

CITY COUNCIL MEETING AGENDA - VERSION 1

REMOTE

September 29, 2020

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7:30 PM

Council Meeting

1. MOMENT OF SILENCE

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

3. LATE FILE ITEMS

COMM264_09_29_2020 Colleen Turner Letter

COMM265_09_29_2020 Sean Reardon Letter

COMM266_09_29_2020 School Committee Letter

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

4. PUBLIC COMMENT

1. Jay Iannini, 26 Summit Pl.
2. Bruce Menin, 148 High St.
3. Brian Callahan, 29 Warren St.
4. Josh Mayfeld, 75 High St.
5. Arissa Ibrahim, 85 Prospect St.
6. Lynn Schow, 75 High St.
7. Joan Sheehan, 66 Longfellow Dr.
8. Matthew Kane, 63 Curzon Mill Rd.
9. Renee Ames, 17 Forrester St.
10. Stephanie Niketic, 93 High St.
11. Dylan Peacock, 209 Congress St. Providence, RI
12. Juliet Walker, 13 Eagle St.
13. Jennifer Groskin, 11 Myrtle Ave.
14. Susan Acquaviva, 62 Bromfield St.
15. John Elwell, 266 High St.
16. Jodi Tamayoshi, 52 Forrester St.
17. Paul Acquaviva, 62 Bromfield St.
18. Elizabeth Goullaud, 9 Marquand Ln.
19. Christian Kjaer, 19 Frances Dr.

20. Patricia Boatenig, 18 Merrill St.
21. David Hochheiser, 2 Forrester St.
22. Jane Snow, 9 Coffin St.
23. Boyd Hancock, 4 Tilton St.
24. Charles Grossman, 2 Cutting Dr.
25. Michelle Hastings, 37 Franklin St.
26. Beth Platow, 17 Plummer Ave.
27. Rick Hastings, 37 Franklin St.
28. Shelia Spalding, 10 Fair St.
29. Laura Bentley, 121 Prospect St.
30. Emily Sheehan, 1 Rawson Hill Rd.

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

- September 14, 2020 (Approve)

7. COMMUNICATIONS - None

8. TRANSFERS

- TRAN085_09_29_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K (B&F)
Removed from Consent Agenda to Regular Agenda

9. APPOINTMENTS - none

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

Budget & Finance

- ORDR206_08_20_2020 FY 21 Budget Order (Second Submission) & COTW
- ORDR209_09_14_2020 Borrowing Authorization 9/14/20
- COMM260_08_31_2020 FY2020 Year-End Financial Report

Neighborhoods & City Services

- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks

Planning & Development

- COMM257_08_20_2020 Ltr re: Harrison Street, J Tymon

Public Utilities

- | | | | | |
|----------------------|----------------|--------------------|------------------|-----------|
| • 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 | Robert A. Cook | Resume | | |

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

END OF CONSENT AGENDA REGULAR AGENDA

10. MAYOR'S UPDATE

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

11. SECOND READING APPOINTMENTS

- APPT189_08_31_2020 Karen Sakaniwa 71 Middle St. Comm. on Disabilities 9/30/2023
CONTINUED FROM SEPTEMBER 14, 2020 on a motion by Councillor Tontar, seconded by Councillor Khan. So voted.
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11yes. Motion passes.

12. COMMUNICATIONS

- COMM263_08_31_2020 Budget Revision – Vocational School Assessments
Motion to receive and file by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM264_09_29_2020 Colleen Turner Letter
Councilor Eigerman left meeting. Councillor Connell became President pro tempore.
Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.
- COMM265_09_29_2020 Sean Reardon Letter
Motion to receive and file by Councillor Zeid, seconded by Councillor Khan. So voted.
- COMM266_09_29_2020 School Committee Letter
Motion to receive & file by Councillor Khan, seconded by Councillor Tontar. 10 yes, 1 no (McCauley)
Motion passes.

13. TRANSFERS

TRAN085_09_29_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K
Motion to refer to Public Utilities by Councillor Zeid, seconded by Councillor Tontar. So voted.

14. ORDERS

- ORDR211_09_29_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)
Motion to waive the rules , sponsor not present by Councillor Zeid, seconded by Councillor Khan. So voted.
Motion to refer to Planning & Development Councillor Shand, seconded by Councillor Khan. So voted.
- ORDR212_09_29_2020 Prior Fiscal Year Bills
Council President Eigerman returned to the meeting.
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. So voted.
- ORDR213_09_29_2020 Resiliency Project Grant Acceptance
Motion to Public Utilities by Councillor Zeid, seconded by Councillor Tontar. So voted.

15. ORDINANCES -

- ODNC062_09_29_2020 Residential Permit Zones seasonal hours extension
Motion to refer to Public Safety by Councillor Eigerman, seconded by Councillor Zeid. So Voted.
- ODNC063_09_29_2020 Bond and Transfer Limit
Motion to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. So voted.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Waterfront and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront

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
- **COMM260 08 31 2020 FY2020 Year-End Financial Report**
Motion to receive and file by Councillor Tontar, seconded by Councillor Khan. So voted.
- **ORDR206 08 20 2020 FY 21 Budget Order (Second Submission) & COTW**

Motion to Remove by Councillor Zeid, seconded by Councillor Tontar

Motion to Approve by Councillor Tontar, seconded by Councillor Khan

City Council

Motion to Cut 42,000 Line 51101 SZ/JD 7Y, 4 N(BC,HS,CT,BV) Motion Passes

Motion to Cut 73 Line 51160 SZ/JD 7Y, 4 N(BC,HS,CT,BV) Motion Passes

Motion to Cut 32 Line 51162 SZ/JD 2Y (SZ,CW), 9N Motion Fails

City Clerk

Motion to Cut 1,995 Line 51101 SZ/JD Withdrawn

Parking Clerk

Motion to Cut 6,220 Line 51134 SZ/JD Withdrawn

Motion to Cut 3,000 Line 51168 SZ/JD 8Y 3N (BC,CT,BV) Motion Passes

Motion to Cut 4,000 Line 51901 AK/SZ 7Y 4N (BC,HS, CT,BV) Motion Passes

Motion to Cut 16,000 Line 53000 SZ/JD 1Y(SZ) 10N Motion Fails

Motion to Cut 500 Line 54200 SZ/JD 7Y 4N(CT,BV,AK,BL) Motion Passes

Motion to Cut 3,000 Line 55801 SZ/JD 8Y 4N(CT,BV,AK,BL) Motion Passes

Mayor's Office

Motion to Cut 5,000 Line 57801 SZ/JD 6Y 5N(CT,BV,AK,HS,BC) Motion Passes

General Administration

Motion to Cut 8,000 Line 52101 SZ/JD 8Y 3N(CT,BV,HS) Motion Passes

Motion to Cut 10,000 Line 53004 SZ/JD 2Y(SZ,JD) 9N Motion Fails

Motion to Cut 10,000 Line 53400 SZ/JD 10Y 1N(BV) Motion Passes

Motion to Cut 2,500 Line 54200 SZ/JD 9Y 2N(CT,BV) Motion Passes

Auditors

Motion to Cut 500 Line 55800 SZ/JD 8Y 3N(BC,CT,BV) Motion Passes

Treasurer

Motion to Cut 500 Line 54200 SZ/JD 9Y 2N(CT,BV) Motion Passes

Emergency Management

Motion to Cut 500 Line 54200 SZ/JD 6Y 5N(JM,HS,CT,BV,CW) Motion Passes

Motion to Cut 500 Line 57409 SZ/JD 7Y 4N(CT,BV,AK,BL) Motion Passes

Animal Control

Motion to Cut 1,000 Line 51301 SZ/JD 8Y 3N(BC,CT,BV) Motion Passes

Planning and Development

Motion to Cut 500 Line 54200 SZ/JD 7Y 4N(BC,CT,BV,JE) Motion Passes

Motion to Cut 500 Line 55800 SZ/JD 7Y 4N(BC,CT,BV,JE) Motion Passes

Parks

Motion to Cut 6,100 Line 51162 SZ/JD 5Y(JM,CW,SZ,JD,BL) 6N Motion Fails

Motion to Cut 3,900 Line 51404 SZ/JD 5Y(JM,CW,SZ,JD,BL) 6N Motion Fails

Youth Services

Motion to Cut 5,000 Line 51166 SZ/JD 2Y(JM,SZ) 9N Motion Fails

Motion to Cut 15,667 Line 51163 SZ/JD 1Y(SZ) 10N Motion Fails

Motion to Waive the Rules to Continue beyond 11:00 pm SZ/JD So voted.

Veterans

Motion to Cut 11049 Line 51102 HS/AK 7Y 4N(BC,CT,BV,JE) Motion Passes

Motion to Cut 500 Line 55800 SZ/JD 7Y 5N(BC,CT,BV,CW) Motion Passes

Human Resources

Motion to Cut 37913 Line 51166 SZ/JD 3Y(SZ, JD, JE) 8N Motion Fails

Insurance Group

Motion to Cut 75,000 Line 51700 SZ/JD 3Y(JM,SZ, JD) 7N 1 Abstain (JE) Motion Fails

Motion to Cut 20,000 Line 51700 SZ/JD 5Y(CT, BC,BV,AK,JE) 6N Motion Fails

School

Motion to Cut 5,000,000 Line 53201 JM/BL 4Y(JM, SZ, JD, BL) 7N Motion Fails

Whittier

Motion to Cut 22,306 Line 53201 CT/BV So voted. Motion Passes

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- 5 min recess called by the President during which the Finance Director and the Chair of Budget and Finance consulted. The Clerk read into the minutes the completed Budget Order with amounts entered.

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- Motion to Approve Order 206 As Amended, CT/AK Roll Call 10Y 1 N (SZ)

- **ORDR209 09 14 2020 Borrowing Authorization 9/14/20**

Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

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**
Held in Committee
- 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
- 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**
Held in Committee
- APPT187_08_31_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023

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 re: Sidewalk Safety and Roadway Speeding
- ORDR200_07_30_2020 List of Crosswalks Amended

Public Utilities

In Committee:

- **APPT156 03 09 2020 John Tomasz 38 Storeybrooke Water/Sewer 3/31/2023**
Dr Comm
- **APPT166 04 13 2020 Robert A. Cook 19 Everette Dr Water/Sewer 3/1/2023**
Comm
- **APPT166 04 13 2020 Resume of Robert Cook, Water/Sewer Commission**

Motion to approve by Councillor Zeid , seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

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

Motion to adjourn at 1:36am by Councillor Tontar, seconded by Councillor Vogel. So voted.

18. ADJOURNMENT