

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**FEBRUARY 12, 2018**

**7:30PM**

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. +The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Giunta, Khan, OBrien, Shand, Vogel, Zeid, Devlin, Earls, Eigerman, Connell. 10 present, 1 absent (Tontar).

**(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. Jane Snow	9 Coffin St	Order 11, Attorney for ZBA
2. Linda Lambert	58 Merrimac St	Attorney for ZBA
3. Stephanie Niketic	93 High St	City Solicitor
4. Jeanette Isabella	1 Lime St	Order 11, Ordinance 7
5. Jeanne Deffley	6 Woodman Way	Order 11
6. Laurel Allgrove	22 Beacon Ave	Order 11
7. Pam Ketchum	15 Washington St	Order 11

**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**

January 24, 2018 Retreat	(Approve)
January 29, 2018	(Approve)

**8. TRANSFERS**

- **TRAN002\_02\_12\_18** Essex North Shore Tech \$9K to Elections \$5K, Legal Ads \$1K, Ordinance Recodification \$3K (B&F)
- **TRAN003\_02\_12\_18** RSV APP – DPW Gas \$50K to DPS Highway – Fuel/Oil \$50K (B&F)
- **TRAN004\_02\_12\_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (B&F, JE)

**9. COMMUNICATIONS**

- **COMM013\_02\_12\_18** FY18 Mid-Year Report Summary & Supplemental Info (R&F)

**10. APPOINTMENTS**

- **APPT006\_02\_12\_18** Keith Hogan 3 Bartlett Dr Trust Fund Comm 3/1/21

**Re-Appointments**

- **APPT007\_02\_12\_18** Sean Bradley 31 Wildwood Dr Waterfront Trust 12/31/23

## END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, second by Councillor Khan. So voted.

### 11. MAYOR'S UPDATE

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

### 12. APPOINTMENTS

#### Second Reading

- |   |                  |               |                 |                             |          |
|---|------------------|---------------|-----------------|-----------------------------|----------|
| • | APPT002_01_29_18 | Mark A. Rosen | 20 Fair St      | Community Preservation Comm | 2/1/21   |
| • | APPT003_01_29_18 | John A. Green | 12 Finnegan Way | Council on Aging            | 5/31/23  |
| • | APPT004_01_29_18 | Bette Jacques | 5 Dawes St      | Licensing Board             | 6/1/24   |
| • | APPT005_01_29_18 | Donna Conway  | 27 Marlboro St  | Emma Andrews Comm           | 10/30/19 |

Motion to approve Second Reading Appointments by Councillor Zeid, seconded by Councillor OBrien. Roll call vote, 10 yes, 1 absent (Tontar). Motion passed.

### 13. ORDERS

- **ORDR010\_02\_12\_18** Proposed Redraft of 2018 City Council Rules  
Motion to refer to Rules by Councillor Eigerman, seconded by Councillor OBrien. So voted.
- **ORDR011\_02\_12\_18** Amendment to Council Rule 11a  
Motion to refer to Rules by Councillor Vogel, seconded by Councillor Connell. Withdrawn. Motion to receive and file by Councillor Zeid, seconded by Councillor OBrien. So voted (2 no, Vogel and Connell).

### 14. ORDINANCES

- **ODNC018\_10\_30\_17** Zoning Amendment – Zoning Map R3 to R2 Expanded 10/30/2017 (**2<sup>nd</sup> reading**)  
Motion to approve second reading by Councillor Earls, seconded by Councillor Giunta. Roll call vote, 9 yes, 1 absent (Tontar), 1 recused (Eigerman). Motion passed.
- **ODNC006\_02\_12\_18** Amendment to Administration of the City Council  
Motion to refer to Rules by Councillor Eigerman, seconded by Councillor OBrien. So voted.
- **ODNC007\_02\_12\_18** Amendment to Division 7 – City Solicitor  
Motion to refer to Rules by Councillor Zeid, seconded by Councillor OBrien. Withdrawn. Motion to refer to General Government by Councillor Zeid, seconded by Councillor OBrien. So voted.
- **ODNC008\_02\_12\_18** Disposition of G. W. Brown School  
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor OBrien. So voted.

### 15. COMMITTEE ITEMS

#### Budget & Finance

##### *In Committee:*

- **COMM004\_01\_29\_18** FY2018 Mid-Year Budget Report
- **ORDR006\_01\_29\_18** Adjustments to Income and Int Rate for 41A Deferral
- **ORDR007\_01\_29\_18** 41C Amendment
- **COMM012\_01\_29\_18** LATE FILE Memo re: MGL Chapter 59, Section 5

#### General Government

##### *In Committee:*

- **ODNC019\_12\_11\_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a

#### Joint Education

Councillor Giunta discussed roof repairs and the budget. Next meeting to be held on March 4<sup>th</sup>, 5:30pm at the Senior Center.

***In Committee:***

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**License & Permits**

***In Committee:***

- **COMM005\_01\_29\_18** Class II Vehicle License – RL Currie Corp.  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Vogel. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Vogel. So voted.
- **COMM006\_01\_29\_18** Class II Vehicle License – Sunoco  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.
- **COMM009\_01\_29\_18** Port Taxi – Application by Harold Congdon for 2018  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor OBrien. So voted. Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.
- **COMM011\_01\_29\_18** Seacoast Taxi – Application by Richard Hewlett for 2018  
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Zeid. So voted.  
Motion to approve by Councillor Earls, seconded by Councillor Zeid. So voted.

**Neighborhoods and City Services**

***In Committee:***

- **ODNC001\_01\_11\_16** Amend Ch11 Parks and Recreation (**COTW**)
- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen
- **ODNC002\_01\_29\_18** Noise Division to Chapter 8  
Motion to remove from Neighborhood & City Services by Councillor OBrien, seconded by Councillor Eigerman. Motion to refer to Public Safety by Councillor OBrien, seconded by Councillor Eigerman.

**Planning & Development**

***In Committee:***

- **ODNC017\_10\_30\_17** Zoning Amendment – No Use Variances (**COTW**)
- **COMM122\_11\_27\_17** Mobilitie Application/ Small Cell Utility Petition (re-file) (**PU**)
- **ODNC001\_01\_08\_18** Medical Marijuana Zoning Map
- **ORDR008\_01\_29\_18** Mobilitie Grant of Location (**PU**)
- **ORDR009\_01\_29\_18** 115 Water Street Disposition  
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (Tontar). Motion passed.
- **ODNC\_003\_01\_29\_18** Zoning - Amendment to Table of Use Regulations
- **ODNC\_004\_01\_29\_18** Amendment to Zoning Map

**Public Safety**

***In Committee:***

- **COMM127\_12\_11\_17** **LATE FILE** Snow & Ice Plan 2017-2018  
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.  
Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. So voted. (Comm vote 3-0).
- **ORDR004\_01\_08\_18** No Parking Fair St – at Essex

Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.  
Motion to amend, from 15' to 20', by Councillor Eigerman, seconded by Councillor Giunta. So voted.  
Motion to approve as amended by Councillor Devlin, seconded by Councillor Zeid. So voted.

- **ORDR005\_01\_08\_18** No Parking Fruit St – Driveway

Motion to remove from Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Giunta. So voted. (Comm vote 3-0).

- **COMM008\_01\_29\_18** Chocolate Tour, Central Congregational Church – 5/19/2018

Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. Withdrawn. Motion to approve by Councillor Earls, seconded by Councillor Giunta. So voted.

## **Public Utilities**

### ***In Committee:***

- **COMM122\_11\_27\_17** Mobilitie Application/Small Cell Utility Petition (re-file) **(P&D)**
- **ORDR008\_01\_29\_18** Mobilitie Grant of Location **(P&D)**

## **Rules Committee**

### ***In Committee:***

## **16. GOOD OF THE ORDER**

Councillor Earls requested that the proposal to build over the NHS gymnasium be included on the upcoming Joint Education meeting agenda. Councillor Vogel shared information about the Link House St. Patrick's Day Luncheon to be held on March 16, 2018.

## **17. ADJOURNMENT**

Motion to adjourn by Councillor Zeid, seconded by Councillor OBrien. So voted. 9:04pm.