

.CITY COUNCIL MEETING MINUTES - VERSION 1

June 9, 2014

6:30PM -- Collins Street Hearing

The public hearing was held at 6:30pm.

7:30PM -- Budget Hearing

Council President O'Brien called the meeting to order at 7:33 pm. The City Clerk called the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel, and O'Brien. 11 present. The City Clerk read the public notice for the Budget Hearing. No public comment in favor nor against. Council President O'Brien closed the hearing.

CITY COUNCIL MEETING

Council President O'Brien called the meeting to order at 7:35 pm. A moment of silence was held for Richard Marks, husband of Library Circulation Manager Lynn Marks. 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, Eigerman, Giunta, Heartquist, Herzog, Kinsey, Tontar, Vogel, and O'Brien. 11 present.

1. LATE FILES – Mayor's Communication #4 and Communication #5

Motion to waive the rules and allow the late file by Councillor Cameron, seconded by Councillor Kinsey. 11 yes. So voted.

2. PUBLIC COMMENT

1) Ginny Eramo	28-R Toppans Lane	Skate Park Funding
2) Norm Hansen	12 Carleton Drive	Belleville Church
3) Brian Callahan	29 Warren Street	Skate Park Funding
4) Kelly Majewski	2 Harris Street	Jeanne Geiger Crisis Center

MAYOR'S COMMENT

The Mayor provided a brief update on a number of matters outlined in her 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.

3. APPROVAL OF MINUTES

May 27, 2014

(Approved)

4. TRANSFERS

1. Mayor Gen Fd Free Cash \$35,000 to Anniversary Celebrations \$35,000 (B&F)
2. Mayor Ins 32-B \$18,520 to Kelley School Exp \$9,946, to Fac Maint Repair \$6,800, to Vehicle/Equipment Purchase \$1,774 (B&F)

Removed by Councillor Herzog.

3. Police Dept Salary Officers \$21,000 to Purchase Cruisers \$15,000, to Maint Equipment \$6,000, to Misc Supplies \$4,800 (B&F)
4. Emergency Mgmt Building Maintenance \$400, to EM Deputy Coordinator \$400 (B&F)

Removed by Councillor Herzog.

5. Assessors Res. Appr. Assr Svc Fee \$550 to Other Supplies \$550 (B&F)

Removed by Councillor Herzog.

6. DPS Sewer Retained Earnings \$400,000 to CIP Meter Replcmt Prg \$50,000, to West End Easement \$150,000, to CIP-Vacuum Truck Purch \$200,000 (B&F)
7. DPS Water Retained Earnings \$250,000 to CIP Meter Replcmt Prg \$50,000, to CIP Wtr Main Replacement \$200,000 (B&F)
8. DPS Water and Sewer CIP Water Tank Maint \$192,074.79, to CIP Network Expansion \$30,000, to Water Retained Earnings \$14,425.78, to Crow Lane Pump Station \$10,844.24, to SWR CIP Flood Study \$41,182.43, to SWR CIP Replace Generators \$63,101.76, to Sewer Retained Earnings \$91,371, to DPS Building Project \$443,000 (B&F)

5. COMMUNICATIONS

1. 3rd Annual Cruisin the 50's event, city streets, August 14, 2014 5pm to 8pm (Public Safety)
2. Block Party June 19, 2014 Tyng/Monroe St to Merrimac (Approve)
3. A Frame Sign Request on Inn Street near fountain for Pandora's Box (License & Permits)

END OF CONSENT AGENDA

Motion to approve Consent Agenda as amended by Councillor Cameron, seconded by Councillor Connell. So voted.

REGULAR AGENDA

7. TRANSFERS

2. Mayor Ins 32-B \$18,520 to Kelley School Exp \$9,946, to Fac Maint Repair \$6,800, to Vehicle/Equipment Purchase \$1,774

Motion to approve by Councillor Herzog, seconded by Councillor Cameron. So voted.

4. Emergency Mgmt Building Maintenance \$400, to EM Deputy Coordinator \$400

Motion to approve by Councillor Herzog, seconded by Councillor Cameron. So voted.

5. Assessors Res. Appr. Assr Svc Fee \$550 to Other Supplies \$550

Motion to approve by Councillor Herzog, seconded by Councillor Cameron. So voted.

8. COMMUNICATIONS

11. LATE FILE Mayor's Update

Motion to receive and file by was made by Councillor Cameron and withdrawn. Motion to refer to General Government by Councillor Vogel, seconded by Councillor Giunta. So voted.

12. LATE FILE Jeanne Geiger Crisis Center Walk October

Motion to refer to Public Safety by Councillor Cronin, seconded by Councillor Connell. So voted.

9. TABLED APPOINTMENTS-First Reading

TABLED Appointment

1. Robert Uhlig 10 Ocean Ave. Newburyport Redevelopment Authority

Motion to remove from the table by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 no (Vogel). So voted. Motion to postpone to July 14, 2014 by Councillor Vogel, seconded by Councillor Giunta. 5 yes (Cronin, Giunta, Herzog, Vogel, O'Brien) 6 no. Motion failed. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. Roll call vote, 7 yes, 4 no (Cronin, Giunta, Vogel, O'Brien). So voted.

10. APPOINTMENTS-Second Reading

- | | | | |
|----|------------|--------------------|------------------|
| | | Appointment | |
| 2. | Judy Avery | 54 Milk Street | Cultural Council |
| | | | June 1, 2017 |

Re-Appointment

3. Katie Guildner 7 Broad Street#2 Moseley Woods Commission

January 1, 2017

Councillor Herzog moved to approve collectively 3 & 4, seconded by Councillor Connell. Roll call vote, 11 yes.

11. ORDERS

1. TABLED Community Preservation Recommendations FY2014

Motion to remove from the table by Councillor Cameron, seconded by Councillor Herzog. So voted.

Motion to approve Councillor Cameron, seconded by Councillor Kinsey. Councillor Eigerman recused himself from all CPC votes and left the Chamber.

CPC #1 Open Space Reserves. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #2 YWCA Roof. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #3 Belleville Church Restoration. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #4 Clipper City Rail Trail. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.

**CPC #5 Down Payment Assistance. Motion to approve by Councillor Cameron, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.
Councillor Cameron recused himself and left the Chamber.**

**CPC #6 Affordable Housing Trust. Motion to approve by Councillor Connell, seconded by Councillor Herzog. 9 yes, 2 recused (Cameron, Eigerman). So voted.
Councillor Cameron returned to the Chamber.**

CPC #7 Inn Street Fountain. Motion to approve by Councillor Kinsey, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #8 Green Street Trees. Motion to approve by Councillor Connell, seconded by Councillor Herzog. 10 yes, 1 recused (Eigerman). So voted.

CPC #9 FRS Steeple Restoration. Motion to approve by Councillor Herzog, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.

**CPC #10 NHS Exterior Woodwork. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.
Councillor Tontar recused himself and left the Chamber.**

**CPC #11 Atkinson Common Tree Restoration. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 9 yes, 2 recused (Eigerman, Tontar). So voted.
Councillor Tontar returned to the Chamber.**

CPC #12 City Hall Debt. Motion to approve by Councillor Cronin, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.

CPC #13 Open Space Debt. Motion to approve by Councillor Connell, seconded by Councillor Cameron. 10 yes, 1 recused (Eigerman). So voted.

CPC #14 Administrative Costs. Motion to approve by Councillor Cameron, seconded by Councillor Kinsey. 10 yes, 1 recused (Eigerman). So voted.

Councillor Eigerman returned to the Chamber.

2. Amended Order Collins Street

Motion to refer to Planning & Development by Councillor Cameron, seconded by Councillor Connell. So voted.

3. Amend Order Loan Appropriation for Bresnahan Project from Aug. 13, 2012

Motion to refer to General Government and Committee of the Whole by Councillor Giunta, seconded by Councillor Connell. So voted.

4. Resolution and Order for next special election ballot question approval new athletic and baseball fields bonds

Motion to refer to General Government and Committee of the Whole by Councillor Giunta, seconded by Councillor Kinsey. So voted.

12. ORDINANCES

1. 2nd Reading Amend ORD Sec. 13-136 Stop Intersections Russell Terrace Ext

Motion to approve second reading by Councillor Giunta, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.

2. Amend ORD Ch.13 Sec 13-179 Handicap Parking Lime St

Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Connell. So Voted.

13. EXECUTIVE SESSION

Motion to go into Executive Session by Councillor Cameron, seconded by Councillor Herzog at 8:02pm to discuss the reputation. Council President O'Brien announced that they would be reconvening in open session.

Motion to come out of Executive Session by Councillor Cameron, seconded by Councillor Herzog at 8:30pm.

14. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Mayor letter regarding Order for Revolving Fund Expenses *03/17/2014
2. Order Amend Revolving Fund expenses *03/17/2014
3. FY2015 Budget Order *05/12/2014

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Councillor Tontar proceeded through the budget section by section.

Motion to reduce to \$56,547 line item 51150 from the Fire Department by Councillor Connell, seconded by Councillor Vogel. Roll call vote, 8 yes, 3 no (Herzog, Kinsey, Tontar). Motion passed.

Motion to reduce to \$52,173.62 line item 51150 from the Police Department by Councillor Connell, seconded by Councillor Vogel. 8 yes, 3 no (Herzog, Kinsey, Tontar). Motion passed.

Motion to reduce Grant Writing to \$14,100 line item 53006 from the Mayor's Office by Councillor Herzog, seconded by Councillor Cronin. 2 yes (Herzog, Vogel), 9 no. Motion failed.

Motion to reduce to \$64948.11 line item 51101 from the Human Resources Dept. by Councillor Cronin, seconded by Councillor Vogel. 1 yes (Cronin), 10 no. Motion failed.

Motion to approve the FY2015 Budget as amended in the amount of \$56,277,194.81 and \$25,148,813 as the School Department Budget with Water Enterprise Fund of \$4,887,816.55, Sewer Enterprise Fund of 6,247,876.62, and Harbormaster Enterprise Fund of \$357,683.80, by Councillor Cameron, seconded by Councillor Herzog. Roll call vote, 11 yes. Motion passed.

4. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
5. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
6. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014

General Government

Joint Education

Councillor Kinsey said that the High School girls lacrosse team won the semi-finals.

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014

License & Permits

In Committee:

1. Movable Sign Application Newburyport Brewing Company *02/10/2014
2. Amend Ch.6.5, Article III Plastic Bags (NCS & COTW) *03/17/2014
3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014

Neighborhoods and City Services

In Committee

1. Amend Ch.6.5, Article III Plastic Bags (L&P, COTW) *03/17/2014

2. Amend ORD Sec. 3-26-d Table of Designated Off Leash Areas *04/28/2014
3. Amend ORD Sec. 3-26 subsection e, Rules for Designated Off Leash Areas *04/28/2014
4. Market Basket Letter re: plastic bags *05/12/2014

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. Order Collins Street *04/15/2014

Motion to refer revised order to Planning & Development by Councillor Cameron, seconded by Councillor Connell. Motion to remove from committee by Councillor Cameron, seconded by Councillor Connell. So voted. The committee voted 3-0 to approve. Motion to approve by Councillor Cameron, seconded by Councillor Connell. Roll call vote, 11 yes. So voted.

3. Letter re: Collins Street *05/12/2014

Motion to remove by Councillor Cameron, seconded by Councillor Connell. So voted. Motion to receive and file by Councillor Cameron, seconded by Councillor Connell. So voted.

4. Revised Collins Street surplus Property Order
5. Amend ORD Zoning Section XII-B, Medical Marijuana treatment center *05/27/2014
6. Amend ORD Zoning Section XII-B, Harbormaster Facility *05/27/2014
7. Amend ORD Zoning Section III, Floodplain Overlay District *05/27/2014
8. Amend ORD Zoning Section XXVII-E and F (downtown overlay district) *05/27/2014
9. Amend ORD Zoning Section XXVIII, Demolition control overlay district *05/27/2014

Public Safety

In Committee:

1. Roadway and Sidewalk Update *05/12/2014

Chairman Cronin gave a brief status update at which point he made a motion to receive and file, seconded by Councillor Connell. So voted.

2. Patriots for American Veterans Organization (PAVO) Walk for our Troops Oct.4, 2014 *05/27/2014
3. Amend ORD Ch.13 Section 13-179 Waterfront Trust Lot Handicapped Parking *05/27/2014

Public Utilities Committee

In Committee:

1. Stormwater Permitting Status Update *05/12/2014
2. Letter from Daniel Eyink, MD regarding water fluoridation *05/27/2014

Rules Committee

15. GOOD OF THE ORDER

16. ADJOURNMENT

Councillor Cameron moved to adjourn, seconded by Councillor Kinsey at 10:02 pm. So Voted.