

## **CITY COUNCIL MEETING MINUTES**

### **REMOTE**

**November 30, 2020**

#### **Tax Classification**

#### **Hearing**

**7:15 PM**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86975478197>

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**7:30PM**

#### **City Council**

#### **Meeting**

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7799 or +1 669 900 6833

Webinar ID: 876 3028 6803

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

Remembering Bill Carlson, Kim Kudym

#### **2. CALL TO ORDER**

The City Council President, Jared Eigerman, called the meeting to order at 7:30 pm. 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, Shand, Tontar and Eigerman. 11 present using Zoom as a platform.

#### **3. LATE FILE ITEMS**

ORDR223\_11\_30\_2020 Preservation Rest Custom House MHC

APPL016\_11\_30\_2020 Old South Christmas Eve Gathering Federal St.

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

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

Kevin Hunt, Veterans Affairs

Juliet Walker, 13 Eagle St.

Stephen Kerns, 79 Moseley Avenue

Rich Winokur, 60 Longfellow Drive

#### **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

- November 9, 2020 (Approve)

### 7. COMMUNICATIONS

- COMM279\_11\_30\_2020 CC Email Account (Rules)  
Removed at the request of Councillor Khan.
- APPL016\_11\_30\_2020 Old South Church Christmas Eve Federal St (PS)

### 8. TRANSFERS

- TRAN086\_11\_30\_2020 RRFA-Wtrfrnt Pkg Fd \$3,867.22 to PKG Maint-Wtrfrnt Pk \$3867.22 (B&F)
- TRAN087\_11\_30\_2020 Elec Rev Acct 2,500 to Fence/Mural 2,500 (B&F)

### 9. APPOINTMENTS

- APPT199\_11\_30\_2020 Kevin Wallace 40 Oak St Fruit St Hist Comm 11/30/2023

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

#### Budget & Finance

- ORDR219\_11\_09\_2020 Residential Factor FY 2021
- ORDR220\_11\_09\_2020 Tax Rate for FY 2021
- ODNC065\_11\_09\_2020 Amend Senior Tax Work-Off Program

#### Planning & Development

- ORDR196\_07\_13\_2020 Open Space and Recreation Plan 2020 (COTW)

#### Public Safety

- COMM275\_10\_26\_2020 Ltr. Jim McCarthy
- COMM276\_10\_26\_2020 Ltr. Alex Matthews
- COMM254\_08\_10\_2020 Moseley Ave Ltr re: Sidewalk Safety and Roadway Speeding
- APPL012\_03\_09\_2020 Invitation Nights - 12/4, 12/11, 12/18 2020
- COMM221\_01\_27\_2020 Letter re: Sign at 43 Pine Hill Road

Motion to Approve Consent Agenda as Amended by Councillor Khan, seconded by Councillor Shand. So voted.

END OF CONSENT AGENDA

## REGULAR AGENDA

### 10. MAYOR'S UPDATE

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

### 11. COMMUNICATIONS

- COMM279\_11\_30\_2020 CC Email Account  
Motion to refer to Rules by Councillor Khan, seconded by Councillor Vogel. So voted.
- APPL016\_11\_30\_2020 Old South Church Christmas Eve Federal St with signatures  
Motion to refer to Public Safety by Councillor Khan, seconded by Councillor McCauley. So voted.

### 12. SECOND READING APPOINTMENTS

- APPT198\_11\_09\_2020 Elaine Paglia 39 Jefferson St Council on Aging 5/31/2025  
Motion to Approve 2nd Reading by Councillor Vogel, seconded by Councillor Khan. Roll Call vote, 11 yes.  
Motion passes.

### 13. ORDERS

- ORDR222\_11\_30\_2020 Mass Veterans Brave Act Acceptance  
Motion to refer to Budget & Finance by Councillor Khan, seconded by Councillor Connell. So voted.
- ORDR223\_11\_30\_2020 Preservation Rest Custom House MHC  
Motion to refer to Planning & Development by Councillor Shand, seconded by Councillor Vogel. So voted.

### 13. ORDINANCES

- ODNC054\_03\_09\_2020 Enforcement of the State Building Code 2<sup>nd</sup> Reading  
Motion to Approve 2<sup>nd</sup> Reading by Councillor McCauley, seconded by Councillor Khan. Roll Call vote, 11 yes. Motion passes.
- ODNC066\_11\_30\_2020 Chapter 12 Amendments to Snow and Ice  
Motion to refer to Public Safety by Councillor Wallace, seconded by Councillor Khan. Motion withdrawn by Councillor Wallace and Councillor Khan. Motion to refer to Neighborhood & City Services by Councillor Wallace, seconded by Councillor Khan. So voted.

### 14. 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
- COMM264\_09\_29\_2020 Colleen Turner Letter
- ODNC063\_09\_29\_2020 Bond and Transfer Limit
- ORDR214\_10\_13\_2020 Low Street Purchase w/ P&D & COTW
- ORDR216\_10\_13\_2020 Supplemental Budget Charter Sec. 2-4 42K
- **ORDR219 11 09 2020 Residential Factor FY 2021**  
Motion to Approve by Councillor Tontar, seconded by Councillor Khan. Roll Call vote, 11 yes. Motion passes.

- **ORDR220 11 09 2020 Tax Rate for FY 2021**

Motion to Approve by Councillor Tontar, seconded by Councillor Khan. Roll Call vote, 11 yes. Motion passes.

- **ODNC065 11 09 2020 Amend Senior Tax Work-Off Program**

Motion to Approve 1<sup>st</sup> Reading by Councillor Tontar, seconded by Councillor Khan. Motion to Amend MGLA to MGL by Councillor Khan, seconded by Councillor Eigerman. Motion to Approve as Amended 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
- COMM273\_10\_13\_2020 Ltr of Non-Support from Mayor on Acts of 1987

## **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)
- 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
- **ORDR196 07 13 2020 Open Space and Recreation Plan 2020 (COTW)**  
Motion to return back to Planning & Development by Councillor Shand, seconded by Councillor Khan. So voted.
- ORDR214\_10\_13\_2020 Low Street Purchase w/ P&D (COTW)
- COMM270\_10\_13\_2020 Ltr To DCAM \_Jeigerman

## **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**  
Motion to receive and file collectively with COMM254\_08\_10\_2020 by Councillor McCauley, seconded by Councillor Khan. So voted.
- COMM227\_02\_10\_2020 Update and Request from Waste Stream Task Force
- **APPL012 03 09 2020 Invitation Nights - 12/4, 12/11, 12/18 2020**  
Motion to receive and file by Councillor McCauley, seconded by Councillor Khan So voted.
- COMM243\_05\_11\_2020 Ltr from Jane Rascal re: NMMCD

- 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**  
 Motion to direct the City Clerk to send to every member of TSAC by Councillor McCauley, seconded by Councillor Wallace. So voted.  
 Motion to receive and file collectively with COMM221\_01\_27\_2020 by Councillor McCauley, seconded by Councillor Khan. So voted.
- ORDR200\_07\_30\_2020 List of Crosswalks Amended
- COMM269\_10\_13\_2020 DPS Snow and Ice Plan  
 Motion to Waive the Rules to bring out of Committee and refer to Neighborhood & City Services by Councillor McCauley, seconded by Councillor Shand. So voted.
- **COMM275\_10\_26\_2020 Ltr. Jim McCarthy**  
 Motion to receive and file by Councillor McCauley, seconded by Councillor Vogel. So voted.
- **COMM276\_10\_26\_2020 Ltr. Alex Matthews**  
 Motion to Approve by Councillor McCauley, seconded by Councillor Khan. So voted.
- COMM278\_11\_9\_2020 Late File - Compost Guidelines

#### **Public Utilities**

##### ***In Committee:***

#### **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)

#### **15. GOOD OF THE ORDER**

#### **16. ADJOURNMENT**

Motion to Adjourn at 9:10 pm by Councillor Tontar, seconded by Councillor Khan. So voted.