

CITY COUNCIL MEETING MINUTES - VERSION 1

November 13, 2012

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for all veterans. This was followed by the Pledge of Allegiance. He then instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Derrivan, Heartquist, Herzog, Ives Jones, and O'Brien. 10 present, 1 absent (Earls). During the Roll Call the Councillors gave a standing ovation to Senator-elect Kathleen O'Connor Ives.

1. LATE FILES – Communication #10

Motion to waive the rules and allow the late file by Councillor Jones, seconded by Councillor Derrivan. So voted.

2. PUBLIC COMMENT

- | | | |
|-------------------|-----------------|------------------------------|
| 1. Mark Janos | 6 Harris St. | Harnch's Way |
| 2. Jeanne Carter | 75 Merrimac St. | ½ Marathon |
| 3. Jeff Tomlinson | 21 Hill St. | Highland Cemetery Commission |

Councillor O'Connor Ives escorted Mayor Holaday into the chamber. The Mayor and Council President O'Brien read a proclamation naming Wednesday, November 14, 2012 Kathleen O'Connor Ives Day in the City of Newburyport.

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.

3. APPROVAL OF MINUTES

October 23, 2012

(Approved)

4. TRANSFERS

- | | |
|---|------------|
| 1. Parks- Quail Run \$22,604 to Park Maintenance \$22,604 | (B&F) |
| 2. Mayor-General Fd Free Cash \$54,468.77 to Fire-Retirement Exp. \$41,916.02 and Library-Retirement Exp. \$12,552.75 | (B&F) |
| 3. Assessor-FY2005 Overlay Surplus \$45,000 to Allow Abate FY2009 \$45,000 | (Approved) |

5. COMMUNICATIONS

- | | |
|---|------------|
| 1. Natural Grid Natural Gas Safety Information | (R&F) |
| 2. Congregation Ahavas Achim request for Menorah in Market Square | (GG & L&P) |

Removed by Councillor Herzog.

- | | |
|--|-------|
| 3. Fuel's Half Marathon request Sunday May 19, 2013 | (PS) |
| 4. Request for Discontinuance of Westerly Side of Harnch's Way | (P&D) |
| 5. Renewal of Second Hand Motor Vehicles License – R.L. Currie Corp. | (L&P) |
| 6. Financial Policies and Procedures | (R&F) |
| 7. Salvation Army Christmas Stocking (Boot Drive) Dec. 22, 2012 | (L&P) |

6. APPOINTMENTS

First Reading

- | | | | |
|-----------------------|-------------------------|-----------------|------------------|
| 1. Paul M. Bevilacqua | 126 Merrimac St., #3 | Tree Commission | November 1, 2014 |
| 2. David Dylewski | 334R Merrimac St. | Tree Commission | November 1, 2013 |
| 3. Hugh Kelleher | 12 Atwood St. | Tree Commission | November 1, 2015 |
| 4. Sheila Taintor | 10 Dexter St. | Tree Commission | November 1, 2013 |
| 5. Ed Taylor | 25 Bromfield St. Side B | Tree Commission | November 1, 2014 |

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 1 absent (Earls). So voted.

REGULAR AGENDA

7. COMMUNICATIONS

2. Congregation Ahavas Achim request for Menorah in Market Square

Motion to approve by Councillor Herzog, seconded by Councillor Derrivan. Councillor Connell is bothered by the precedent this would establish. Councillor Jones stated it is a good idea and should be promoting more of this. Councillor Cronin stated that there should be some policy in place and this should go to committee and require insurance binder. Councillor O'Connor Ives stated the need to craft a process to accommodate requests like this. 9 yes, 1 no (BC), 1 absent (Earls).

8. TABLED - 1st Annual Ladies Night Out 5K Road Race Sept. 15, 2012

Motion to remove from the table by Councillor Cronin, seconded by Councillor Jones. Councillor Cronin stated there is a new route and insurance. The Clerk's office to be notified of the date. Motion to approve by Councillor Cronin, seconded by Councillor Derrivan. 9 yes, 1 no, (O'Connor Ives), 1 absent (Earls). So voted.

9. Water & Sewer Rates Presentation and Project Update by Ethan Manning and Pieter Hartford
Ethan Manning presented on the Water and Sewer rates. Pieter Hartford gave a presentation on the WPCF improvements. Councillor Jones questioned the overall cost of the projects and its effect on rates. Council President O'Brien questioned why the rates had already gone up so much. Councillor Sullivan stated that his constituents were upset with increased bills.

10. Late File – Chamber of Commerce Holiday use of Market Square

Motion to Receive and File by Councillor Jones, seconded by Councillor Cameron.

8. APPOINTMENTS-Second Reading

Appointment

- | | | | |
|-------------------|--------------------|------------------|--------------|
| 6. Jo Ann Kincaid | 17 Otis Place #2 | Council on Aging | May 31, 2017 |
| 7. Miller Graf | 2 Rawson Hill Road | Council on Aging | May 31, 2017 |

Motion to approve the second reading by Councillor Cameron, seconded by Councillor Jones. 10 yes, 1 absent (Earls). So voted.

9. ORDERS

1. Tabled - Order Establishing HR and Finance Department

Motion to remove from the table by Councillor Jones, seconded by Councillor Derrivan. So voted. Motion to table by Councillor Jones, seconded by Councillor Derrivan. 10 yes, 1 absent (Earls). So voted.

2. Special Act regarding liens in the Town of Newbury which connect to City Water & Sewer

Motion to approve by Councillor Herzog, seconded by Councillor Jones. Home Rule Petition Roll call vote, 10 yes, 1 absent (Earls). Motion passed.

3. Supplemental Budget #3 FY2013

Motion to refer to Budget & Finance by Councillor Cameron, seconded by Councillor Connell. 10 yes, 1 absent (Earls).

4. Placement of Privately Contracted Dumpsters on Public Ways

Motion to refer to License & Permits by Councillor Cronin, seconded by Councillor Jones. 10 yes, 1 absent (Earls).

5. Establish Highland Cemetery Revolving Fund

Motion to approve by Councillor Cronin, seconded by Councillor Cameron. 10 yes, 1 absent (Earls). So voted.

10. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. DPS-Sewer I/I Reduction Prog. \$100,000 to CIP-Plum Island Alarm Syst \$100,000 *09/10/2012

General Government

In Committee:

1. Campaign Finance Reports – Municipal Forms website posting *05/14/2012
2. Remote Participation Order *07/23/2012

Joint Education

In Committee:

1. Letter regarding World War II Memorial Stadium *10/23/2012

License & Permits

In Committee:

Neighborhoods & City Services

In Committee:

1. Amend Ord. 3-27 Animals, dogs, Licensing of dogs and kennels *06/25/2012

Planning & Development

Councillor Connell said the Planning & Development committee and Committee of the Whole would be having a meeting on 11/15/12 at 7:00pm in the Council Chamber on the LHD. No public comment.

In Committee:

1. Communication regarding Zoning Changes on Storey Avenue *05/29/2012
2. Order Cushing Park land transfer to Mayor for Municipal Parking *06/25/2012
3. ORD Ch. 16 Sec.5 Local Historic District *09/24/2012
4. ORD Ch. 5 Article X Building Demolition *09/24/2012

Public Safety

In Committee:

1. Amend Ord. 10-9 Miscellaneous offenses – use or consumption of marijuana *11/28/2011
2. Amend Ord. 13-180 Parking Resident Harris St. *01/30/2012
3. Community Giving Tree of Boxford donation box *04/30/2012
4. Order Yankee Homecoming Parade *06/25/2012
5. Parking, Russell Terrace, No Parking, 50 feet from Storey Ave *08/27/2012
6. ORD Ch. 2 Sec.358 Fingerprint Criminal History Checks *09/24/2012
7. Amend an ordinance to designate Belcher St as a stop intersection *10/23/2012

Public Utilities Committee

In Committee:

1. Water/Sewer Billing Information *10/23/2012

Motion to remove from committee by Councillor Herzog, seconded by Councillor Jones. Motion to receive and file by Councillor Herzog, seconded by Councillor Jones. So voted.

Rules Committee

In Committee:

11. GOOD OF THE ORDER

12. ADJOURNMENT

Motion to adjourn at 9:04 pm by Councillor Derrivan, seconded by Councillor Cameron.