

**CITY COUNCIL MEETING MINUTES**  
**CITY COUNCIL CHAMBERS**  
**JANUARY 28, 2019**

**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 Eugene Greco. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Shand, Tontar, Vogel, Zeid, Devlin, Eigerman, Giunta, Khan, Connell. 9 present, 2 absent (OBrien, Earls).

**(Sound Check)**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

**4. LATE FILE ITEMS – ORDR086\_01\_28\_19 CPC FY2019 Amended Recommendation for AHT Funds**  
Motion to waive the rules, to allow late files, by Councillor Eigerman, seconded by Councillor Giunta. So voted.

**5. POLICE OFFICER RECOGNITION**

Marshal Mark Murray offered recognition and presented commendation letters to Officers John Gavin, Eric Marshall, John Schmidt, Kevin Martin, and Sergeant Greg Whitney for their life-saving efforts in a motor vehicle crash on December 15<sup>th</sup>.

**6. PUBLIC COMMENT**

1. Bill Harris

56 Lime St

Custom House

**7. MAYOR'S COMMENT**

The Mayor gave an update pursuant to her written communication.

**8. NRA CHAIRMAN UHLIG ON NRA PROPERTY DISPOSITION**

NRA Chairman Bob Uhlig spoke and distributed a five-page handout entitled "Review of Goals for 2019" dated January 28, 2019.

**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.

**9. APPROVAL OF MINUTES**

January 14, 2019

(Approve)

**10. TRANSFERS**

- **TRAN037\_01\_28\_19** Pd Parking Fund \$130K to Parking Rev Collect Sys \$130K (B&F)

**11. COMMUNICATIONS**

- **COMM107\_01\_28\_19** FY2019 Mid-Year Budget Report (B&F)  
Changed to Budget & Finance by Councillor Tontar.
- **COMM108\_01\_28\_19** 2019 Class II Vehicle License – Great Bay Autobody (L&P)

**12. APPOINTMENTS**

- NONE

**END OF CONSENT AGENDA**

## REGULAR AGENDA

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

### 13. MAYOR'S UPDATE

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

### 14. COMMUNICATIONS

- **COMM106\_01\_28\_19** Ad Hoc Committee on Waterfront West: Report to Full Council  
Councillor Vogel recused. Motion to receive and file by Councillor Eigerman, seconded by Councillor Tontar. So voted. Motion to amend, to respectfully request Planning Director to coordinate and facilitate the photo sims as referenced on page 16 of the report, by Councillor Zeid, seconded by Councillor Eigerman. So voted. Motion to sever by Councillor Eigerman, seconded by Councillor Zeid. So voted. Motion to table the motion to receive and file by Councillor Eigerman, seconded by Councillor Khan. Roll call vote, 9 yes, 2 absent (OBrien, Earls). Motion passed. Motion to table by Councillor Eigerman, seconded by Councillor Khan. So voted.
- **COMM109\_01\_28\_19** 2019 Election Calendar  
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Devlin. So voted.

### 15. APPOINTMENTS

#### Second Reading

- |                           |                       |             |                          |          |
|---------------------------|-----------------------|-------------|--------------------------|----------|
| • <b>APPT076_01_14_19</b> | Susanne Marzi Cameron | 5 Milk St   | Affordable Housing Trust | 1/1/2021 |
| • <b>APPT077_01_14_19</b> | David Zinck           | 6 Laurel Rd | Electrical Inspector     | 1/1/2020 |
| • <b>APPT078_01_14_19</b> | Justin Dutcher        | 7 Morin Rd  | Harbor Commission        | 1/1/2022 |

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

### 16. ORDERS

- **ORDR086\_01\_28\_19** LATE FILE CPC FY2019 Amended Recommendation for AHT Funds  
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Eigerman. So voted.
- **ORDR083\_01\_28\_19** Custom House Grant of Easement  
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Devlin. So voted (1 no – Zeid, 2 absent – OBrien, Earls).
- **ORDR084\_01\_28\_19** 15-Minute Parking - Liberty Street  
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Tontar. So voted.
- **ORDR085\_01\_28\_19** Parking - Hours of Operation in Lots  
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So voted.

### 17. ORDINANCES

- **ODNC027\_11\_13\_18** Zoning Map Amendment – Storey Ave (**2<sup>nd</sup> Reading**)  
Councillor Devlin recused. Motion to waive Rule 12, as a sponsoring councillor was not present, by Councillor Zeid, seconded by Councillor Giunta. Roll call vote, 8 yes, 2 absent (OBrien, Earls), 1 recused (Devlin). Motion passed. Motion to table by Councillor Giunta, seconded by Councillor Tontar. Roll call vote, 8 yes, 2 absent (OBrien, Earls), 1 recused (Devlin). Motion passed.
- **ODNC029\_01\_28\_19** Zoning Map Amendment – Storey Ave South  
Councillor Devlin recused. Motion to waive Rule 12, as a sponsoring councillor was not present, by Councillor Zeid, seconded by Councillor Giunta. So voted. Motion to refer to Planning & Development by Councillor Giunta, seconded by Councillor Zeid. Roll call vote, 8 yes, 2 absent (OBrien, Earls), 1 recused (Devlin). Motion passed.

## 16. COMMITTEE ITEMS

### Budget & Finance

#### *In Committee:*

- **ORDR007\_01\_29\_18** 41C Amendment
- **ORDR071\_10\_29\_18** CPC FY2019 Custom House Slate Roof
- **ORDR082\_01\_14\_19** Fire Department Fees FY2019

### Education

Councillor Giunta noted an upcoming meeting at the Senior Center at 5:30pm on February 5<sup>th</sup> on MCAS and NEF.

#### *In Committee:*

- 

### General Government

#### *In Committee:*

- 

### License & Permits

#### *In Committee:*

- **COMM029\_04\_30\_18** Outdoor Seating – West Row Café
- **COMM100\_12\_10\_18** 2019 Class II Vehicle License – RL Currie Corp.
- **COMM104\_01\_14\_19** Seacoast Taxi - Application by Richard Hewlett for 2019

### Neighborhoods and City Services

#### *In Committee:*

- **ORDR048\_06\_13\_16** Sidewalk Order
- **COMM111\_10\_10\_17** Petition for Road Repairs and Repaving – Squires Glen
- **ODNC028\_11\_26\_18** Parks & Recreation Fees

### 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
- **APPT074\_12\_10\_18** Stephen J. Moore      10 N Atkinson St      Conservation Comm      12/1/2021  
Motion to remove APPT074\_12\_10\_18 and APPT080\_12\_10\_18 collectively from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. Motion to waive Rule 7D by Councillor Eigerman, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 absent (OBrien, Earls). Motion passed. Motion to approve APPT074\_12\_10\_18 and APPT080\_12\_10\_18 collectively by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 9 yes, 2 absent (OBrien, Earls). Motion passed.
  - **COMM105\_01\_14\_19** Ltr re: Newport Condominiums
- **APPT079\_01\_14\_19** Tania Hartford      22 Jackson St      Planning Board      1/31/2024  
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor Zeid. Motion to approve by Councillor Eigerman, seconded by Councillor Zeid. Roll call vote, 9 yes, 2 absent (OBrien, Earls). Motion passed.
- **APPT080\_01\_14\_19** Andrew R. Port      61 Water St #5      Director, Planning & Dev      1/31/2021

## **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
- **COMM103\_01\_14\_19** Walk MS - 4/27/2019

## **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

## **Rules Committee**

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

- **ORDR057\_08\_27\_18** Amendment to Council Rule 12A
- **ORDR077\_11\_26\_18** Amendment to Council Rule 20

## **18. GOOD OF THE ORDER**

Councillor Khan reminded councillors of the Plank-A-Thon on February 7<sup>th</sup>. Councillor Connell mentioned the Council Retreat on February 9<sup>th</sup> 10am-12pm at the Senior/Community Center; Councillors please speak to Clerk if they would like business cards; Councillor photo tentative date – just before February meeting.

## **19. ADJOURNMENT**

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