

MINUTES - CITY COUNCIL MEETING AGENDA - VERSION 1
REMOTE

September 14, 2020

Link to join Webinar

When: Sep 14, 2020 07:30 PM Eastern Time (US and Canada)

Topic: Newburyport City Council Regular (Remote) Meeting

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7:30 PM
Council Meeting

1. MOMENT OF SILENCE

Remembering Ida Furnari, Michael Hines, and Joan Russell

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: Lane, McCauley, Connell, Tontar, Vogel, Wallace, Zeid, Khan, and Eigerman. 9 present, 2 absent (Shand, Devlin) using Zoom as a platform.

3. LATE FILE ITEMS

4. PUBLIC COMMENT

Louis Blatt, 10 77th Street

5. MARSHAL'S COMMENDATION FOR MICHAEL FALITE & CHARLES VORDERIS

Marshal Murray commended Officers Falite and Vorderis for their kindness to a homeless mother of 4 children as she passed through Newburyport from Maine on her way to New Jersey.

6. 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.

7. APPROVAL OF MINUTES

- August 31, 2020

(Approve)

8. COMMUNICATIONS - none

9. TRANSFERS - none

10. APPOINTMENTS - none

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

Planning & Development

- COMM257_08_20_2020 Ltr re: Harrison Street, J Tymon
Held in Committee, Councillor McCauley
- APPT187_08_31_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
Held in Committee, Councillor McCauley
- APPT185_08_31_2020 Brendan Banovic 1 Walnut St. ZBA 8/31/2021
- APPT188_08_31_2020 Rachel D. Webb 19 Chapel St ZBA 10/1/2025

END OF CONSENT AGENDA

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

REGULAR AGENDA

Note: Councillor Devlin is now present.

11. MAYOR'S UPDATE

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

12. SECOND READING APPOINTMENTS

- APPT186_08_31_2020 Rosemary Decie 8 Fenders Ave. Council on Aging 5/31/2025
Motion to approve by Councillor McCauley, seconded by Councillor Tontar. Roll call vote. 9 yes, 2 absent (HS, JD). Motion passed.
- APPT189_08_31_2020 Karen Sakaniwa 71 Middle St. Comm. on Disabilities 9/30/20
Motion to table by Councillor Zeid, seconded by Councillor Vogel. So voted. Motion to take off the table by Councillor Eigerman, seconded by Councillor Khan. So voted. Motion to continue until 9/29/2020 meeting by Councillor Tontar, seconded by Councillor Khan. So voted

13. COMMUNICATIONS – None

14. ORDERS

ORDR210_09_14_2020 Resolution Nancy Peace

Motion to suspend the rules and take up in one reading, by Councillor Connell, seconded by Councillor McCauley. So voted. Emergency Preamble – Motion to Appv. Councillor Connell, seconded by Councillor McCauley, Roll Call vote, 10 Y, 1 Ab. Motion to approve by Councillor Connell, seconded by Councillor McCauley Roll call vote. 10 yes, 1 absent (HS). Motion passed.

ORDR209_09_14_2020 Borrowing Authorization 9/14/20

Motion to refer to B&F by Councillor Tontar, seconded by Councillor Khan. So voted.

15. ORDINANCES - None

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

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
JE - Meeting scheduled for 9/29/2020

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)**
Motion to remove from Committee by Councillor Tontar, seconded by Councillor Khan. So voted.
8:30pm Councillor Connell Pro Tempore Council President.
Motion to approve by Councillor Tontar, seconded by Councillor Khan. Roll Call vote. 8 yes, 2 no (CT, BV), 1 absent (HS). Motion passed, Requires Mayor's signature.
- **COMM260 08 31 2020 FY2020 Year-End Financial Report**
- **TRAN084 08 31 2020 Plum Is Utility Trust Fund \$50K to Res. Terr.Shoreline Protection \$50K**
Motion to remove from Committee by Councillor Tontar, seconded by Councillor Khan. So voted.
Motion to approve, Councillor Tontar, seconded by Councillor Khan Roll call vote. 10 yes, 1 absent (HS). Motion passed.
- **ORDR208 08 31 2020 – Pioneer League Gift**
Motion to remove from Committee by Councillor Tontar, seconded by Councillor Khan. Motion to approve by Councillor Tontar, seconded by Councillor Khan. So voted.
- ORDR206_08_20_2020 FY 21 Budget Order (Second Submission) & COTW

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
- COMM252_07_30_2020 Ltr re: Face Masks in public
- ODNC061_07_30_2020 Amendment to Ch. 11 Parks and Recreation for Covid-19 Motion to Remove by Councillor Connell, seconded by Councillor Lane, so voted, Motion to waive rule 17B & 9B by Councillor Connell, seconded by Councillor Lane So voted. Motion to Apr by Councillor Connell, seconded by Councillor Zeid, Roll Call 10 Y, 1 A So voted.

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
 - **APPT185 08 31 2020 Brendan Banovic 1 Walnut St. ZBA 8/31/2021**
 - **APPT188 08 31 2020 Rachel D. Webb 19 Chapel St ZBA 10/1/2025**
- Motion to approve collectively Appt 185 and Appt 188 by Councillor McCauley, seconded by Councillor Khan. Roll call vote. 9 yes, 2 absent (JD - recused, HS). Motion passed.
- 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 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

Motion to Adjourn at 9:44 pm by Councillor Vogel, seconded by Councillor Khan. So voted.