

CITY COUNCIL MEETING

MINUTES

April 10, 2023 7:00 pm

City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Pole Hearing 6:45 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

POLE HEARING:

6:45 pm City Clerk Richard B. Jones called the roll, the following City Councillors answered present: Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Donahue, Khan, and Shand. 10 present (1 remote BL), 2 absent (EC, AK). Councillor Cameron present at 6:50 pm

Present from National Grid David Boucher and Edward Bearman, Esq.

Motion to refer to Public Works & Safety Councillor Zeid, seconded Councillor Vogel. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

Motion to close the hearing by Councillor Zeid, seconded Councillor Vogel. Roll call vote. 10 yes, 1 absent (AK). Motion passes.

1. MOMENT OF SILENCE Remembering Mary Matthews Fordham, Ken Beaton, Ted Van Nahl, and Gillian Chatfield

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

7:00 pm City Clerk Richard B. Jones called the role, the following City Councillors answered present: Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, and Shand. 11 present (2 remote BL, AK).

4. LATE FILE

- COMM00475_04_10_2023 Shanty moving plan (L&P)
- COMM00476_04_10_2023 Ad Hoc Market Landing Park Operations Phase (GG)
- COMM00477_04_10_2023 Letter from Patricia McGrath re: ODNC00129 (R&F)
- ORDR00441_04_10_2023 CPA Housing Rehab Appropriation (B&F)
- ORDR00442_04_10_2023 CPC FY24 Plum Island Beach Public Access Dune Preservation (B&F)
(Mobi Mats Sand Fencing)

Motion to waive the rules, accept the late files, and refer as noted COMM00475 to L&P, COMM00476 to GG, COMM00477 R&F, ORDR00441 and ORDR00442 to B&F by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

5. PUBLIC COMMENT

Olivia Boger 65 Middle St.
Jennifer Freeman 17 Old tavern Ln. Amesbury
John Brown 130 High Rd.
John Moynihan 1 Market Sq.
Janet Bornemann 8 Avon St.

6. MAYOR'S COMMENT

7. PRESENTATION Senator Bruce E. Tarr and Representative Dawne Shand

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

- March 27, 2023

(Approve)

9. COMMUNICATIONS

- APPL00130_04_10_2023 The Basin Apparel Co. pop-up tents (L&P)
- APPL00131_04_10_2023 GNCCI Spring Fest June 3rd-4th 12-5pm (L&P)
- COMM00474_04_10_2023 Newburyport Public Art Policy (CS)

10. TRANSFERS

11. APPOINTMENTS

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

GENERAL GOVERNMENT

- COMM00467_03_13_2023 Municipal Bldgs Report Sec 5 – 47

LICENSES & PERMITS

- APPL00124_03_13_2023 Town & Country Half Marathon 6/11/2023
- APPL00126_03_13_2023 Artist Shanties in Pop Up Park 5/1-10/22
- APPL00127_03_27_2023 Flag Day 5K Saturday, June 10th 4-8pm
- APPL00128_03_27_2023 GNOCA 5K Sept. 24th 10am-1pm
- APPL00129_03_27_2023 Love Local on Inn St. Thursday, May 18th 6:30-9:30 pm

PUBLIC WORKS & SAFETY

- APPT00388_03_27_2023 Wayne Amaral 2 Woodwell Circle, Amesbury Director DPS 4/1/2026
- APPT00387_03_27_2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/31/2025
- COMM00465_02_27_2023 Street Paving Plan FY23-FY28 (COTW)
- ODNC00143_03_13_2023 Municipal Fee Schedule Amend Water Sewer Fees

END OF CONSENT AGENDA

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

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Wright. 11 yes, Motion passes.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00440_04_10_2023 64 Federal St. Plummer House Preservation Restriction
Motion to refer to Planning and Development by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- ODNC00144_03_13_2023 2nd Reading Amend Ch 2-394 Departmental Revolving Funds
Motion to approve on second reading by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- ODNC00132_11_14_2022 2nd Reading Mandated Reporting (*amended*)
Motion to approve on second reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 no (BV, AK). Motion passes.
- ODNC00145_03_13_2023 2nd Reading Amend Ch 11-5 Rules & Regulations Public Parks & Playgrounds
Motion to approve collectively ODNC00145 and ODNC00147 on second reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00147_03_13_2023 2nd Reading Amend Municipal Fees 2-J Parks and Recreation
Motion to approve collectively ODNC00145 and ODNC00147 on second reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes
- ODNC00140_02_27_2023 2nd Reading Amend Municipal Fee Schedule Parking Fines
Motion to approve on second reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00148_04_10_2023 Amend Municipal Fees 2-O Recycling and solid waste
Motion to refer to Community Services collectively ODNC00148 and ODNC00149 by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00149_04_10_2023 Rules for Charitable Donations
Motion to refer to Community Services collectively ODNC00148 and ODNC00149 by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- TRAN00150_03_27_2023 Mayor: General Fund-Free Cash \$30,000 to City Hall Main Floor
HVAC \$30,000
- ORDR00434_03_27_2023 FY24 CPC Recommendations (COTW)
- ORDR00435_03_27_2023 Buildings Up Grant Acceptance
- ORDR00436_03_27_2023 Katherine Day Gift Acceptance
- ORDR00437_03_27_2023 Morrill Foundation Gift Acceptance

Community Services

In Committee:

General Government

In Committee:

- COMM00467_03_13_2023 Municipal Bldgs Report Sec 5 – 47
Motion to receive and file by Councillor Shand, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.
- ORDR239_02_8_2021 Council Rule 7 and 10B
- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- COMM00464_02_27_2023 Brown School RFI Councillor Zeid Redline (COTW)
- ORDR00428_02_27_2023 Request for Expressions of Interest (RFI) for Brown School Property (COTW)

- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ODNC00146_03_13_2023 Amend Ch 2-34 Responsibilities of Committee on Community Services
- COMM00472_03_27_2023 Ltr. Kathleen O'Connor Ives
- ORDR00438_03_27_2023 Election Cal 2023 EVIP

Licenses & Permits

In Committee:

- **APPL00124 03 13 2023 Town & Country Half Marathon 6/11/2023**

Motion to approve collectively APPL00124, APPL00127, APPL00128, and APPL00129 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **APPL00126 03 13 2023 Artist Shanties in Pop Up Park 5/1-10/22**

Motion to approve by Councillor Vogel, seconded by Councillor Preston. Motion to amend to allow for one month notice revocation of application and to limit the application to the 2023 season by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (BL). Motion to approve as amended by Councillor Vogel, seconded by Councillor Preston. Roll call vote 9 yes, 2 no (BL, JM). Motion passes.

- **APPL00127 03 27 2023 Flag Day 5K Saturday, June 10th 4-8pm**

Motion to approve collectively APPL00124, APPL00127, APPL00128, and APPL00129 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **APPL00128 03 27 2023 GNOCA 5K Sept. 24th 10am-1pm**

Motion to approve collectively APPL00124, APPL00127, APPL00128, and APPL00129 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **APPL00129 03 27 2023 Love Local on Inn St. Thursday, May 18th 6:30-9:30 pm**

Motion to approve collectively APPL00124, APPL00127, APPL00128, and APPL00129 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules

Planning & Development

In Committee:

- ODNC00135_01_30_2023 Zoning Amendment ITIF Remove Residential Use
- ODNC00141_02_27_2023 Zoning Amendment STRU (COTW)
- COMM00469_03_13_2023 Retail Sale of Marijuana

Motion to waive the rules, remove, and refer back to Planning & Development and COTW by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 9 yes, 1 present (BL), 1 no (SZ). Motion passes.

Public Works & Safety

In Committee:

- **APPT00388 03 27 2023 Wayne Amaral 2 Woodwell Circle, Amesbury Dir. DPS 4/1/2026**

Councillor Wallace recused. Motion to approve by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 10 yes, 1 recused (CW). Motion passes.

- **APPT00387 03 27 2023 Thomas O'Brien 11 Moseley Ave. Water/Sewer Comm. 3/31/2025**

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

- **COMM00465 02 27 2023 Street Paving Plan FY23-FY28 (COTW)**

Motion to receive and file by Councillor Wallace, seconded by Councillor Vogel. Motion to amend to condition that updates are submitted by June 30th and that a list of the project plans and traffic safety is submitted by June 30th by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes. Motion to receive and file as amended by Councillor Wallace, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

- **ODNC00143 03 13 2023 Municipal Fee Schedule Amend Water Sewer Fees**

Motion to approve on first reading by Councillor Wallace, seconded by Councillor McCauley. Motion to move to a date certain April 24, 2023 by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

- COMM00412_05_31_2022 Ltr Ann Jarocyk 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
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- COMM00473_03_27_2023 2023 Parklets update

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 9:11 pm by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.