

City Council Meeting Minutes  
Tuesday, October 14, 2014  
City Hall Auditorium  
7:00 p.m.

Councilor McMilleon called the meeting to order.

Councilor Ferguson lead the Pledge of Allegiance.

Roll call was taken. Members present were: Councilor Bartley, Councilor Ferguson, Councilor Kelcourse, Councilor McClure, Councilor Moavenzadeh, Councilor Sherwood, Councilor Sickorez, Councilor McMilleon; and Councilor Lavoie arrived at 7:05 p.m.  
No members were absent.

Councilor Ferguson made a motion to accept the minutes from September 16, 2014 and September 30, 2014, as submitted. Councilor Sickorez seconded. It was voted unanimous.

There were no Mayoral appointments.

The following were recently granted licenses and permits:

*General Business* – Clear View Wealth Advisors LLC, 12 Amidon Ave.-Steven J. Stanganelli  
*General Business* – XODOC International LLC dba Transaction Global Network, 21 Water St.  
*Fortune Telling* – Psychic Tarot Card Readings by Mrs. Helen – 4-6 Water St., Samuel R. Miller  
*General Business* – 10 Perfect Nails, 17 Friend St., Lu Zuo Zheng  
*General Business*- Absolut Pest Control, 4 Water St., Paul Fougere  
*General Business* – Thomas Comeau Construction, 24 Childs Ave., Thomas Comeau  
*Common Victualler*-The Perfect Date, 14 Cedar St., Penelope Spreadborough

Correspondence:

Councilor Ferguson spoke about vandalism done to the 1810 Powder House. It was damaged with what looks like a sledge hammer and also spray painted. She asked that any person with information about the crime to contact the Police.

Communication from Elected Officials, Boards and Commissions:

Bonnijo Kitchin, City Clerk, explained the 2014-121 Warrant for the November 4, 2014 State Election. Polls open at 7 a.m. and close at 8 p.m.

Councilor McMilleon entertained a motion to approve the **2014-121** Warrant, as amended, for 2014 State Election. Councilor Sherwood moved the motion. Councilor Sickorez seconded. It was voted unanimous.

Public Comment:

James Thivierge, 8 School St., said there is a hearing on Thursday, October 16, for the proposed Water and Sewer rate increase and he would like it to be televised. He also mentioned that the Annual report was due on October 1, 2014.

Ian McGregor, President of the Firefighters Union, thanked the City Council for participating in the Annual Chili Cook Off. He said lines continued for 2 hours. Approximately two thousand people attended.

Melissa Cerasulo, 16 Market St., Executive Director at the Amesbury Chamber of Commerce, thanked everyone for the success of the Fall Festival and the Be a Buddy not a Bully initiative. Upcoming event: Downtown Trick or Treat, Tuesday, October 28, 2014.

Councilor McMilleon closed the public comment.

Council Response to Public Comment:

Councilor McClure asked Evan Kenny to update the public on the Annual Report.

Evan Kenny, Chief of Staff, presented back up documentation to the Council members. The Annual Report is currently a work in progress. The Mayor's office may revert back to the look of older reports used in the past (2006 and 2007) that have a more data driven look. He said the annual report should be ready and published within the next month.

Public Hearings:

Councilor McMilleon noted that 2014-107 and 2014-115 are on the agenda to have a public hearing but those will be continued.

2014-098 An Ordinance to request that the City Council vote to amend the Amesbury Zoning Bylaw - Mayor Gray sponsor

Summary: The proposed zoning amendments seek to provide a regulatory mechanism for altering the dimensional requirements affecting redevelopment of existing historic properties in the PUD zoning districts. Under the proposed changes, Planning Board shall have the authority to grant relief from the dimensional requirements for PUD zoning districts through a special permit review process and thereby combine all permitting under one regulatory agency.

Councilor McMilleon declared the public hearing open.

Barbara Hathaway, 9 Swetts Hill, had several questions and concerns for The City Planner and the Council about this proposed ordinance.

Dana Hathaway, 9 Swetts Hill, expressed his concern that the ordinance appeared to have too many loopholes.

Councilor McMilleon closed the public hearing.

Nipun Jain, City Planner, presented. He circulated a handout to the members of the Council. He summarized the objectives of the proposed amendment.

Councilor Sherwood asked for clarification on height requirements and Nipun Jain responded. He noted that there is an issue on page 5 and edits need to be made with regard to that.

Councilor McMilleon asked Ms. Hathaway if her questions were answered. She responded with additional questions which Nipun Jain explained to Ms. Hathaway.

Councilor Lavoie asked that Nipun Jain make those edits before this is voted on.

Councilor McMilleon said if there were no objections, the Council would move on with the agenda so Nipun Jain had a chance to look at it and make the needed adjustments to the text. There were no objections.

Councilor McMilleon asked for a motion to take 2014-113 out of order. Councilor Ferguson moved the motion. Councilor Sickorez seconded. It was voted unanimous.

2014-113 An Order to request the City Council to vote to authorize the establishment of a revolving fund with an annual budget for the Council on Aging - Mayor Gray Sponsor

Summary: This order will provide the establishment of a revolving fund under MGL Ch. 44 §53E1/2 for the Council on Aging.

Councilor McMilleon opened the public hearing.

James Thivierge, 8 School St., said he has no objection to establishing a revolving fund. He would like all revolving funds to be reestablished and authorized each year.

Councilor McMilleon asked for the recommendations from Finance and Ordinance.

Councilor Kelcourse moved to accept **2014-113** An Order to request the City Council to vote to authorize the establishment of a revolving fund with an annual budget for the Council on Aging, incorporating the Ordinance Committee recommendations. Councilor Sickorez seconded. A roll call vote was taken. It was voted unanimous.

2014-107 – An Ordinance requesting the Municipal Council vote to amend the provisions of the Amesbury Zoning Bylaws to allow for the limited use of maintaining chickens as pets and for egg production in residential areas. – Councilors Kelcourse, McMilleon, Sherwood and Ferguson Sponsor  
Councilor McMilleon opened the public hearing, but also entertained a motion to continue the **2014-107** public hearing to the next meeting Council Meeting held on November 18, 2014 and refer it back to the Ordinance Committee. Councilor Sickorez moved the motion. Councilor Kelcourse seconded. It was voted unanimous.

Councilor McMilleon moved back into 2014-098 An Ordinance to request that the City Council vote to amend the Amesbury Zoning Bylaw -Mayor Gray sponsor

Nipun Jain, City Planner, said that on page 5, “(The Planning Board may reduce the setback and height requirements under TDD for existing historic building and may allow)” can be struck.

Councilor Lavoie read the recommendation from the Ordinance Committee.

Councilor Lavoie moved to adopt **2014-098** with the version that was presented tonight, attached with the October 14, 2014 memorandum, with the following changes: on page 5, omit the stray parenthetical “(The Planning Board may reduce the setback and height requirements under TDD for existing historic building and may allow)” and that the recommendations from the Ordinance Committee in its October 6, report with the exception of what the Town Planner explained this evening. Councilor Kelcourse seconded. Nipun Jain went through the edits. A roll call vote was taken. It was voted unanimous.

2014-112 An Order to authorize the Mayor to enter into an inter-municipal agreement for the provision of multi-jurisdictional Harbormaster services. – Mayor Gray Sponsor

Summary: This order will authorize the Mayor, on behalf of the City of Amesbury, to enter into an inter-municipal agreement to include the City of Newburyport and the Town of Salisbury pursuant to M.G. L. c. 40 § 4A for the provision of multi-jurisdictional Harbormaster services.

Councilor McMilleon opened the public hearing.

James Thivierge spoke to several towns in Massachusetts that have boating communities to inquire about mutual aid agreements. He found no other towns/cities were doing this. He went through the agreement and had a number of questions. He wanted to know why the City was doing this.

Councilor McMilleon closed the public hearing and asked for recommendations from Finance and Ordinance.

Councilor Lavoie said that on Monday, October 6, the Ordinance Committee met and said that it be adopted as submitted.

Councilor McClure said that on Tuesday, September 30, the Finance Committee met and recommended for approval and it was voted unanimous.

Evan Kenney, Chief of Staff, responded to Mr. Thivierge's concerns.

Councilor Lavoie moved to adopt **2014-112** as submitted. Councilor Sickorez seconded. A roll call vote was taken. It was voted unanimous.

2014-115 An Ordinance to request that the City Council vote to amend the Amesbury Zoning Bylaw and Amesbury Overlay Zoning Map – Mayor Gray sponsor

Summary: The proposed zoning amendments seek to modify the existing overlay district boundary to include portion of a parcel not currently included in the overlay district and to make modifications to the provisions of Section XL.S

Councilor McMilleon opened the public hearing and entertained a motion to continue the public hearing to the next City Council meeting to be held on November 18, 2014, and to refer it back to the Ordinance Committee. Councilor Kelcourse moved the motion. Councilor McClure seconded. It was voted unanimous.

Councilor McMilleon closed the public hearing.

There were no First Readings at this time.

Councilor McMilleon entertained a motion to adjourn at 8:30 p.m. Councilor Kelcourse moved the motion. Councilor Sickorez seconded. It was voted unanimous.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Dawne Warren  
Administrative Assistant  
Office of the City Clerk