

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
MARCH 12, 2018

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm. A moment of silence was held for Deborah Torromeo, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Shand, Tontar, Vogel, Zeid, Earls, Eigerman, Giunta, Khan, Connell. 9 present, 2 absent (OBrien, Devlin).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – ODNC006_02_12_18 corrected version, Mayor's Update

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

5. PUBLIC COMMENT

1. Kat Preftes	6 H St	HRC amendment
2. Ahmer Ibrahim	85 Prospect St	HRC amendment
3. Tom Getz	36 Broad St	HRC amendment
4. Elizabeth Goullaud	9 Marquand Ln	HRC amendment
5. Lukas Phipps	2 Allen St	HRC amendment

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

February 26, 2018

(Approve)

8. TRANSFERS

- **TRAN005_03_12_18** Bresnahan Building Proj \$42,390 to Nock Elevator Proj \$42,390 (B&F)

9. COMMUNICATIONS

- **COMM016_03_12_18** Merrimack Valley Planning Commission FY2019 Assessment (B&F)
- **COMM017_03_12_18** 61st Yankee Homecoming (PS)
- **COMM018_03_12_18** Pan Mass Challenge Kids Ride - 6/10/2018 (PS)
- **COMM019_03_12_18** GNOCA 5K Run/Walk - 9/30/2018 (PS)
- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018 (PS)

10. APPOINTMENTS

Re-Appointments

- | | | | | |
|---------------------------|------------------|-----------------|--------------------------|----------|
| • APPT009_03_12_18 | Madeline Nash | 19 Arlington St | Affordable Housing Trust | 5/1/2020 |
| • APPT010_03_12_18 | Judy Tymon | 39 Lime St | Affordable Housing Trust | 4/1/2020 |
| • APPT011_03_12_18 | Michael Dissette | 44 Jefferson St | Community Pres Act | 3/1/2021 |

- **APPT012_03_12_18** Daniel J. Koen 16 Boyd Dr Community Pres Act 2/1/2020
- **APPT013_03_12_18** Joseph C. Teixeira 44 Hale St Conservation Commission 3/1/2021
- **APPT014_03_12_18** Marian Leighton Levy 323 Merrimac St Fruit St Local Historic Dist 12/1/2020
- **APPT015_03_12_18** Edmund R. McGrath 28 Olive St Historical Commission 3/31/2021
- **APPT016_03_12_18** David St. Cyr 25 Tyng St NRA 9/1/2018
- **APPT017_03_12_18** Robert Uhlig 10 Ocean St NRA 9/1/2018
- **APPT018_03_12_18** Ann Dykes 12 Munroe St Parks Commission 4/1/2023
- **APPT019_03_12_18** Ann M. Lagasse 1 Piper's Quarry Parks Commission 2/1/2023

Motion to refer APPT013_03_12_18, APPT016_03_12_18, APPT017_03_12_18 to Planning & Development by Councillor Zeid, seconded by Councillor Giunta. So voted. Motion to approve first reading appointments by Councillor Vogel, seconded by Councillor Eigerman. So voted.

END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve Consent Agenda as amended by Councillor Zeid, seconded by Councillor Tontar. So voted.

11. MAYOR'S UPDATE

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

12. COMMUNICATIONS

- **COMM021_03_12_18** 2018 City Council Schedule

Motion to approve by Councillor Zeid, seconded by Councillor Giunta. 8 yes, 1 no (Earls), 2 absent (OBrien, Devlin). So voted.

13. APPOINTMENTS

Second Reading

- **APPT008_02_26_18** Richard Traister, M. D. 325 Merrimac St Disabilities Comm 3/31/21

Motion to approve second reading by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (OBrien, Devlin). Motion passed.

14. ORDERS

- **ORDR013_03_12_18** Newburyport High School Statement of Interest
Motion to refer to Budget & Finance by Councillor Giunta, seconded by Councillor Tontar. So voted.
- **ORDR014_03_12_18** Crosswalks on Rawson Ave and Turkey Hill Rd
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Giunta. So voted.

15. ORDINANCES

- **ODNC006_02_12_18** Amendment to Administration of the City Council (**2nd Reading**)
Motion to approve second reading by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (OBrien, Devlin). Motion passed.
- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
Motion to refer to Public Safety by Councillor Tontar, seconded by Councillor Eigerman. So voted.
- **ODNC010_03_12_18** Lot Area Calculations for Residential Districts
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Giunta. So voted.
- **ODNC011_03_12_18** Zoning Map Change - Low Street Farms
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Giunta. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR006_01_29_18** Adjustments to Income and Int Rate for 41A Deferral
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve as amended, reducing 40K to 20K and 4% to 3%, by Councillor Tontar, seconded by Councillor Vogel. So voted.
- **ORDR007_01_29_18** 41C Amendment
- **COMM012_01_29_18 LATE FILE** Memo re: MGL Chapter 59, Section 5
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. 41A reduced from 40K to 20K. Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (JE)

General Government

In Committee:

- **ODNC019_12_11_17** Recommended Additions to Chapter 2, Article III, Division 6, Section 2-125a
Motion to remove from General Government by Councillor Connell, seconded by Councillor Tontar. So voted. Motion to approve first reading by Councillor Connell, seconded by Councillor Vogel. Roll call vote, 7 yes, 2 no (Zeid, Giunta), 2 absent (OBrien, Devlin). Motion passed.
- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor
- **COMM015_02_26_18** Ltr re: City of Newburyport Charter Amendments
Motion to remove from General Government by Councillor Connell, seconded by Councillor Tontar. So voted. Motion to receive and file by Councillor Connell, seconded by Councillor Vogel. So voted.
- **ORDR012_02_26_18** Intermunicipal Agreement Animal Control Extension through 6/30/2019
Motion to remove from General Government by Councillor Connell, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Connell, seconded by Councillor Zeid. Roll call vote, 6 yes, 3 no (Shand, Earls, Eigerman), 2 absent (Devlin, OBrien). Motion passed.

Joint Education

Councillor Giunta gave a report on the STEM lab; next meeting is April 2nd at 5:30pm. Senior Center

In Committee:

- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (B&F)

License & Permits

In Committee:

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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

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)

- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC004_01_29_18** Amendment to Zoning Map
- **ODNC008_02_12_18** Disposition of G. W. Brown School

Public Safety

In Committee:

- **ODNC002_01_29_18** Noise Division to Chapter 8-Referred 2/12/18

Public Utilities

Councillor Zeid gave an update on the Plum Island hydrant project and the odor control project.

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

The Clerk announced the Link House St. Patrick's Day luncheon; Councillor Khan announced Community Day on Wednesday 2pm Senior Center; Councillor Zeid gave an update on Reservation Terrace condition; Council President Connell announced the arrival of his granddaughter, Sloan Connell.

17. ADJOURNMENT

Motion to adjourn by Councillor Khan, seconded by Councillor Zeid. So voted. 9:20pm.