CITY COUNCIL MEETING

MINUTES

July 10, 2023 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 Javier Irujo and Sarah Bodge
- 2. PLEDGE OF ALLEGIANCE
- **3.** CALL TO ORDER 7:00 pm City Clerk Richard B. Jones called the roll, the following City Councillors answered present: Cameron, Donahue, Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, and Shand. 11 present.
- 4. LATE FILE
- 5. PUBLIC COMMENT

Owen Smith 175 Storey Ave. Kelly Majenski 2 Harris St. Rick Tainter 10 Dexter St.

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

• June 20, 2023

• June 26, 2023

8.

COMMUNICATIONS		
• APPL00149_07_10_2023	20th Annual Chocolate Tour 10/7 12pm-4pm	(L&P)
• APPL00150_07_10_2023	Block Party 10 Barton St. 8/19 1pm-7pm	(L&P)
• COMM00493_07_10_2023	Whittier Regional Vocational Tech HS FY24 Net Assessment	(B&F)
• COMM00494_07_10_2023	Planning Board Advisory Report STRU	(P&D/COTW)
TRANSFERS		
• TRAN00163_07_10_2023	School Dept: Nock/Molin Sch Tech Fund \$56,801.81 &	(B&F)
	Bresnahan Sch Tech Fund \$71,212.00 to Sch Tech Upgrades \$128,013.8	1

10. APPOINTMENTS

•	Re-Appointment: APPT00416_07_10_2023	Glenn P. Richards	6 Kent St.	Historical Comm.	8/1/2026	(P&D)
•	APPT00417_07_10_2023	Charles G. Burkhart	23 Pleasant St.	Trust Fund Comm.	8/1/2026	

	Confirmatory:					
•	APPT00418_07_10_2023	Patricia Peknik	4 Dove St.	ZBA	7/31/2027	(P&D)
•	ΔPPT00419 07 10 2023	Lynn Schow	75 High St	$7R\Delta$	7/31/2028	(P&D)

• APPT00420_07_10_2023 Charles S. Palmisano 3 Jefferson Ct. Planning Board 7/31/2026 (P&D)

(Approve)

(Approve)

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

LICENSES & PERMITS

•	APPL00145_06_26_2023	Walk Against Domestic Violence Sunday, Oct. 1st 8-11 am Waterfront Park
•	APPL00146 06 26 2023	11th Annual Car Show Aug 10th 5-8pm

PLANNING & DEVELOPMENT

•	APPT00410_06_26_2023	Patricia Peknik	4 Dove St.	ZBA	7/31/2024
•	APPT00411_06_26_2023	Lynn Schow	75 High St.	ZBA	7/31/2024
•	ORDR00471 06 26 2023	Deed Acceptance for Conservation Purposes 21 Malcolm Hoyt Dr.			

END OF CONSENT AGENDA

Motion to amend APPT00420 to Associate Member by Councillor Zeid, seconded by Councillor Cameron. So voted. Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Wright. 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

- APPL00147 07 10 2023 High Street Mile 8/6 9am-10am
- APPL00148 07 10 2023 Misselwood Tour d'Elegance Ferry Wharf Parking Lot 7/22 10am-11:30am

Motion waive the rules and declare an emergency for discussion by Councillor Vogel, seconded by Councillor Preston. So voted. Motion to approve collectively by Councillor Zeid, seconded by Councillor Vogel. So voted.

12. TRANSFERS

- ORDR00475 07 10 2023 EP Emergency Preamble for TRAN00162 07 10 2023
- TRAN00162_07_10_2023 Parking: RRFA-Paid Parking Fund \$20,000 to PKG WFT Agreement \$20,000 Motion to waive the rules, declare an emergency, and approve the transfer by Councilor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (JD). Motion passes.

13. SECOND READING APPOINTMENTS

• APPT00407_06_26_2023	Jean Costello	522 Merrimac St.	Human Rights Comm.	7/1/2026
• APPT00408_06_26_2023	Paula Estey	3 Pine St.	Cultural Council	7/31/2026
Motion to collectively approve on 2 nd re-	ading APPT00407	and APPT00408 by Co	ouncillor McCauley, secon	nded by Councillor
Preston. Roll call vote. 11 yes. Motion	passes.			

14. ORDERS

• ORDR00473 07 10 2023 Waiver for Asphalt Sidewalk Norman Avenue

Motion to refer to Public Works & Safety by Councillor McCauley, seconded by Councillor Cameron. So voted.

• ORDR00474 07 10 2023 Plan Approval Bartlett Mall Improvement Project

Motion to refer to Community Services and COTW by Councillor McCauley, seconded by Councillor Zeid. So voted.

- ORDR00476 07 10 2023 EP Emergency Preamble for Anchor Outdoor Seating
- ORDR00476 07 10 2023 Order Approving Anchor Outdoor Seating

Motion to waive the rules, declare an emergency and approve the order by Councillor McCauley, seconded by Councillor Zeid. 10 yes, 1 no (JD). Motion passes.

- ORDR00477 07 10 2023 EP ACO Contract
- ORDR00477 07 10 2023 ACO Contract

Motion to waive the rules, declare an emergency and approve the order by Councillor McCauley, seconded by Councillor Cameron. Councillor Wallace recused. 10 yes, 1 recused (CW). Motion passes.

15. ORDINANCES

• ODNC00156_06_12_2023 *I*st *Reading* Amend Ch 13-168 Parking Restriction Fair St.

In City Council June 26, 2023: tabled to date certain

Motion to approve on 1st reading by Councillor Donahue, seconded by Councillor McCauley. Scribner's error noted direction should state "in a southerly". Motion to continue to a date certain, next City Council meeting July 10th by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 9 yes, 1 no (JD), 1 absent(CW). Motion passes.

Motion to approve on 1st reading by Councillor Donahue, seconded by Councillor McCauley. 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)

• ORDR00472 06 26 2023 Streets Sidewalks Loan Order \$6,000,000 (COTW)

Community Services

In Committee:

COMM00474_04_10_2023
 ODNC00157 06 12 2023
 Newburyport Public Art Policy
 Public Art Policy (COTW)

General Government

In Committee:

• COMM00461 02 27 2023 Brown School Gymnasium Considerations (COTW)

• COMM00468 03 13 2023 Brown School Proposal (COTW)

• COMM00491 06 12 2023 Letter from Owen Smith re: Tree Warden

• ODNC00146 03 13 2023 Amend Ch 2-34 Responsibilities of Committee on Community Services

• ORDR239 02 8 2021 Council Rule 7 and 10B

Licenses & Permits

In Committee:

• APPL00145 06 26 2023 Walk Against Domestic Violence Sunday, Oct. 1st 8-11 am Waterfront Park

Motion to approve by Councillor Vogel, seconded by Councillor McCauley. So voted.

• APPL00146 06 26 2023 11th Annual Car Show Aug 10th 5-8pm

Motion to approve by Councillor Vogel, seconded by Councillor McCauley. So voted.

- APPL00142 06 12 2023 Port Vida Outdoor Dining Application
- COMM00492 06 12 2023 Letter from Ashley Morton Comtois & Zach Comtois-Port Vida

Motion to waive the rules, remove from committee, and receive and file by Councillor Lane, seconded by Councillor McCauley. Councillor Vogel recused. Roll call vote. 10 yes, I recused (BV). Motion passes.

• ODNC047 01 27 2020 General Ordinance - Short Term Rental Units Rules

Motion to waive the rules, remove from committee, and refer to License & Permits and COTW by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

Planning & Development

In Committee:

• APPT00410 06 26 2023 Patricia Peknik 4 Dove St. ZBA 7/31/2024

• APPT00411 06 26 2023 Lynn Schow 75 High St. ZBA 7/31/2024

Motion to collectively receive and file APPT00410 and APPT00411 by Councillor Cameron, seconded by Councillor Zeid. So voted.

Confirmatory:

• APPT00418 07 10 2023 Patricia Peknik 4 Dove St. ZBA 7/31/2027

Motion to waive the rules, remove from committee, and approve as an associate member by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

• APPT00419 07 10 2023 Lynn Schow 75 High St. ZBA 7/31/2028

Motion to waive the rules, remove from committee, and approve as an associate member by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 9 yes, 2 no (JD, BV). Motion passes.

APPT00420 07 10 2023 Charles S. Palmisano 3 Jefferson Ct. Planning Board 7/31/2026

Motion to waive the rules, remove from committee, and approve as an associate member by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

• ORDR00471 06 26 2023 Deed Acceptance for Conservation Purposes 21 Malcolm Hoyt Dr.

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

COMM00486 05 22 2023
 Newburyport Comprehensive Economic Development Strategy

• ODNC00141 02 27 2023 Zoning Amendment STRU (COTW)

Public Works & Safety

In Committee:

• APPT00421 07 10 2023 Stephen H. Bradbury III 24 Howard St Emergency Mgt. Dir. 5/31/2028

Motion to waive the rules, remove from committee, and approve by Councillor Wallace, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

Ca	n vote. 11 yes. Wouldn passes.					
•	APPT00409_06_26_2023	Roger E. Jones	37 Storeybrooke Dr.	Water/Sewer Comm.	7/31/2025	
•	APPT00413_06_26_2023	Andrew Casson	240 Merrimac St.	Harbor Commission	7/31/2026	
•	COMM00412_05_31_2022	Ltr Ann Jaroncy	k re: Traffic Safety			
•	COMM00414_05_31_2022	Ltr. Emily Dunn	re: Traffic on Merrim	ac Street		
•	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				
•	COMM00479_04_24_2023	Ward 4 Street Sidewalk Traffic Safety Priorities				
•	COMM00480_04_24_2023	Merrimac St. Safety Items				
•	COMM00482_04_24_2023	Constructions projects at the Central Waterfront				
•	ODNC00103_01_10_2022	Streets, Sidewalks, and Other Public Places Alterations & Maintenance				
•	ODNC00152 05 08 2023	Amend Ch 13-1	81 Municipal Parking	Facilities (COTW)		
•	ORDR00449_04_24_2023	Approving Shared Streets Grant, High Street Traffic Calming				

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 8:23 pm by Councillor Zeid, seconded by Councillor McCauley. So voted.