

City Council Minutes  
Tuesday, November 18, 2014  
City Hall Auditorium  
7:00 p.m.

1. Meeting was called to order at 7:00 pm.
2. The Pledge of Allegiance was led by Councilor Kelcourse.
3. Members present were: Councilor Moavenzadeh, Councilor Kelcourse, Councilor McMilleon, Councilor McClure, Councilor Sickorez, Councilor Bartley, Councilor Ferguson, Councilor Sherwood and Councilor Lavoie arrived at 7:03.
4. **Act on minutes** – October 14, 2014 and November 5, 2014  
**Councilor Ferguson moved to accept the minutes of October 14, 2014 and November 5, 2014 as submitted. Councilor Sickorez seconded and it was voted Unanimous.**

**5. Mayoral Appointments**

Councilor McMilleon read a memo from the Mayor's Aide, Evan Kenney which stated that two of the four candidates, Ms. Kligerman-Thomas and Ms. Ballard will not be present due to prior commitments and there has been no word on Mr. Call if he will be here or not. Mrs. Werner will be in attendance.

**2014-128** Appointment D. M. Kligerman-Thomas to Council on Aging-  
**Councilor McClure moved to approve the appointment of D.M. Kligerman-Thomas to the Council on Aging with a term to expire June 30, 2017. Councilor Sickorez seconded and it was voted unanimously.**

**2014-129** Appointment of John J. Call to Energy Committee  
**Councilor Ferguson moved to approve the appointment of John Call to the Energy Committee with a term to expire June 30, 2017. Councilor Sickorez seconded and it was voted unanimous.**

**2014-130** Appointment of Rosemary E. Werner to Trustees of War Memorials.  
Mrs. Werner stated that the Doughboy was just a start and she looks forward to keep the momentum going because of decades of neglect. She promised that she will work very hard.  
**Councilor McClure moved to appoint Rosemary Werner to the Trustees of War Memorials with a term to expire on June 30, 2017. Councilor Bartley seconded and it was voted unanimous.**

**2014-131** Appointment of Susan Ballard to Council on Aging  
**Councilor Ferguson moved to approve the appointment of Susan Ballard to the Council on Aging with a term to expire on June 30, 2017. Councilor Sickorez seconded and it was voted unanimous.**

**6. Licenses & Permits – FYI**

*General Business* – 2 Girls Painting & Staging, 6 Andrews Lane, Catherine Barkley and Stacy Gijbers  
Auctioneer License- - Merrimack Auction Inc., 109R Main Street, Dean C. Dillon  
Junk Dealer/Second Hand/Antiques License – Merrimack Auction Inc., 109R Main St., Cheryl Murach  
*General Business* – The Inner Cycle, 69 Haverhill Rd., Emily Skoniecki and Hillary Mandelbaum  
Common Victualler – Taste Buddy Kitchen, 14 Cedar St., Rochelle Rosen

**7. Correspondence**

- a. President/Vice President Communications – None at this time.
- b. Communication from Elected Officials, Boards and Commissions – None at this time.

**8. Public Comment**

James N. Thivierge, 8 School St. spoke regarding bonds and free cash. He stated that we need to use free cash to reduce the tax levy. He also feels that the Council should factor the tax rate this year.

**9. Council Response to Public Comment-** None at this time.

**10. Public Hearings:**

**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 declared the public hearing open. Councilor Lavoie read the Ordinance Committee recommendation which was to approve unanimously. Nipun Jain, the City Planner read the Planning Board recommendation which was to approve unanimously.

Councilor McMilleon declared the public hearing closed.

**Councilor Ferguson moved to approve 2014-115. Councilor Kelcourse seconded. A roll call was taken and it was voted unanimous - 9 Yes.**

**2014-122** An Order to request the City Council to vote that in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds. - Mayor sponsor

**Summary** – This order will allow the city to refinance bonds in order to reduce interest costs.

Councilor McMilleon opened the public hearing.

Councilor McClure read the Finance Committee recommendation which was for approval unanimously.

Councilor Lavoie read the Ordinance Committee recommendation which was for approval as submitted. He also thanked the CFO, Chuck Benevento who supplied him with a memorandum that was prepared by First Southwest who is our City Advisor on Municipal Finance. It answers the question in black and white that there will be a net savings of approximately \$226,000 over a period of 10 years.

Jim Thivierge stated that he would like to check the status with the yield of the Treasury backing or paying off that bond.

Councilor McMilleon closed the public hearing.

**Councilor Kelcourse moved to accept 2014-122. Councilor Sickorez seconded. A Roll Call vote was taken and it was Unanimous 9-Yes.**

**2014-123** Order to Request Approval for a TIF Agreement and Plan, and Designate an Economic Opportunity Area for 284 Elm Street. - Mayor sponsor

Councilor McMilleon opened the public hearing.

Councilor McClure read the recommendations from Finance which was for approval unanimously.

Councilor Lavoie read the recommendations from the Ordinance Committee with a recommendation that it be approved with certain typographical corrections that were identified at that meeting and as a follow-up Mr. Scott left for us at our table tonight a final draft with those red line changes made by the Ordinance Committee as well as other changes.

Jim Thivierge spoke in favor of the project.

Rick Bartley, Chamber of Commerce, spoke in favor of the project.

Jane Snow spoke in favor of the project.

Claude Gonthier spoke in favor of the project.

Councilor McMilleon closed the public hearing.

**Councilor Sickorez moved to accept 2014-123. Councilor Kelcourse seconded.**

Councilor Lavoie stated that this is the first TIF that Amesbury has been involved with and he is happy the city is moving in this direction and he is happy to be able to vote on this.

Councilor Sherwood asked if they could review the document that was given to them tonight with the corrections.

Bill Scott, Community and Economic Development Director, reviewed the red lined document that he provided the Council with. He stated that the corrections were grammatical and some content to make sure we are covered in terms that the developer understands that prior negotiations were just that and until such time as we get an actual number from the Assessor once the building is built then we don't know the actual number. Councilor Sickorez mentioned that there was one more typo that was not included and it was on Page 3 section 7; first sentence should read (and licenses) not (licensees)

Councilor Sherwood mentioned the trail easement and what happens with it.

Mr. Scott stated that this site has a trail easement on it that connects the trail coming from 95 and across Elm and then to the trail that goes behind Stop & Shop and connect to our existing system that comes into the downtown. It is entered into the purchase and sale agreement so that before the developer accepts the property, the easement is required to be executed on both properties, so regardless of what happens on the retail property we will have the easement. This agreement also references a requirement to meet the Planning Board Decision. It is better that the current property owner Mr. Sears executes it because he is the one who pursued the agreement with National Grid. It makes it more fluid and the council has already approved the easement with Mr. Sears as the property owner.

Councilor McClure stated that she is excited to see this happen and thanked the Mayor and Mr. Scott for all their hard work.

**A Roll Call vote was taken and it was Unanimous 9-Yes.**

## **11. First Readings –**

**2014-125** An Order to request the City Council vote to hold the annual Classification Hearing to vote on four (4) separate items in order to establish the tax burdens for each class of property.

**Summary** – On an annual basis, the City Council must vote on the issue of selecting a residential factor which will determine the percentage of the burden to be borne by each class of property.

**Councilor Ferguson moved to send this to the Finance Committee for a recommendation and to schedule a public hearing at the December 9, 2014 City Council meeting. Councilor McClure seconded and it was voted Unanimous.**

**2014-126** An Order to request the City Council vote to increase the exemption amount of qualified applicants.  
**Summary** – On an annual basis, the City Council must vote to decide if the City of Amesbury shall increase the exemption amount of qualified applicants under the provisions of M.G. L.

**Councilor Ferguson moved to send this to the Finance Committee for a recommendation and to schedule a public hearing at the December 9, 2014 City Council meeting. Councilor Sickorez seconded and it was voted Unanimous.**

**2014-127** An Order to authorize the Mayor to accept and expend a grant in the amount of \$5,520 from the Massachusetts Cultural Council.

**Summary** – The Massachusetts Cultural Council is allocating \$5,520 from the FY 2015 Local Cultural Council Funds to the Amesbury Cultural Council’s local fund.

**Councilor Ferguson moved to send this to the Finance Committee for a recommendation and to schedule a public hearing at the December 9, 2014 City Council meeting. Councilor Bartley seconded and it was voted Unanimous.**

**2014-132** An Order to establish bylaws for the purposes of defining and governing the operation, organization and authority of the Board of Trustees of War Memorials.

**Summary** – The Board of Trustees of War Memorials was established by Town Meeting by virtue of acceptance of M.G.L. C. 41 §105, but the article did not establish detailed bylaws defining and governing the operation, organization and authority of the Board. The proposed bylaws address issues related to membership, duties, authority, and operation of the Board for the purposes of providing stronger, clearer and more localized guidance to the Trustees.

**Councilor Ferguson moved to send this to the Ordinance Committee for a recommendation and to schedule a public hearing at the December 9, 2014 City Council meeting. Councilor McClure seconded and it was voted Unanimous.**

Councilor Lavoie stated that the Ordinance Committee will be meeting on December 3, 2014.

**12. Adjourn- Councilor Ferguson moved to adjourn at 7:50 pm. Councilor McClure seconded and it was voted Unanimous.**

**Respectfully submitted,**

**Sharon Dunning  
Assistant City Clerk**