

CITY COUNCIL MEETING

MINUTES

February 12, 2024 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 Deb Knight.
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER** 7:00pm the City Clerk called the roll; the following City Councillors answered present: Khan (remote), Lane (remote), McCauley, Preston, Shand, Wright, Zeid, Donahue, Granas, Harman, and Cameron. 11 present.
4. **LATE FILE**
 - APPT00478_02_12_2024 Edward 8 Lucey Dr. Historical 3/15/2027 P&D
Noymer Newburyport Commission
 - COMM00536_02_12_2024 Update Regarding ODNC164_10_30_2023
Zoning Amendment Global R3 Multi-Family
 - COMM00537_02_12_2024 Email from Stephanie Niketic re: ODN00164
 - ODNC00165_02_12_2024 A Zoning Ordinance to establish the State/High Overlay District (SHOD)Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.
5. **PUBLIC COMMENT**

David DeRosa 6 Arthur Welch Dr.
Stephanie Niketic 93 High St.
Novak Niketic 93 High St.
Jennifer Day 91 High St.
Rick Taintor 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**

January 29, 2024 (Approve)
8. **COMMUNICATIONS**
 - COMM00534_02_12_2024 Administration Memo re: COMM00529_01_29_2024 (P&D)
(Jim McCarthy letter to request an update codified sign ordinances)
 - APPL00174_02_12_2024 Agave Parklet Application (L&P)
 - APPL00175_02_12_2024 Angies Parklet Application (L&P)
 - APPL00176_02_12_2024 Angry Donut Parklet Application (L&P)
 - APPL00177_02_12_2024 Bar 25 Parklet Application (L&P)
 - APPL00178_02_12_2024 Brine Parklet Application (L&P)
 - APPL00179_02_12_2024 Carmine Parklet Application (L&P)
 - APPL00180_02_12_2024 Loretta Parklet Application (L&P)

• APPL00181_02_12_2024	NU Kitchen Parklet Application	(L&P)
• APPL00182_02_12_2024	Oregano Parklet Application	(L&P)
• APPL00183_02_12_2024	Paddle Inn Parklet Application	(L&P)
• APPL00184_02_12_2024	Port Tavern Parklet Application	(L&P)
• APPL00185_02_12_2024	Anchor Pizza Parklet Application	(L&P)

9. TRANSFERS

10. APPOINTMENTS

• APPT00463_02_12_2024	Andrea Weetman	183 High St. Newburyport	Community Preservation Act Committee	3/15/2027	CS
• APPT00464_02_12_2024	Kristen Donahue	16 Olive St. Newburyport	Library Board of Directors	3/15/2027	CS
• APPT00465_02_12_2024	Caroline McCarthy	4 Coombs Cir. Newburyport	Library Board of Directors	3/15/2027	CS
• APPT00466_02_12_2024	Larry Giunta	139 Crow Lane Newburyport	Associate Member Zoning Board of Appeals	7/31/2027	P&D
• APPT00467_02_12_2024	Kim Turner	27 High St. Newburyport	Public Arts Committee	03/15/2025	CS
• APPT00468_02_12_2024	Nicole Whelan	12 Lafayette St. Newburyport	Public Arts Committee	3/15/2025	CS
• APPT00469_02_12_2024	Shanna Sartori	2 Garden St. Newburyport	Public Arts Committee	3/15/2025	CS
• APPT00470_02_12_2024	Katherine Moran	9 Garden St. Newburyport	Public Arts Committee	3/15/2025	CS
• APPT00471_02_12_2024	Peter Carzasty	35 Temple St. Newburyport	Public Arts Committee	3/15/2025	CS
• APPT00472_02_12_2024	Cynthia Schartman	12 Market St. Newburyport	Cultural Council	3/1/2027	
• APPT00473_02_12_2024	Paula Estey	3 Pine St. Newburyport	Cultural Council Liaison on Public Arts Committee	3/1/2027	CS
• Confirmatory APPT00474_02_12_2024	Dennis Morel	83 Bow Ridge Rd. Lynn	Building Inspector	2/15/2027	P&D
• Re-Appointment APPT00475_02_12_2024	Kevin Wallace	40 Oak St. Newburyport	Fruit Street Local Historic District Commission	3/15/2027	P&D
• Re-Appointment APPT00476_02_12_2024	Robert Currier	3 Summit Pl. Newburyport	Affordable Housing Trust	3/15/2026	P&D
• Re-Appointment APPT00477_02_12_2024	Andrew Port	61 Water St. Newburyport	Director of Planning & Development	3/15/2026	P&D

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

BUDGET& FINANCE

- COMM00531_01_29_2024 FY2024 Mid-Year Budget Report
- TRAN00177_01_29_2024 Mayor: General Fund Free Cash \$27,046 to Fire: Injured-on-Duty \$27,046 (COTW)
- TRAN00180_01_29_2024 Fire Dept.: CIP Radio Equipment \$13,000 to
Fire Maint-Buildings & Grounds \$13,000
- TRAN00178_01_29_2024 Parking: RRFA-Paid Parking Fund \$33,006 to PKG LPR System \$33,006
- TRAN00179_01_29_2024 DPS: General Fund Free Cash \$43,300 to
Roadway & Sidewalk Improvements \$43,300
- ORDR00532_01_29_2024 Gift Acceptance \$10,012 Newburyport Black History Initiative

GENERAL GOVERNMENT

- ORDR00528_01_08_2024 Local Acceptance of G.L. 41 s.110A
- APPT00462_01_29_2024 Murphy Hesse Toomey & Lehane City Solicitor 1/31/2025
50 Braintree Hill Office Park Suite 410
Braintree, MA 02184

LICENSES & PERMITS

- APPL00169_01_08_2024 5K & 13.1 YuKan Sports 6/9/24, 7/21/24, 9/29/24 Riverwalk Brewing
- APPL00173_01_29_2024 Plum Autoworks 2nd Hand Motor Vehicle License

PLANNING & DEVELOPMENT

- ODNC00164_10_30_2023 Zoning-Amendment-Global-R3-Multi-Family (COTW)

PUBLIC WORKS & WORKS

- COMM00532_01_29_2024 Email from Councillor Zeid re Phillips Dr.

END OF CONSENT AGENDA

APPT00466_02_12_2024 Removed from the Consent Agenda at the request of Councillor McCauley.
Motion to approve the Consent Agenda as amended and to receive and file the Mayor's update by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

- APPT00466_02_12_2024 Larry Giunta 139 Crow Lane Associate Member 7/31/2027
Newburyport Zoning Board of
Appeals

Councillor McCauley recused. Motion to refer to P&D by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 10 yes, 1 recused (McCauley), motion passes.

- APPT00478_02_12_2024 Edward 8 Lucey Dr. Historical 3/15/2027
Noymer Newburyport Commission

Motion to refer to P&D by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.

11. COMMUNICATIONS

- COMM00533_02_12_2024 Middle Street Plummer Spring Bridge - Proposed next steps
Motion to refer to PW&S by Councillor Zeid, seconded by Councillor McCauley. Roll call vote, 11 yes, motion passes.
- COMM00535_02_12_2024 Development Agreements Documents re:
Zoning Amendment Global R3 Multi-Family

- COMM00536_02_12_2024 Update Regarding ODNC164_10_30_2023
Zoning Amendment Global R3 Multi-Family
- COMM00537_02_12_2024 Email from Stephanie Niketic re: ODN00164
Motion to collectively refer COMM00535, COMM00536, and COMM00537 to P&D by Councillor Zeid, seconded by Councillor Shand. Roll call vote, 11 yes, motion passes.

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00536_02_12_2024 Early Voting 2024
Motion to refer to GG by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.
- ORDR00537_02_12_2024 Youth and Recreation Center Design Approval
Motion to refer to CS & COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.
- ORDR00538_02_12_2024 Grant Acceptance Firefighter Safety Equipment \$14,100.66
- ORDR00539_02_12_2024 Grant Acceptance EMPG \$4600.00
Motion to collectively refer ORDR00538 and ORDR00539 to B&F by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.

15. ORDINANCES

- ODNC00165_02_12_2024 A Zoning Ordinance to establish the State/High Overlay District (SHOD)
Motion to refer to P&D and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **COMM00531 01 29 2024 FY2024 Mid-Year Budget Report**
Motion to receive and file by Councillor Zeid, seconded by Councillor Wright. Roll call vote, 11 yes, motion passes.
- **TRAN00177 01 29 2024 Mayor: Gen Fund Free Cash \$27,046 to Fire: Injured-on-Duty \$27,046 COTW**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote, 9 yes, 2 no (McCauley, Donahue), motion passes.
- **TRAN00180 01 29 2024 Fire Dept.: CIP Radio Equipment \$13,000 to
Fire Maint-Buildings & Grounds \$13,000**
- **TRAN00178 01 29 2024 Parking: RRFA-Paid Parking Fund \$33,006 to PKG LPR System \$33,006**
- **TRAN00179 01 29 2024 DPS: General Fund Free Cash \$43,300 to
Roadway & Sidewalk Improvements \$43,300**

Motion to collectively approve TRAN00180, TRAN00178, and TRAN00179 by Councillor Zeid, seconded by Councillor Wright. Roll call vote, 11 yes, motion passes.

- **ORDR00532 01 29 2024 Gift Acceptance \$10,012 Newburyport Black History Initiative**

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

- ORDR00533_01_29_2024 NHS Statement of Interest Vote
- ORDR00534_01_29_2024 Nock Statement of Interest Vote

Community Services

In Committee:

- COMM00525_01_08_2024 Letter from Joe Morgan re: Frog Pond Restoration Project
- ORDR00515_11_27_2023 Gift Acceptance Morrill Foundation \$110,000
- ORDR00474_07_10_2023 Plan Approval Bartlett Mall Improvement Project (COTW)

General Government

In Committee:

- **ORDR00528 01 08 2024** **Local Acceptance of G.L. 41 s.110A**

Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Motion to amend to include the language moving the last day to register to vote from 5:00pm Saturday, February 24, 2024 to 12:00pm Friday, February 23, 2024 by Councillor Zeid, seconded by Councillor McCauley. Roll call vote, 11 yes, motion passes. Motion to approve as amended by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yes, motion passes.

- **APPT00462 01 29 2024** **Murphy Hesse Toomey & Lehane** **City Solicitor 1/31/2025**
50 Braintree Hill Office Park Suite 410
Braintree, MA 02184

Motion to approve by Councillor Cameron, seconded by Councillor Preston. Motion to move to a date certain, March 11, 2024 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote, 11 yes, motion passes.

- ORDR00527_01_08_2024 Council Rules 2024

Licenses & Permits

In Committee:

- **APPL00169 01 08 2024** **5K & 13.1 YuKan Sports 6/9/24, 7/21/24, 9/29/24 Riverwalk Brewing**

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

- **APPL00173 01 29 2024** **Plum Autoworks 2nd Hand Motor Vehicle License**

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

Planning & Development

In Committee:

- **ODNC00164 10 30 2023** **Zoning-Amendment-Global-R3-Multi-Family (COTW)**

Motion to waive the rules to pass in one reading and approve by Councillor Shand, seconded by Councillor Donahue. Roll call vote, 8 yes, 3 no (McCauley, Wright, Zeid) motion passes.

Motion to reconsider by Councillor Shand, seconded by Councillor Wright. Roll call vote, 11 yes, motion passes.

Motion to waive the rules to pass in one reading by Councillor Shand, seconded by Councillor Preston. Roll call vote, 8 yes, 3 no (McCauley, Wright, Zeid), motion passes.

Motion to approve by Councillor Shand, seconded by Councillor Donahue. Roll call vote, 8 yes, 3 no (McCauley, Wright, Zeid) motion passes.

- COMM00529_01_29-2024 Letter from Jim McCarthy re: Request to update codified sign ordinances
- COMM00530_01_29_2024 Update Regarding Zoning Studies & Amendments (COTW)
Related to Storey Ave & "MBTA Communities"(COTW)

Public Works & Safety

In Committee:

- **COMM00532 01 29 2024** **Email from Councillor Zeid re Phillips Dr.**

Motion to receive and file by Councillor McCauley, seconded by Councillor Donahue. Roll call vote, 11 yes, motion passes.

- COMM00527_01_08_2024 Letter from Philip Cootey
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming

17. GOOD OF THE ORDER

Councillors Shand and Granas thanked DPS and the Fire Dept. for their timely work on Johnson Street. Councillor Wright noted that he will be in India for the next few weeks.

18. ADJOURNMENT

Motion to adjourn at 9:48 pm by Councillor Zeid, seconded by Councillor Preston. Roll call vote, 11 yea, motion passes.