

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 25, 2019

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. The birthdays of two centenarians were remembered; Jacob Burridge, who is Lois Honegger's father and the oldest living Seabee, and Margaret Connell, Councillor Barry Connell's mother. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Tontar, Vogel, Zeid, Devlin, Earls, Eigerman, Giunta, Khan, OBrien, Shand, Connell. 11 present, 0 absent.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS On Councillors' desks: memo re: Safe Routes to School, memo re: Riverfront Trail Gap Project, spreadsheet for Pay-As-You-Throw, map for Pay-As-You-Throw.

5. PUBLIC COMMENT

1. Art Currier	100 State St	Pay As You Throw
2. Sam Merabi	7 Brown Sq	Pay As You Throw
3. Jane Snow	9 Coffin St	Pay As You Throw
4. Brin Stevens	195 High St	Pay As You Throw
5. Michael Underwood	21 Beck St	Pay As You Throw
6. Gheet Colling	8 High St, Exeter NH	Custom House
7. Pam Ketchum	15 Washington St	Pay As You Throw
8. Lynn Schow	75 High St	Pay As You Throw

6. PRESENTATION BY MOLLY ETTENBOROUGH

Recycling Manager Molly Ettenborough gave a 15-minute presentation related to the Toward Zero Waste Newburyport Initiative.

7. 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.

8. APPROVAL OF MINUTES

February 11, 2019

(Approve)

9. COMMUNICATIONS

- **COMM117_02_25_19** Flag Day 5K - 6/15/2019 (PS)
- **COMM118_02_25_19** Chocolate Tour, Central Congregational Church - 5/18/2019 (PS)

10. APPOINTMENTS

		First Reading		
• APPT082_02_25_19	Christopher Kealey	8 Payson St	Asst Hrbrmstr/Spec Pol Off	12/31/2022
• APPT083_02_25_19	Adam Armstrong	5 Buck St	Harbor Comm (Alt)	4/1/2021
• APPT084_02_25_19	Walter Lesynski	364 Merrimac St	Harbor Comm (Alt)	4/1/2021

- **APPT085_02_25_19** Charles Griffin 3 Vernon St Parks Comm (Bartlet Mall) 5/1/2022
- **APPT087_02_25_19** Kevin Hunt 14 10th St Veterans' Agent 4/1/2020

To Be Referred to Committee on Planning & Development

- **APPT086_02_25_19** Ann M. Gardner 239 Water St Planning Board 5/31/2024
- **APPT088_02_25_19** Wilbur Shenk 1 Beck St Waterfront Trust 12/1/2024

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 Tontar, seconded by Councillor Earls. So voted.

12. COMMUNICATIONS

- **COMM116_02_25_19** Toward Zero Waste Newburyport Initiative (*full text available*)
Councillor Eigerman removed from Consent Agenda. Motion to refer to Public Safety and Committee of the Whole by Councillor Zeid, seconded by Councillor Devlin. So voted (1 no – OBrien).
- **COMM119_02_25_19** City Council Rules 2019
Motion to Rules by Councillor Vogel, seconded by Councillor Zeid. So voted.

13. APPOINTMENTS

Second Reading

- **APPT081_02_11_19** Christian Hansen 29 Hill St Library Board of Directors 02/01/2026

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

14. ORDERS

- **ORDR082_01_14_19** Fire Department Fees FY2019 (**TABLED**)
Motion to remove from table by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to amend, define Commercial Tent as >2000 sq. ft., by Councillor Giunta, seconded by Councillor Tontar. Motion to amend, Outside Burning permits issued on a seasonal basis, by Councillor Giunta, seconded by Councillor Earls. Motion to approve as amended by Councillor Tontar, seconded by Councillor Khan. So voted.

15. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **ORDR071_10_29_18** CPC FY2019 Custom House Slate Roof
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 8 yes, 3 no (Zeid, Devlin, OBrien). Motion passed.
- **COMM107_01_28_19** FY2019 Mid-Year Budget Report
- **TRAN038_02_11_19** Free Cash \$45K to Safe Routes to School Project \$45K
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.

**Councillor Connell relinquished the Chair, Councillor Earls held the Chair for discussion and actions related to TRAN039_02_11_19.*

- **TRAN039_02_11_19** Free Cash \$40K to Rail Trail Phase II Project \$40K
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to move the question by Councillor Zeid, seconded by Councillor OBrien. Withdrawn. Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 8 yes, 3 no (Zeid, Devlin, OBrien). Motion passed.
- **COMM112_02_11_19** Memo re: Fire-Based EMS Cost/Benefit Analysis
- **ORDR088_02_11_19** Multiple Trust (Stickney, Weare, Connors) Gift Acceptance
Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted. Motion to approve as amended, strike “and any future distributions from the Trust” from items #1 and #3, by Councillor Tontar, seconded by Councillor Khan. So voted.

Education

In Committee:

- Councillor Giunta announced there would be a meeting with School Committee at the Senior Center on March 4, 2019

General Government

In Committee:

- **COMM109_01_28_19** 2019 Election Calendar
Motion to remove from General Government by Councillor Vogel, seconded by Councillor Giunta. So voted. Motion to approve by Councillor Vogel, seconded by Councillor Tontar. So voted.

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.
Motion to remove from License & Permit by Councillor Earls, seconded by Councillor Vogel. So voted. Motion to approve, contingent on confirmation of \$25K bond, by Councillor Earls, seconded by Councillor Vogel. So voted.
- **COMM104_01_14_19** Seacoast Taxi - Application by Richard Hewlett for 2019
- **COMM110_02_11_19** Port Taxi - Application by Harold Congdon for 2019
Motion to remove from License & permit by Councillor Earls, seconded by Councillor Tontar. So voted. Motion to approve (Comm vote 3-0), contingent on confirmation of insurance, by Councillor Earls, seconded by Councillor Tontar. So voted.

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

- **COMM105_01_14_19** Ltr re: Newport Condominiums
- **ORDR086_01_28_19** CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- **ODNC029_01_28_19** Zoning Map Amendment – Storey Ave South
- **COMM115_02_11_19** Conservation Restriction - 3 & 5 Collins Farm Road
- **ORDR087_02_11_19** Preservation Restriction Agreement – 28-30 Pleasant Street

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
- **COMM086_09_24_18** Ltr from Residents of East Boylston Street
- **COMM087_09_24_18** Ltr re: Coffin Street
- **ORDR084_01_28_19** 15-Minute Parking - Liberty Street
- **ORDR089_02_11_19** Handicapped Parking Space – Lower Custom House Way

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

16. GOOD OF THE ORDER

17. ADJOURNMENT

Motion to adjourn by Councillor OBrien, seconded by Councillor Tontar. So voted. 10:10pm.