

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
NOVEMBER 13, 2018

7:15PM

Tax Levy Hearing

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

7:20PM

Pole Hearing – 3 Perkins Way

John Butler from National Grid spoke. Motion to approve by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (OBrien, Devlin). Motion passed.

7:30PM

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

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – TRAN032EP, TRAN032, ORDR076, ODNC027

Motion to waive Rule 16 to allow late files by Councillor Zeid, seconded by Councillor Khan. So voted.

5. PUBLIC COMMENT

1. Juliet Walker	13 Eagle St	Safe Routes
2. Gary Gorski	18 Magnolia St	Safe Routes
3. Connie Preston	18 Atwood St	Marijuana Retail
4. John Hein	5 Market Sq	Marijuana Retail
5. Aaron Clausen	3 Otis Pl	Marijuana Retail
6. Lanita Ann Dykes	12 Munroe St	Marijuana Retail
7. Peter Blaiwas	5 Otis Pl	Marijuana Retail
8. Marian Levy	323 Merrimac St	Marijuana Retail
9. Ahmer Ibrahim	85 Prospect St	Marijuana Retail
10. Jessica Su	59 Washington St	Marijuana Retail
11. Lauren Murray	23 Eagle St	Marijuana Retail
12. Jason King	20 Johnson St	Marijuana Retail
13. Lynn Schow	75 High St	Marijuana Retail
14. Richard Bornemann	8 Avon Ave	Marijuana Retail
15. Jennifer Allard	295 High St	Marijuana Retail
16. Jessica Amorosino	238 High St	Marijuana Retail
17. Jennifer Rocco-Runnion	Amesbury	Marijuana Retail
18. Christine Riccardi	30 Summit Pl	Marijuana Retail

6. MAYOR'S COMMENT

The Mayor gave an update pursuant to her written communication.

7. POLE – COMM091_10_29_18 Motion to waive Rule 17, to take out of order, by Councillor Zeid, seconded by Councillor Giunta. So voted. Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Zeid, seconded by Councillor Giunta. So voted.

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 29, 2018

(Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- **COMM093_11_13_18** Ladies' Night Out Run/Walk - 12/1/2018 (PS)
- **COMM094_11_13_18** Frigid Fiver - 1/27/2019 (PS)
- **COMM096_11_13_18** Retirement Board Expense Budget CY2019 (R&F)
- **COMM097_11_13_18** Morrill Foundation Funding Directive (B&F)

10. APPOINTMENTS

- | | | | | |
|---------------------------|----------------------|----------------|-----------------|------------|
| • APPT067_11_13_18 | Karen Popken | 49 Boardman St | CPA (Parks Rep) | 10/31/2021 |
| • APPT068_11_13_18 | Patricia Cannon | 185 High St | Cultural Comm | 10/30/2021 |
| • APPT069_11_13_18 | Adrienne Silversmith | 4 Willow Ave | Cultural Comm | 10/30/2019 |

Re-Appointments

- | | | | | |
|---------------------------|---------------------|--------------------|-------------------|------------|
| • APPT070_11_13_18 | Aine G. Ellrott | 43 Purchase St | Emma Andrews Comm | 10/30/2019 |
| • APPT071_11_13_18 | Elizabeth Valeriani | 29 Oak St | Emma Andrews Comm | 10/30/2019 |
| • APPT072_11_13_18 | Elizabeth L. Watson | 53 Warren St, #315 | Emma Andrews Comm | 10/30/2019 |

END OF CONSENT AGENDA REGULAR AGENDA

Motion to approve Consent Agenda by Councillor Zeid, seconded by Councillor Giunta. So voted.

11. MAYOR'S UPDATE

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

12. TRANSFERS

- **TRAN032EP_11_13_18** Emergency Preamble for Free Cash \$2,600 to SRTS Design \$2,600
Motion to approve by Councillor Shand, seconded by Councillor Zeid. So voted.
- **TRAN032_11_13_18** Free Cash \$2,600 to SRTS Design \$2,600
Motion to approve by Councillor Shand, seconded by Councillor Vogel. So voted.

13. COMMUNICATIONS

- **COMM092EP_11_13_18** Emergency Preamble for Rotary Club Santa Parade
Motion to approve by Councillor Zeid, seconded by Councillor Tontar. So voted.
- **COMM092_11_13_18** Rotary Club Santa Parade - 11/25/2018
Motion to approve by Councillor Zeid, seconded by Councillor Giunta. So voted.
- **COMM095EP_11_13_18** Emergency Preamble for Ahavas Achim Interfaith Candle Lighting
Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.

- **COMM095_11_13_18** Ahavas Achim Interfaith Candle Lighting - 11/26-12/16
Motion to approve by Councillor Tontar, seconded by Councillor Zeid. So voted.

14. APPOINTMENTS

- **APPT061_10_29_18** Victoria Finnigan **Second Reading**
63 Washington St, Asst Treasurer/Collector 11/1/2019
Groveland

- **APPT062_10_29_18** Karen B. Wiener **Re-Appointments**
7 Lincoln St Affordable Housing Trust 11/30/2019
- **APPT063_10_29_18** Jane Niebling 45 Temple St Cultural Commission 9/30/2021
- **APPT064_10_29_18** Sarah M. White 349 High St Historical Commission 10/1/2021
- **APPT065_10_29_18** Douglas Bolick 8 Court St Board of Registrars 9/1/2021
- **APPT066_10_29_18** David Dylewski 334R Merrimac St Tree Commission 11/1/2021

Motion to approve second reading appointments by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (OBrien). So voted.

15. ORDERS

- **ORDR074_11_13_18** Safe Routes to School – High Street
Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Tontar. So voted.
- **ORDR075_11_13_18** Restricted Parking – Johnson Street
Motion to refer to Public Safety by Councillor Shand, seconded by Councillor Zeid. So voted.
- **ORDR076_11_13_18** LATE FILE Marijuana Ballot Question
Motion to refer to Planning & Development and Committee of the Whole by Councillor Giunta, seconded by Councillor Zeid. So voted (1 no – Vogel, 1 absent – OBrien).

16. ORDINANCES

- **ODNC026_11_13_18** Amendment to Dog License Fees
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ODNC027_11_13_18** LATE FILE Zoning Map Amendment - Storey Ave
Motion to refer to Planning & Development by Councillor Giunta, seconded by Councillor Zeid. So voted.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **TRAN030_10_29_18** Hrbrmstr Retained Earnings \$41,210.71 to Pump Out Boat Purchase \$41,210.71
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve (Comm vote 3-0) by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR067_10_29_18** FY2019 Residential Factor
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve (Comm vote 3-0) Residential Factor of 1 by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
- **ORDR068_10_29_18** FY2019 Tax Rate
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve FY19 Tax Rate of \$13.08 by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

- **ORDR070_10_29_18** CPC FY2019 Rail Trail Phase II
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Zeid. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.
- **ORDR071_10_29_18** CPC FY2019 Custom House Slate Roof

Education

Councillor Giunta reported on FONT meeting. Joint meeting of School Committee and City Council on November 27th 6pm.

In Committee:

-

General Government

In Committee:

-

License & Permits

In Committee:

- **COMM029_04_30_18** Outdoor Seating - West Row Café

Neighborhoods and City Services

In Committee:

- **ORDR048_06_13_16** Sidewalk Order
- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen

Planning & Development

In Committee:

- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC008_02_12_18** Disposition of G. W. Brown School
- **ORDR024_04_09_18** Special Act to Dissolve Newburyport Redevelopment Authority (**COTW**)
- **ODNC014_04_30_18** Amendment to Demolition Delay
- **ORDR036_05_14_18** Marijuana Retailers Ballot Question
- **ODNC025_08_13_18** Colby Farm Lane Residential Overlay District

Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Eigerman, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (OBrien). Motion passed.

Public Safety

In Committee:

- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
- **ORDR031_04_30_18** No Parking Titcomb from Pleasant to Merrimac
- **ORDR032_04_30_18** No Parking Merrimac St from Titcomb St Running Westerly
- **ORDR059_08_27_18** Parking Hales Court, Waterfront Trust
- **COMM086_09_24_18** Ltr from Residents of East Boylston Street
- **COMM087_09_24_18** Ltr re: Coffin Street
- **ORDR072_10_29_18** Additions to 2-Hour Parking Zones
- **ORDR073_10_29_18** Stop Sign – Newhall Lane at Elizabeth Lane

Public Utilities

In Committee:

- **COMM122_11_27_17** Mobilitie Application/Small Cell Utility Petition (re-file)
- **ODNC022_05_29_18** Addition to Chapter 5, Article 6 - Small Cell Sites
- **COMM091_10_29_18** Pole Hearing – 3 Perkins Way
Motion to remove from Public Utilities by Councillor Zeid, seconded by Councillor Giunta. So voted.
Motion to approve by Councillor Zeid, seconded by Councillor Giunta. So voted.

Rules Committee

In Committee:

- **ORDR057_08_27_18** Amendment to Council Rule 12A

17. GOOD OF THE ORDER

Laptop computers by Friday, intention to offer free parking in December.

18. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Devlin. So voted. 9:31pm.