

Amesbury City Council Minutes  
Tuesday, June 11, 2013  
City Hall Auditorium  
7:00 PM

Call to Order @ 7:06 p.m.

Pledge of Allegiance was led by Councilor McMilleon

Roll Call- McMilleon, Neale, Scorzoni, Kimball, Lavoie, McClure, Ferguson and Kelcourse  
Gilday was absent.

Act on minutes – none at this time.

**Mayoral Appointments**

**2013-074** Certificate of Appointment, Robert Gaudet, Board of Registrars for a term to expire on  
March 31, 2016.

Councilor Ferguson stated that this is a re-appointment and Mr. Gaudet did not need to be present.

Councilor Neale moved to accept the re-appointment of Robert Gaudet to expire March 31, 2016

**Licenses & Permits**

**2013-066** Common Victualler- The Traveling Chef at Kitchen Local, 14 Cedar St., Amesbury, MA,  
Robert Vandenbulcke of 1 Commonwealth Ave, Salisbury, MA

Mr. Vandenbulcke stated that he is the lead Chef Instructor at the Greater Lawrence Regional  
Vocational School in the Culinary Department, and was also a restaurant owner of the Mall  
Restaurant in Newburyport and the Manager at the Grog Restaurant. He stated that he still does the  
festivals in town and is now working out of Kitchen Local in order to do so.

Councilor Lavoie moved to accept 2013-066 subject to the usual stipulations. Councilor Kimball  
seconded and it was voted Unanimous.

**2013-067** Mobile Vendor License-Jolly Ice Cream, Christina Manemanus, 11 Old County Rd,  
Plaistow, NH

Ms. Manemanus and Mr. Ross Roland stated that they were looking to get a permit in the town for an  
ice cream truck for the streets and the beach. He stated that they do it in other surrounding towns in  
the area. Christine has been doing this for years as her dad has a business and they are branching  
out by themselves and thought Amesbury was a great place.

They stated that would probably run from 11am to 5pm; nothing late at night or early morning.

Councilor Kimball moved to accept 2013-067 subject to the usual stipulations. Councilor McMilleon  
seconded and it was voted Unanimous.

**Correspondence**

a. President/Vice President Communications

Councilor Ferguson stated that because there is a special election on the same day that the Finance  
Committee meeting was scheduled they have changed the meeting to Thursday, June 20, 2013 at  
the Town Hall at 7:00 p.m.

On Tuesday June 18, 2013 at 7 pm there will be a Municipal Council meeting to vote on the budget. She also noted that Chief Mark Gagnon is retiring after 32 years of service and thanked him for his service to Amesbury.

Amesbury Days is coming up on June 27 through the 30<sup>th</sup>. There is a fundraiser to benefit Amesbury Days at Flatbread on Wednesday, June 12, 2013 from 5 to 9 pm.

There will also be a Special City Council meeting immediately following the Finance meeting on Thursday, June 20, 2013.

### **b. Communication from Elected Officials, Boards and Commissions**

#### **2013-065 Election Warrant – June 25, 2013 – Senator in Congress**

Bonnijo Kitchin, City Clerk stated that the warrant is for the Council to call the election and it will be posted by the Constable here at City Hall, the Library and the Police Department.

Councilor Lavoie moved to accept 2013-065 as submitted.

### **c. Council Communications, Announcements and Committee Reports**

#### **Public Comment**

Jim Thivierge spoke about the budget process and tax rates. He stated that the meetings should be televised.

Eric Bezanson of 115 Whitehall Rd spoke to plug in for his run for Councilor-at-large.

Claude Gonthier of Kimball Rd thanked Councilor Ferguson for the information that she gave him. He also spoke to remember Bill Droese who passed away last week. He stated that the town needs to curb spending.

Councilor Ferguson closed public comment.

#### **Council Response to Public Comment**

Councilor Lavoie stated that in regards to Mr. Thivierge's comments on the water rates, the Mayor is the rate setting authority, the Council has no authority. Also he spoke that other parts of the country have recovery and New England does not. He feels that he has wrong facts. Massachusetts has more recovery than other parts of the country. He also commented about bills for salary rates for the Council and Mayor and that other employees have gone without raises. Collective bargaining agreements were very hard fought and negotiated by the Mayor with modest increases and every one of the public servants covered by unions are covered for 2% raises this year.

Councilor McClure commented on Mr. Thivierge's comments on recovery. She stated that she read his piece and his comparison and he was talking about comparing Amesbury with Newburyport and Merrimac and if you look at those numbers we are behind. From the information that he presented she believes that is what he was trying to convey.

Councilor Lavoie stated that may be his intent but his words were the rest of the country.

Councilor Kelcourse stated that he is not in favor of raises at this time however the Council's wages are so distant as compared to other jobs in the city. This should be brought up and discussed after the budgets are done.

Councilor Ferguson stated that she did have a copy of the information that Mr. Gonthier requested which is a list of vendor payments for public safety and Chapter 90 and if anyone needs a copy she will gladly make one.

Councilor Ferguson closed the public comment.

### **Public Hearings**

**2013-056** An Ordinance to increase the local hotel tax from 4% to 6% - Councilor McClure sponsor

Summary: The City of Amesbury currently has a 4% excise tax rate, this Bill serves to raise the rate by 2%.

Councilor McClure stated that we have a hotel tax now which is 4% and it affects the one hotel that we have; the Fairfield Inn. This would serve to increase by 2% the existing tax. It is an additional \$45,000 and will not affect our taxpayers unless they sleep there. It would start October 1 this year because we missed the May 31 deadline this year.

Councilor Ferguson opened the public hearing and closed the public hearing.

Councilor Neale read the recommendation of the Finance Committee in which Councilor McClure moved to recommend approval of 2013-056 as presented. Councilor McMilleon seconded and it was voted In Favor (6), Opposed (1).

He also read the recommendation of the Ordinance Committee in which Councilor Kimball moved to recommend that the Ordinance Committee send this back to the Municipal Council with a recommendation as to form and put it up for further discussion through the process at the Finance Committee and then back to the Municipal Council. Mr. Johnson seconded and it was voted (3) IN Favor, (1) Present (absent)

Councilor Neale moved to accept 2013-056 to take effect on October 31, 2013. Councilor McMilleon seconded

Councilor Kelcourse stated that he did not feel this is the right time.

Councilor Lavoie commented that whenever we do not reasonably go after every available revenue stream other than the property tax we are basically laying on the backs of the real property tax payers the entire weight of the budget. We have been afforded several tools and should use them. He feels it makes sense and has little harm to adopt this tax.

Councilor Scorzoni stated that he agrees with Councilor Lavoie. He supports Councilor McClure and feels we should take advantage of this.

Councilor McMilleon stated that he agreed with looking for more revenue sources but wishes they had equal passion at looking at spending and he supports this bill.

Councilor Kimball stated that he supports this as well. He stated that state mandates keep coming, some are funded and some are unfunded and we need to find ways to pay for these mandates.

Councilor Neale commented that this tax is less aggressive than property tax and most of these dollars are from discretionary funds of people who are traveling or doing business so it is people who

have the money to afford the tax and mostly from non Amesbury people. We also need to demonstrate to our legislators that we are using every tool they have given us before we go back to them for more and more help.

Councilor Kelcourse commented on the impact of the retirement fund to the tax rate. He agrees that we should use the tools but it is time for the state to stand up and do things for the property tax payer such as tackle prevailing wage, unfunded mandates and these powerful unions that caused the cost for the property tax payer to increase unreasonably, unfairly and unjustly year after year after year.

Councilor Ferguson stated that at the Finance Committee meeting her only reservation was whether or not it would impact attracting a hotel. She feels that any true players in the hotel business this will not make a bit of difference to them and she supports this measure.

A roll call vote was taken: McMilleon-Y, Neale-Y, Scorzoni-Y, Kelcourse-N, Kimball-Y, Lavoie-Y, McClure-Y, Ferguson-Y - Motion passes 7-Yes, 1-No

**2013-060** An Order to amend Amesbury Code Chapter 20 Section 20-8 – Councilor Ferguson sponsor

Summary: This ordinance seeks to amend Chapter 20-8 and add section 20-8A. This order would require grant applications that require a match from the City to be submitted to the clerk and council at the time of filing.

Councilor Neale moved to continue to the next City Council meeting. Councilor Kimball seconded and it was voted Unanimous.

### **First Readings**

**2013-068** An Order to provide for salary increases

Summary: The purpose of this ordinance is to increase the annual salary for City Councilors from \$3,000 per year to \$7,500 per year except that the Council President's annual salary shall always be \$2,000 higher than the salary of the other City Councilors.

Councilor Neale moved to send this to Finance Committee which is scheduled to meet on June 20, 2013 and also to be scheduled for a public hearing a Special City Council meeting on June 20, 2013 immediately following the Finance Committee meeting. Councilor McMilleon seconded and it was voted Unanimous.

**2013-069** An Ordinance to establish an increased annual salary for the Mayor.

Summary: the purpose of this ordinance is to increase the annual salary for the Mayor from \$80,000 per year to \$97,000 per year.

Councilor Neale moved to send this to Finance Committee which is scheduled to meet on June 20, 2013 and also to be scheduled for a public hearing a Special City Council meeting on June 20, 2013 immediately following the Finance Committee meeting. Councilor McMilleon seconded and it was voted Unanimous.

**2013-070** An Order to authorize a transfer between general department funds.

Summary: Transfer \$330,900 between General Department funds to cover FY13 expenditures.

Councilor McMilleon moved to send this to the Finance Committee with a request that the Administration submit financial information before the Finance Committee meeting on June 20, 2013 and also send for Public Hearing at the next City Council meeting on July 9, 2013. Councilor Neale seconded and it was voted Unanimous

**2013-071** An Order to authorize a transfer to Snow and ice Removal to cover FY2013.

Summary: Transfer \$190,000 from Free Cash to Snow & Ice Removal to cover FY13 expenditures.

Councilor Neale moved that this be sent to the Finance Committee with the stipulation that the financial information come from the Mayor's Office before the Finance Committee Meeting and also to send this to Public hearing on July 9, 2013. Councilor Kimball seconded and it was voted Unanimous.

**2013-072** An Order to authorize a transfer within the Landry Stadium Fund.

Summary: Transfer \$9,000 within the Landry Stadium fund to cover FY13 expenditures.

Councilor Neale moved to send this to the Finance Committee with the request that additional financial information from the Mayor's Office be submitted to the Council before the Finance Committee meeting and also to send this to Public Hearing on July 9, 2013. Councilor Lavoie seconded and it was voted Unanimous.

**2013-073** An Order to authorize a transfer to the School Department Budget.

Summary: Transfer \$50,000 from Free Cash to the School Department Budget to cover replacement of the condensate tank in the boiler room at the Amesbury Middle School.

Councilor Neale moved to send this to the Finance Committee with the request that additional financial information from the Mayor's Office be submitted to the Council before the Finance Committee meeting and the School Committee also provide necessary documentation of the trail of payment and also to send this to Public Hearing on July 9, 2013. Councilor McMilleon seconded.

Councilor Scorzoni stated this may also be a potential grant opportunity.  
It was voted Unanimous.

They recapped the meeting schedule:

Tuesday, June 18, 2013 City Council meeting specifically to vote the budget.

Thursday, June 20, 2013 Finance Committee meeting for the salary bills and transfers.

Thursday, June 20, 2013 Special City Council meeting to act on the salaries which have to be voted by June 30, 2013.

Councilor McMilleon moved to adjourn at 8:07 p.m. Councilor Lavoie seconded and it was Unanimous.

Respectfully submitted,

Sharon Dunning  
Assistant City Clerk