

CITY COUNCIL “HYBRID”

MEETING MINUTES

February 14, 2022

City Council Meeting 7:30 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile :

US: +19292056099,81299990548#

Or Telephone:

US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE:

Remembering Catherine Hamilton, Raymond Gilfus, Leo Finnegan, and Kevin Doyle

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. LATE FILE

- ORDR00320_02_14_2022 Kelley School Proceeds Order

Motion to waive the rules and accept the late file by Councillor Zeid, seconded by Councillor Lane. Roll call vote.
6 yes, 5 no (EC, AK, CP, BV, HS) Motion fails.

5. PUBLIC COMMENT

Marianne Vesey, 10 Kent Street

Sheila Trieff, 11 Shandal Drive

Rev. Rebecca Bryan, 26 Pleasant Street

Sandhya Douglas, 2 Moseley Avenue

Lisa Christie, 196 High Street

Ahmer Ibrahim, 85 Prospect Street

6. MAYOR'S COMMENT

7. PRESENTATION BY DIRECTOR PORT RE: MARKET LANDING PARK EXPANSION

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.

8. APPROVAL OF MINUTES

- January 31, 2022

(Approve)

9. COMMUNICATIONS

- APPL00065_02_14_2022 Town & Country Half Marathon - 6/12/2022 (PS)
- APPL00066_02_14_2022 IPA 5K Road Races 4/10/22, 7/10/22, 9/11/22 (PS)
- COMM00389_02_14_2022 Superintendent Budget Presentation (R&F)

10. TRANSFERS

- TRAN00118_02_14_2022 Gen. Fund \$7,500 to MYR Consulting Services \$7,500 (B&F)
- TRAN00119_02_14_2022 Gen. Fund \$8,394 to Essex Tech Assessment \$8,394 (B&F)
- TRAN00120_02_14_2022 Gen. Fund \$15,000 to CCN Legal Ads \$3,000 (B&F)
CCN Ordinance Recodification \$5,500 BDR Elections \$6,500

- TRAN00121_02_14_2022 Solid Waste Revolving Fund \$35,000 to (B&F)
Pick-Up Truck Purchase \$35,000

11. APPOINTMENTS

- APPT00299_02_14_2022 Marcia Foley 206 Low St. Licensing Board 06/01/2028
- APPT00300_02_14_2022 Megan M. Tierney Sergeant, Newburyport Police Department

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

BUDGET & FINANCE

- COMM00384_01_31_2022 FY2022 Mid-Year Budget Report (COTW)
- TRAN00115_01_31_2022 Receipts Reserved for Appr. Fuel \$50,000 to
DPS Highway Fuel & Oil \$50,000
- TRAN00116_01_31_2022 General Fund-Free Cash \$15,000 to PRK Maint-Trees \$15,000
- TRAN00117_01_31_2022 Harbormaster-Retained Earnings \$54,900 to
Navigation Channel Dredge Project \$54,900
- ORDR00317_01_31_2022 \$600,000 Loan Order-Bulkhead Project
- ORDR00318_01_31_2022 Authorizing Senior Comm. Ctr. Lease to Port Media/NCH

GENERAL GOVERNMENT

- APPT00296_01_10_2022 KP Law 101 Arch St. 12th Fl. Boston City Solicitor 2/1/23

END OF CONSENT AGENDA

Motion to approve Consent Agenda by Councillor Zeid, seconded by Councillor Cameron. So voted.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. So voted.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

Re-Appointment

- APPT00298_01_31_2022 Joseph Grande 62 Russell St. Asst. Harbormaster/Shellfish 12/31/2024
North Andover Sp. Police Officer

Motion to approve on second reading by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

14. ORDERS

- ORDR00319_02_14_2022 Kelley School Funds Order
- Motion to refer to General Government by Councillor Khan, seconded by Councillor Cameron. Roll call vote. 8 yes, 3 no (BL, JM, SZ). Motion passes

15. ORDINANCES

- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses
Councillor Lane recused. Motion to refer to Planning and Development by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 7 yes, 3 no (JM, MW, SZ), 1 recused (BL). Motion passes.
- ODNC00106_02_14_2022 CH2 COA Ordinance Amendment
Motion to refer to Neighborhood and City Services by Councillor Zeid, seconded by Councillor Lane. So voted.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

- ODNC098_10_12_2021 Permanent Parklets Legislation

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **COMM00384 01 31 2022 FY2022 Mid-Year Budget Report (COTW)**
Motion to receive and file by Councillor Zeid, seconded by Councillor Lane. So voted.
- **TRAN00115 01 31 2022 Receipts Reserved for Appr. Fuel \$50,000 to
DPS Highway Fuel & Oil \$50,000**

Motion to approve by Councillor Zeid, Seconded by Councillor McCauley. So voted.

- **TRAN00116 01 31 2022 General Fund-Free Cash \$15,000 to PRK Maint-Trees \$15,000**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. So voted.
- **TRAN00117 01 31 2022 Harbormaster-Retained Earnings \$54,900 to
Navigation Channel Dredge Project \$54,900**

Motion to approve by Councillor Zeid, seconded by Councillor Lane. So voted.

- **ORDR00317 01 31 2022 \$600,000 Loan Order-Bulkhead Project**
Motion to waive rule 7J by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes. Motion to approve as amended by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00318 01 31 2022 Authorizing Senior Comm. Ctr. Lease to Port Media/NCH**
Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

Education

In Committee:

General Government

In Committee:

- **APPT00296 01 10 2022 KP Law 101 Arch St. 12th Fl. Boston City Solicitor 2/1/23**
Motion to approve on second reading by Councillor Shand, seconded by Councillor Vogel. So voted.

License & Permits

In Committee:

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC102_11_08_2021 Late File - Ch. 17 Stormwater Management Revisions
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance

Planning & Development

In Committee:

- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00382_01_31_2022 Update from Global re 107 State Street

Public Safety

In Committee:

- COMM00383_01_31_2022 NFD/OEM FY2021 Report to City Council
- APPL00064_01_31_2022 Newburyport Spring Half Marathon 4/24/2022
- ODNC00104_01_31_2022 Handicapped Parking Space – Liberty Street

Public Utilities

In Committee:

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

Councillor Zeid requested a considered date change for the October 31st scheduled City Council meeting due to Halloween.

18. EXECUTIVE SESSION: Pursuant to MGL c. 30A s. 21 there will be an executive session for the purpose of discussing strategy with respect to current City of Newburyport litigation involving zoning, personnel, roadways and land use and including but not limited to a pending matter between the Institution for Savings and the City of Newburyport.

Motion to go into Executive Session for the purpose of discussing strategy with respect to current City of Newburyport litigation involving zoning, personnel, roadways and land use and including but not limited to a pending matter between the Institution for Savings and the City of Newburyport and not returning to the regular City Council meeting following the Executive Session at 9:47 pm by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes.

19. ADJOURNMENT

Motion to adjourn, Councillor Zeid, seconded by Councillor Vogel, so voted at 11:15 pm.