

CITY COUNCIL MEETING

MINUTES

**January 30, 2023 7:00 pm
City Council Chambers, City Hall
60 Pleasant Street, Newburyport**

Global Update on 107 State Street 6:30 pm

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

GLOBAL UPDATE:

6:30 pm City Clerk Richard B. Jones called the roll, the following City Councillors answered present: Wallace, Wright, Zeid, Cameron, Donahue, Khan, McCauley, Preston, Vogel, and Shand. 10 present, 1 absent (BL).
Jeff Roeloff, (44 Merrimac St.), Ryan Lawler, and Jacqueline Harrison presented update on 107 State Street.

1. MOMENT OF SILENCE: Remembering Jennie Jancewicz

2. CALL TO ORDER

7:00 pm City Clerk Richard B. Jones called the roll, the following City Councillors answered present: Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, and Shand. 11 present, 1 remote (BL).

3. PLEDGE OF ALLEGIANCE

4. LATE FILE

5. SWEARING IN: OFFICER CARLEY SIEMASKO

6. PUBLIC COMMENT

Joe Spaulding	6 Bayberry Rd.
Stephen Hoherunn	5 Arlington St.
Danielle Danilov	14 Arlington St.
Andrew Simpson	1 ½ Greenleaf
Owen Smith	175 Storey Ave.
Sheila Taintor	10 Dexter St.
Jane Snow	9 Coffin St.

7. 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.

8. APPROVAL OF MINUTES

- January 09, 2023 (Approve)

9. COMMUNICATIONS

- COMM00458_01_30_2023 FY2023 Mid-Year Budget Report (B&F)
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St. (PW&S)
- COMM00460_01_30_2023 Letters of Support for Parks Plan (CS)

10. TRANSFERS

- TRAN00147_01_30_2023 Fire Dept.: General Fund-Free Cash \$164,891 to Salary Fire Chief \$80,845, (B&F)
Firefighter Overtime \$75,000, and Emergency Mgt. Dir. \$9,046
- TRAN00148_01_30_2023 Mayor: RRFA Sale of Municipal Buildings \$200,000 to (B&F)
NYS Center Design Services \$200,000 (with EGA Architects Proposal)

11. APPOINTMENTS

- APPT00368_01_30_2023 Kim Emmons 9 Doe Run Dr. Water/Sewer Comm. 2/1/2025 (PW&S)
- *Re-Appointments:*
- APPT00369_01_30_2023 Carole Wagan 9 Olive St. Conservation Comm. 2/1/2025 (P&D)
- APPT00370_01_30_2023 David Vine 47 Marlboro St. Conservation Comm 2/1/2025 (P&D)
- APPT00372_01_30_2023 Ethan Manning 31 Howard St. Dir. of Fin./City Auditor 2/1/2026 (B&F)
- APPT00373_01_30_2023 KP Law 101 Arch St. Boston City Solicitor 2/1/2024 (GG & COTW)
- APPT00374_01_30_2023 Karen Wiener 7 Lincoln St. Affordable Housing Trust 2/1/2025 (P&D)
- *Confirmatory:*
- APPT00376_01_30_2023 Jennifer Blanchet 4 Island Lane Zoning Administrator 12/31/2024 (P&D)

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

BUDGET & FINANCE

- ORDR00409_01_09_2023 Cutter West End Fire Station Loan Order (COTW) (with CBRE Project update)
- TRAN00146_01_09_2023 DPS: Receipts Reserved for Appr. Fuel \$125,000 to
DPS Highway Fuel & Oil \$125,000
- TRAN00145_01_09_2023 Finance: General Fund-Free Cash \$10,741 to
Essex North Shore Tech School \$10,741
- ORDR00404_01_09_2023 Pay Prior Year Bills
- ORDR00402_12_12_2022 Belleville Improvement Society Gift Acceptance
- ORDR00403_12_12_2022 Central Congregational Church Gift Acceptance
- ORDR00400_12_12_2022 Morrill Foundation Gift Acceptance
- ORDR00405_01_09_2023 FoNT Gift Acceptance
- ORDR00406_01_09_2023 SAGA Gift Acceptance
- ORDR00407_01_09_2023 Goldy Sculpture Gift Acceptance
- ORDR00408_01_09_2023 3 Cardinals in a Tree Sculpture Gift Acceptance
- ORDR00411_01_09_2023 FY2023 COLA Increase
- ORDR00412_01_09_2023 COLA Base Increase

GENERAL GOVERNMENT

- ODNC00134_01_09_2023 Amend to Municipal Fees Schedule Passport Photos

LICENSES & PERMITS

- APPL00119_01_09_2023 2nd Hand Motor Vehicle License LCA Motors
- APPL00120_01_09_2023 2nd Hand Motor Vehicle License Plum Autoworks

COMMUNITY SERVICES

- APPT00367_01_09_2023 Lina Matta 7 Everett Dr. Board of Health 2/1/2026

PUBLIC WORKS & SAFETY

- ORDR00398_12_12_2022 Snow Emergency Parking Auburn St

- ORDR00399_12_12_2022 Asphalt sidewalk waiver request package - West End Fire Station project
- ODNC00133_01_09_2023 Amend to Ch 13-180 Inn Street
- ORDR00410_01_09_2023 Screening Cmte Fire Chief

END OF CONSENT AGENDA

TRAN00148_01_30_2023 removed from the Consent Agenda at the request of Councilor Khan.

ORDR00402_12_12_2022 removed from the Consent Agenda at the request of Councillor Wallace.

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote BL). Motion passes.

REGULAR AGENDA

ORDR00409_01_09_2023 Taken out of order and moved to the beginning of meeting at the request of Councillor McCauley.

• **ORDR00409 01 09 2023** **Cutter West End Fire Station Loan Order (COTW)**

Motion to suspend Rule 7J by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 11 yes (1 remote, BL). Motion passed.

Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes (1 remote, BL). Motion passes.

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.

10. FIRST READING APPOINTMENTS

Re-Appointment:

- APPT00371_01_30_2023 Susanne Marzi Cameron 17 Hancock St. Affordable Housing Trust 2/1/2025
Councillor Cameron recused. Motion to refer to Planning & Development by Councillor Preston, seconded by Councillor Zeid. Roll call vote. 10 yes (1 remote, BL), 1 recused (EC). Motion passes.

Temporary:

- APPT00375_01_30_2023 Jamie Tuccolo 19 Quentin Dr. Temp. Dir. DPS 4/16/2023
Motion to waive the rules, declare an emergency, and approve on one reading by Councillor Zeid, seconded by Councillor Preston. Motion withdrawn. Motion to refer to Public Works & Safety by Councillor Zeid, seconded by Councillor McCauley. Friendly amendment by Councillor Vogel to refer to COTW in addition to PW&S. Roll call vote. 11 yes (1 remote, BL). Motion passes.

11. COMMUNICATIONS

12. TRANSFERS

- TRAN00148_01_30_2023 Mayor: RRFA Sale of Municipal Buildings \$200,000 to
NYS Center Design Services \$200,000 (with EGA Architects Proposal)
Motion to refer to Budget & Finance and COTW by Councillor Khan, seconded by Councillor Zeid. Roll call vote. 11 yes (1 remote, BL). Motion passes.

13. SECOND READING APPOINTMENTS

- APPT00361_01_09_2023 Alice Sheridan 11 Beck St. Council on Aging 2/1/2028
- APPT00362_01_09_2023 Paul E. Bushey 1Dennett Dr. Council on Aging 2/1/2028
- APPT00364_01_09_2023 Ben Harman 298 High St. Human Rights Comm. 1/30/2026
- APPT00365_01_09_2023 Shane Cough 70 High St. Human Rights Comm. 1/30/2026

Motion to approve collectively APPT0061, APPT00362, APPT00364, and APPT00365 by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.

Motion to reconsider by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes. Motion to approve collectively APPT00361 and APPT00362 with their term to expire 2/1/2026 by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.

14. ORDERS

- ORDR00413_01_30_2023 Parking Garage Inn Permit Fee
Motion to refer to Public Works & Safety by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 11 yes (1 remote, BL). Motion passes.
 - ORDR00414_01_30_2023 Rotary Club Gift Acceptance
 - ORDR00415_01_30_2023 Brown School Ad Hoc Update
 - ORDR00417_01_30_2023 Parks Reorganization Plan
 - ORDR00418_01_30_2023 Resolution Purple Heart City
 - ORDR00419_01_30_2023 Resolution Pete Pollard
- Motion to refer ORDR00414 to Budget & Finance, to refer ORDR00415 to General Government, and to refer ORDR00417, ORDR00418, and ORDR00419 to Community Services by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- Motion to remove ORDR00417 from Committee on Community Services and refer to Community Services and COTW by Councillor Zeid, seconded by Councillor Wallace. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- ORDR00416_01_30_2023 Newburyport Multi-Hazard Mitigation Plan 2022
- Councillor Wallace recused. Motion to refer to Planning & Development by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. (1 remote, BL). Motion passes.

15. ORDINANCES

- ODNC00135_01_30_2023 Zoning Amendment ITIF Remove Residential Use
 - ODNC00136_01_30_2023 General Code Amendment Planning Board Membership
 - ODNC00137_01_30_2023 Zoning Amendment Planning Board Membership
- Motion to refer collectively ODNC00135, ODNC00136, ODNC00137 to Planning and Development by Councillor Cameron, seconded by Councillor Wright. Friendly amendment by Councillor Khan to refer ODNC00136 and ODNC00137 to COTW in addition to Planning & Development. Roll call vote. 11 yes (1 remote, BL). Motion passes.

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:

- ORDR00409 01 09 2023 Cutter West End Fire Station Loan Order (COTW)
- TRAN00146 01 09 2023 DPS: Receipts Reserved for Appr. Fuel \$125,000
to DPS Highway Fuel & Oil \$125,000

Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.

- TRAN00145 01 09 2023 Finance: General Fund-Free Cash \$10,741
to Essex North Shore Tech School \$10,741

Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.

- ORDR00404 01 09 2023 Pay Prior Year Bills

Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion

passes.

- **ORDR00402 12 12 2022 Belleville Improvement Society Gift Acceptance**
Councillor Wallace recused. Motion to remove from committee by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 recused (CW). (1 remote, BL). Motion passes. Motion to approve by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 recused (CW). (1 remote, BL). Motion passes.
- **ORDR00403 12 12 2022 Central Congregational Church Gift Acceptance**
- **ORDR00405 01 09 2023 FoNT Gift Acceptance**
- **ORDR00406 01 09 2023 SAGA Gift Acceptance**
- **ORDR00407 01 09 2023 Goldy Sculpture Gift Acceptance**
- **ORDR00408 01 09 2023 3 Cardinals in a Tree Sculpture Gift Acceptance**
Motion to collectively approve ORDR00403, ORDR00405, ORDR00406, ORDR407, and ORDR00408 by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- **ORDR00411 01 09 2023 FY2023 COLA Increase**
- **ORDR00412 01 09 2023 COLA Base Increase**
Motion to collectively approve ORDR00411 and ORDR00412 by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- **ORDR00400 12 12 2022 Morrill Foundation Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (JM) (1 remote, BL). Motion passes.
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ODNC00130_11_01_2022 Grants, Gifts, and Fees (COTW)
- ODNC00132_11_14_2022 Mandated Reporting
- ORDR00388_11_01_2022 NYS Facility Bond Order (COTW)
- COMM00443_11_01_2022 59 Low St. FAQs (COTW)
- ORDR00401_12_12_2022 Karen Jones Cashman Multi-Sport Court Gift Acceptance

General Government

In Committee:

- **ODNC00134 01 09 2023 Amend to Municipal Fees Schedule Passport Photos**
Motion to approve on 1st reading by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- ORDR239_02_8_2021 Council Rule 7 and 10B

Licenses & Permits

In Committee:

- **APPL00119 01 09 2023 2nd Hand Motor Vehicle License LCA Motors**
- **APPL00120 01 09 2023 2nd Hand Motor Vehicle License Plum Autoworks**
Motion to collectively approve APPL00119 and APPL00120 by Councillor Vogel, seconded by Councillor Khan. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules

Community Services

In Committee:

- **APPT00367 01 09 2023 Lina Matta 7 Everett Dr. Board of Health 2/1/2026**
Motion to receive and file by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote). Motion passes.

Planning & Development

In Committee:

- COMM00445_11_14_2022 59 Low Street Plan (COTW)
- COMM00455_12_12_2022 Net Zero report West End Fire Station

**Re-Appointment*

- *APPT00363_01_09_2023 Jennifer Blanchet 4 Island Ln., Newbury Zoning Admin. 12/31/23
- APPT00366_01_09_2023 Christopher Sawtelle 20 Summer St. Historical Comm. 2/1/2026

Public Works & Safety

In Committee:

- **ORDR00398 12 12 2022 Snow Emergency Parking Auburn St**
Motion to approve by Councillor Wallace, seconded by Councillor Cameron. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- **ORDR00399 12 12 2022 Asphalt sidewalk waiver request package - West End Fire Station project**
Motion to approve by Councillor Wallace, seconded by Councillor Preston. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- **ODNC00133 01 09 2023 Amend to Ch 13-180 Inn Street**
- Motion to approve on 1st reading by Councillor Wallace, seconded by Councillor Preston. Roll call vote. 4 yes (EC, JD, AK, BV), 7 no (CW, MW, SZ, BL, JM, CP, HS) (1 remote, BL). Motion fails.
- **ORDR00410 01 09 2023 Screening Cmte Fire Chief**
Motion to approve by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes (1 remote, BL). Motion passes.
- COMM00412_05_31_2022 Ltr Ann Jaroneyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- COMM00456_12_12_2022 Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance

17. GOOD OF THE ORDER

Councillor Lane thanked the Ward 4 Councillor for discussing Phillips Drive at the Public Works & Safety Committee meeting and give the City Council an update.

Council President Shand noted that there would be a hybrid meeting to discuss the Parks Dept. reorganization plan on February 15th at 6:30 pm, details to follow.

18. ADJOURNMENT

Motion to adjourn at 8:38 pm by Councillor Vogel, seconded by Councillor Khan. Roll call vote 11 yes (1 remote, BL). Motion passes.