

# **CITY COUNCIL MEETING MINUTES - VERSION 1**

## **REMOTE**

**August 31, 2020**

### **Link to join Webinar**

<https://us02web.zoom.us/j/83952312802>

Or iPhone one-tap :

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Webinar ID: 839 5231 2802

International numbers available: <https://us02web.zoom.us/j/83952312802>

**7:30 PM**

### **Council Meeting**

#### **1. MOMENT OF SILENCE**

**CALL TO ORDER** 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, Khan, Devlin, Lane, McCauley, Connell, Shand, Tontar, Vogel, Wallace, and Eigerman. 11 present using Zoom as a platform.

#### **2.**

#### **3. LATE FILE ITEMS – COMM 261\_08\_31\_2020 Proposed Timeline, Waterfront**

**COMM262\_08\_31\_2020 Gasbarro Ltr re: Awareness M to Waive Rules and Allow Late Files SZ/BC All**

#### **4. PUBLIC COMMENT Jane Snow, Coffins Court, Nbpt re: City Hall hours.**

#### **5. MAYOR’S COMMENT**

### **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.

#### **6. APPROVAL OF MINUTES**

- August 10, 2020 (Approve)
- August 20, 2020 (Approve)

#### **7. COMMUNICATIONS**

- COMM259\_08\_31\_2020 Whittier Tech Annual Operational Report (R&F)
- COMM260\_08\_31\_2020 FY2020 Year-End Financial Report (B&F)

#### **8. TRANSFERS**

- TRAN084\_08\_31\_2020 Plum Is Utility Trust Fund \$50K to Res. Terr.Shoreline Protection \$50K (B&F)

## 9. APPOINTMENTS

### First Reading

- APPT185\_08\_31\_2020 Brendan Banovic 1 Walnut St. ZBA 8/31/2021 (P&D)  
Removed at the request of JE
- APPT186\_08\_31\_2020 Rosemary Decie 8 Fenders Ave. Council on Aging 5/31/2025
- APPT187\_08\_31\_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
- APPT189\_08\_31\_2020 Karen Sakaniwa 71 Middle St. Comm. on Disabilities 9/30/20

### Re-Appointments

- APPT188\_08\_31\_2020 Rachel D. Webb 19 Chapel St ZBA 10/1/2025 (P&D)  
Removed at the request of JE

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

### Budget & Finance

- ORDR198\_07\_13\_2020 Intermunicipal K w/ West Newbury for Shared ACO
- ORDR202\_08\_10\_2020 Pioneer League Gift
- ORDR207\_08\_20\_2020 Parker/State St Crossing

### Neighborhood & City Service

- ODNC050\_02\_24\_2020 Curb Cuts and Notice of Work Involving Sidewalks - N.B. not removed at the request of BC

### Ad Hoc Committee on Remote Participation and COTW

- ORDR205\_08\_10\_2020 Hybrid/In Person Remote Participation Policy

### Planning & Development

### Public Safety

M to Apr to As Amended, SZ/JM, All

**END OF CONSENT AGENDA  
REGULAR AGENDA**

## 10. MAYOR'S UPDATE

## 11. FIRST READING APPOINTMENT

- APPT185\_08\_31\_2020 Brendan Banovic 1 Walnut St. ZBA 8/31/2021 (P&D)
- APPT188\_08\_31\_2020 Rachel D. Webb 19 Chapel St ZBA 10/1/2025 (P&D)

**M to Apr Collectively First Reading, BV/SZ 10Y 1 Recused (JD)**

## 12. SECOND READING APPOINTMENTS

- APPT184\_08\_10\_2020 Richard J. O'Brien 41 Olive St. Trust Fund Comm, 8/15/2023

**M to Apr Second Reading, SZ/AK All**

### 13. COMMUNICATIONS –

- **COMM261\_08\_31\_2020 Proposed Timeline, Waterfront M to Refer to Ad Hoc Cmte on Waterfront SZ/CT All**
- **COMM262\_08\_31\_2020 Gasbarro Ltr re: Awareness M to Refer to Ad Hoc Cmte on Economic Dev, SZ/CT All**

### 14. ORDERS

- **ORDR204\_08\_10\_2020 Yankee Homecoming Appreciation Resolution**
  - **POSTPONED TO AUGUST 31, 2020 ON MOTION BY COUNCILLOR KHAN SECONDED BY COUNCILLOR MCCAULEY.****M to Apr AK/JM Roll Call Vote 11Y**
- **ORDR208\_08\_31\_2020 Pioneer League Gift**  
**M to Refer to B&F CT/AK All**

### 15. ORDINANCES

### 16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

#### Ad Hoc Committee on Economic Development

*In Committee:*

#### Ad Hoc Committee on Remote Participation and COTW

*In Committee:*

- **ORDR205\_08\_10\_2020 Hybrid/In Person Remote Participation Policy**  
**M to Apr As Amended SZ/JM, M to Amend by Allowing Cameras as an Option and Not Required (pg 6) (CW, JD) Roll Call 9Y 2N(AK, BV); M to Apr as Amended, SZ/JM 9Y, 2N (CT, BV) Roll Call vote**

#### 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)**
- **ORDR198\_07\_13\_2020 Intermunicipal K w/ West Newbury for Shared ACO**  
**M to Apr CT/AK Roll Call 11 Y**
- **ORDR202\_08\_10\_2020 Pioneer League Gift**  
**M to Apr CT/AK All**
- **ORDR203\_08\_10\_2020 FY21 Three Month Appropriation Budget 1**
- **ORDR207\_08\_20\_2020 Parker/State St Crossing**  
**M to Apr CT/AK All**

#### 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**

### **Stayed in Cmte**

- COMM233\_03\_09\_2020 Ltr re: MVRTA State Street Bus Stop Shelter
- COMM234\_03\_30\_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM252\_07\_30\_2020 Ltr re: Face Masks in public
- ODNC061\_07\_30\_2020 Amendment to Ch. 11 Parks and Recreation for Covid-19

## **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
- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)
- COMM257\_08\_20\_2020 Ltr re: Harrison Street, J Tymon

## **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
- 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

- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD
- ODNC059\_06\_29\_2020 Truck Routes
- APPT165\_04\_13\_2020 Dr. Robin Blair 18 Market St Board of Health 4/30/2023
- COMM254\_08\_10\_2020 Moseley Ave Ltr with

## **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**

## **18. ADJOURNMENT M to Adj CW/ 9:25 pm**