

CITY COUNCIL “HYBRID”

MEETING AGENDA

October 12, 2021

Executive Session 6:30 pm

City Council Regular Meeting 7:30 pm

**LOCATION: City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Zoom Details:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87977934012>

Or One tap mobile :

US: +13017158592

Or Telephone:

US: +1 301 715

Webinar ID: 879 7793 4012

- 1. CALL TO ORDER FOR EXECUTIVE SESSION COMMENCING AT 6:30 PM (1) TO DISCUSS LITIGATION RELATING TO AN APPEAL TO LAND COURT OF A PLANNING BOARD DECISION BY THE INSTITUTION FOR SAVINGS AND (2) TO CONSIDER THE PURCHASE, EXCHANGE, TAKING, LEASE, OR VALUE OF REAL PROPERTY PROXIMATE TO THE WEST END FIRE STATION**

- 2. CALL TO ORDER FOR REGULAR COUNCIL MEETING AT 7:30 PM**

- 3. MOMENT OF SILENCE**

- 4. PLEDGE OF ALLEGIANCE**

- 5. CALL TO ORDER**

- 6. LATE FILE**

- COMM358_10_12_2021 School Strategic Plan Documents
- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements
- APPT273_09_27_2021 Leslie Eckholdt 36 Warren St. Waterfront Trust 12/31/2023
- COMM282_01_27_2021 Ltr from Jim McCarthy re: Sign Proposal
- ODNC089_08_09_2021 VII-A-Off-street parking regulations
- ODNC099_10_12_2021 Carter St. Parking Restriction
- APPL053_10_12_2021 Greater Newburyport Children's Chorus Candy Shop Sing

- 7. PUBLIC COMMENT**

- 8. 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.

- 9. APPROVAL OF MINUTES**

- September 27, 2021

(Approve)

10. COMMUNICATIONS

- COMM357_10_12_2021 Ltr. Jim McCarthy re: Open Space Fence (R&F)
- APPL052_10_12_2021 Youth Hockey League Tag Day 11/20/2021 8am-2pm (PS)

11. TRANSFERS

12. APPOINTMENTS

- | | | Re-Appointments | | |
|----------------------|--------------|-----------------|------------------|------------|
| • APPT281_10_12_2021 | Scott Hanley | 1 Milk St. | Tree Comm. | 11/1/2024 |
| • APPT282_10_12_2021 | Pat Cannon | 185 High St. | Cultural Council | 10/15/2024 |

**Referred to Planning & Development*

- | | | | | |
|-----------------------|----------------|-----------------|--------------------------|------------|
| • *APPT283_10_12_2021 | Robert Currier | 3 Summit Pl. | Affordable Housing Trust | 10/29/2023 |
| • APPT284_10_12_2021 | Ted Boretti | 67 Marlboro St. | Parks Comm. | 10/29/2026 |

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

Budget and Finance

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- ORDR269_08_09_2021 Friends of COA Gift Acceptance
- ODNC090_08_09_2021 Proposed Electrical Fee Schedule
- COMM348_09_13_2021 FY2021 Year End Report
- ORDR282_09_27_2021 Equipment Lease Order

Planning & Development

- | | | | | |
|----------------------|---|---------------|------------------|------------|
| • APPT273_09_27_2021 | Leslie Eckholdt | 36 Warren St. | Waterfront Trust | 12/31/2023 |
| • COMM282_01_27_2021 | Ltr from Jim McCarthy re: Sign Proposal | | | |
| • ODNC089_08_09_2021 | VII-A-Off-street parking regulations | | | |

Public Safety

- APPL051_09_27_2021 PGA Hope Launch Party @ Battle Grounds
10/16/21 10am-2pm Tracy Park, Pleasant St.
- ORDR283_09_27_2021 Rectangular Rapid Flash Beacon (RRFB) at High Street

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. COMMUNICATIONS

- COMM358_10_12_2021 School Strategic Plan documents
- COMM359_10_12_2021 City Solicitor Opinion on Residency Requirements
- APPL053_10_12_2021 Greater Newburyport Children's Chorus Candy Shop Sing

11. TRANSFERS

12. SECOND READING APPOINTMENTS

Re-Appointments

- APPT274_09_27_2021 Aine Greaney Ellrot 43 Purchase St. Emma Andrews Lib. 10/28/2022
- APPT275_09_27_2021 Elizabeth Valeriani 29 Oak St. Emma Andrews Lib. 10/28/2022
- APPT276_09_27_2021 Virginia R. Champi 84 Purchase St. Emma Andrews Lib. 10/28/2022
- APPT277_09_27_2021 Susan Chase 44 Oak St. Emma Andrews Lib. 10/28/2022
- APPT278_09_27_2021 Donna Conway 27 Marlboro St. Emma Andrews Lib. 10/28/2022

Appointments

- APPT279_09_27_2021 Marcia Edson 11 Salem St. Tree Commission 10/15/2024
- APPT280_09_27_2021 John Moynihan 415 Portland St. Cultural Commission 10/15/2024
Raymond, NH

13. ORDERS

- ORDR286_09_27_2021 Crosswalk Central Cong Church Pleasant & Titcomb
Moved to a date certain
- ORDR287_10_12_2021 Approval to Pay Prior Year Bills
- ORDR288_10_12_2021 Establishing Pickleball Courts
- ORDR289_10_12_2021 FY22 Supplemental Budget Request #1
- ORDR290_10_12_2021 Anna Jaques Hospital Gift Acceptance

14. ORDINANCES

- ODNC087_08_09_2021 Municipal Facility Reports 2nd Reading
- ODNC088_08_09_2021 Municipal Building Procurement 2nd Reading
- ODNC093_08_30_2021 Restricting residential permits on campers 2nd reading
- ODNC095_09_13_2021 Abolition of Civic Commission Sec. 12 – 140 2nd reading
- ODNC098_10_12_2021 Permanent Parklets Legislation
- ODNC099_10_12_2021 Parking Restriction Carter Street

15. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

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
- ORDR284_09_27_2021 Approving Market Landing Park Expansion Conceptual Plan

Budget & Finance

In Committee:

- COMM311_03_08_2021 Cllr Tontar letter re: KP Law Legal Opinion on Council Salaries
- ORDR269_08_09_2021 Friends of COA Gift Acceptance
- ODNC090_08_09_2021 Proposed Electrical Fee Schedule
- COMM348_09_13_2021 FY2021 Year End Report
- ORDR282_09_27_2021 Equipment Lease Order
- ORDR265_08_09_2021 CPC-FY22 Recommendations
#11 Restoration of Nock Middle School Tennis Courts
- ORDR277_08_30_2021 Municipal Fee Schedule Fiscal Year 2022
- ODNC094_08_30_2021 Municipal Fee Schedule
- ORDR280_09_13_2021 Cutter Fire Station Loan Order
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

- COMM353_09_27_2021 Newburyport Public Library Annual Report
- TRAN111_09_27_2021 Transfer Multiple \$42,327.42 to Multiple \$42,327.42
Collective Bargaining Agreement Teamsters Union Local 170

Education

In Committee:

- COMM273_10_13_2020 Ltr of Non-Support from Mayor on Acts of 1987
- COMM329_05_24_2021 Statement of Interest, School Building Authority

General Government

In Committee:

- COMM325_05_10_2021 Ordinance Review Committee Report
- COMM330_05_24_2021 Code of Ordinances Edited May 2021
- ORDR285_09_27_2021 Re-precincting Plan 2020

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM229_02_24_2020 Ltr re: Implementation of Short-Term Rental Ordinance

Neighborhoods & City Services

In Committee:

- ODNC084_07_12_2021 Streets, Sidewalks, and Other Public Places Alterations and Maintenance
- ORDR276_08_30_2021 Crosswalk at Pleasant St and Inn St
- ODNC091_08_30_2021 Street, way or grounds specifications
- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- COMM337_07_12_2021 Central Congregational Request crosswalk painting
- COMM343_08_30_2021 Congregation Ahavas Achim sign at High & Olive Sts

Planning & Development

In Committee:

- APPT273 09 27 2021 Leslie Eckholdt 36 Warren St. Waterfront Trust 12/31/2023
- COMM282 01 27 2021 Ltr from Jim McCarthy re: Sign Proposal
- ODNC089 08 09 2021 VII-A-Off-street parking regulations
- COMM231_03_09_2020 Ltr re: Short-Term Rental Ordinance
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- ODNC092_08_30_2021 Zoning Amendment Encouraging Outdoor and Recreational Activities
- ODNC097_09_13_2021 Proposed Zoning Clarifications re Public Purpose Takings
- COMM338_08_09_2021 Blight at State & High, Abandoned Global Oil Service Station
- COMM351_09_13_2021 Notice of Public Hearing Pursuant 107 State St. (Oct 12, 2021 7 pm)
- COMM352_09_13_2021 ORDER Pursuant to G.L. c.139, §1 on Dangerous Building at 107 State St.
- ORDR281_09_13_2021 Authorizing Land Taking w/Waiver of Appraisal & Damages w/Bond

Public Safety

In Committee:

- APPL051 09 27 2021 PGA Hope Launch Party @ Battle Grounds
10/16/21 10am-2pm Tracy Park, Pleasant St.
- ORDR283 09 27 2021 Rectangular Rapid Flash Beacon (RRFB) at High Street
- 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

- COMM283_01_27_2021 Ltr from Jim McCarthy-speed limit
- COMM334_06_28_2021 Crosswalk Rawson Ave/High St/Highland Ave
- COMM335_06_28_2021 Safety Review Rawson Ave Ltr. Daniel Blest
- ODNC086_08_09_2021 Loading Zone - Liberty Street
- COMM345_08_30_2021 Public Safety Concern, Parker Street
- COMM346_08_30_2021 Ltr. Jane Snow Coffin St. safety concerns
- ODNC096_09_13_2021 Late File Codification of Parking Orders

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

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

16. GOOD OF THE ORDER

17. ADJOURNMENT