

## **CITY COUNCIL MEETING MINUTES - VERSION 2**

**September 8, 2014**

### **Electrical Box Hearing**

#### **13 Pond Street (Nat. Grid)**

At 7:20 pm President O'Brien opened the public hearing. The City Clerk called the roll, 10 present, 1 absent (Herzog). Motion to remove from the Table by Councillor Cronin, seconded by Councillor Tontar, so voted. The City Clerk read the notice of public hearing. Lien Gauthier of National Grid spoke and presented a new plan showing a new location at 13 ½ Pond Street. Motion to approve by Councillor Cameron, seconded by Councillor Tontar. Roll call vote, 10 yes, 1 absent (Herzog). The hearing was closed at 7:25pm.

### **CITY COUNCIL MEETING 7:30PM**

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held for Paul Bugli and E. Peter Murphy. 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, O'Brien. 11 present.

**LATE FILES** – Communication #4 Earth, Inc. & #5 Mayor's Update

**Motion to waive the rules and allow late files by Councillor Vogel, seconded by Councillor Herzog. So voted.**

### **PUBLIC COMMENT**

1. Jeffrey Brunelle	40 Water Street	Plastic Bag Ban
2. Ann Marie Baia	39 Clipper Way	Plastic Bag Ban
3. Rhee Pappa	4 Franklin St.	Franklin St. Parking & Plastic Bags
4. Robin Carter	154 Water St.	Franklin St Parking
5. John Mills	167 Water Street	Franklin St Parking
6. Kim Kudym	44 Hale St	Plastic Bag Ban
7. John Giordano	7 N. Atkinson St	Plastic Bag Ban
8. Walter Ribeck	234 Low St #17	Plastic Bag Ban
9. Dan Powell	3 Salem, Apt \$	Franklin St Parking
10. Jim Hartford	5 Franklin St	Franklin St Parking
11. Marty Feerick	3 Franklin St	Franklin St Parking
12. Sharon Peel	6-8 Franklin St	Franklin St Parking
13. Robert Padellaro	17 56 <sup>th</sup> St	Asst Harbormaster Appointment
14. Kevin Kozuchowski	152 Water St	Franklin St Parking
15. Dawn Kozuchowski	152 Water St	Franklin St Parking
16. Johanna Krist	1 ½ Franklin St	Franklin St Parking
17. Joe Teixeira	44 Hale St	Plastic Bag Ban
18. Abigail Moore	10 Riverview Dr	Plastic Bag Ban
19. Shane Thirkell	12 Chain Bridge Dr	Plastic Bag Ban
20. Sharif Zeed	192 Water St	Plastic Bag Ban
21. Roseann Robillard	13 Clipper Way	Communication #2 Walk for the Poor
22. Katie Dobbs	Wakefield, MA	Earth Inc Photoshoot
23. Lean Petty	10 Tyng St	Plastic Bag Ban
24. Lyndi Lanphear	347 High St	Plastic Bag Ban
25. Monika Chas	74 Lime St	Plastic Bag Ban
26. Christin Walth	1 Merrimac St	Plastic Bag Ban
27. Renee Pappa	4 Franklin St	Plastic Bag Ban
28. Katherine Gendron	8 Brooke Court	Plastic Bag Ban
29. Ken Irwin	296 High St	Plastic Bag Ban
30. Marian Lery	323 Merrimac St	Plastic Bag Ban
31. Janine Brunell Looker	261 Merrimac St	Plastic Bag Ban

**MAYOR'S COMMENT** – The Mayor gave a short update.

## 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.

### 1. APPROVAL OF MINUTES

August 25, 2014

(Approve)

### 2. TRANSFERS

1. Mayor's Office Budget Conting \$122,724 to Firefighter Sal \$110,493, to Dep Chief Sal \$12,231 (B&F)
2. Mayor's Office EMT Stipends \$25,000 to Firefighter Sal \$24,000, to Dep Chief Sal \$1,000 (B&F)

### 3. COMMUNICATIONS

1. Block Party Otis from Garden Street, Sept. 27, 2014 (Approve)
2. Society of St. Vincent de Paul Walk for the Poor Sept. 20, 2014 (Approve)
3. NRA letter to Council re: meeting date (Gen Gov)

### 4. APPOINTMENTS- First Reading

#### APPOINTMENTS

1. Robert Padellaro 17 56<sup>th</sup> Street Asst Harbor Master & Spec Police Officer Dec. 1, 2017

#### RE-APPOINTMENTS

2. Craig G. Holt 33 Carter Street Licensing Board June 1, 2020
3. Lance Thokle 1885 SE Erwin Rd, Port St. Lucie, FL Asst Harbor Master & Spec PO Dec. 1, 2017

## END OF CONSENT AGENDA

**Motion to approve the consent agenda by Councillor Cronin, seconded by Councillor Cameron. So voted.**

## REGULAR AGENDA

### 5. COMMUNICATIONS

4. LATE FILE Earth Inc. fashion shoot Sept. 23/24, 2014

**Motion to approve by Councillor Vogel, seconded by Councillor Cameron. So voted.**

5. LATE FILE Mayor's Update

**Motion to R&F Councillor , seconded by Councillor . So voted.**

### 6. APPOINTMENTS - Confirmatory - Address Correction

1. Stephen Dodge 18 Union Street Historical Commission August 1, 2017

**Motion to approve by Councillor Herzog, seconded by Councillor Vogel. Roll call vote, 11 yes. So voted.**

### 7. ORDERS - None

### 8. ORDINANCES

1. Second Reading Sec 6.5 Thin Film Plastic Bag Ordinance

**Motion to approve by Councillor Connell, seconded by Councillor Cameron. Motion to amend Ch. 6.5 to Ch. 9, Article VIII by Councillor Herzog, seconded by Councillor Kinsey. 4 yes (Herzog, Kinsey, Giunta, O'Brien) 7 no. Motion failed. Motion to amend Section 6.5-45 Definitions by Councillor Herzog, seconded by Councillor Cronin. 3 yes (Herzog, Cronin, O'Brien), 8 no. Motion failed. Motion to approve second reading by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 6 yes, 5 no (Herzog, Kinsey, Cronin, Giunta, O'Brien). Motion passed.**

2. Amend ORD 13-179 Handicapped Parking 26 Essex St

**Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Tontar. So voted.**

3. Amend ORD Sec 13-168 Parking restricted Olive Street (PENDING PUBLICATION)

### 9. 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. Order Home Rule Petition- supplementing education budget (COTW) \*05/12/2014
4. Amend ORD Ch. 2 Section 2-45 City Council Salary \*05/12/2014
5. Amend ORD Ch. 2 Section 2-61A School Committee Salary \*05/12/2014
6. Human Resources Dependent Audit \*06/30/2014
7. Firefighters Local 827 FY2014 Successor Collective Bargaining Agreement \*08/25/2014

**Motion to remove by Councillor Tontar, seconded by Councillor Herzog. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cronin. So voted.**

8. Supplemental Budget FY 2015 #1 \*08/25/2014

**Motion to remove by Councillor Tontar, seconded by Councillor Connell. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Connell. So voted.**

## **General Government**

### **In Committee:**

1. Mayor's Update \*06/09/2014

## **Joint Education**

**Councillor Kinsey informed the Council of an upcoming presentation on Common Core State Education Standards on Tues. Sept. 23 at 7pm at the Elks Lodge and a presentation the same day on Ch. 70 reform at 25 Green Street, Ipswich.**

### **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

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

3. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
4. Letter regarding transient vendor licensing \*06/30/2014
5. Conor McManamy request to sell reusable bags in Market Square \*08/11/2014

**Motion to remove by Councillor Heartquist, seconded by Councillor Vogel. So voted. Motion to approve with the stipulation to coordinate with Ann Ormond of the Chamber of Commerce by Councillor Heartquist, seconded by Councillor Vogel. So voted.**

6. Yankee Clipper Boy Scouts Pack 21 Popcorn Fundraiser Market Square Oct. 4, 8, Nov. 1, 2014 \*08/11/2014

**Motion to remove by Councillor Heartquist, seconded by Councillor Vogel. So voted. Motion to approve by Councillor Heartquist, seconded by Councillor Cameron. So voted.**

## **Neighborhoods and City Services**

### **In Committee**

1. Market Basket Letter re: plastic bags \*05/12/2014

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

## **Planning & Development**

### **In Committee:**

1. Letter from Newburyport Preservation Trust \*03/31/2014

## **Public Safety**

### **In Committee:**

1. Green Stride ½ Marathon Oct 26, 2014 \*06/30/2014

**Motion to remove by Councillor Cronin, seconded by Councillor Herzog. So voted. Motion to approve grandfathered under the new guidelines and with these 5 stipulations 1) 3 press releases required, 2) Dave McGillvray to assist, 3) Notify residents along the course, 4) 1 week before race place electronic signage, and 5) work with police department by Councillor Cronin, seconded by Councillor Tontar. So voted.**

2. Ch 13, Sec 13-168 Parking Franklin St \*08/25/2014

**Public Utilities Committee**

***In Committee:***

1. Letter from Daniel Eyink, MD regarding water fluoridation
2. Energy Advisory Committee letter regarding lights on private property

*\*05/27/2014*

*\*06/30/2014*

**Rules Committee**

**10. GOOD OF THE ORDER - None**

**11. EXECUTIVE SESSION re Litigation #3**

**Roll call vote into Executive Session at 8:50pm, 11 yes.**

**Roll call vote to come out of Executive Session at 9:08pm, 11 yes.**

**12. ADJOURNMENT**

**Councillor Cronin moved to adjourn, seconded by Councilor Herzog at 9:08 pm, so voted.**