

City Council Meeting Minutes  
Tuesday, September 10, 2013  
City Hall Auditorium  
7:00 p.m.

Councilor Ferguson called the meeting to order at 7:15 p.m.

Councilor Neal led the pledge of allegiance

**Roll Call was taken:** Councilor Neale, Councilor Scorzoni, Councilor Gilday, Councilor Kelcourse, Councilor Kimball, Councilor Lavoie, Councilor McClure, Councilor McMilleon, and Councilor Ferguson

**Acted on minutes** – June 18, 2013, June, 20, 2013, June 26, 2013, June 28, 2013 and July 9, 2013

Councilor Kelcourse moved to accept the meeting minutes from June 18, 20, 26, 28 and July 9, 2013. It was seconded by Councilor McMilleon and was voted unanimously.

### **Mayoral Appointments**

**2013-095** Reappointment/Chief Financial Officer, Michael Basque

Councilor McMilleon moved to approve the reappointment of Michael Basque, as Chief Financial Officer. Councilor Kelcourse seconded. It was voted unanimous.

### **Licenses & Permits**

**2013-089** Common Victualler – Karen Mansur, Gourmet Any Day Market & Café, 60 Friend St.

Karen Mansur appeared on behalf of her business.

Councilor Gilday moved to accept 2013-089 with the usual stipulations. Councilor Neale seconded and it was voted unanimous.

**2013-091** Common Victualler – Matthew Woitunski, Amesbury Jets Youth Football, 3 East Greenwood St.

Matthew Woitunski, Secretary for the Amesbury Jets, appeared on behalf of his business.

Councilor Lavoie moved to accept 2013-091 with the usual stipulations. Councilor Gilday seconded and it was voted unanimous.

**2013-090** General Business Lic. – Mary Parisella, New Home Plots, 7 Pennycook Way.

Mary Parisella was not present for the meeting, but was reached by Councilor McClure.

Ms. Parisella requested to come at the next Municipal Council Meeting.

Councilor Kimball moved to table 2013-090 until the next meeting. Councilor Lavoie seconded and it was voted unanimous.

**2013-092** General Business Lic. – Robert Taylor, Cherry Bomb Ice Cream dba Carriagetown Organic Market & General Store, 4 Water St.

Robert Taylor appeared on behalf of his business.

Councilor Kelcourse moved to accept 2013-092 with the usual stipulations. Councilor Neale seconded and it was voted unanimous.

**2013-094** General Business License – Victor DeLuna, DeLunatic Signage, 25 Oakland St  
Victor DeLuna appeared on behalf of his business.  
Councilor Neale moved to accept 2013-094 with the usual stipulations. Councilor Kimball seconded and it was voted unanimous (8). Councilor Gilday recused himself.

**2013-099** Common Victualler – James Kennedy, Fat Spice, LLC, 14 Cedar St. (Kitchen Local)  
Rebecca Kennedy appeared on behalf of Fat Spice, LLC.  
Councilor Neale moved to accept 2013-099 with the usual stipulations. Councilor Kimball seconded and it was voted unanimous.

### **Correspondence**

President/Vice President Communications:

Councilor Lavoie held the second meeting for the Lower Millyard Taskforce; the next meeting is October 3.

Councilor Gilday said the PBI (Public Buildings and Infrastructure) Committee will meet this month.

Councilor Ferguson gave an update on the Brownfields Support Team's meeting, which will be held on October 24, at 10 a.m.

Councilor Scorzoni mentioned that the Community Build for the Town Park playground will be October 5 through 7.

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

**2013-093** Warrant for September 17, 2013 Election

Councilor Lavoie moved that the Council ratify the action of the Council President's signing and approving of the warrant. Councilor Gilday seconded and it was voted unanimous.

### **Public Comment**

Councilor Ferguson opened public comment.

Claude Gonthier spoke about his concerns about the public safety bond.

James Thivierge spoke about the Detroit bankruptcy, and other issues.

Councilor Ferguson closed public comment.

Councilor Ferguson opened the Council response to public comment.

Councilor McMilleon said Mr. Gonthier brought up a good point about the 2.4 million. He would like an update from Michael Basque providing the information on it.

Councilor McClure formalized the request to get the information.

Councilor Neale explained that the bids have not come in yet.

Councilor McClure moved that the Finance Committee take a look at the spending.

Councilor Kimball requested that the Fire Chief be present at joint meeting of the Finance Committee and PBI to discuss the scope of work.

Councilor Gilday requested that Rob Desmarais and Peter Hartford be present at the meeting.

Councilor Lavoie commented on the status of the Public Safety Building, from a memo from the Mayor dated August 30.

Councilor Neale and Councilor Ferguson spoke about the audit.

Councilor Gilday gave an update of what he knew about the Fire Station.

## **Public Hearings**

**2013-083** An Ordinance to Request the City Council to vote that the City of Amesbury hereby designates certain properties along Water Street and Chestnut Street in the "Lower Millyard and Carriage Hill Urban Park" as a Priority Development Site.

Councilor Lavoie said that the Ordinance Committee met on this matter and the recommendation was to approve as submitted.

Nipun Jain, City Planner, said that the Planning Board recommends this as submitted. He spoke about the site and the growing interest to convert the mills in residential uses, or mixed uses.

Councilor Ferguson opened the public hearing.

Councilor Ferguson closed the public hearing.

Councilor Lavoie moved to adopt 2013-083 the Planning Board and Ordinance Committees recommendations to approve as submitted. Councilor McMilleon seconded. Roll Call Vote: 9-Yes, Neale, Scorzoni, Gilday, Kelcourse, Kimball, Lavoie, McClure, McMilleon, Ferguson

**2013-084** An Ordinance to request that the City Council vote to amend the Amesbury Zoning Bylaw (X I. R.) and the Overlay District Zoning Map

Councilor Lavoie said that the Ordinance Committee met on this matter and the recommendation (unanimously) was to approve as submitted.

Nipun Jain explained this is a companion ordinance to 2013-083.

Councilor Ferguson read the letter from the Planning Board that they voted unanimously to adopt 2013-084.

Councilor Ferguson opened the public hearing.

Councilor Ferguson closed the public hearing.

Councilor Kelcourse moved to adopt the Planning Board and Ordinance Committees recommendations to approve as submitted. Councilor Neale seconded.

Roll Call Vote: 9-Yes, Neale, Scorzoni, Gilday, Kelcourse, Kimball, Lavoie, McClure, McMilleon, Ferguson

**2013-085** An Ordinance to Request that the City Council vote to amend the Amesbury Zoning Bylaw (X.I. Q.) and the Overlay District Zoning Map

Councilor Lavoie said the Ordinance Committee met and it was recommended that this bill be adopted.

Nipun Jain said that the Planning Board is still reviewing this at this time, and the hearing was continued to September 23. He said they are still waiting for approval from Planning.

Councilor Gilday motioned to table 2013-085 until the October meeting. Councilor McMilleon seconded and it was voted unanimous.

**2013-086** An Ordinance to Request the City Council to vote to amend the Amesbury Zoning Bylaw (V and VI)

Councilor Gilday asked if there was a recommendation from the Planning Board. Nipun Jain responded that they are still reviewing the ordinance at this time.

Councilor Gilday motioned to table 2013-086 until the October meeting. Councilor Neale seconded and it was voted unanimous.

**2013-087** An Order that the City Council vote to accept the Quitclaim deed from D.E.C.M. LLC for Parcel A located off Lions Mouth Road.

Councilor Neale said that the Finance Committee voted unanimously to accept 2013-087. Councilor Lavoie said that the Ordinance Committee met and unanimously recommended to accept 2013-087, with the Town Planners memorandum included.

Nipun Jain presented the memo from Kopelman and Paige that was requested from the Finance Committee meeting.

Councilor Ferguson opened the public hearing.

Councilor Ferguson closed the public hearing.

Councilor Ferguson read the letter from Kopelman and Paige

Councilor Lavoie would like to know when the layout for the alteration of Lions Mouth Road would take place.

Nipun Jain commented he did not know that answer. The developer should produce street acceptance plans first.

Councilor Lavoie spoke about the travel on Lions Mouth Road and Quimby Lane. He is in favor of this motion.

Councilor McMilleon asked if the residents in the neighborhood were notified of any of these changes. Nipun Jain responded Parcel A is shown on the subdivision plans and that any person who bought property in Quimby Lane, that information is available either by reference or by exhibits as attached to their P & S, or deed documents. It does not encumber any residents as it stands today.

Councilor Kelcourse moved the Finance Committee and Ordinance Committee recommendations to approve subject to the recommendations of Katharine Klein, Kopelman and Paige, P.C. Councilor Neale seconded. Roll Call Vote 9-Yes, Neale, Scorzoni, Gilday, Kelcourse, Kimball, Lavoie, McClure, McMilleon, Ferguson

**2013-088** An Order to require that the City Council vote to approve the grant of Quitclaim Deed to the Conservation Commission from Albert Coulliard and Roland A. Coulliard for parcel B located off Quimby Lane, Amesbury and to authorize the mayor to accept said gift of property.

Councilor Neale motioned to table 2013-088 until October. It was seconded by Councilor McClure and it was voted unanimous.

**First Readings**

**2013-096** An Order to accept a subgrant in the amount of \$100,000 from the Merrimack Valley Planning Commission Regional Brownfields Cleanup Revolving Loan Fund Program - Mayor Kezer sponsor

Councilor McClure asked for more documentation, immediately to be reviewed prior to the next meeting.

Councilor Kelcourse moved to refer 2013-096 to the Ordinance Committee and Finance Committee for public hearing and comment to the Municipal Council. Councilor Neale seconded and it was voted unanimous.

**2013-097** An Order that the City Council Authorize the Mayor to enter into an intermunicipal agreement for the acceptance of veteran's services from the City of Newburyport

Councilor Kelcourse moved to refer 2013-097 to the Ordinance Committee and Finance Committee for their recommendation and for a public hearing, with emphasis to the Mayor that full back up information is included (including comparisons and estimates). Councilor Neale seconded and it was voted unanimous.

**2013-098** An Order relative to Legislation creating a new Regional Veterans' Services' District to include the City of Amesbury, the City of Newburyport, the Town of Salisbury, the Town of Newbury.

Councilor Gilday moved to send 2013-098 to the Ordinance Committee for further discussion. Councilor Neale seconded and it was voted unanimous.

Councilor McMilleon motioned to adjourn. Councilor Neale seconded and it was voted unanimous.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Dawne Warren  
Administrative Assistant  
Office of the City Clerk