

CITY COUNCIL MEETING MINUTES – VERSION 2
CITY COUNCIL CHAMBERS
MARCH 11, 2019

7:30PM

The City Council President, Barry Connell, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. A moment of silence was held for Laurie Freeman and Kevin Sullivan. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Vogel, Zeid, Earls, Eigerman, Giunta, Khan, OBrien, Shand, Tontar, Connell. Devlin 7:46pm. 11 present, 0 absent.

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT**

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|-------------------|---------------------|-----|
| 1. Rev. Chris Ney | Central Cong Church | CPA |
| 2. Amantha Moore | 10 N Atkinson St | CPA |

6. PRESENTATION: COMPREHENSIVE ZONING UPDATE

Office of Planning & Development / Community Opportunities Group

Courtney Starling gave a presentation on the zoning update. Planning Director Andy Port stated there would be a project page on the city website by the end of the week.

7. MAYOR'S COMMENT

The Mayor gave an update pursuant to her written communication.

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.

8. APPROVAL OF MINUTES

February 25, 2019

(Approve)

9. TRANSFERS

- **TRAN040_03_11_19** Health Ins \$30.5K to Fire Protect Cloth \$28K, CLK Admin \$2.5K (B&F)

10. COMMUNICATIONS

- **COMM121_03_11_19** Annual Audit of the City's FY2018 Financial Statements (B&F)
- **COMM123_03_11_19** Comprehensive Update to the Newburyport Zoning Ordinance (P&D)
- **COMM124_03_11_19** 2019 Chamber of Commerce Events (PS)
- **COMM125_03_11_19** 2019 Class II Vehicle License – Sunoco (L&P)
- **COMM126_03_11_19** Go Purple for Alzheimer's – 6/15/2019 (PS)

11. APPOINTMENTS

Re-Appointments

- | | | | | |
|---------------------------|-------------------|------------|-------------------------|----------|
| • APPT089_03_11_19 | Paul Healy | 8 N St | Conservation Commission | 5/1/2022 |
| • APPT090_03_11_19 | Dr. Sam A. Merabi | 7 Brown Sq | Board of Health | 4/1/2022 |

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor Tontar. So voted.

12. MAYOR'S UPDATE

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

13. COMMUNICATIONS

- **COMM120_03_11_19** Central Congregational Grant Award Letter
Motion to refer to Budget & Finance by Councillor Eigerman, seconded by Councillor Giunta. Motion to table by Councillor Eigerman, seconded by Councillor Vogel. Roll call vote, 7 yes, 4 no (Devlin, Khan, Tontar, Connell). Motion passed.

14. APPOINTMENTS

Second Reading

- | | | | | |
|---------------------------|--------------------|------------------------|----------------------------|------------|
| • APPT082_02_25_19 | Christopher Kealey | 8 Payson St | Asst Hrbrmstr/Spec Pol Off | 12/31/2022 |
| • APPT083_02_25_19 | Adam Armstrong | 5 Buck St | Harbor Comm (Alt) | 4/1/2021 |
| • APPT084_02_25_19 | Walter Lesynski | 364 Merrimac St | Harbor Comm (Alt) | 4/1/2021 |
| • APPT085_02_25_19 | Charles Griffin | 3 Vernon St | Parks Comm (Bartlet Mall) | 5/1/2022 |
| • APPT087_02_25_19 | Kevin Hunt | 14 10 th St | Veterans' Agent | 4/1/2020 |

Motion to approve second reading appointments collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote, 11 yes. Motion passed.

15. ORDERS

- **ORDR090_03_11_19** Parking Garage Rates
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Khan. So voted.
- **ORDR091_03_11_19** 41C-1/2 Ballot Question
Motion to take ORDR091_03_11_19 and ORDR092_03_11_19 collectively by Councillor Tontar, seconded by Councillor Zeid. So voted. Motion to refer ORDR091_03_11_19 and ORDR092_03_11_19 collectively to Budget & Finance and Committee of the Whole by Councillor Tontar, seconded by Councillor Zeid. So voted.
- **ORDR092_03_11_19** 41C-1/2 Adjustments

16. ORDINANCES

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17. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- **ORDR007_01_29_18** 41C Amendment
- **COMM107_01_28_19** FY2019 Mid-Year Budget Report
- **COMM112_02_11_19** Memo re: Fire-Based EMS Cost/Benefit Analysis

Education

Budget update – see School Department Budget Process Presentation.

In Committee:

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General Government

In Committee:

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License & Permits

In Committee:

- **COMM029_04_30_18** Outdoor Seating – West Row Café
- **COMM104_01_14_19** Seacoast Taxi - Application by Richard Hewlett for 2019

Neighborhoods and City Services

In Committee:

- **ORDR048_06_13_16** Sidewalk Order
- **COMM111_10_10_17** Petition for Road Repairs and Repaving – Squires Glen
- **ODNC028_11_26_18** Parks & Recreation Fees

Planning & Development

In Committee:

- **ODNC003_01_29_18** Zoning - Amendment to Table of Use Regulations
- **ODNC008_02_12_18** Disposition of G. W. Brown School
- **ORDR024_04_09_18** Special Act to Dissolve Newburyport Redevelopment Authority (**COTW**)
- **ODNC014_04_30_18** Amendment to Demolition Delay
- **COMM105_01_14_19** Ltr re: Newport Condominiums
- **ORDR086_01_28_19** CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
- **ODNC029_01_28_19** Zoning Map Amendment – Storey Ave South
- **COMM115_02_11_19 Conservation Restriction – 3 & 5 Collins Farm Road**
Councillor Eigerman recused. Motion to remove from Planning & Development by Councillor Giunta, seconded by Councillor Tontar. So voted. Motion to approve by Councillor Giunta, seconded by Councillor Tontar. Withdrawn. Motion to refer to Planning & Development by Councillor Giunta, seconded by Councillor Tontar. So voted.
- **ORDR087_02_11_19 Preservation Restriction Agreement – 28-30 Pleasant Street**
Motion to remove from Planning & Development by Councillor Eigerman, seconded by Councillor OBrien. So voted. Motion to approve (comm vote 3-0) by Councillor Eigerman, seconded by Councillor OBrien. Withdrawn. Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor OBrien. So voted.
- **APPT086_02_25_19** Ann M. Gardner 239 Water St Planning Board 5/31/2024
- **APPT088_02_25_19** Wilbur Shenk 1 Beck St Waterfront Trust 12/1/2024

Public Safety

In Committee:

- **ODNC009_02_12_18** Floating Homes, Houseboats, and Related Marinas
- **ORDR031_04_30_18** No Parking Titcomb from Pleasant to Merrimac
- **ORDR032_04_30_18** No Parking Merrimac St from Titcomb St Running Westerly
- **COMM086_09_24_18 Ltr from Residents of East Boylston Street**
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted. Motion to receive and file by Councillor Devlin, seconded by Councillor Giunta. So voted.
- **COMM087_09_24_18** Ltr re: Coffin Street
- **ORDR084_01_28_19 15-Minute Parking - Liberty Street**
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Zeid. So voted. Motion to strike “Two spaces on the south side beginning from State Street running in an easterly direction” by Councillor Zeid, seconded by Councillor Eigerman. So voted (3 no – Tontar, Vogel, Connell). Motion to approve as amended by Councillor Devlin, seconded by Councillor Giunta. Roll call vote, 9 yes, 2 no (Earls, Khan). Motion passed.

- **ORDR089_02_11_19 Handicapped Parking Space – Lower Custom House Way**
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.
Motion to approve as amended, change “northerly” to “southerly”, by Councillor Devlin, seconded by Councillor Giunta. So voted.
- **COMM116_02_25_19 Toward Zero Waste Newburyport Initiative** *(full text available)* **(COTW)**
- **COMM117_02_25_19 Flag Day 5K - 6/15/2019**
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor OBrien. So voted.
Motion to approve (comm vote 2-0), subject to insurance, by Councillor Devlin, seconded by Councillor Tontar. So voted.
- **COMM118_02_25_19 Chocolate Tour, Central Congregational Church - 5/18/2019**
Motion to remove from Public Safety by Councillor Devlin, seconded by Councillor Giunta. So voted.
Motion to approve (comm vote 2-0) by Councillor Devlin, seconded by Councillor Zeid. So voted.

Public Utilities

In Committee:

- **COMM122_11_27_17** Mobilitie Application/Small Cell Utility Petition (re-file)
- **ODNC022_05_29_18** Addition to Chapter 5, Article 6 - Small Cell Sites

Rules Committee

In Committee:

- **ORDR057_08_27_18** Amendment to Council Rule 12A
- **ORDR077_11_26_18** Amendment to Council Rule 20
- **COMM119_02_25_19** City Council Rules 2019

18. GOOD OF THE ORDER

The Clerk asked the Council for approval on the change to agenda format (i.e. items coming out of committee are underlined in bold). Councillor Zeid recommended when the Consent Agenda is approved all the Committee Items coming out are also removed. Councillor Connell mentioned the city solicitor is coming to one of the next meetings, and it's possible there will be an executive session.

19. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Khan. So voted. 9:18pm.