

CITY COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
FEBRUARY 24, 2020

7:30PM

The City Council President, Jared Eigerman, called the meeting to order at 7:30pm, followed by the Pledge of Allegiance. The City Council President then instructed the City Clerk to call the roll. The following Councillors answered present: McCauley, Shand, Tontar, Vogel, Wallace, Zeid, Connell, Khan, Lane, Eigerman. 10 present, 1 absent (Devlin).

(Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT** (none)
- 6. MAYOR'S COMMENT** (none)

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

- February 10, 2020 (Approve)

8. TRANSFERS

- NONE

9. COMMUNICATIONS

- APPL001_02_24_2020 2020 Class II Vehicle License - Newburyport Sunoco (L&P)
- APPL002_02_24_2020 Ride to End Alzheimer's - 6/6/2020 (PS)
- APPL003_02_24_2020 Pan Mass Challenge Kids Ride - 6/14/2020 (PS)

10. APPOINTMENTS

First Reading

- | | | | | |
|----------------------|----------------|------------|-------------------|----------|
| • APPT147_02_24_2020 | Shawn Flaherty | 32 Milk St | Disabilities Comm | 3/1/2023 |
| • APPT148_02_24_2020 | Peter McNamee | 9 Otis Pl | Historical Comm | 3/1/2023 |

Re-Appointments

- | | | | | |
|----------------------|----------------|--------------|---------------------|----------|
| • APPT149_02_24_2020 | Jennie Donahue | 18 Cherry St | Disabilities Comm | 3/1/2023 |
| • APPT150_02_24_2020 | Paul Hogg | 4 Coltin Dr | Shellfish Constable | 3/1/2023 |

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

END OF CONSENT AGENDA
REGULAR AGENDA

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

11. MAYOR'S UPDATE

12. COMMUNICATIONS

- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance (P&D)
Councillor Shand removed from Consent Agenda. Motion to refer to License & Permit by Councillor Shand, seconded by Councillor Tontar. So voted.

13. APPOINTMENTS

Second Reading

- APPT144_02_10_2020 Kristen Farrell 28 Spofford St Disabilities Comm 2/10/2023
- APPT145_02_10_2020 Mukhayo Portmann 146 High St Human Rights Comm 2/10/2023

Motion to approve second reading appointments collectively by Councillor Zeid, seconded by Councillor Connell. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

14. ORDERS

- ORDR168_02_24_2020 Approval to Pay Prior Year Bills (Veterans, City Clerk)
Motion to refer to Budget & Finance by Councillor Tontar, seconded by Councillor Zeid. So voted.
- ORDR169_02_24_2020 Amendment to Political Signs Guidelines
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Connell. So voted.
- ORDR170_02_24_2020 Amendment Council Rules 2020
Motion to refer to Rules and Committee of the Whole by Councillor Vogel, seconded by Councillor Zeid. So voted.
- ORDR171_02_24_2020 Amendment to Rule 17B
Motion to refer to Rules and Committee of the Whole by Councillor Zeid, seconded by Councillor Tontar. So voted.

15. ORDINANCES

- ODNC049_02_24_2020 Automatic Doors
Motion to receive and file by Councillor Zeid, seconded by Councilor Tontar. So voted.
- ODNC050_02_24_2020 Curb Cuts and Notice of Work Involving Sidewalks
Motion to refer to Neighborhood & City Services by Councillor Wallace, seconded by Councillor Khan. So voted.
- ODNC051_02_24_2020 Fences in Downtown Overlay District
Motion to refer to Planning & Development by Councillor Tontar, seconded by Councillor Connell. So voted.
- ODNC052_02_24_2020 Designate Members of Planning Board Members as Special Employees
Motion to refer to General Government by Councillor Zeid, seconded by Councillor Shand. So voted.

16. COMMITTEE ITEMS

NOTE: UNDERLINED COMMITTEE ITEMS WILL BE CONSIDERED AT THIS MEETING

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

- TRAN068_01_27_2020 Free Cash 50K to Fire Station #2 Design/Feasibility Study
- COMM226_01_27_2020 Ltr from Jim McCarthy – Financial Inquiry

- **ORDR167 02 10 2020 Harbormaster Fees**

Motion to remove from Budget & Finance by Councillor Tontar, seconded by Councillor Connell. So voted. Motion to refer to Budget & Finance and Committee of the Whole by Councillor Tontar, seconded by Councillor Connell. So voted.

Education

Meeting Monday, March 2nd 5:30pm. Councillor Khan gave an update on the Capital Improvement Plan for schools.

In Committee:

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General Government

Meeting Thursday, February 27th 6:00pm.

In Committee:

- APPT143_01_27_2020 (COTW) KP Law 101 Arch St, Boston Legal 2/1/2021

License & Permits

In Committee:

- ODNC047_1_27_20 General Ordinance - Short Term Rental Units Rules

Neighborhoods & City Services

In Committee:

- COMM194_10_15_19 Ltr from Newburyport Livable Streets
- COMM197_10_28_19 Ltr re: Phillips Drive Neighborhood Drainage (COTW)

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
- APPT142_01_27_2020 Matthew D. Pieniazek 39 Marlboro St Waterfront Trust 1/1/2025
- **APPT146 02 10 2020 Ken Swanton 10 Tremont St ZBA 2/10/2021**

Motion to remove from Planning & Development by Councillor Shand, seconded by Councillor McCauley. So voted. Motion to approve by Councillor Shand, seconded by Councillor McCauley. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

- ODNC048_02_10_2020 Newburyport Historical Commission

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
- ORDR166_02_10_2020 Amendment to 2-Hour Zone - Harris Street

Public Utilities

In Committee:

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Rules

In Committee:

- COMM220_01_27_2020 Proposed City Council Rule 9F

17. GOOD OF THE ORDER

7:55pm – 5-minute recess

18. EXECUTIVE SESSION to discuss litigation with respect to the 193 High Street Zoning Appeal (Hebbelinck)

Motion to go in to Executive Session, for the purpose of discussing litigation with respect to the 193 High Street Zoning Appeal, by Councillor Zeid, seconded by Councillor Lane. Roll call vote, 10 yes, 1 absent (Devlin). Motion passed.

19. ADJOURNMENT

Motion to adjourn by Councillor Tontar, seconded by Councillor Vogel. So voted. 9:25pm.