

CITY COUNCIL MEETING AGENDA - VERSION 3

REMOTE

MINUTES

July 13, 2020

Link to join Webinar

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7:30 PM

Council Meeting

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: Vogel, Wallace, Zeid, Devlin, Khan, Lane, McCauley, Connell, Shand, Tontar, and Eigerman. 11 present using Zoom as a platform.

1. MOMENT OF SILENCE

2. CALL TO ORDER

3. LATE FILE ITEMS Order 199 and Emergency Preamble on Use of Sen/Comm Center for EV; Page 5 of June 29, 2020 minutes; Mayor's Update

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

4. PUBLIC COMMENT

1. David Archibald, West Newbury, ORDR195
2. Nancy Harrington, 53 Federal St., ORDR190
3. Elizabeth Goullaud, 9 Marquand Lane, ORDR190
4. Richard Parker, West Newbury, ORDR195
5. Glenn Kemper, West Newbury, ORDR195
6. Walt Thompson, State St., ORDR193, 194

5. MAYOR'S COMMENT – See Mayor's Update Submitted

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.

At the request of Councillor Tomtar, the minutes are removed from the Consent Agenda.

6. APPROVAL OF MINUTES

- June 29, 2020
Minutes removed at the request of Councillor Tontar

(Approve)

7. COMMUNICATIONS

- COMM251_07_13_2020 Whittier Voc Tech Lrr RE: Nbpt Assessment (R&F)

8. TRANSFERS - None

9. FIRST READING APPOINTMENTS - None

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

Budget & Finance

- TRAN083_06_29_2020 Solid Waste Revolving Fund \$20,000 to SUS Solid Waste \$20,000
- ORDR191_06_29_2020 Waterfront Parking Fund

Neighborhood and City Services

- ORDR195_06_29_2020 Plummer Spring Road Agreement City & West Newbury

Planning & Development

- ORDR193_06_29_2020 Institution for Savings Fence Panel Gift
- ORDR194_06_20_2020 Mary Alice Arakelian Foundation Fence Panel Gift

Public Safety

- ORDR190_06_29_2020 Resolution Racial Justice

END OF CONSENT AGENDA

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

10. APPROVAL OF MINUTES for June 29, 2020

Motion to amend the minutes by Councillor Eigerman, seconded by Councillor Tontar to include:

COMM236_03_30_2020 Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.

Motion to amend the minutes by Councillor Eigerman, seconded by Councillor Tontar to include:

ORDR192_06_29_2020 Motion to approve by Councillor Zeid, seconded by Councillor Tontar. So voted.

Motion to approve the minutes as amended by Councillor Zeid, seconded by Councillor McCauley. So voted.

REGULAR AGENDA

11. MAYOR'S UPDATE

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

12. SECOND READING APPOINTMENTS

- APPT180_06_29_2020 Paula Estey 3 Pine Street Cultural Commission 06/30/2023
- APPT181_06_29_2020 Diana Kerry 33 Temple St Cultural Commission 07/15/2023
- APPT182_06_29_2020 Richard A. Eaton 4 Horton St. NBPT Trust Fund Comm. 07/15/2023

- APPT183_06_29_2020 Ryan Kelley 24 School St. , Byfield Cultural Commission 07/15/2023

Motion to approve on 2nd reading collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

13. COMMUNICATIONS

14. ORDERS

- ORDR196_07_13_2020 Open Space and Recreation Plan 2020

Motion to refer to Committee of the Whole and Planning & Development by Councillor Shand, seconded by Councillor Connell. So voted.

- ORDR197_07_13_2020 Implementing Ch. 96 of the Acts of 2020 re: NRA

Motion to refer to General Government by Councillor Zeid, seconded by Councillor Khan. So voted.

- ORDR198_07_13_2020 Intermunicipal K w/ West Newbury for Shared ACO

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.

- ORDR199_07_13_2020 Late File Early voting at Senior Center

Motion to approve Emergency Preamble by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passed.

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

15. ORDINANCES

- ODNC051_02_24_2020 Fences in Downtown Overlay District (**2nd Reading**)

Motion to approve 2nd reading by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passed.

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

Ad Hoc Committee on Economic Development

In Committee:

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
- ORDR178_04_27_2020 Acts of 1987 (w/ **Education**)
- **TRAN083 06 29 2020 Solid Waste Revolving Fund \$20,000 to SUS Solid Waste \$20,000**

Motion to approve as amended by Councillor Tontar, seconded by Councillor Khan. So voted.

- **ORDR191 06 29 2020 Waterfront Parking Fund**

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

Education

In Committee:

- COMM235_03_30_2020 Ltr re: SC Appt. of Brett Murphy to Whittier Vo-Tech Cmte
- COMM240_04_27_2020 Memo re: SOI Submission Info
- ORDR178_04_27_2020 Acts of 1987 (w/ **B&F**)

General Government

In Committee:

- COMM241_05_11_2020 Charter Review Final Report
- COMM242_05_11_2020 Confirmatory Legal Opinion from KP Law re: Charter Changes

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
- APPL014_06_08_2020 Outdoor Seating application from Vera Ristorante LLC
- APPL015_06_08_2020 Ltr with Layout from Ted Epstein re: Outdoor Seating

Neighborhoods & City Services

In Committee:

- 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
- **ORDR195_06_29_2020 Plummer Spring Road Agreement City & West Newbury**

At the suggestion of Councillor Connell two scrivener's errors were corrected.

Motion to approve by Councillor Connell, seconded by Councillor Tontar. 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
- ODNC046_1_27_20 Zoning Amendment - Short Term Rental Units Definition
- 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
- **ORDR193_06_29_2020 Institution for Savings Fence Panel Gift**
- **ORDR194_06_29_2020 Mary Alice Arakelian Foundation Fence Panel Gift**

Motion to approve ORDR193_06_29_2020 and ORDR194_06_29_2020 collectively by Councillor Shand, seconded by Councillor Tontar. So voted.

Public Safety

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
- COMM237_03_30_2020 21-23 Walnut St Public Safety Concern
- COMM246_05_26_2020 Ltr To City Council from A Calcagni re: ORDR180
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- COMM250_06_29-2020 Letter Elizabeth Goullaud
- ORDR190EP_06_29_2020 Emergency Preamble for Resolution Racial Justice COTW
- **ORDR190 06 29 2020 Resolution Racial Justice COTW**

Motion to approve as amended in committee by Councillor McCauley, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passed.

- ODNC059_06_29_2020 Truck Routes
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023

Public Utilities

In Committee:

- APPT156_03_09_2020 John Tomasz 38 Storeybrooke Dr Water/Sewer Comm 3/31/2023
- APPT166_04_13_2020 Robert A. Cook 19 Everette Dr Water/Sewer Comm 3/1/2023
- APPT166_04_13_2020 Resume of Robert Cook, Water/Sewer Commission

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

Happy Birthday to Councillor Shand, belated Happy Birthday to Councillor Vogel.
Discussion of the August meeting schedule.

18. ADJOURNMENT

Motion to Adjourn by Councillor Tontar, seconded by Councillor Connell. So voted. 9:08pm.