

CITY COUNCIL MEETING MINUTES

REMOTE

April 12, 2021

7:30PM

City Council Meeting

Zoom Details

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86493680558>

Or One tap mobile :

US: +13126266799 Or Telephone:

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

US: +1 312 626 6799 Webinar ID: 864 9368 0558

1. **CALL TO ORDER** The City Council Pro Tempore President, Barry Connell called the meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones to call the roll. The following Councillors answered present, Shand, Tontar, Vogel, Wallace, Zeid, Devlin, Khan, Lane, McCauley, and Connell. 10 present, 1 absent(JE), using Zoom as a platform.
2. **LATE FILE ITEMS**
3. **PUBLIC COMMENT**
Connie Preston, 18 Atwood Street
Jane Snow, 9 Coffin Street
Jennie Donahue, 18 Cherry Street
4. **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.

5. APPROVAL OF MINUTES

- March 29, 2021

(Approve)

6. COMMUNICATIONS

- COMM318_04_12_2021 Ltr from Mackin re: IFS Zoning Issue (R&F)
- COMM319_04_12_2021 Memo to Council from Councillor Zeid re: CIP (B&F)

7. TRANSFERS

- TRAN090_04_12_2021 Water Retained Earnings \$155K to Watershed Land Acquisition \$155K with supporting documents (B&F)
- TRAN091_04_12_2021 HWY Streetlights \$2,646 to Essex North Shore Tech School \$2,646 (B&F)
- TRAN092_04_12_2021 Overlay Surplus Account \$99,010 to ASR Revaluation \$99,010 (B&F)
- TRAN093_04_12_2021 GEN EVENT COORDINATOR \$4K to AUD MISC SUPPLIES \$500 and to GEN SUPPLIES-OFFICE \$3,500 (B&F)
- TRAN094_04_12_2021 RRFA-Paid Parking Fund \$5,550 to PKG Part Time Enforcement Officer \$4,500 and to PKG Clothing allowance \$1,050 (B&F)

8. APPOINTMENTS

- APPT239_04_12_2021 Kevin Hunt 14 Tenth St. Veterans Agt. 4/1/2022
- APPT240_04_12_2021 William G. Creelman 129 Merrimac St. Water/Sewer Comm. 4/30/2023

Removed from Consent Agenda at the request of Councillor Tontar.

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

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes 1 absent (JE). Motion passes.

END OF CONSENT AGENDA REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

10. PRESENTATION ON RESIDENTIAL ELECTRICAL AGGREGATION, Michael Strauss, Ph.D,

11. COMMUNICATIONS – None

12. FIRST READING APPOINTMENTS

- APPT240_04_12_2021 William G. Creelman 129 Merrimac St. Water/Sewer Comm. 4/30/2023

Motion to refer to Public Utilities by Councillor Tontar, seconded by Councillor Shand. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

13. SECOND READING APPOINTMENTS

- APPT236_03_29_2021 Michael Nary 20 Riverview Dr. Sp.Police Ofc.
- APPT237_03_29_2021 Rich Traister 325 Merrimac St. Disabilities Comm. 3/31/2024
- APPT238_03_29_2021 Walter Lesynski 364 Merrimac St. Harbor Comm. 4/1/2024

Motion to approve collectively by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

14. ORDERS

- ORDR243_04_12_2021 FONT Gift Acceptance with supporting letter

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

15. ORDINANCES

- ODNC072_03_29_2021 Parks COVID extend 1st Reading

(continued from March 29, 2021) Motion to approve 1st reading by Councillor Zeid, seconded by Councillor Devlin pending.

Motion to approve 1st reading by Councillor Zeid, seconded by Councillor Devlin. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

- ODNC074_04_12_2021 Council Salaries with Supporting Memo

Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Khan. Roll call vote. 9 yes, 1 no (SZ), 1 absent (JE). Motion passes.

- ODNC068_01_27_2021 Late File Zoning Amend Sec VI-C re: # of residential structures per lot (As Amended)

(Continued from March 29, 2021) Motion to amend Sec VI-C (2)a.iv.(f) to \$40 per square foot by Councillor McCauley, seconded by Councillor Lane pending.

Motion withdrawn by Councillors McCauley and Lane. Motion to amend Sec VI-C (2)a.iv.(f) to \$20 per square foot by Councillor McCauley, seconded by Councillor Shand. Roll call vote. 10 yes, 1 absent (JE). Motion passes.

Motion to approve amended 1st reading by Councillor McCauley, seconded by Councillor Lane. Roll call vote. 9 yes, 1 no (SZ), 1 absent (JE). Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- COMM262_08_31_2020 Gasbarro Ltr re: Awareness

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- COMM261_08_31_2020 Proposed Timeline, Waterfront
- ORDR227_12_14_2020 Appropriate NRA funds for RFP award

Council Connell asked Andy Port, Director of Planning, to give a brief update on the Park Expansion project. Andy Port explained that Sasaki Associates are reviewing the overall design of the park expansion including the bike path and boat access points.

Budget & Finance

In Committee:

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- COMM314_03_29_2021 FY2022-FY2026 Capital Improvement Program Submission (COTW)

Education

In Committee:

- COMM240_04_27_2020 Memo re: SOI Submission Info
- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM293_02_08_2021 Ltr. From Jane Snow

General Government

In Committee:

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- ODNC067_01_27_2021 License to Occupy Outdoor Property Ch. 12-1
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance
- APPL022_03_08_2021 Banter Barber & Clothier-Pool Table App.
- APPL024_03_29_2021 Plum Island Classic Cars

Neighborhoods & City Services

In Committee:

- COMM234_03_30_2020 Ltr from Newburyport Livable Streets March 11, 2020
- COMM285_01_27_2021 Memorandum from Councillor Christine Wallace
- COMM299_02_08_2021 LATE FILE Phillips Dr. Neighborhood Committee Ltr.

Planning & Development

In Committee:

- COMM215_01_13_2020 Ltr re: Colby Farm Open Space Beautification
- ODNC046_01_27_2020 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)
- ODNC073_03_29_2021 Late File Zoning Amendment Storage Warehousing=

Public Safety

In Committee:

- COMM216_01_13_2020 Ltr re: Ban the Use of Glyphosate
- APPT165_04_13_2020 Dr. Robin Blair 18 Market St. Board of Health 4/30/2023
- COMM243_05_11_2020 Ltr from Jane Rascal re: NMMCD
- ORDR200_07_30_2020 List of Crosswalks Amended
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- APPL023_03_08_2021 LATE FILE Event App The Moving Wall

Public Utilities

In Committee:

- COMM290_02_08_2021 Falmouth Broadband Feasibility Study (full text in Clerk's office)
- COMM295_02_08_2021 Best Best & Krieger Small Cells Order Annual Meeting
- COMM296_02_08_2021 Natoa FCC Small Wireless Facilities Rules Compliance Guide
- COMM292_02_08_2021 Memo - Electricity Aggregation Program

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)
- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

Councillor Zeid – Thursday, 6pm CIP meeting (DPS).

Councillor Khan – Ordinance Review Wednesday at 6:30pm

Councillor Connell – Vaccination clinic was professional and cheerful.

18. ADJOURNMENT

Motion to adjourn at 8:53pm by Coucnillor Zeid, seconded by Councillor Khan. Roll call vote. 10 yes, 1 absent (JE). Motion passes.