

# CITY COUNCIL MEETING MINUTES - VERSION 1

October 14, 2014

## **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 Nancy Flynn and Elaine Tucker, and a speedy recovery for Gary Calderwood. 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** – Order #4 and #5, and Communication #4 Mayor's Update

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

**Motion to refer Order #4 to Public Utilities by Councillor Herzog, seconded by Councillor Heartquist. So voted.**

### **PUBLIC COMMENT**

- |                      |               |                 |
|----------------------|---------------|-----------------|
| 1. Leslie Eckholdt   | 36 Warren St. | Fire Trucks     |
| 2. Kevin Kozuchowski | 152 Water St. | Franklin Street |

**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**

Sept. 29, 2014

(Approved)

### **2. COMMUNICATIONS**

1. Friends of the Council on Aging Book Box Cushing Park

~~(L&P)~~(Approved)

**Changed to approve by Councillor Heartquist.**

2. Multiple Sclerosis Soc. 2015 Walk, April 11, 2015

(PS)

3. Block Party Christopher Street, October 18, 2014

(Approved)

### **3. APPOINTMENTS-First Reading**

#### **RE-APPOINTMENTS**

- |                 |                        |                  |              |
|-----------------|------------------------|------------------|--------------|
| 1. Anne Spraker | 20 Tremont St., Unit 1 | Cultural Council | Oct. 1, 2017 |
|-----------------|------------------------|------------------|--------------|

## **END OF CONSENT AGENDA**

**Motion to approve the consent agenda as amended by Councillor Connell, seconded by Councillor Cameron. So voted.**

## **REGULAR AGENDA**

### **4. COMMUNICATIONS**

4. LATE FILE Mayor's Update

### **5. APPOINTMENTS Second Reading -**

#### **APPOINTMENTS**

- |                        |                            |  |               |
|------------------------|----------------------------|--|---------------|
| 2. Leah McGavern       | 21 Marlboro St.            | Planning Board                         | May 31, 2016  |
| 3. Leah McGavern       | 21 Marlboro St.            | Community Preservation Act Committee   | Oct. 1, 2017  |
| 4. Wilbur Shenk        | 1 Beck St.                 | Waterfront Trust                       | Dec. 1, 2018  |
| 5. Robert Steach       | 185 School St., Manchester | Animal Control Officer                 | May 1, 2015   |
| 6. Elizabeth L. Watson | 53 Warren St., #315        | Emma Andrews Branch Library Commission | Oct. 30, 2015 |

#### **RE-APPOINTMENTS**

- |                         |                 |  |               |
|-------------------------|-----------------|--|---------------|
| 7. Aine Greaney Ellrott | 43 Purchase St. | Emma Andrews Branch Library Commission | Oct. 30, 2015 |
|-------------------------|-----------------|--|---------------|

8. Susan Chase	44 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2015
9. Elizabeth Valeriani	29 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2015

10. Donna Conway	27 Marlboro St.	Emma Andrews Branch Library Commission	Oct. 30, 2015
11. Karen B. Wiener	7 Lincoln St	Newburyport Affordable Housing Trust	Sept. 1, 2015

**Motion to approve collectively the second reading by Councillor Herzog, seconded by Councillor Heartquist. Roll call vote, 11 yes. So voted.**

## 6. ORDERS

1. TABLED Proposed Vote of Discontinuance of Barker Street

**Motion to remove from table by Councillor Connell, seconded by Councillor Heartquist. So voted. Motion to refer to Planning & Development by Councillor Heartquist, seconded by Councillor Herzog. So voted.**

2. 2<sup>nd</sup> Reading Bond Order 908K Two Fire Trucks

**Motion to waive the rules and allow the Bond order in Committee to be taken out of order by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve 2<sup>nd</sup> reading by Councillor Tontar, seconded by Councillor Heartquist. Roll call vote, 12 yes. So voted.**

3. Acceptance of Ch. 73 Sec. 4 Acts of 1985, amended Ch 125 Acts of 1988 Tax Exemptions

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

4. LATE FILE Shut off Streetlights

**Motion to remove from committee by Councillor Herzog, seconded by Councillor Heartquist. So voted. Motion to amend by Councillor Eigerman, seconded by Councillor Herzog. So voted. Motion to approve as amended by Councillor Vogel, seconded by Councillor Kinsey. So voted.**

5. LATE FILE 250<sup>th</sup> Gifts for \$13,500

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

## 7. ORDINANCES

1. Second Reading Amend ORD 13-168 Parking Franklin St

**Motion to approve 2<sup>nd</sup> reading by Councillor Vogel, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 no (Heartquist). Motion passed.**

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

**Motion to approve 2<sup>nd</sup> reading by Councillor Eigerman, seconded by Councillor Kinsey. Roll call vote, 11 yes. Motion passed.**

## 8. 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. Police Patrolmen Tentative Agreement \*09/29/2014

**Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.**

8. Auditor's Year End Budget Report FY 2014 \*09/29/2014

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

9. Bond Order 908K Two Fire Trucks \*09/29/2014

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

### General Government

### **Joint Education**

**Councillor Kinsey stated that there is a Joint Ed/School Committee meeting on November 12, 2014.**

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

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

### **License & Permits**

**Councillor Heartquist stated that there is a meeting on October 22, 2014 at 6:30pm regarding dogs at Cashman Park.**

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

1. Movable Sign Application Newburyport Brewing Company \*02/10/2014
2. Amend ORD Sec. 9-114 Transient Vendors Restricted Areas \*04/28/2014
3. Letter regarding transient vendor licensing \*06/30/2014
4. Parks Commission letter re: dogs Cashman Park \*09/29/2014

### **Neighborhoods and City Services**

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

### **Planning & Development**

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

1. Letter from Newburyport Preservation Trust \*03/31/2014
2. Amend ORD Zoning Change, R3 Zone to R2 Zone - Back Bay Neighborhood \*09/29/2014

### **Public Safety**

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

1. River Relay for Real Lives Oct. 25, 2014 \*09/29/2014

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

### **Public Utilities Committee**

**Councillor Herzog stated that there will be a hearing on Fluoridation on Oct. 23 at 7pm in the Police Station Conference room.**

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

1. Letter from Daniel Eyink, MD regarding water fluoridation \*05/27/2014
2. Energy Advisory Committee letter regarding lights on private property \*06/30/2014

**Motion to remove by Councillor Herzog, seconded by Councillor Heartquist. So voted.**

### **Rules Committee**

## **9. GOOD OF THE ORDER**

**Councillor Cronin gave an update on the Traffic Advisory meetings the 2<sup>nd</sup> Thursday of the month at 5:00pm.**

## **10. ADJOURNMENT**

**Councillor Tontar moved to adjourn, seconded by Councilor Cameron at 8:26 pm, so voted.**