

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
JANUARY 27, 2020

7:30PM

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. A moment of silence was held to remember the 75th anniversary of the liberation of Auschwitz. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Khan, Lane, McCauley, Shand, Tontar, Vogel, Wallace, Zeid, Connell, Devlin, Eigerman. 11 present.

(Sound Check)

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE ITEMS – COMM226_01_27_2020 with Attachment A

Motion to waive the rules, to allow late files, by Councillor Zeid, seconded by Councillor Connell. So voted.

5. PUBLIC COMMENT

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|------------------|-----------------------|----------|
| 1. Jean Costello | 522 Merrimac St | HRC Appt |
| 2. Chris Bernier | 14 Skyview, Ridge, NH | Marathon |
| 3. Jane Snow | 9 Coffin St | General |

6. 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.

7. APPROVAL OF MINUTES

- January 13, 2020 (Approve)

8. TRANSFERS

- TRAN067_01_27_2020 Legal Settlements \$11K to Fence Repairs \$11K (B&F)

9. COMMUNICATIONS

- COMM220_01_27_2020 Proposed City Council Rule 9F (Rules)
- COMM221_01_27_2020 Letter Re Sign, 43 Pine Hill Rd (PS)
- COMM222_01_27_2020 FY 2020 Mid-Year Budget Report (B&F)
- COMM223_01_27_2020 Newburyport Spring Half Marathon, 4/26/2020 (PS)
- COMM224_01_27_2020 North Shore Tour de Cure, 5/17/20 (PS)
- COMM225_01_27_2020 1st Lt. Derek Hines Flag Day 5K, 6/13/20 (PS)

10. APPOINTMENT

First Reading

- APPT141_01_27_2020 Jean Costello 522 Merrimac St Human Rights Comm 1/1/2023

To be Referred to Planning & Development

- APPT142_01_27_2020 Matthew D. Pieniazek 39 Marlboro St Waterfront Trust 1/1/2025

To be Referred to General Government & COTW

- APPT143_01_27_2020 KP Law 101 Arch St, Boston Legal 2/1/2021

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA:

Budget & Finance

- TRAN066_01_13_2020 NHS Exterior Woodwork Phase III \$110,903, CIP Nock/Molin Parking Lot \$8,997.87 to CIP Sidewalk Repairs \$119,900.87
- ORDR164_01_13_2020 Connors Scholarship Gift Acceptance \$5,000
- APPT138_01_13_2020 Ethan Manning 31 Howard St Dir of Finance 2/1/2023

Neighborhoods & City Services

COMM194_10_15_19 Ltr from Newburyport Livable Streets

- COMM196_10_15_19 Ltr re: Road and Sidewalk Work on Merrimac and High Streets (COTW)
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- COMM219_01_13_2020 Snow & Ice Plan 2019-2020
- APPT139_01_13_2020 Anthony Furnari 10 Olsen Rd, Dir of Public
Peabody Works 2/1/2023

License & Permits

- COMM217_01_13_2020 2020 Class II Vehicle License - State Automotive Repair LLC

END OF CONSENT AGENDA

REGULAR AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Khan. So voted.

11. MAYOR'S UPDATE

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

12. TRANSFERS

- TRAN068_01_27_2020 Free Cash 50K to Fire Station #2 Design/Feasibility Study
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Connell. So voted.
Councillor Tontar is sponsor.

13. COMMUNICATIONS

- COMM226_01_27_2020 LATE FILE Ltr from Jim McCarthy - Financial Inquiry
Motion to refer to Planning & Development by Councillor Lane, seconded by Councillor Zeid.
Withdrawn. Motion to refer to Budget & Finance by Councillor Lane, seconded by Councillor Khan. So voted.

14. APPOINTMENTS

Second Reading

- APPT132_01_13_2020 George Sass, Jr. 37 Jefferson St Harbor Commission (Alt) 1/13/2022
- APPT133_01_13_2020 Janet Morris 288 Merrimac St Tree Commission 1/13/2023

Re-Appointments

- APPT134_01_13_2020 Karen B. Wiener 7 Lincoln St Aff Hsng Trst 11/30/2022
- APPT135_01_13_2020 Paul Cardaci 135 Beach Rd C5, Slsbry Constable, City 12/1/2022
- APPT136_01_13_2020 Gary Gorski 18 Magnolia St Lib Brd of Dir 1/1/2027

Motion to approve Second Reading Appointments by Councillor Zeid, seconded by Councillor Devlin. Roll call vote, 11 yes. Motion passed.

15. ORDERS

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16. ORDINANCES

- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Shand. So voted.
- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
Motion to refer to License & Permit by Councillor Devlin, seconded by Councillor Zeid. So voted.

17. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Budget & Finance

In Committee:

- ORDR132_07_15_19 CPC FY2020 Recommended Appropriations (COTW)
Project No. 9 held in committee.
- ORDR136_08_19_19 Fuller Track Phase II Loan Order
- COMM189_09_09_19 CPC Revised Recommendation for FY2020 Appropriations
- TRAN066_01_13_2020 NHS Exterior Woodwork Phase III \$110,903, CIP Nock/Molin Parking Lot \$8,997.87 to CIP Sidewalk Repairs \$119,900.87
Motion to receive and file (comm vote 3-0) by Councillor Tontar, seconded by Councillor Khan. So voted.
- ORDR164_01_13_2020 Connors Scholarship Gift Acceptance \$5,000
Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- APPT138_01_13_2020 Ethan Manning 31 Howard St Dir of Finance 2/1/2023

Motion to approve (comm vote 3-0) by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 11 yes. Motion passed.

Education

Councillor Khan announced an Education Committee meeting on Monday, February 3rd at 5:30pm at the Senior/Community Center.

In Committee:

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General Government

Council President Eigerman discussed setting a meeting with KP Law on Wednesday, February 12th at 6:00pm, pending scheduling.

In Committee:

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License & Permits

In Committee:

- COMM217_01_13_2020 2020 Class II Vehicle License - State Automotive Repair LLC
Motion to approve (comm vote 3-0) by Councillor Devlin, seconded by Councillor Khan. So voted.

Neighborhoods & City Services

In Committee:

- COMM194 10 15 19 Ltr from Newburyport Livable Streets
Motion to recommit by Councillor Connell, seconded by Councillor Devlin. So voted.
- COMM196 10 15 19 Ltr re: Road and Sidewalk Work on Merrimac and High Streets (COTW)
Motion to receive and file by Councillor Connell, seconded by Councillor Devlin. So voted.
- COMM197 10 28 19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
Motion to receive and file (comm vote 3-0) by Councillor Connell, seconded by Councillor Tontar.
Withdrawn. Motion to recommit by Councillor Connell, seconded by Councillor Zeid. So voted.
- COMM219 01 13 2020 Snow & Ice Plan 2019-2020
Motion to receive and file (comm vote 3-0) by Councillor Connell, seconded by Councillor Zeid. So voted. Motion to amend by Councillor Khan, insert on Page 3 a flat rate at the Titcomb Street Garage.
Withdrawn. Motion by Councillor Khan to direct the Clerk to write a letter with the recommendation to modify the 2019-2020 Snow & Ice Plan to include information about the Titcomb Street Parking Garage being available at a flat rate during snow emergencies. Withdrawn.
- APPT139 01 13 2020 Anthony Furnari 10 Olsen Rd, Peabody Dir of Public Works 2/1/2023
Motion to approve (comm vote 3-0) by Councillor Connell, seconded by Councillor Lane. Roll call vote, 11 yes. Motion passed.

Planning & Development

In Committee:

- COMM214_01_13_2020 Ltr from Central Cong Church re: CPA Funding, Historic Pres
- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification

Public Safety

In Committee:

- COMM198_10_28_19 Ltr re: Middle Street Parking/Curb Cuts
- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM218_01_13_2020 Town & Country Half Marathon - 6/14/2020
- APPT140_01_13_2020 Dr. Robert E. Slocum 38 Jefferson St Board of Health 1/13/2023

Public Utilities

Councillor Zeid announced a meeting regarding Bayberry Road for Wednesday, January 29th at 6:30pm.

In Committee:

- COMM206_11_25_19 Pole Hearing - Bayberry Road
- ORDR165_01_13_2020 Greener Group, LLC - Licensed Contractor

Rules

Councillor Vogel asked the councillors to send him their amendments to the Rules.

In Committee:

18. GOOD OF THE ORDER

Councillor Tontar announced Charter Review Committee public hearings on February 5th and February 26th. Council President Eigerman relinquished the chair to Councillor Connell for discussion of the special permit for Anna Jaques Hospital. Councillor Eigerman and Councillor Khan recused. Councillor Connell set a meeting for March 3rd at 7:00pm. Motion to adopt the rules of the Planning Board by Councillor Vogel, seconded by Councillor Shand. Withdrawn.

19. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 8:33pm.