

# **CITY COUNCIL MEETING MINUTES - VERSION 1**

**July 8, 2013**

**7:30PM**

Council President O'Brien called the meeting to order at 7:39 pm. A moment of silence was held. 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, Earls, Heartquist, Herzog, Jones and Sullivan. 11 present.

**1. LATE FILES – None.**

**2. PUBLIC COMMENT –**

1. Pam Palombo                      14 Horton Street                      Shingles Program

**CONSENT AGENDA**

**3. APPROVAL OF MINUTES**

June 24, 2013

(Approved)

**4. COMMUNICATIONS**

1. Newburyport Chamber Music Festival Aug. 13, 2013

(License & Permits)

**Removed by Councillor Earls.**

2. Block Party Melissa Duncan Aug. 3, 2013, Dove & Monroe, Dove & Merrimac  
3. Block Party Lynne Murray Aug. 10, 2013, 54<sup>th</sup> Street at Northern Boulevard  
4. Block Party Donna Riley, Aug. 3, 2013, Howard between Woodland & Butler  
5. Exchange Club use of Market Square July 27, August 10 and August 24, 2013

(Approve)  
(Approve)  
(Approve)  
(Approve)

**5. APPOINTMENTS - First Reading**

- |                       |                 | <b>Appointment</b>                         |                |
|-----------------------|-----------------|--|----------------|
| 1. Paul Hogg          | 4 Coltin Dr.    | Newburyport Shellfish Constable            | July 1, 2016   |
| <b>Re-Appointment</b> |                 |  |                |
| 2. Maurice Southworth | 12 Fruit St.    | Fruit St. Local Historic Dist. Study Comm. | May 1, 2016    |
| 3. Donna Scott        | 4 Strong St.    | Comm. For Diversity and Tolerance          | May 31, 2016   |
| 4. Jeanine T. Murphy  | 10 Plummer Ave. | Atkinson Common Comm.                      | March 30, 2016 |

**END OF CONSENT AGENDA**

**Motion to approve the Consent Agenda as amended by Councillor Jones, seconded by Councillor Earls. So voted.**

**REGULAR AGENDA**

**6. COMMUNICATIONS**

1. Newburyport Chamber Music Festival Aug. 13, 2013

**Motion to approve by Councillor Earls, seconded by Councillor Jones. So voted.**

**7. TRANSFERS**

1. Harbormaster Retained Earnings \$25,000 to Capital Project Acct \$25,000

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

**8. APPOINTMENTS - Second Reading**

**Re-Appointment**

5. Mary Casey                      58 Bromfield Street                      Conservation Commission                      May 31, 2016

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

**9. ORDERS**

1. Acceptance of \$1,700 gift from the Swasey Fund, Inc.

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

**2. Re-authorization of Revolving Funds in accordance with MGL Ch 44 sec 53E ½**

**Motion to approve by Councillor Earls, seconded by Councillor Jones. So voted.**

## **10. COMMITTEE ITEMS**

### **Budget & Finance**

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

- 1. Mid-Year Report**
- 2. Amend ORD Sec. 2-392 Interest on Water and Sewer Bills** \*05/28/2013
- 3. Community Preservation Committee FY14 Appropriations** \*06/10/2013
- 4. Mayor/Yth Svcs Gen Fd Free Cash \$62,500 to Yth Svcs Kelly Sch Exp \$35,000,  
to Gen Admin Elec Maint. \$7,500** \*06/24/2013

**Motion to remove \$35,000 by Councillor Cameron, seconded by Councillor Derrivan. So voted. Motion to receive and file \$35,000 by Councillor Cameron, seconded by Councillor Cronin. So voted. Motion to remove \$7,500 by Councillor Cameron, seconded by Councillor Herzog. So voted. Motion to approve \$7,500 by Councillor Cameron, seconded by Councillor Cronin. 10 yes, 1 no (Jones), so voted.**

### **General Government**

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

- 1. Campaign Finance Reports – Municipal Forms website posting** \*05/14/2012
- 2. Amend ORD Sec. 2-30 Performance of duties of mayor upon absence, disability** \*05/28/2013
- 3. Amend ORD Sec. 2-29 Special Meetings** \*05/28/2013
- 4. Amend ORD Sec. 2-62 Residency requirement** \*05/28/2013
- 5. Amend ORD Sec. 2-126 Salary of elected officials** \*05/28/2013
- 6. Amend ORD Sec. 2-128 Departmental records to be kept; employee records** \*05/28/2013
- 7. Amend ORD Sec. 5-42 Term of office** \*05/28/2013
- 8. Amend ORD Sec. 2-273 Removal for cause** \*05/28/2013

### **Joint Education**

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

- 1. Letter regarding World War II Memorial Stadium** \*10/23/2012
- 2. NHS Baseball Alumni Assoc. re loss of baseball field** \*11/26/2012

### **License & Permits**

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

- 1. Seacoast Taxi – Taxi Company License Renewal** \*06/24/2013
- 2. Outdoor Seating Ceia Kitchen & Bar 38 State Street** \*06/24/2013
- 3. Outdoor Seating Brine 25 State Street** \*06/24/2013

### **Neighborhoods & City Services**

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

- 1. Amend Ord. 3-27 Animals, dogs, Licensing of dogs and kennels** \*06/25/2012
- 2. Letter re naming park bench in memory of Mayor George H. Lawler** \*04/08/2013
- 3. Request for removal of Storey Ave. Signage**

### **Planning & Development**

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

- 1. Order Cushing Park land transfer to Mayor for Municipal Parking** \*06/25/2012
- 2. Request for Discontinuance of Westerly Side of Harnch's Way** \*11/13/2012
- 3. Open Space & Recreation Plan Update – Final Plan** \*03/26/2013

**Motion to remove by Councillor Jones, seconded by Councillor Derrivan. So voted. Motion to Receive and File by Councillor Jones, seconded by Councillor Derrivan. So voted.**

- 4. 2013 Demolition Delay** \*03/26/2013
- 5. Mayor/Planning Insurance 32-B \$281,250 to Planning & Dev Prof Serv \$281,250** \*06/24/2013

**Motion to remove by Councillor Jones, seconded by Councillor Derrivan. So voted. Motion to approve as amended with new account # 2698-421-10400 Cap. Proj. Acct. by Councillor Jones, seconded by Councillor Earls. So voted.**

## **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. Letter regarding speeding traffic on Turkey Hill Road \*04/29/2013
8. Amend Sec. 13-176.1 30 minutes High St. from Ashland St. and west \*04/29/2013
9. Amend ORD Sec. 13-121 One way streets add Court St. \*05/28/2013
10. Amend ORD Ch 13 Ar. IV Div. 4 Sec. 13-136 Stop Intersection Goodwin Ave \*06/10/2013
11. Newburyport River Run ½ Marathon and Relay June 1, 2014 \*06/24/2013
12. Block Party, Jamie Chabot, August 3, 2013, Congress St. (Buck to Olive) \*06/24/2013
13. Amend ORD Ch 13 Ar. IV Div. 6 Sec. 13-174 Parking Hale St. \*06/24/2013
14. Amend ORD Ch 13 Ar. IV Div. 6 Sec. 13-80 Parking Otis Place \*06/24/2013

## **Public Utilities**

**Councillor Herzog announced that a meeting will be held July 10, 2013 at 6pm at the Sewer Plant to discuss the merger of the sewer and water departments.**

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

1. Resolution Special Legislation to create Board of Water and Sewer Commissioners \*06/10/2013

## **11. GOOD OF THE ORDER**

**Councillor Cronin announced that the Public Safety committee and Committee of the Whole will hold a meeting on July 11, 2013 at 7pm to discuss Court Street and other committee items.**

**Councillor Cronin motioned to suspend the rules and allow the Congress Street Block Party, seconded by Councillor Derrivan. Roll call vote, 11 yes. Point of parliamentary procedure that the item should have been listed on the agenda in the Public Safety Committee items. Motion to approve by Councillor Cronin, seconded by Councillor Cameron. Roll call vote, 11 yes. So voted.**

**The Clerk called for a confirmatory vote on the calendar voted on January 14, 2013 with 1 meeting in July and 1 meeting in August. Motion by Councillor Cameron, seconded by Councillor Cronin. 10 yes, 1 no (Earls).**

**Motion to have a meeting August 26, 2013 by Councillor Derrivan, seconded by Councillor Herzog. 4 yes, (Derrivan, Earls, Herzog, Jones), 7 no. Motion failed.**

## **12. ADJOURNMENT**

**Motion to adjourn at 8:11pm by Councillor Derrivan, seconded by Councillor Jones. Roll call vote, 11 yes.**