/20
•	APPT070_11_27_17	Paul C. O'Brien	483 Merrimac St	Chief Procurement Officer N/A
Re-Appointments				
•	APPT071_11_27_17	Jill Brennan	24 Webster St #7, Haverhill	Assessor 1/1/21
•	APPT072_11_27_17	Peter Binette	255 Main St, Amesbury	Building Commissioner 1/1/21
•	APPT073_11_27_17	Jane Healey	38 Winter St	Community Pres Comm 1/1/20
•	APPT074_11_27_17	David Zinck	6 Laurel Rd	Electrical Inspector 1/1/19
•	APPT075_11_27_17	Virginia R. Champi	84 Purchase St	Emma Andrews Comm 10/30/18
•	APPT076_11_27_17	Aine G. Ellrott	43 Purchase St	Emma Andrews Comm 10/30/18
•	APPT077_11_27_17	Elizabeth Valeriani	29 Oak St	Emma Andrews Comm 10/30/18
•	APPT078_11_27_17	Elizabeth L. Watson	53 Warren St #315	Emma Andrews Comm 10/30/18
•	APPT079_11_27_17	Kevin Wallace	40 Oak St	Fruit St Comm 11/30/20
•	APPT080_11_27_17	Enrico Caruso	34 Russett Hill	Asst HarborMstr/Spec Pol Off 12/31/20

•	APPT081_11_27_17	Francis F. Chaisson	Rd, Haverhill	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT082_11_27_17	Michael Chaisson	300 Merrimac St	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT083_11_27_17	Richard Cummings	46 Lake Attitash Rd, Amesbury	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT084_11_27_17	Joseph Grande	7 Jewett St, Georgetown	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT085_11_27_17	Adam R. Hayden	52 Linwood Ave, Methuen	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT086_11_27_17	James Maranto	76 Longfellow Dr	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT087_11_27_17	Robert Padellaro	167 Harper Ridge Rd, E. Hampstead, NH	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT088_11_27_17	Richard Puopolo	17 56 th St	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT089_11_27_17	Daniel Scott	169 Apache Way, Tewksbury	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT090_11_27_17	Philip Stern	PO Box 8042, Ward Hill	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT091_11_27_17	David Willey	271 Merrimac St, #2	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT092_11_27_17	Kristian Zoeller	13 Devonshire Crossing, Lowell	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT093_11_27_17	Tracy Maynard	115 Timber Swamp Rd, Hampton, NH	Asst HarborMstr/Spec Pol Off	12/31/20
•	APPT094_11_27_17	Kathleen Carey	69 Middle St	Human Resources Dir	1/1/21
•	APPT095_11_27_17	Marcia Edson	2 Chapel St	Lib Board Directors	1/1/24
•	APPT096_11_27_17	Elizabeth Valeriani	11 Salem St	Lib Board Directors	1/1/24
•	APPT096_11_27_17	Elizabeth Valeriani	29 Oak St	Lib Board Directors	1/1/24

Motion to waive the rules, not to require the Clerk to read each appointment individually, by Councillor Zeid, seconded by Councillor Vogel. (1 no, OBrien). So voted. Motion to approve second reading appointments by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

15. ORDERS

- **ORDR069EP_12_11_17** Emergency Preamble - Free Holiday Parking
Motion to approve by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **ORDR069_12_11_17** Free Holiday Parking
Motion to approve by Councillor Giunta, seconded by Councillor Tontar. So voted.

16. ORDINANCES

- **ODNC012_09_11_17** Zoning Amendment – Off-Street Parking Regulations (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 8 yes, 2 no (Zeid, Cronin), 1 absent (Devlin). Motion passed.
- **ODNC015_10_10_17** Amend Sec. 12-1.3 Signs in Public Ways (**2nd Reading**)
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Devlin). 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
- **ORDR061_11_13_17** Home Rule Petition re: Special Election to Accept Clause 41C1-2 (**COTW**)
Motion to refer to the next Council session per Rule 7C by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 1 no (OBrien), 1 absent (Devlin). So voted.
- **TRAN048_11_27_17** Free Cash \$47,322.10 to Tractor Purchase \$47,322.10
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:

Joint Education

In Committee:

Councillor Giunta gave an update; in the December 4th meeting they discussed expanding Foreign Language by two teachers and upgrading labs.

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
- **COMM121_11_27_17** State Automotive Repair - Class II Vehicle License
Motion to remove from License & Permit by Councillor Vogel, seconded by Councillor Zeid. Motion to approve, on condition of striking "if required by written contract" on insurance binder, by Councillor Vogel, seconded by Councillor Zeid. So voted.

Neighborhoods and City Services

In Committee:

- **ODNC001_01_11_16** Amend Ch11 Parks and Recreation (**COTW**)
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.
- **ORDR048_06_13_16** Sidewalk Order
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.
- **COMM048_04_24_17** Ltr from Merchants re: Downtown Events (**PS**)
- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen
Motion to refer to the next Council session per Rule 7C by Councillor Connell, seconded by Councillor Vogel. (1 no, OBrien). So voted.

Planning & Development

In Committee:

- **COMM024_03_13_17** Newburyport's Master Plan - Final Document (**COTW**)
Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Vogel. Motion to approve by Councillor Cameron, seconded by Councillor Vogel. Roll call vote, 7 yes, 2 no (Giunta, Cronin), 1 present (Zeid), 1 absent (Devlin). Motion passed.
- **ORDR015_04_10_17** Complete Streets Policy (**PU**)
Motion to refer to next Council session and Planning & Development per Rule 7C by Councillor Cameron, seconded by Councillor Eigerman. Roll call vote, 9 yes, 1 no (OBrien), 1 absent (Devlin). Motion passed.
- **ODNC008_06_26_17** Zoning Amendment – Bed & Breakfast Use (V-D, V-E) (**COTW**)
- **ODNC017_10_30_17** Zoning Amendment – No Use Variances (**COTW**)
Motion to refer to next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Giunta. 1 no (OBrien). So voted.
- **ODNC018_10_30_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (**COTW**)
Motion to refer to next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Giunta. 1 no (OBrien), 1 recused (Eigerman). So voted.
- **ORDR067_11_27_17** Special Counsel - Waterfront West
Motion to remove from Planning & Development by Councillor Cameron, seconded by Councillor Zeid. Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote, 8 yes, 2 recused (Vogel, Cronin), 1 absent (Devlin). Motion passed.
- **ORDR068a_11_27_17** Marijuana Moratorium

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
Motion to refer to the next Council session per Rule 7C by Councillor Cronin, seconded by Councillor Tontar. (1 no, OBrien). So voted.
- **ORDR055_10_10_17** No Parking - 59th Street
Motion to remove from Public Safety by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Zeid, seconded by Councillor Cronin. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.
- **COMM120_11_27_17** Councillor Zeid Memo re: Special Events

Public Utilities

In Committee:

- **ORDR015_04_10_17** Complete Streets Policy (**P&D**)
- **COMM122_11_27_17** Mobilitie/Small Cell Utility Petition
- **ORDR066_11_27_17** Raffaele Construction Corp. - 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**)
Motion to remove from Rules and Committee of the Whole by Councillor Cronin, seconded by Councillor Zeid. Motion to approve by Councillor Cronin, seconded by Councillor Zeid. Roll call vote, 7 yes, 3 no (Tontar, Vogel, Connell), 1 absent (Devlin). Motion passed.

Ad Hoc Committee on City Services to Immigrants

In Committee:

- Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
Motion to refer to General Government and to the next Council session per Rule 7C by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 9 yes, 1 no (OBrien), 1 absent (Devlin).
Motion passed.

16. GOOD OF THE ORDER

Councillor Zeid mentioned Army Corps dredging projects on Plum Island, Councillor Cameron and Councillor Cronin gave farewell remarks and thanked fellow Councillors and department heads throughout city.

17. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Cameron. So voted. 9:26pm.