

SPECIAL CITY COUNCIL MEETING MINUTES (CONTINUED)
PURSUANT TO CHARTER SECTION 2-6(c) (ii)
REMOTE – MEETING DETAILS BELOW

MEETING RECORDING

[https://zoom.us/rec/share/ NVHda_W9UdLGLPcxUrDRL8iMq_GX6a81nAXqalPxE7YezT6BZ0nOANihCKWakFx](https://zoom.us/rec/share/NVHda_W9UdLGLPcxUrDRL8iMq_GX6a81nAXqalPxE7YezT6BZ0nOANihCKWakFx)

APRIL 08, 2020

7:30PM

Council President Eigerman called the meeting to order at 7:30pm and instructed the Clerk to call the roll. The following councilors answered present: Wallace, Zeid, Devlin, Khan, Lane, McCauley, Shand, Tontar, Vogel, Eigerman. Councillor Connell 7:50pm. 11 present.

1. Call to Order
2. Public Comment
 1. Ahmer Ibrahim, 85 Prospect Street
 2. John Spellman, 200 Water Street
 3. Lukas Phipps, 2 Allen Street
 4. Allan Jason, 4 Warren Street
 5. Lisa Matas, 9 Washington Street
 6. Andrew Simpson, 1½ Greenleaf Street
 7. Keith Attenborough, 18 Farrell Street
 8. Amy Roberts, 5 Dexter Street
 9. Sarah Pawlick
 10. Rick Doucette, 69 Marlboro Street
 11. Jack Santos, 10 Spring Street
 12. Bill Harris
 13. Jane Snow, 9 Coffin Street
 14. Payton Garbarino, 34 Storeybrooke Drive
 15. Eric Luck, 7 Tracy Street
 16. Jessica Lasky-Su, 59 Washington Street
 17. Mary Baker Eaton, 3 Foster Court
 18. Stephen Deffley, 6 Woodman Way
 19. Meghan Kinsey, 1 Griffin Court
 20. Brian Belts, 14 67th Street
 21. Nikoletta Tarkan, 1 William Griffin Way
 22. Eliza MacDiarmid, 18 Neptune Street
 23. Elena Russo, 22 Bromfield Street
 24. Elizabeth Valeriani, 29 Oak Street
 25. Valerie Natoli, 19 Otis Place
 26. Pat Fuller, 24 Eagle Street
 27. Dr. Kay Ficht, 12 William Hall Drive
 28. Preston Carey, 59 Jefferson Street
 29. Tiffany Learned, 1 Oakland Street

3. ODNC056_04_06_2020 – An Ordinance to Prevent Contagion of the Covid 19 Virus in Public Places under the Jurisdiction of the City of Newburyport As Amended.

This is a continuance of the Special Council Meeting noticed on Monday, April 6, 2020 at 7:30 pm wherein the current passed Amendments are as follows:

- a) To reduce the First Violation from \$125 to \$25 in Section (c) (1) AK/BV 10 Y/ 1 N (JD) So Voted.
- b) To amend Section (a) (2) as follows: insert the word 'or' between field and court, strike 'or other area', and add after the word field the following, "however, notwithstanding the foregoing, jogging and running do not constitute a violation of this section. JE/AK 10Y/1N (JD) So Voted.
 - a. Currently there is the following Motion to Strike on the floor for discussion:

- c) Motion to Strike Section A(2), A(3) and modify (c) Violations and penalties as follows: strike 'the Parking Clerk', and 'animal control officers and parking control officers' and the remaining section (c) beginning with the words 'by penalizing violators' to the end of the section (c). JD/SZ

Motion to amend the motion to strike, insert new Section A(1): “No Group of more than 10 people shall gather in or upon any public way or upon any way to which the public has a right of access, or any place which members of the public have access as invitees or licensees, in any park, playground, or recreation area, or on school grounds owned by the City of Newburyport. This prohibition does not prevent 10 or more people from being present, but not gatherings, at any time on public land, provided they are more than 6 feet in distance from each other at all times. Emergency personnel, any personnel performing emergency services, and/or employees of the City of Newburyport in the course of their duties are exempt.” By Councillor Zeid, seconded by Councillor Khan. Roll call vote, 11 yes. Motion passed.

Motion to amend the motion to strike, insert new Section A(2): “It shall be unlawful for any person to use for active recreation any playground or play equipment, or any athletic or sports equipment. or field or court, including, without limitation, a tennis court, basketball court, baseball field, or soccer field, however, notwithstanding the foregoing, passive recreation, including, without limitation, walking, hiking, biking, jogging, and running do not constitute a violation of this section.” By Councillor Eigerman, seconded by Councillor Khan. Roll call vote, 10 yes, 1 no (Wallace). Motion passed.

Motion to amend the motion to strike, insert new Section A(3): “It shall be unlawful for any person to gather in a group of any size to be located within six (6) feet of another other person, excepting solely those persons responding to an emergency in an official capacity and in accordance with applicable law, such as personnel of the City’s Fire Department, Police Department or Department of Public Services, physicians, nurses or emergency medical technicians, and repair personal for public utilities” by Councillor Eigerman, seconded by Councillor Connell. Roll call vote, 6 yes, 5 no (Zeid, Devlin, Khan, McCauley, Shand). Motion passed.

Motion to amend the motion to strike, amend Section C; reduce first violation penalty to a warning, second violation to \$25, third violation to \$50, and fourth and subsequent violations to \$100 by Councillor Zeid, seconded by Councillor Connell. Roll call vote, 10 yes, 1 no (Devlin). Motion passed.

- d) Additionally there is an existing Motion to Approve as Amended pending. JE/AK
- e) Motion to amend the end date to May 4' 2020, unless terminated earlier by the Newburyport Board of Health, by Councillor Khan, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.
- f) Motion to strike first paragraph

g) Motion to approve as amended by Councillor Eigerman, seconded by Councillor Khan. Roll call vote, 10 yes, 1 no (McCauley). Motion passed.

4. Good of the Order

5. Adjournment

Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 11:25pm.

MEETING DETAILS:

Zoom Meeting info:

Here is the link:

<https://zoom.us/j/879579894>

Telephone: 1 312 626 6799 Webinar ID: 879 579 894

Motion to amend the end date to May 4 2020, unless terminated earlier by the Newburyport Board of Health, by Councillor Khan, seconded by Councillor Vogel. Roll call vote, 11 yes. Motion passed.

Motion to strike first paragraph

Motion to approve as amended (was still on floor)