

CITY COUNCIL MEETING

MINUTES

**November 14, 2022 at 7:00 pm
City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Zoom details for City Council Meeting:

<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 Peter Pollard

2. PLEDGE OF ALLEGIANCE

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

3. LATE FILE

4. PUBLIC COMMENT

James Pope 6 Chestnut St. Gloucester

5. 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.

6. APPROVAL OF MINUTES

- November 1, 2022

(Approve)

7. COMMUNICATIONS

- APPL00114_11_14_2022 Newburyport Rotary Santa Parade - Sunday Nov. 27, 2022 3pm-5pm (PS)
Removed from Consent Agenda by Clerk Jones.
- COMM00446_11_14_2022 Snow and Ice Plan 2022-2023 (PS)
Removed from Consent Agenda by Councillor McCauley.
- COMM00447_11_14_2022 Girl Scout Troop 67103 to sell cookies on the evening of 12/9 in Market Sq. (PS)

8. TRANSFERS

9. APPOINTMENTS

- APPT00351_11_14_2022 Jean L. Berger 33 Middle St. Tree Commission 12/1/2025 (N&CS)
- APPT00352_11_14_2022 Stephanie Pellegrini 11 Lois St. Tree Commission 12/1/2025 (N&CS)
- APPT00353_11_14_2022 Andrew Shapiro 20 Eagle St. Affordable Housing Trust 12/1/2024 (P&D)
- APPT00354_11_14_2022 Monica Welsh 1 Market St. Cultural Council 12/1/2025 (B&F)
Removed from Consent Agenda by Councillor Zeid.
Re-Appointments
- APPT00355_11_14_2022 Adrienne Silversmith 4 Willow Ave. Cultural Council 11/30/2025 (B&F)
Removed from Consent Agenda by Councillor Zeid.
- APPT00356_11_14_2022 Victoria Finnigan 10 Boxford Rd. Rowley Assistant Treasurer/Collector 12/1/2025 (B&F)

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

BUDGET & FINANCE

- COMM00436_10_11_2022 Ann Marie Monziona Letter re: park bench

GENERAL GOVERNMENT

- COMM00438_11_01_2022 Hanukkah Menorah Market Sq. 12/12-12/27
- COMM00440_11_01_2022 IT Director James Pope

PLANNING & DEVELOPMENT

- ODNC00125_10_11_2022 Amend to Ch 5 Buildings
Removed from Consent Agenda by Councillor Cameron.
- ORDR00386_11_01_2022 2-6 Market St. Sidewalk Easement
- COMM00444_11_01_2022 Planning & Development Net Zero Memo
Removed from Consent Agenda by Councillor Cameron.

PUBLIC SAFETY

- APPL00111_11_01_2022 Ladies Night Out (Run, Wine & Chocolate) 12/3 2-5pm Nicholson Hall
- APPL00112_11_01_2022 DEI Alliance Table at Invitation Night 12/2 & 12/9 6-9pm Market Square
- ORDR00387_11_01_2022 Signage Forrester St.
Removed from Consent Agenda by Councillor McCauley.
- COMM00441_11_01_2022 Electric Car Charging

RULES

- ODNC00128_11_01_2022 Amending Ch. 2 Committees (COTW)
Removed from Consent Agenda by Clerk Jones

END OF CONSENT AGENDA

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

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Vogel, seconded by Councillor Donahue. So voted.

10. FIRST READING APPOINTMENTS

- APPT00354_11_14_2022 Monica Welsh 1 Market St. Cultural Council 12/1/2025

Re-Appointment:

- APPT00355_11_14_2022 Adrienne Silversmith 4 Willow Ave. Cultural Council 11/30/2025

Motion to approve collectively on 1st reading by Councillor Zeid, second by Councillor Lane. Roll call vote. 10 yes, 1 no (JM). Motion passes.

11. COMMUNICATIONS

- APPL00114_11_14_2022 Newburyport Rotary Santa Parade - Sunday Nov. 27, 2022 3pm-5pm
Motion to waive the rules, declare an emergency, and approve by Councillor McCauley, seconded by Councillor Donahue. So voted.

- COMM00445_11_14_2022 59 Low Street Plan
Motion to refer to Planning & Development and COTW by Councillor McCauley, seconded by Councillor Cameron. So voted.
- COMM00446_11_14_2022 Snow and Ice Plan 2022-2023
Motion to refer to Neighborhood & City Services by Councillor McCauley, seconded by Councillor Wallace. So voted.

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00347_11_01_2022 Susan Chase 44 Oak St. Emma Andrews Library Comm. 11/1/2023
- APPT00348_11_01_2022 Elizabeth Valeriani 29 Oak St. Emma Andrews Library Comm. 11/1/2023
- APPT00349_11_01_2022 Virginia R. Champi 84 Purchase St. Emma Andrews Library Comm. 11/1/2023
- APPT00350_11_01_2022 Aine Greaney Ellrot 43 Purchase St. Emma Andrews Library Comm. 11/1/2023
Motion to approve collectively by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

14. ORDERS

- ORDR00390_11_14_2022 Pay Prior Year Bills
Motion to refer to Budget & Finance by Councillor McCauley, seconded by Councillor Zeid. So voted.
- ORDR00391_11_14_2022 Residential Factor FY23
- ORDR00392_11_14_2022 Tax Rate FY23
Motion to refer ORDR00390 and ORDR00392 to Budget & Finance and COTW by Councillor McCauley, seconded by Councillor Zeid. So voted.
- ORDR00393_11_14_2022 Holiday Parking 2022
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Preston. So voted.

15. ORDINANCES

- ODNC00123_09_27_2022 2nd Reading Handicapped Parking Space – Plummer Ave
Motion to approve on 2nd reading by Councillor Vogel, seconded by Councillor Cameron. Roll call vote. 10 yes, 1 no (CP). Motion passes.
- ODNC00124_10_11_2022 2nd Reading Amend to Noise Ordinance
Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00126_10_11_2022 2nd Reading Amend to Ch 13-180 Resident Zone
Motion to approve on 2nd reading by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- ODNC00127_10_11_2022 2nd Reading Handicapped Space - Olive St
Motion to approve on 2nd reading by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- ODNC00131_11_14_2022 Amended Pleasant Street 15 min parking space
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Wright. So voted.
- ODNC00132_11_14_2022 Mandated Reporting
Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Vogel. So voted.

16. COMMITTEE ITEMS

Ad Hoc Committee on Adaptive Reuse of Brown School Property *In Committee:*

Ad Hoc Committee on Market Landing Park and COTW *In Committee:*

- ORDR00389_11_01_2022 Naming Rights Market Landing Park

Budget & Finance

In Committee:

- **COMM00436 10 11 2022 Ann Marie Monziona Letter re: park bench**
Motion to receive and file by Councillor Zeid, seconded by Councillor Lane. Motion to move the question by Councillor Vogel, seconded by Councillor Khan. Roll call vote. 5 yes (BV, EC, JD, AK, HS), 6 no (BL, JM, CP, CW, MW, SZ). Motion fails. Roll call on motion to receive and file. 10 yes, 1 no (BL). Motion passes.
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- COMM00443_11_01_2022 59 Low St. FAQs (COTW)
- TRAN00139_11_01_2022 Mayor: General Fund Free Cash \$655,525 to
Waterfront Culvert Replacement \$655,525
- TRAN00140_11_01_2022 P&D: Waterfront Park Paid Parking Fund \$40,000 & Harbormaster Retained
Earnings \$20,000 to Market Landing Park Expansion Project \$60,000
- TRAN00141_11_01_2022 Mayor: General Fund Free Cash \$500,000 to Stabilization Trust Fund \$500,000
- TRAN00142_11_01_2022 Finance: General Fund Free Cash \$18,647 to Parklet Maintenance Fund \$18,647
- ORDR00388_11_01_2022 NYS Facility Bond Order (COTW)
- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130_11_01_2022 Grants, Gifts, and Fees (COTW)

Education

In Committee:

General Government

In Committee:

- **COMM00438 11 01 2022 Hanukkah Menorah Market Sq. 12/12-12/27**
Motion to receive and file by Councillor Shand, seconded by Councillor Zeid. So voted.
- **COMM00440 11 01 2022 IT Director James Pope**
Motion to approve by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

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
- COMM00442_11_01_2022 A Frame New England Sketch Book 1R Water St.

Neighborhoods & City Services

In Committee:

- 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
- COMM00439_11_01_2022 Owen Smith letter re: Parks Dept

Planning & Development

In Committee:

- **ORDR00386 11 01 2022 2-6 Market St. Sidewalk Easement**
Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- ODNC00125_10_11_2022 Amend to Ch 5 Buildings
- COMM00444_11_01_2022 Planning & Development Net Zero Memo

Public Safety

In Committee:

- **APPL00111 11 01 2022 Ladies Night Out (Run, Wine & Chocolate) 12/3 2-5pm Nicholson Hall**
- **APPL00112 11 01 2022 DEI Alliance Table at Invitation Night 12/2 & 12/9 6-9pm Market Square**
Motion to collectively approve APPL00111 and APPL00112 by Councillor McCauley, seconded by Councillor Cameron. So voted.
- **COMM00441 11 01 2022 Electric Car Charging**
Motion to receive and file by Councillor McCauley, seconded by Councillor Wright. So voted.
- **ORDR00387_11_01_2022** Signage Forrester St.
- **COMM00412_05_31_2022** Ltr Ann Jaroncyk re: Traffic Safety
- **COMM00414_05_31_2022** Ltr. Emily Dunn re: Traffic on Merrimac Street

Public Utilities

In Committee:

Rules

In Committee:

- **ODNC00128_11_01_2022** Amending Ch. 2 Committees (COTW)
- **ORDR239_02_8_2021** Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 8:22 pm by Councillor Zeid, seconded by Councilor Donahue. So voted.