

CITY COUNCIL “HYBRID”

MEETING MINUTES

March 28, 2022

Global Presentation on 107 State Street 7:00 pm

City Council Meeting 7:30 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details:

<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 Presentation on 107 State Street 7:00 pm:

The City Council President Heather Shand called the meeting to order at 7:00 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, and Shand. 11 present.

Jeffrey Roelofs, of the Law Offices of Jeffrey L. Roelofs, 44 Merrimac Street, Newburyport noted the presence of Global, Inc. representatives Jaclyn Harrison, Corporate Communications & PR Manager and Ryan Lawlor, Director of Real Estate. Attorney Roelofs gave an update of the progress being made in the near term, including that Global is actively in talks with Exxon Mobile, the tanks should be removed in the next 4-6 weeks, a complete 21E filing is required, and all safety standards will be followed.

After a period of discussion Council President Shand closed the meeting at 7:13 pm.

1. MOMENT OF SILENCE

Remembering Ted Norton

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The City Council President Heather Shand called the meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, and Shand. 11 present.

4. LATE FILE

- ORDR00333_03_28_2022 CPC FY22 Supplementary Nock Tennis Restoration
- ORDR00337_03_28_2022 Settlement High Street Paving 150K
- COMM00400_03_28_2022 Ltr. Stephen Jean NYS Presentation
- COMM00401_03_28_2022 Ltrs. IFS Settlement

Motion to waive the rules and accept the late files by Councillor Zeid, seconded by Councillor Lane. So voted.

5. PUBLIC COMMENT

Richard Yeager 19 Water St.
Stephen Jean 7 Lawton Dr.
Peter Mackin 13 Prospect 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

- March 14, 2022

(Approve)

8. COMMUNICATIONS

- COMM00398_03_28_2022 Memo DHCD MBTA Housing Choice Briefing (P&D/COTW)
- COMM00399_03_28_2022 FY23 Capital Improvement Plan and Budget Workshop Schedule (R&F)
- APPL00067_03_28_2022 Newburyport Lions Club Road Race 8/2/2022 (PS)

9. TRANSFERS

10. APPOINTMENTS

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

BUDGET & FINANCE

- TRAN00122_03_14_2022 Gen. Fund Free Cash \$250K to Compensated Absences Reserve Fund \$250K
- ORDR00327_03_14_2022 Parklet Maintenance Fund
- ORDR00328_03_14_2022 Parklet Maintenance Stabilization Fund Usage

LICENSE & PERMITS

- ORDR00329_03_14_2022 List of Applicants for Parklet Use

NEIGHBORHOOD & CITY SERVICES

- ODNC00106_02_14_2022 *TABLED* CH2 COA Ordinance Amendment

PLANNING & DEVELOPMENT

- APPT00306_03_14_2022 Richard Yeager 19 Water St. #2 Planning Board 3/31/2027

PUBLIC SAFETY

- COMM00397_03_14_2022 Laura Vlasuk Health Director

END OF CONSENT AGENDA

At the request of Councillor Khan the minutes are removed from the Consent Agenda.

Motion to approve the Consent Agenda as amended by Councillor Zeid, seconded by Councillor Preston.

So voted.

REGULAR AGENDA

9. PRESENTATION ON 59 LOW STREET SITE FEASIBILITY PLAN

Presentation was made by Kim Turner, Mayor's Office Manager of Special Projects

10. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Donahue. So voted.

11. MINUTES 03_14_2022

Motion to approve the Minutes by Councillor Wright, seconded by Councillor Vogel. So voted (AK, BL recused).

12. FIRST READING APPOINTMENTS

13. COMMUNICATIONS

- COMM00400_03_28_2022 **Late File** Ltr Stephen Jean NYS Presentation
Motion to receive and file by Councillor Khan, seconded by Councillor Vogel. Roll call vote. 7 yes, 4 no (JM, CW, SZ, BL). Motion passes.
- COMM00401_03_28_2022 **Late File** Ltrs. IFS Settlement
Motion to receive and file by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 7 no, 4 yes (CP, BV, MW, EC). Motion fails.
Motion to refer to General Government by Councillor McCauley, seconded by Councillor Khan. So voted.

14. TRANSFERS

15. SECOND READING APPOINTMENTS

- APPT00304_03_14_2022 Heidi Newfell 10 Orange St. Cultural Council 3/31/2025
 - APPT00307_03_14_2022 Sophie Korpics 26 Dove St. Comm. On Disabilities 3/31/2025
- Motion to approve collectively by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes.
Motion passes.

16. ORDERS

- ORDR00330_03_28_2022 License Agreement between City and Friends of Plum Island Light
Motion to refer to Planning & Development by Councillor Zeid, seconded by Councillor Cameron. So voted.
 - ORDR00331_03_28_2022 Loading Zone Green Street
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. So voted.
 - ORDR00316_01_10_2022 Amended City Council Rules 2022 (**RECONSIDER PURUANT TO COUNCIL RULE 14**)
Motion to reconsider the motion to add Rule 20B by Councillor Vogel, seconded by Councillor Preston. Roll call vote. 6 yes, 5 no (JM, CW, MW, SZ, BL). Motion passes.
Motion on the floor to add Rule 20B by Councillor Zeid, seconded by Councillor McCauley.
Motion to move the question by Councillor Lane, seconded by Councillor McCauley. Roll call vote. 6 yes, 5 no (BV, SZ, JD, AK, HS). Motion passes.
Roll call on the motion to approve to add Rule 20B. 6 yes, 5 no (CP, BV, JD, AK, HS). Motion passes.
 - ORDR00332_03_28_2022 Authorizing the Settlement - IFS and Planning Board Appeal
Motion to refer ORDR00332 and ORDR00337 collectively to General Government by Councillor Zeid, seconded by Councillor McCauley. So voted.
Motion to waive the rules to collectively remove ORDR00332 and ORDR00337 from General Government and collectively refer back to General Government and the COTW by Councillor Zeid, seconded by Councillor McCauley. So voted.
 - ORDR00333_03_28_2022 **Late File** CPC FY22 Supplementary Nock Tennis Restoration
 - ORDR00334_03_28_2022 ARPA Sea Wall Joppa Park 100K
 - ORDR00335_03_28_2022 ARPA 2.4K Streets Sidewalks
 - ORDR00336_03_28_2022 ARPA Amesbury 250K
- Motion to refer ORDR00333, ORDR00334, ORDR00335, and ORDR00336 collectively to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. So voted.
- ORDR00337_03_28_2022 **Late File** Settlement High Street Paving 150K
Motion to refer to General Government collectively ORDR00332 and ORDR00337 by Councillor Zeid, seconded by Councillor McCauley. So voted.
Motion to waive the rules to remove from General Government and collectively refer back to General Government and the COTW ORDR00337 by Councillor Zeid, seconded by Councillor McCauley. So voted.

17. ORDINANCES

- ODNC098_10_12_2021 2nd Reading Permanent Parklets Legislation
Motion to approve on second reading by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- ODNC00107_02_28_2022 2nd Reading 15 Minute Parking Spaces
Motion to approve on second reading by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- ODNC00108_02_28_2022 2nd Reading City Council Meeting Start Time to 7 pm
Motion to approve on second reading by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 9 yes, 2 no (SZ, BL). Motion passes.

18. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

- ORDR00326_03_14_2022 To Approve Sasaki Design Progress

Budget & Finance

In Committee:

- **TRAN00122 03 14 2022 Gen. Fund Free Cash \$250K to Comp. Absences Reserve Fund \$250K**

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

- **ORDR00327 03 14 2022 Parklet Maintenance Fund**

Motion to approve ORDR00327 and ORDR00328 collectively by Councillor Zeid, seconded by Councillor Khan. So voted.

- **ORDR00328 03 14 2022 Parklet Maintenance Stabilization Fund Usage**

Motion to approve ORDR00327 and ORDR00328 collectively by Councillor Zeid, seconded by Councillor Khan. So voted.

Education

In Committee:

General Government

In Committee:

- ORDR00319_02_14_2022 Kelley School Funds Order
- ORDR00324_03_14_2022 Ad Hoc on Adaptive Reuse of Brown School

License & Permits

In Committee:

- **ORDR00329 03 14 2022 List of Applicants for Parklet Use**

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

- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385_01_31_2022 STRU Fire Sprinkler Systems
- COMM00388_01_31_2022 UPDATED STRU Fire Sprinkler Systems

Neighborhoods & City Services

In Committee:

- **ODNC00106 02 14 2022 *TABLED* CH2 COA Ordinance Amendment**

Motion to remove from the table by Councillor Wallace, seconded by Councillor Khan. So voted.

Motion to approve on first reading by Councillor Wallace, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC102_11_08_2021 Ch. 17 Stormwater Management Revisions
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- ODNC00109_03_14_2022 Amendment to Sidewalks Specifying Sidewalk Materials
- COMM00395_03_14_2022 St. & Sidewalk Repair Plan (COTW)

Planning & Development

In Committee:

- **APPT00306_03_14_2022 Richard Yeager 19 Water St. #2 Planning Board 3/31/2027**
Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 present (SZ). Motion passes.
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00382_01_31_2022 Update from Global re 107 State Street
- ODNC00105_02_14_2022 Zoning Amendment Business Park Uses
- APPT00305_03_14_2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027

Public Safety

In Committee:

- **COMM00397_03_14_2022 Laura Vlasuk Health Director**
Motion to receive and file by Councillor McCauley, seconded by Councillor Zeid. So voted.
- COMM00396_03_14_2022 Ltr. Stephen Comley
- COMM00390_02_28_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

Public Utilities

In Committee:

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

19. GOOD OF THE ORDER

Councillors Vogel, Lane, and Donahue spoke.

20. ADJOURNMENT

Motion to adjourn at 9:27 pm by Councillor Zeid, seconded by Councillor Vogel. So Voted.