

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

## **REMOTE**

**October 13, 2020**

### **Link to join Webinar**

<https://us02web.zoom.us/j/86454283302>

Or iPhone one-tap :

US: +13017158592,,86454283302# or +13126266799,,86454283302#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 864 5428 3302

**7:30 PM**

### **Council Meeting**

**1. MOMENT OF SILENCE:** Remembering Rev. Bertrand H. Steeves, Josiah Hale Welch

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

**3. LATE FILE ITEMS** ORDR215\_09\_29\_2020 57 Pres Restriction Central Cong Church

COMM274\_10\_13\_20 Ltr from Storm Surge

ORDR217\_10\_13\_2020 Election Grant Acceptance

Motion to accept the Late Files and take up in the Regular Agenda by Councillor Connell, seconded by Councillor Tontar. 10 yes, 1 no (Zeid). Motion passes.

#### **4. PUBLIC COMMENT**

None

#### **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 29, 2020

(Approve)

Removed until next meeting at the request of Council President Eigerman

#### **7. COMMUNICATIONS**

- COMM268\_10\_13\_2020 Ltr from Rita Mihalek (R&F)
- COMM269\_10\_13\_2020 DPS Snow and Ice Plan (PS)
- COMM271\_10\_13\_2020 Coastal Trails Coalition (R&F)
- COMM272\_10\_13\_2020 Whittier Voc Tech Nbpt Assessment – revised (R&F)

#### **8. TRANSFERS**

- None

## 9. APPOINTMENTS

### First Reading

- APPT190\_10\_13\_2020 Elizabeth Valeriani 29 Oak St, Nbpt Emma Andrews 10/29/2021
- APPT191\_10\_13\_2020 Elizabeth L. Watson 53 Warren St, Unit 315, Nbpt Emma Andrews 10/29/2021
- APPT192\_10\_13\_2020 Aine G. Ellrott 43 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT193\_10\_13\_2020 Virginia R. Champi 84 Purchase St, Nbpt Emma Andrews 10/29/2021
- APPT194\_10\_13\_2020 Donna Conway 27 Marlboro St, Nbpt Emma Andrews 10/29/2021

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

### Budget & Finance

- ORDR212\_09\_29\_2020 Prior Fiscal Year Bills
- COMM263\_08\_31\_2020 Budget Revision -Vocational School Assessments

### 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
- ORDR211\_09\_29\_2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)

### Public Safety

- APPL010\_03\_09\_2020 Witches' Night Out - 10/23/2020
- APPL011\_03\_09\_2020 Downtown Trick or Treat - 10/30/2020

### Public Utilities

- TRAN085\_09\_29\_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K
- ORDR213\_09\_29\_2020 Resiliency Project Grant Acceptance

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

## 11. SECOND READING APPOINTMENTS-None

## 12. COMMUNICATIONS

- COMM270\_10\_13\_2020 Ltr To DCAM\_Jeigerman  
Motion to refer to Planning & Development by Councillor Eigerman, seconded by Councillor Tontar. So voted.
- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987  
Motion to refer to Education by Councillor Zeid, seconded by Councillor Khan. So voted.
- COMM274\_10\_13\_2020 Ltr from Storm Surge  
Motion to Receive and File by Councillor Zeid, seconded by Councillor Tontar. So voted.

## 13. ORDERS

- ORDR214\_10\_13\_2020 57 Low Street Purchase  
Motion to refer to Budget & Finance and to Planning & Development by Councillor Tontar, seconded by Councillor Khan. 10 yes, 1 no (Zeid). Motion passes.
- ORDR215\_10\_13\_2020 57 Pres Restriction Central Cong LATE FILE  
Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Tontar. So voted.
- ORDR216EP\_10\_13\_2020 57 Emergency Preamble Supplemental Budget Charter Sec. 2-4  
Motion to Approve by Councillor Tontar, seconded by Councillor Khan. Roll call vote, 5 yes (Connell, Shand, Tontar, Vogel, Khan) 6 No. Motion fails.
- ORDR216\_10\_13\_2020 57 Supplemental Budget Charter Sec. 2-4  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 7 yes, 3 no (Zeid, Devlin, McCauley), 1 abstain (Eigerman). Motion passes.
- ORDR217\_10\_13\_2020 Election Grant Acceptance LATE FILE  
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. 10 y, 1 no (Zeid). Motion passes.

## 14. ORDINANCES

## 15. 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
- COMM263\_08\_31\_2020 Budget Revision – Vocational School
- **ORDR212 09 29 2020 Prior Fiscal Year Bills**

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

- **COMM263 08 31 2020 Budget Revision -Vocational School Assessments**

Motion to Receive and File by Councillor Tontar, seconded by Councillor Khan. So voted.

- COMM264\_09\_29\_2020 Colleen Turner Letter
- ODNC063\_09\_29\_2020 Bond and Transfer Limit

### 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

### 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**

Motion to Approve 1<sup>st</sup> Reading as Amended Sec. 12-54A last sentence before construction from THE to ANY by Councillor Connell, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes amended.

- 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

**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**

Motion to Receive and File by Councillor Shand, seconded by Councillor Tontar. So voted.

- APPT187\_08\_31\_2020 Robert Armstrong 35 Louise Ave. Bldg Commissioner 1/1/2023
- **ORDR211 09 29 2020 Preservation Restriction 272 High Street (Kemble Widmer II Trust)**  
Stay in Committee

**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**

Motion to Received & File collectively by Councillor McCauley, seconded by Councillor Tontar. So voted.

- 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
- ODNC062\_09\_29\_2020 Residential Permit Zones seasonal hours extension

- 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:***

- **TRAN085\_09\_29\_2020 Multiple (attached) \$484K to WWTF Resiliency/CCRT Project \$484K**
- **ORDR213\_09\_29\_2020 Resiliency Project Grant Acceptance**

Motion to approve collectively by Councillor Zeid seconded by Councillor Tontar. Roll call votes 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)

## **16. GOOD OF THE ORDER**

Discussion for hybrid meetings at Senior and Community Center

## **17. ADJOURNMENT**

Motion to adjourn at 9:49 pm by Councillor Khan, seconded by Councillor Vogel. So voted.