

CITY COUNCIL MEETING MINUTES

REMOTE –

Phone Dial-In Instructions:

Link to join Webinar

<https://zoom.us/j/282611815>

Dial: (312) 626-6799 Webinar ID: 282 611 815

MEETING RECORDING:

<https://zoom.us/rec/share/yY91CvbAqz9IT6frx1OHefJ5Bdr1eaa80CEZqaYLnks3WFNEdj4IRItMoNngZGYu> (Access

Password: X0#.O\$55)

APRIL 13, 2020

7:30PM

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: Zeid, Devlin, Khan, Lane, McCauley, Connell, Shand, Tontar, Vogel, Wallace, Eigerman. 11 present using Zoom as a platform.

(Sound Check)

1. MOMENT OF SILENCE

2. The Council President remembered Linda Sullivan OBrien, native of Newburyport, long-time wife of former City Councillor Thomas F. OBrien and mother of former Asst. City Treasurer Katie Chase. She passed away on April 5, 2020 at her home after a courageous battle with cancer.

3. CALL TO ORDER

4. LATE FILE ITEMS

5. PUBLIC COMMENT

6. MAYOR'S COMMENT

There was no Mayor's Comment however Matt Coogan, CAO, answered some questions about the PCPs and the Rail Trail schedule and budget.

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

- March 30, 2020 (Approve)
- April 6, 2020 (Approve)

8. COMMUNICATIONS

- COMM238_04_13_2020 FY2021-FY2025 Capital Improvement Program Submission (B&F)

9. TRANSFERS

- TRAN073_04_13_2020 Essex NS Tech \$4,772, Hwy Streetlights \$5,228 to Elections \$10,000 (B&F)

10. FIRST READING APPOINTMENTS

- APPT162_04_13_2020 Lauren Healey 6 Plum Island Tpke Open Space Comm 4/1/2023

Re-Appointments

- APPT164_04_13_2020 Matt Ellsworth 38 Plummer Ave Parks Comm (Atkinson) 5/1/2025

To be Referred to Public Safety

- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023

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

Planning and Development Committee:

- APPT151_03_09_2020 Joseph Morgan 55 Hill St Historical Comm 3/31/2023
- APPT152_03_09_2020 Walter Chagnon 43 Lime St ZBA 03/31/2021

END OF CONSENT AGENDA REGULAR AGENDA

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

11. APPROVAL OF MINUTES

- April 8, 2020

Council President Eigerman removed from Consent Agenda. Motion to postpone consideration until April 27, 2020 by Councillor Eigerman, seconded by Councillor Vogel. So voted.

12. APPOINTMENTS

- APPT163_04_13_2020 Glenn Richards 6 Kent St Historical Comm 5/1/2023

Councillor Shand removed from Consent Agenda. Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Khan. So voted.

- APPT166_04_13_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023

Council President Eigerman removed from Consent Agenda. Motion to waive Rule 20 by Councillor Connell, seconded by Councillor Vogel. So voted. Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor Connell. So voted.

13. SECOND READING APPOINTMENTS

- APPT157_03_30_2020 Susanne F. Gallagher 3 Garnet St Board of Registrars 3/30/2023
- APPT158_03_30_2020 Kevin Hunt 14 10th St Veterans' Agent 4/1/2021
- APPT159_03_30_2020 Judy Tymon 39 Lime St Aff Housing Trust 4/30/2022
- APPT160_03_30_2020 Andrew Casson 240 Merrimac St Harbor Comm 3/31/2023

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

14. ORDERS

- NONE

15. ORDINANCES

- NONE

16. 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
- TRAN070_03_09_2020 Free Cash \$25K to LIB Maint-Equipment \$25K
- TRAN072_03_09_2020 Receipts Reserved for Appr Fuel \$22.5K, Water Ret. Earn. \$7,725, Sewer Ret. Earn. \$7,725 to Tank Upgrades \$37,950
- COMM232_03_09_2020 Annual Audit of the City's FY2019 Financial Statements
- ORDR172_03_09_2020 Brislin Scholarship Gift Acceptance \$4,793.86
- ORDR173_03_09_2020 Acceptance of MGL Chapter 40, Section 5B (fourth paragraph)
- ORDR174_03_09_2020 Plum Island Beach Fee Dedication
- ODNC053_03_09_2020 Establishment of Plum Island Beach Stabilization Fund
- COMM236_03_30_2020 DLS Bulletin 2020-01 Emergency Expenditures and Borrowing

Education

Councillor Khan gave an update on remote learning. April 6th meeting recording is available online.

In Committee:

- ORDR175_03_09_2020 Newburyport High School Statement of Interest - Roof and Science Labs
- COMM235_03_30_2020 Ltr re: SC Apptmnt of Brett Murphy to Whittier Vo-Tech Cmte

General Government

In Committee:

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License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- COMM230_03_09_2020 Yearly Report, Section 16A of the Liquor Control Act

Neighborhoods & City Services

Next meeting is a Zoom meeting. Wednesday, April 15th, at 6:30pm.

In Committee:

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks
- COMM233_03_09_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020

Planning & Development

Councillor Shand noted public hearing on zoning ordinances will be continued until June and the next meeting will be to simply continue these same hearings.

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
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- ODNC048_02_10_2020 Newburyport Historical Commission
- ODNC051_02_24_2020 Fences in Downtown Overlay District
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- ODNC054_03_09_2020 Enforcement of the State Building Code
- APPT151 03 09 2020 Joseph Morgan 55 Hill St Historical Comm 3/31/2023

Motion to approve (comm vote 3-0) APPT151 by Councillor Shand, seconded by Councillor Wallace. Roll call vote, 11 yes. Motion passed.

- **APPT152 03 09 2020** **Walter Chagnon** **43 Lime St** **ZBA** **03/31/2021**
Councillor Devlin recused. Motion to approve (comm vote 3-0) by Councillor Shand, seconded by Councillor Wallace. Roll call vote, 10 yes, 1 recused (Devlin). Motion passed.
- APPT161_03_30_2020 Rick Taintor 10 Dexter St Planning Board 4/15/2025

Public Safety

Councillor McCauley stated that he will have a brief meeting to address the events that are postponed or cancelled before he reports out to the Council.

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- COMM221_01_27_2020 Letter re: Sign at 43 Pine Hill Road
- COMM227_02_10_2020 Update and Request from Waste Stream Task Force
- APPL004_03_09_2020 Footsteps for Food - 4/14/2020
- APPL005_03_09_2020 Cultural Survival Bazaar - 7/18-19 2020
- APPL006_03_09_2020 Spring Invitation Night - 5/1/2020
- APPL007_03_09_2020 Newburyport Spring Festival - 5/24-25 2020
- APPL008_03_09_2020 Newburyport Car Show - 8/20/2020
- APPL009_03_09_2020 Newburyport Fall Harvest Festival - 10/11-12 2020
- APPL010_03_09_2020 Witches' Night Out - 10/23/2020
- APPL011_03_09_2020 Downtown Trick or Treat - 10/30/2020
- APPL012_03_09_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- ODNC055_03_09_2020 Recycling and Yard Waste Disposal by City
- COMM237_03_30_2020 21-23 Walnut St Public Safety Concern

Public Utilities

In Committee:

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023

Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F
- ORDR170_02_24_2020 Amendment Council Rules 2020 (COTW)
- ORDR171_02_24_2020 Amendment to Rule 17B (COTW)

17. GOOD OF THE ORDER

Councillor Zeid gave an update from the ad hoc committee on remote participation – considering changes to public comment policy to make it more similar to in-person meetings, will bring for consideration to the Council meeting on April 27th. Councillor Connell said to contact him if you would like a lawn sign showing your support for Anna Jaques employees.

18. ADJOURNMENT

Motion to adjourn by Councillor Zeid, seconded by Councillor Vogel. So voted. 8:05pm.