

CITY COUNCIL MEETING

AGENDA

April 29, 2024 7:00 pm

City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Executive Session

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**
- 2. **PLEDGE OF ALLEGIANCE**
- 3. **CALL TO ORDER**
- 4. **LATE FILE**

Re-appointment:

- APPT00487_04_08_2024 Adam Armstrong 5 Buck St. Harbor Commission 6/1/2027 (PW&S)
- TRAN00192_04_29_2024 Finance Dept.: LT Debt-Principal \$80,000 & LT Debt-Interest \$75,000 to Health Insurance Premiums \$155,000 (B&F)

- 5. **PUBLIC COMMENT**
- 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**
April 8, 2024

(Approve)

8. COMMUNICATIONS

- APPL00199_04_29_2024 10th Annual Harborside Half Marathon & 5K Sunday, Nov. 10th 9am-1:30pm (L&P)
- APPL00200_04_29_2024 Tri-State Trek Sat. 6/22 10:30am-2:30pm (L&P)
- COMM00549_04_29_2024 Memo re: MBTA Unit Capacity Options with Attachments (P&D/COTW)

9. TRANSFERS

- TRAN00190_04_29_2024 Mayor's Office: Interest on Short-Term Notes \$18,000 to Veterans Benefits \$18,000 (B&F)
- TRAN00191_04_29_2024 DPS:RRFA-Development Impact Fees \$30,000 to Intersection Improvements Study \$30,000 (B&F)

10. APPOINTMENTS

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

BUDGET & FINANCE

- ORDR00556_04_08_2024 FY21 Perkins Park Project Amendment (COTW)
- ORDR00558_04_08_2024 Bartlet Mall Loan Order (COTW)

- TRAN00188_04_08_2024 Mayor's Office: ARPA State & Local Fiscal Recovery Funds \$964,675.13 to Phillips Drive Project \$700,000 , Marquand Lane Study \$120,000 , and Streets and Sidewalks \$144,675.13 (COTW)
- TRAN00185_03_11_2024 Mayor: ARPA State & Local Fiscal Recovery Funds \$282,653.87 & Joppa Park Walkway \$30,487.91 to Lower Atkinson Common Improvements \$313,141.78 (COTW)
- ORDR00553_04_08_2024 Refunding Bonds
- ORDR00551_04_08_2024 Gift Acceptance Pioneer League Fencing \$13,400
- ORDR00552_04_08_2024 Gift Acceptance FNCOA \$6,316
- ORDR00557_04_08_2024 FY25 CPC Recommendations (COTW)

COMMUNITY SERVICES

- ORDR00537_02_12_2024 Youth and Recreation Center Design Approval (COTW) *Amended*
- APPT00479_03_11_2024 Karen M. Cullinane 88 Federal St. Library Board of Directors 4/15/2031
Newburyport

LICENSES & PERMITS

- APPL00189_03_25_2024 Flag Day 5K Saturday, June 15th 12pm-8pm Cashman Park
- APPL00194_04_08_2024 Pride Parade Saturday, June 1st 11am-4pm Barlett Mall up Brown Square
- APPL00195_04_08_2024 Olive's Maker's Market Saturday, July 20th 9am-1pm High St.
- APPL00196_04_08_2024 Block Party Howard St. between Forrester St. & Chapel St.
Tuesday, June 18th (last day of school) 10am-6pm
- APPL00197_04_08_2024 Lions Yankee Homecoming 10M & 5K Tuesday, July 30th 6-8:30pm
- APPL00198_04_08_2024 Lions Bed Race Thursday, August 1st 5-8pm

PUBLIC WORKS & SAFETY

- APPT00485_04_08_2024 Wilfred“Paul” 7 Hunter Dr. Water/Sewer Commission 2/1/25
Suozzo, Jr. Newburyport
- APPT00486_04_08_2024 Police Marshal Screening Committee (COTW)
- ODNC00168_04_08_2024 HP Spaces
- ORDR00559_04_08_2024 Police Marshal Committee Order (COTW)

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

- COMM00550_04_29_2024 Letter re: Newburyport Library and a request for an investigation into HR
- COMM00551_04_29_2024 Amendment to a Parklet application APPL00178_02_12_2024

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00560_04_29_2024 Gift Acceptance Hinkel Park Bench \$5000
- ORDR00561_04_29_2024 Gift Acceptance Pioneer League Batting Cage \$30,076.53

- ORDR00562_04_29_2024 Grant Acceptance Form FY23 FY24 Cultural District Grants \$30,000.00
- ORDR00563_04_29_2024 NRYS Bond Debt Exclusion
- ORDR00564_04_29_2024 Licensing Agreement between the City of Newburyport and New England Development for the parking lot at 9 Titcomb St.
- ORDR00565_04_29_2024 Licensing Agreement between the City of Newburyport and New England Development for the parking lot at 90 Pleasant St.
- ORDR00566_04_29_2024 G. Mello - Collection and Hauling Contract (5-Year)

15. ORDINANCES

- ODNC00166_03_11_2024 **Tabled** Amend Ch 5-65 Specialized Energy Code (COTW)
Motion to approve by Councillor Shand, seconded by Councillor Preston. Motion to move to a date certain, April 29, 2024 by Councillor McCauley, seconded by Councillor Harman. Roll call vote, 10 yes, 1 absent, motion passes.
- ODNC00167_04_08_2024 Residential Seasonal Dock Fee
Motion to continue to a date certain, April 29, 2024, by Councillor Zeid, seconded by Councillor Zeid, seconded by Councillor McCauley. Roll call vote, 10 yes, 1 absent, motion passes.
- ODNC00171_04_29_2024 Amend Ch.13 to move the HP on Pleasant St.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ORDR00556 04 08 2024 **FY21 Perkins Park Project Amendment (COTW)**
- ORDR00558 04 08 2024 **Bartlet Mall Loan Order (COTW)**
- TRAN00188 04 08 2024 **Mayor's Office: ARPA State & Local Fiscal Recovery Funds \$964,675.13 to Phillips Drive Project \$700,000 , Marquand Lane Study \$120,000 , and Streets and Sidewalks \$144,675.13 (COTW)**
- TRAN00185 03 11 2024 **Mayor: ARPA State & Local Fiscal Recovery Funds \$282,653.87 & Joppa Park Walkway \$30,487.91 to Lower Atkinson Common Improvements \$313,141.78 (COTW)**
- ORDR00553 04 08 2024 **Refunding Bonds**
- ORDR00551 04 08 2024 **Gift Acceptance Pioneer League Fencing \$13,400**
- ORDR00552 04 08 2024 **Gift Acceptance FNCOA \$6,316**
- ORDR00557 04 08 2024 **FY25 CPC Recommendations (COTW)**
- ORDR00554_04_08_2024 Senior Work-Off Program Increase Maximum Assistance
Amount to \$2000 (COTW)
- ORDR00555_04_08_2024 Consolidation of Functions: School Committee with the City (COTW)
M.G.L. c.71, §37M (COTW)
- ORDR00556_04_08_2024 FY21 Perkins Park Project Amendment (COTW)
- TRAN00189_04_08_2024 Mayor's Office: General Fund Free Cash \$25,852.84 to
Fire Injured-on-Duty \$25,852.84 (COTW)

Community Services

In Committee:

- ORDR00537 02 12 2024 **Youth and Recreation Center Design Approval (COTW) Amended**
- APPT00479 03 11 2024 **Karen M. Cullinane** 88 Federal St. Library Board of 4/15/2031
Newburyport Directors
- APPT00483_04_08_2024 Kevin Hunt 14 Tenth St. Veterans Agent 5/1/2025
Newbury for Newburyport
- COMM00525_01_08_2024 Letter from Joe Morgan re: Frog Pond Restoration Project
- ORDR00474_07_10_2023 Plan Approval Bartlet Mall Improvement Project (COTW)
- COMM00541_02_26_2024 Kim Turner letter including supporting documents COTW)

General Government

In Committee:

- ORDR00527_01_08_2024 Council Rules 2024

Licenses & Permits

In Committee:

- APPL00189 03 25 2024 Flag Day 5K Saturday, June 15th 12pm-8pm Cashman Park
- APPL00194 04 08 2024 Pride Parade Saturday, June 1st 11am-4pm Barlett Mall up Brown Square
- APPL00195 04 08 2024 Olive's Maker's Market Saturday, July 20th 9am-1pm High St.
- APPL00196 04 08 2024 Block Party Howard St. between Forrester St. & Chapel St.
Tuesday, June 18th (last day of school) 10am-6pm
- APPL00197 04 08 2024 Lions Yankee Homecoming 10M & 5K Tuesday, July 30th 6-8:30pm
- APPL00198 04 08 2024 Lions Bed Race Thursday, August 1st 5-8pm
- APPL00193_04_08_2024 Ride to End ALZ Saturday, June 1st 8-11am

Planning & Development

In Committee:

- 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)
- COMM00534_02_12_2024 Administration Memo re: COMM00529_01_29_2024
(Jim McCarthy letter to request an update codified sign ordinances)
- COMM00540_02_26_2024 Newburyport-MBTA-Communities-Storey-Ave-Slides (COTW)

Public Works & Safety

In Committee:

- APPT00485 04 08 2024 Wilfred "Paul" Suozzo, Jr. 7 Hunter Dr. Newburyport Water/Sewer Commission 2/1/25
- APPT00486 04 08 2024 Police Marshal Screening Committee (COTW)
- ODNC00168 04 08 2024 HP Spaces
- ORDR00559 04 08 2024 Police Marshal Committee Order (COTW)
- APPT00484_04_08_2024 Thomas Baillie 35 Marlboro St. Newburyport Water/Sewer Commission-Alternate 4/30/26
- COMM00527_01_08_2024 Letter from Philip Cootey
- COMM00533_02_12_2024 Middle Street Plummer Spring Bridge - Proposed next steps
- COMM00538_02_26_2024 Plummer Spring Bridge Memo
- COMM00544_03_11_2024 Email from Laurie O'Donnell re Flooding at 29 Marquand Lane
- ODNC00169_04_08_2024 Amend Municipal Fees Street Permits
- ODNC00170_04_08_2024 Amend Municipal Parking Facilities
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming
- ORDR00549_03_25_2024 Handicapped Space-Auburn St. at High St.

17. GOOD OF THE ORDER

18. EXECUTIVE SESSION:

Pursuant to MGL c. 30A s. 21 (3) there will be an executive session for the purpose of discussing strategy with respect to potential litigation.

Pursuant to MGL c. 30A s. 21 (1) there will be an executive session for the purpose discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.

19. ADJOURNMENT