

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
MARCH 26, 2018

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm. A moment of silence was held for Mark O'Brien, former City Solicitor, 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, Devlin, Earls, Eigerman, Giunta, Khan, OBrien, Connell. 10 present, 1 remote (OBrien).

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS ORDR019_03_26_18 Evergreen Commons Easement

Motion to waive the rules, to accept late file items, by Councillor Zeid, seconded by Councillor Tontar.

5. PUBLIC COMMENT

1. Agnes Portalewska

2067 Mass Ave, Cambridge

COMM023_03_26_18

6. MAYOR'S COMMENT

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

March 12, 2018

(Approve)

8. TRANSFERS

- **TRAN006_03_26_18** Health Insurance \$8,550 to GEN Travel/Training \$8,550 (B&F)

9. COMMUNICATIONS

- **COMM022_03_26_18** FY2018-FY2022 Capital Improvement Program Submission (FY2018-2022 Capital Improvement Program binder submitted to Clerk) (B&F)
- **COMM023_03_26_18** Cultural Survival Bazaar - 7/21/2018-7/22/2018 (PS)
- **COMM024_03_26_18** Flag Day 5K - 6/16/2018 (PS)
- **COMM025_03_26_18** Confirmatory Appointment - Ben Fichera (R&F)

10. APPOINTMENTS

Re-Appointments

- **APPT020_03_26_18** Yvonne McQuilkin 39 Purchase St Council on Aging 5/31/2023

Re-Appointments, to be referred to Planning & Development

- **APPT021_03_26_18** Donald B. Walters 15 Smith St Planning Board 5/31/2023 (P&D)

END OF CONSENT AGENDA
REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed. Motion to waive rules, to forego a roll call vote when removing items from committee, by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.

11. MAYOR'S UPDATE

None given.

12. APPOINTMENTS

Second Reading

• 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
• 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
• 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 approve second reading appointments by Councillor Vogel, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

13. ORDERS

- **ORDR016_03_26_18** Naming of the Five (5) Nature Trails Contained in the Little River Trail System
Motion to refer to General Government by Councillor Giunta, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **ORDR017_03_26_18** North End Rail Trail Gift Acceptance \$3500
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **ORDR018_03_26_18** Frank Delucia & Son, Inc. - Licensed Contractor
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.
- **ORDR019_03_26_18** LATE FILE Evergreen Commons Easement
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

14. ORDINANCES

- **ODNC019_12_11_17** Recommended Additions to Chapter 2, Article 3, Division 6, Section 2-125a (**2nd Reading**)
Motion to approve second reading by Councillor Vogel, seconded by Councillor Eigerman. Roll call vote, 8 yes, 2 no (Zeid, Giunta), 1 present (Devlin). Motion passed.
- **ODNC012_03_26_18** Amendment to Chapter 13, Section 13-26
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Khan. Roll call vote, 11 yes. Motion passed.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (**JE**)

Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 7 yes, 4 no (Zeid, Devlin, Giunta, OBrien). Motion passed.

- **TRAN005_03_12_18** Bresnahan Building Proj \$42,390 to Nock Elevator Proj \$42,390
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 11 yes. Motion passed.
- **COMM016_03_12_18** Merrimack Valley Planning Commission FY2019 Assessment
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **ORDR013_03_12_18** Newburyport High School Statement of Interest
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Tontar, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.

Education

Councillor Giunta announced upcoming meetings on April 2nd at the Senior Center, at 5:30 pm and then a budget review meeting at 6:30pm.

In Committee:

- **TRAN004_02_12_18** Essex North Shore Tech \$6.5K to HS Addition Feasibility \$6.5K (**B&F**)
Motion to remove from Education by Councillor Giunta, seconded by Councillor Zeid. So voted. Motion to receive and file by Councillor Giunta, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.

General Government

In Committee:

- **ODNC007_02_12_18** Amendment to Division 7 – City Solicitor

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

Councillor Eigerman announced a meeting on April 4th at 7:00pm to discuss ODNC010_03_12_18 and ODNC010_03_12_18.

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

- **ODNC010_03_12_18** Lot Area Calculations for Residential Districts
- **ODNC011_03_12_18** Zoning Map Change - Low Street Farms
- **APPT013_03_12_18** Joseph C. Teixeira 44 Hale St Conservation Commission 3/1/2021
Motion to waive the rules, to remove APPT013_03_12_18 from Planning & Development though it was not included in the packet, by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 11 yes. Motion passed.
- **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

Public Safety

In Committee:

- **ODNC002_01_29_18** Noise Division to Chapter 8-Referred 2/12/18
- **COMM017_03_12_18** 61st Yankee Homecoming
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. Roll call vote, 11 yes. Motion passed.
- **COMM018_03_12_18** Pan Mass Challenge Kids Ride - 6/10/2018
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.
- **COMM019_03_12_18** GNOCA 5K Run/Walk - 9/30/2018
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Devlin, seconded by Councillor Giunta. Roll call vote, 11 yes. Motion passed.
- **COMM020_03_12_18** Newburyport Half Marathon - 10/21/2018
- **ORDR014_03_12_18** Crosswalks on Rawson Ave and Turkey Hill Rd
- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas

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 Zeid gave an update on the Parking Advisory Committee, including John Burke's parking study and recommendations. Councillor Vogel asked the Council to consider conservation of paper in the packet.

17. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Vogel. Roll call vote, 9 yes, 1 no (Tontar), 1 present (Earls). Motion passed. 09:04pm.