

**CITY COUNCIL “HYBRID”**

**MEETING MINUTES**

**April 25, 2022**

**City Council Meeting 7:00 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 Garry Hughes

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

The City Council President Heather Shand called the meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, and Shand. 11 present (BL remote).

**4. LATE FILE**

- ORDR00345\_04\_25\_2022 Intermunicipal Agreement by and between Salisbury North Jetty Dredging Project
- APPT00317\_04\_25\_2022 Lynn Schow 75 High St. ZBA 5/15/2023
- APPT00318\_04\_25\_2022 Paul Hogg 4 Coltin Dr. Harbormaster/Sp. Police Officer 5/01/2025
- COMM00409\_04\_25\_2022 EP
- COMM00409\_04\_25\_2022 Dept. of Housing & Community Dev. Ltr
- ORDR00346\_04\_25\_2022 Brown School Fund Establishment
- ORDR00347\_04\_25\_2022 Brown School Fund Appropriation
- ORDR00348\_04\_25\_2022 Brown School Loan Order

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

**5. PUBLIC COMMENT**

Jeff Trail	27 Jefferson Street
James Meinhart	27 ½ Jefferson Street
Carol Meinhart	27 ½ Jefferson Street
Charlie Tontar	29 Jefferson Street
Mary Sortal	8 Coffin Street

**6. 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.

**7. APPROVAL OF MINUTES**

- April 11, 2022

(Approve)

**8. COMMUNICATIONS**

- APPL00072\_04\_25\_2022 Block Party 8/4/25 (YHC) 6pm-10pm Temple St. b/w Federal & Lime (PS)
- APPL00073\_04\_25\_2022 Olive's Backyard Artisans Market 7/16/22 10am-3pm 341 High St. (PS)

- COMM00408\_04\_25\_2022 Retirement Board COLA Meeting Amended Public Hearing (R&F)

## 9. TRANSFERS

## 10. APPOINTMENTS

- APPT00313\_04\_25\_2022 Joe Carper 8 Fruit St. Cultural Council 4/29/2025
- APPT00314\_04\_25\_2022 Daniel A. Simon 11 Jackson St. Water/Sewer Comm. 4/30/2024 (PU)
- APPT00315\_04\_25\_2022 Chris Charos 10 82<sup>nd</sup> St. Harbor Comm. 5/1/2025 (PD)  
Councillor McCauley requested that APPT00315 be referred to Public Safety.
- **Re-Appointment:**
- APPT00316\_04\_25\_2022 Stephen Moore 10 N. Atkinson St. Conservation Comm. 5/1/2025 (PD)  
Councillor McCauley requested that APPT00315 be referred to Public Safety.

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

### BUDGET & FINANCE

- ORDR00334\_03\_28\_2022 ARPA Sea Wall Joppa Park 100K
- TRAN00123\_04\_11\_2022 Fire-Foam & Equip \$2000, Fire-New Hose Fit \$3,000, and  
Fire-Protective Clothing \$3,100 to Fire-Software \$8,100
- COMM00403\_04\_11\_2022 Annual Audit of City's FY2021 Financial Statements
- ORDR00342\_04\_11\_2022 CPC-FY22-Supplementary Bartlet Mall-Historic Restoration  
Walkway Improvements

### GENERAL GOVERNMENT

- COMM00404\_04\_11\_2022 KP Law Opinion RE: Property Disposition & Votes

### NEIGHBORHOOD & CITY SERVICES

- ODNC102\_11\_08\_2021 Ch. 17 Stormwater Management Revisions

### PLANNING & DEVELOPMENT

- COMM00382\_01\_31\_2022 Update from Global re 107 State Street
- APPT00305\_03\_14\_2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027

### PUBLIC SAFETY

- APPL00068\_04\_11\_2022 Flag Day 5K June 11<sup>th</sup> 4-8 pm
- APPL00069\_04\_11\_2022 Newburyport Pioneer League Tag Day May 7th 9am-1pm
- APPL00070\_04\_11\_2022 Spring Fest Chamber of Commerce May 14<sup>th</sup>-15<sup>th</sup> 10am-8pm
- ORDR00339\_04\_11\_2022 Authorizing Agreement between City and Daily News re Lot

### END OF CONSENT AGENDA

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

### REGULAR AGENDA

## 9. PRESENTATION - CAPITAL FACILITIES MASTER PLAN

Presented by Kim Turner

## 10. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

## 11. FIRST READING APPOINTMENTS

- APPT00317\_04\_25\_2022 **LATE FILE** Lynn Schow 75 High St. ZBA 5/15/2023  
Motion to refer to Planning and Development by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- APPT00318\_04\_25\_2022 **LATE FILE** Paul Hogg 4 Coltin Dr. Harbormaster 5/1/2025  
Sp. Police Officer

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## 12. COMMUNICATIONS

- COMM00409\_04\_25\_2022 **LATE FILE** Dept. of Housing & Community Dev. Ltr

- COMM00409\_04\_25\_2022 EP

Motion to Collective approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## 13. TRANSFERS

## 14. SECOND READING APPOINTMENTS

- APPT00308\_04\_11\_2022 Marci Neville 16 Morin Rd. Council on Aging 4/29/2027
- APPT00309\_04\_11\_2022 Jeanette Isabella 100 Water St. Emma Andrews Lib. Comm. 4/29/2023
- APPT00310\_04\_11\_2022 Rebecca Regnet 25 Barton St. Trust Fund Comm. 4/15/2025
- APPT00311\_04\_11\_2022 Nicole Whalen 12 Lafayette St. Parks Comm. 4/29/2027
- APPT00312\_04\_11\_2022 George Aranea 19 Essex St. Cultural Council 4/29/2025

Motion to collectively approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

## 15. ORDERS

- ORDR00344\_04\_25\_2022 Harbormaster Truck Appropriation

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor McCauley. Roll call Vote. 11 yes. Motion passes.

- ORDR00345\_04\_25\_2022 **LATE FILE** Intermunicipal Agreement by and between Salisbury  
North Jetty Dredging Project

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor McCauley. Roll call Vote. 11 yes. Motion passes.

- ORDR00346\_04\_25\_2022 **LATE FILE** Brown School Fund Establishment

- ORDR00347\_04\_25\_2022 **LATE FILE** Brown School Fund Appropriation

- ORDR00348\_04\_25\_2022 **LATE FILE** Brown School Loan Order

Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

## 16. ORDINANCES

- ODNC00109\_03\_14\_2022 **2<sup>nd</sup> Reading** Amendment to Sidewalks Specifying Sidewalk Materials

Motion to approve on second reading by Councillor Zeid, seconded by Councillor Donahue. Roll call vote. 9 yes, 2 no (AK, CP). Motion passes.

## 17. COMMITTEE ITEMS

**Ad Hoc Committee on Economic Development**

*In Committee:*

## **Ad Hoc Committee on Market Landing Park and COTW**

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

## **Budget & Finance**

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

- **ORDR00334 03 28 2022 ARPA Sea Wall Joppa Park 100K**

Councillor Zeid recused. Motion to approve by Councillor Khan, seconded by Councillor Cameron. Roll call vote. 9 yes, 1 no (JD), 1 recused (SZ). Motion passes.

- **TRAN00123 04 11 2022 Fire-Foam & Equip \$2000, Fire-New Hose Fit \$3,000, and Fire-Protective Clothing \$3,100 to Fire-Software \$8,100**

Motion to approve by Councillor Zeid, seconded by Councillor McCauley Roll call vote. 11 yes. Motion passes.

- **COMM00403 04 11 2022 Annual Audit of City's FY2021 Financial Statements**

Motion to approve by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

- **ORDR00342 04 11 2022 CPC-FY22-Supplementary Bartlet Mall-Historic Restoration Walkway Improvements**

Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

- ORDR00336\_03\_28\_2022 ARPA Amesbury 250K
- TRAN00124\_04\_11\_2022 RRFA Sale of Municipal Buildings \$30K to  
NYS Center Schematic Design \$30K (COTW)
- ORDR00338\_04\_11\_2022 Capital Improvement Program FY2023-2027 (COTW)

## **Education**

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

- **ORDR00343 04 21 2022 2022 SOI to MSBA**

Motion to remove and approve by Councillor Khan, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

## **General Government**

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

- **COMM00404 04 11 2022 KP Law Opinion RE: Property Disposition & Votes**

Motion to receive and file by Councillor Shand, seconded by Councillor Preston. Roll call vote 10 yes, 1 no (JM). Motion passes.

- **ORDR00319 02 14 2022 Kelley School Funds Order**

Motion to remove, and refer back to General Government and COTW by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- COMM00402\_04\_11\_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405\_04\_11\_2022 Mayor's Strategic Plan (COTW)
- ORDR00340\_04\_11\_2022 Fair Share Resolution (COTW)

## **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:***

- **ODNC102 11 08 2021 Ch. 17 Stormwater Management Revisions**

Motion to approve on first reading by Councillor Wallace, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- COMM299\_02\_08\_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103\_01\_10\_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406\_04\_11\_2022 Pioneer League Letter re: Pickleball

## Planning & Development

### *In Committee:*

- **COMM00382 01 31 2022 Update from Global re 107 State Street**

Motion to receive and file by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- **APPT00305 03 14 2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027**

Motion to approve by Councillor Cameron, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

- ODNC00105\_02\_14\_2022 Zoning Amendment Business Park Uses (COTW)
- ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00398\_03\_28\_2022 Memo DHCD MBTA Housing Choice Briefing (COTW)
- ORDR00330\_03\_28\_2022 License Agreement between City and Friends of Plum Island Light
- ORDR00341\_04\_11\_2022 Blue Wave Solar Pilot Negotiation

## Public Safety

### *In Committee:*

- **APPL00068 04 11 2022 Flag Day 5K June 11<sup>th</sup> 4-8 pm**
- **APPL00069 04 11 2022 Newburyport Pioneer League Tag Day May 7th 9am-1pm**
- **APPL00070 04 11 2022 Spring Fest Chamber of Commerce May 14<sup>th</sup>-15<sup>th</sup> 10am-8pm**
- **APPL00071 04 25 2022 Nourishing the North Shore Walk for Hunger 5/1/22 10am-12pm**

Motion to remove APPL00071 and collectively approve with APPL00068, APPL00069, and APPL00070 by Councillor McCauley, seconded by Councillor Cameron. Roll call vote 11 yes. Motion passes.

- **ORDR00339 04 11 2022 Authorizing Agreement between City and Daily News re Lot**

Motion to approve by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (SZ). Motion passes.

- COMM00396\_03\_14\_2022 Ltr. Stephen Comley
- COMM00390\_02\_28\_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

## Public Utilities

### *In Committee:*

## Rules

### *In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

## 18. GOOD OF THE ORDER

Council President Shand noted that there would be an open house on May 15 at Congregation Ahavas Achim.

19. EXECUTIVE SESSION – Pursuant to G.L.c.30A, s.21 et al Exemption #6 of the Open Meeting Law this discussion will relate to the purchase, exchange, lease of value of real property if the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body. The locus is Coffin Street. Council President Shand asked the Clerk to read the notice. Council President Shand declared that an open meeting may have a detrimental effect on the negotiating position of the public body. Council President Shand announced that the meeting would not be coming back into a public session. Councillor Wright recused himself. Motion to go into Executive Session for the stated purpose by Councillor Khan, seconded by Councillor Donahue. Roll call vote. 8 yes, 1 no (BV), 1 recused (MW), 1 absent (BL). Motion passes.

## 20. ADJOURNMENT