

CITY COUNCIL MEETING MINUTES v.1

CITY COUNCIL CHAMBERS

November 9, 2015

7:00 PM HEARING

Council President O'Brien called the meeting to order at 7:15 pm. He instructed the City Clerk to call the roll. The following Councillors answered present: Cameron, Connell, Cronin, Eigerman, Giunta, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 present, 1 absent (Heartquist). The Clerk read the notice of hearing. President O'Brien opened up the public comment. Jim Leonard spoke in favor. Rob Germinara spoke in favor. There was some discussion as to where the street light was located in front of 3 Belcher Street. The hearing was closed at 7:20pm.

7:30 PM

Council President O'Brien called the meeting to order at 7:30 pm. A moment of silence was held remembering the Veterans who have served. 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, Herzog, Kinsey, Tontar, Vogel and O'Brien. 10 present, 1 absent (Heartquist).

1. LATE FILES – Communication #8 Mayor's Update

Motion to waive the rules and accept the late file items by Councillor Cameron, seconded by Councillor Giunta
So voted.

2. PUBLIC COMMENT

1. Erin Dunphy	31 Dove Street	NYHL Tag Day
2. Peter Blaiwas	5 Otis Place	Commission for Diversity & Tolerance
3. David Cross	21 NE Blvd, Salisbury	Taxi Permit
4. Frank Giacalone	10 Dunham Rd, Beverly	Sidewalk Ordinance
5. Jerry Mullins	7 Parsons Street	Sidewalk Ordinance
6. Rob Germinara	2 Ashland Street	Belcher St. Disc. & Sidewalks & Trees

3. MAYOR'S UPDATE

The Mayor gave an 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.

4. APPROVAL OF MINUTES

October 26, 2015

(Approved)

5. TRANSFERS - NONE

6. COMMUNICATIONS

1. Phat Cabbie Transportation Taxi License Application (L&P)

Removed by Councillor Cronin.

2. Letter from Greater Nbpt Chamber of Commerce support single tax rate (B&F)

Removed by Councillor Cronin.

3. Letter from Commission for Diversity and Tolerance (N&CS)

Removed by Councillor Herzog.

4. Mayor memo regarding Health Ins. Benefit for City Councillors and School Committee (B&F)

Removed by Councillor Cronin.

5. Letter Nbpt Youth Hockey League Tag Day downtown City sidewalks Nov. 21, 2015 (PS)

Removed by Councillor Cronin.

6. Supplemental Information on Tax Classification and Tax Rate Orders submitted 10/26/15 (B&F)

Removed by Councillor Cronin.

7. Notification of the Board Of Health appointment of new Health Director (R&F)

7. APPOINTMENTS – First Reading

APPOINTMENTS			
1. Peter M. Blaiwas	61 Pleasant St., #717	Commission on Diversity & Tolerance	Dec. 1, 2018
RE-APPOINTMENTS			
2. Susan Chase	44 Oak Street	Emma Andrews Branch Library Commission	Oct. 30, 2016
3. Elizabeth L. Watson	53 Warren St. # 314	Emma Andrews Branch Library Commission	Oct. 30, 2016
4. Elizabeth Valeriani	29 Oak St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
5. Aine G. Ellrott	43 Purchase St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
6. Donna Conway	27 Marlboro St.	Emma Andrews Branch Library Commission	Oct. 30, 2016
7. Stephen J. Moore	10 N. Atkinson St.	Conservation Commission	Dec. 1, 2018

END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Herzog, seconded by Councillor Kinsey. So voted.

REGULAR AGENDA

8. COMMUNICATIONS

1. Phat Cabbie Transportation Taxi License Application

Motion to refer to License & Permits by Councillor Cronin, seconded by Councillor Heartquist. So voted.

2. Letter from Greater Nbpt Chamber of Commerce support single tax rate

Motion to receive and file by Councillor Tontar, seconded by Councillor Kinsey.

3. Letter from Commission for Diversity and Tolerance

Motion to refer to Neighborhoods & City Services by Councillor Herzog, seconded by Councillor Cameron. So voted.

4. Mayor memo regarding Health Ins. Benefit for City Councillors and School Committee

Motion to refer to receive and file by Councillor Cronin, seconded by Councillor Tontar. So voted.

5. Letter Nbpt Youth Hockey League Tag Day downtown City sidewalks Nov. 21, 2015

Motion to approve Emergency Preamble by Councillor Kinsey, seconded by Councillor Herzog. So voted.

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

6. Supplemental Information on Tax Classification and Tax Rate Orders submitted 10/26/15

Motion to receive and file by Councillor Tontar, seconded by Councillor Herzog. So voted.

8. LATE FILE – Mayor’s Communication

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

9. APPOINTMENTS – 2nd Readings - None

10. ORDERS

1. TABLED Order Discontinue portion of Belcher’s Street

Motion to remove from the table by Councillor Cameron, seconded by Councillor Giunta. So voted. Motion to delete “dated ----” by Councillor Connell, seconded by Councillor Herzog. So voted. Motion to insert “accept assessed value of \$28,000” by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 9 yes, 1 no (Vogel), 1 absent (Heartquist). So voted. Motion to approve as amended by Councillor Connell, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

2. Order License Contractor Street Occupancy Northern Drill Services, Inc.

Motion to Table by Councillor Herzog, seconded by Councillor Kinsey. So voted.

11. ORDINANCES

1. 2nd Reading Amend ORD Ch 12-6 Public Trees

Motion to approve 2nd reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

2. 2nd Reading Amend ORD Ch 12-9 Sidewalks

Motion to approve 2nd reading by Councillor Eigerman, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

3. 2nd Reading Amend ORD Ch 13 Div 4 Stop Intersections

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

4. 2nd Reading Amend ORD Ch 13 Div 5 Turning lanes

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

5. 2nd Reading Amend ORD Ch 13 Div 6 Add section 166

Motion to approve 2nd reading by Councillor Cronin, seconded by Councillor Giunta. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

12. COMMITTEE ITEMS

Budget & Finance

In Committee:

1. Order Home Rule Petition- supplementing education budget (COTW) *05/12/2014
2. Amend ORD Ch. 2 Section 2-45 City Council Salary *05/12/2014
3. Amend ORD Ch. 2 Section 2-61A School Committee Salary *05/12/2014
4. Letter from Hope Church regarding Master Box fee *11/10/2014
5. Statement re: Human Resources Dependent Audit *08/10/2015
6. Mayor/Planning & Dev. Gen'l Fd Free Cash \$40,000 to Master Plan Update *10/13/2015

Motion remove by Councillor Tontar, seconded by Councillor Cameron. 9 yes, 1 no (Herzog), 1 absent (Heartquist). So voted. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Motion to amend to \$20,000 by Councillor Eigerman, seconded by Councillor O'Brien. Roll call vote, 4 yes (Cronin, Eigerman, Giunta, O'Brien), 6 no, 1 absent (Heartquist). Motion failed. Roll call vote on motion to approve, 6 yes, 4 no (Cronin, Eigerman, Herzog, O'Brien), 1 absent (Heartquist). Motion passed.

7. Loan Order intermodal transit parking facility \$630,300 *10/13/2015
8. Tax Classification Order *10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to establish the Residential Factor as 1 by Councillor Tontar, seconded by Councillor Connell. So voted.

9. Tax Rate Order *10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cameron. So voted. Motion to set the rate at \$13.39 by Councillor Tontar, seconded by Councillor Connell. Roll call vote, 7 yes, 3 no (Eigerman, Herzog, Vogel), 1 absent (Heartquist). Motion passed.

10. LATE FILE Order Senior Center Rental Fees *10/26/2015

Motion to remove by Councillor Tontar, seconded by Councillor Cronin. So voted. A five minute recess was held from 9:06 to 9:11 pm to research the fees. Motion to approve by Councillor Tontar, seconded by Councillor Cameron. Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

11. LATE FILE Order Revolving Fund Senior Center *10/26/2015

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

In Committee:

1. Letter re: Health Insurance Benefit *05/11/2015
2. Changes to City Hall Rental Application and Rules of Use *09/15/2015
3. Create Ch. 2-2.5 City Flag *09/15/2015

Joint Education

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 ORD Sec. 9-114 Transient Vendors Restricted Areas *04/28/2014
3. Letter regarding transient vendor licensing *06/30/2014
4. Regulations *08/10/2015

Neighborhoods and City Services

In Committee:

1. Amend Ch11 Parks and Recreation (COTW) *08/10/2015
2. Order Portion of Belcher Street for disposition *10/13/2015

Motion to remove by Councillor Connell, seconded by Councillor Cameron. So voted. Motion to approve BC EC Roll call vote, 10 yes, 1 absent (Heartquist). So voted.

Planning & Development

In Committee:

1. Letter from Newburyport Preservation Trust *03/31/2014
2. First Refusal to Purchase Lot 8 Low Street *01/12/2015
3. Amend ORD Zoning Map Sec. III-C "Back Bay Area Zoning Map Change" *01/12/2015
4. Amend Zoning VIII-D Sign regulations *09/15/2015
5. Amend Zoning XI-I Glare *09/15/2015
6. Amend Ch. 2-116 Planning Board Established, membership, appointment *09/15/2015
7. Amend Ch. 2-119 Planning Board Members to serve without pay; powers and duties *09/15/2015

Public Safety

In Committee:

1. London Livery request for valet parking at 38 State Street *04/27/2015
2. Order regarding Signs *05/26/2015
3. Amend ORD Ch. 13 Article IV Div 6 Sec. 13-175 2 hr No. Atkinson *06/29/2015
4. Letter regarding condition of Dove Street *07/13/2015
5. Amend Ch. 3-2 Disposal of Animal Waste *09/15/2015
6. Amend Ch. 13-136 Designated Stop Intersections *09/15/2015
7. Amend Ch. 13-168 Parking Restricted on Certain Streets *09/15/2015
8. Amend Ch. 13-180 Resident Parking *09/15/2015
9. Amend Ch. 13-168 Parking Restricted on Pauline Street *09/15/2015
10. Amend ORD Ch. 13-181 Parking Lots Waterfront Trust Lot *09/28/2015
11. Amend ORD Ch. 13-181 Parking Lots Green Street Lot Police Vehicles *09/28/2015
12. Amend ORD Ch. 13-168 Parking restricted on certain streets (COTW) *10/13/2015
13. Amend ORD Ch. 9-158 Business prohibited between certain hours *10/13/2015

Motion to remove by Councillor Cronin, seconded by Councillor Tontar. So voted. Motion to approve as amended 1st reading and order published by Councillor Cronin, seconded by Councillor Tontar. Roll call vote, 9 yes, 1 no (Herzog), 1 absent (Heartquist). So voted.

14. Special Event Application Newburyport River Run ½ Marathon & 5k June 12, 2016 *10/26/2015

Motion to remove by Councillor Cronin, seconded by Councillor Cameron. So voted. Motion to approve as changed to May 15, 2015 by Councillor Cronin, seconded by Councillor Cameron. So voted.

15. Snow & Ice Plan 2015-16 *10/26/2015
16. Amend ORD Ch. 13-179 Handicapped Parking on Franklin Street *10/26/2015
17. Amend ORD Ch. 13 -171 Service Zone 153-155 State Street *10/26/2015

Public Utilities Committee

In Committee:

1. Sum. Rep. from Environmental Ptners on Wastewater Trtmnt Fac. & Odor Controls & COW *09/28/2015

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

Rules Committee

13. GOOD OF THE ORDER

The Clerk reminded Councillors of the group photo at 7:15pm on November 30, 2015.

Councillor Cameron recognized Officer Schmidt.

Councillor Kinsey stated the youth football team would be playing in Lynnfield on Sunday.

14. ADJOURNMENT

Motion to adjourn by Councillor Cameron, seconded by Councillor Connell at 9:29 pm. So voted.