

CITY COUNCIL “HYBRID”

MEETING MINUTES

July 11, 2022

City Council Meeting 7:00 pm

LOCATION: City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for Hearing and 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

The City Council President Heather Shand called the meeting to order at 7:02 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present: Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, and Shand. 11 present (1 remote CP).

4. LATE FILE

- ODNC00119_07_11_2022 Amend Ch 13 Sec 168 Plummer Ave Restricted Parking (PS)
- ODNC00120_07_11_2022 Amendment Plummer Ave Drop Off Zone (PS)
- ODNC00121_07_11_2022 Amendment Merrimac-Plummer Safety Zone Revision (PS)
- ORDR00373_07_11_2022 Crosswalk Plummer Ave (PS)
- ORDR00374_07_11_2022 Plummer Ave Safety Zone Plan (PS)
- APPL00093_07_11_2022 Block Party Barton St. 8/27/2022 12pm-8pm (PS)
- APPL00094_07_11_2022 Misselwood Concours d'Elegance Classic Car Tour Ferry Wharf Parking Lot
Saturday, July 16th 10am-11:30am (PS)
- APPL00095_07_11_2022 Artsville/Artist Shanty Program 8/1-10/2 Waterfront East Park (PS)
- APPT00333_07_11_2022 Richard S. “Max” Tilson 1 Boston Way Board of Health 8/31/2025 (PS)
- APPT00334_07_11_2022 EP
- APPT00334_07_11_2022 John P. Gavin Sergeant Newburyport Police Dept. (PS)
- APPL00096_07_11_2022 NFD Fill the Boot 8/4, 8/5, 8/6 9am-4pm Market Square (PS)
- ODNC00122_07_11_2022 Proposed-Zoning-Amendment-Fire-Stations (P&D)

5. PUBLIC COMMENT

Jacob Majahad 6 59th St.

Jane Snow 9 Coffin St.

6. MAYOR'S COMMENT

Motion to take out of order on the agenda APPT00334_07_11_2022 EP and APPT00334_07_11_2022 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

Motion to approve collectively APPT00334_07_11_2022 EP and APPT00334_07_11_2022 by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

7. SWEARING IN CEREMONY John P. Gavin

John P. Gavin was sworn in as Sergeant in the Newburyport Police Department. Sgt. Gavin was pinned by his son, Joshua. City Marshal Mark Murray made a few comments praising Sgt. Gavin's contributions to the force and wishing him well in his career.

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

June 27, 2022

(Approve)

9. COMMUNICATIONS

- COMM00422_07_11_2022 Mayor's Memo & Community Paradigm Associates Report (GG/COTW)
- APPL00091_07_11_2022 10th Annual Car Show 8/11 5-8pm (PS)
- APPL00092_07_11_2022 2nd A Frame Charleston + Coco at Pleasant & State (PS)

10. TRANSFERS

- TRAN00135_07_11_2022 Parks: Paid Parking Fund \$10,000 to Inn St. Improvements \$10,000 (B&F)
- TRAN00136_07_11_2022 Parks: 40R Zoning Incentive \$17,300 to Enclosed Landscape Trailer \$17,300 (B&F)

11. APPOINTMENTS

- APPT00332_07_11_2022 Biff Bouse 6 Iona Ave. Historical Comm. 8/1/2025 (P&D)

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

BUDGET & FINANCE

- ORDR00356_05_09_2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW)
- ORDR00371_06_27_2022 PARC Grant App. & Park Designation for Market Landing Park Exp. (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 9)

GENERAL GOVERNMENT

- APPT00330_06_27_2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (COTW)
- ORDR00366_06_13_2022 Ward 2 Polling Place Change

PLANNING & DEVELOPMENT

- APPT00326_05_31_2022 Bonnie Sontag 21 Smith St. Planning Board 6/30/2027
- APPT00327_05_31_2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023
- APPT00329_06_27_2022 Jacob Majahad 6 59th St. Comm. On Disabilities 7/31/2025
- APPT00331_06_27_2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (COTW)
- ODNC00111_05_09_2022 Amendment Net Zero Energy Public Projects
- ORDR00358_05_31_2022 Acceptance of Stables - Colby Farm Lane Lot 3
- COMM00415_05_31_2022 Global Efforts Related/Potential Residential Use Property 5/22 Update

PUBLIC SAFETY

- APPL00088_06_27_2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St
- APPL00089_06_27_2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm
- APPL00090_06_27_2022 Yankee Homecoming July 30th -August 7th

END OF CONSENT AGENDA

Motion to add the late files to the Consent Agenda, referring them to the respective Committees as noted.

ORDR00373_07_11_2023 and ORDR00374_07_11_2022 are removed from the late files to be added to the Regular Agenda at the request of Councillor Wallace. Roll call vote. 11 yes. Motion passes.

Motion to approve as amended by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

14. ORDERS

- ORDR00372_07_11_2022 Herman Roy Trust Appropriation to Market Landing Park

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

- ORDR00373_07_11_2022 Crosswalk Plummer Ave
- ORDR00374_07_11_2022 Plummer Ave Safety Zone Plan

Motion to refer collectively ORDR00373 and ORDR00374 to Neighborhood & City Services by Councillor McCauley, seconded by Councillor Wallace. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- ODNC00115_06_13_2022 **2nd Reading** Amendment to Noise 8 – 101

Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

- ODNC00118_07_11_2022 Amend Municipal Fees

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Ad Hoc Committee on Economic Development

In Committee:

Ad Hoc Committee on Market Landing Park and COTW

In Committee:

Budget & Finance

In Committee:

- **ORDR00356 05 09 2022 Loan Order \$3,000,000 Market Landing Park Expansion Project (COTW)**

Motion to collectively approve ORDR00354 Project 9 and ORDR00356 by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 9 yes, 2 no (BL, SZ). Motion passes.

- **ORDR00371 06 27 2022 PARC Grant App. & Park Designation for Market Landing Park Exp. (COTW)**

Motion to approve by Councillor Zeid, seconded by Councillor Khan. Motion to add friendly amendment to strike ~~\$1,250,000 in local Herman Roy Trust funds~~ and adding \$3,250,000 in before Community Preservation Act (CPA) funds. Roll call vote. 11 yes. Motion passes.

- **ORDR00354 05 09 2022 FY23 CPC Recommendations (COTW) (PARTIAL Project 9)**

Motion to collectively approve ORDR00354 Project 9 and ORDR00356 by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 9 yes, 2 no (BL, SZ). Motion passes.

- **ORDR00369 06 27 2022 Pioneer League Gift \$2836.50**

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

- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)

- ORDR00355_05_09_2022 Loan Order \$2,574,000 Bartlet Mall Improvements Project (COTW)
- ORDR00354_05_09_2022 FY23 CPC Recommendations (COTW) (PARTIAL Projects 1, 8)
- ODNC00117_06_27_2022 Building Inspector Enforcement

Education

In Committee:

General Government

In Committee:

- **APPT00330 06 27 2022 Donna Drelick 8 Chadwick St. Methuen HR Dir. 7/1/2025 (COTW)**
Motion to approve by Councillor Shand, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.
- **ORDR00366 06 13 2022 Ward 2 Polling Place Change**
Motion to approve by Councillor Shand, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- COMM00402_04_11_2022 12 Cushing Ave Paper St. Inquiry
- COMM00405_04_11_2022 Mayor's Strategic Plan (COTW)
- COMM00417_05_31_2022 Ltr. Jane Snow re: Coffin St.
- COMM00410_05_31_2022 Ltr. Lawrence Cavalieri Coffin St. Ext
- COMM00418_06_13_2022 Ltr. Claire Papanastasiou re: IFS Proposed Settlement
- COMM00419_06_13_2022 Ltr. Peter Mackin re: IFS Proposed Settlement

License & Permits

In Committee:

- 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:

- COMM299_02_08_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00406_04_11_2022 Pioneer League Letter re: Pickleball
- ORDR00368_06_27_2022 Waiver for Asphalt Sidewalk Bourbeau Terrace
- APPT00328_06_27_2022 Sara Kelso 1 Robin Glen Rd. Stratham, NH Head Librarian 07/09/2025

Planning & Development

In Committee:

- **APPT00326 05 31 2022 Bonnie Sontag 21 Smith St. Planning Board 6/30/2027**
Motion to approve by Councillor Cameron, seconded by Councillor Vogel. Roll call vote. 9 yes, 2 no (MW, JM). Motion passes.
- **APPT00327 05 31 2022 Patricia Peknik 4 Dove St. ZBA 6/30/2023**
Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.
- **APPT00329 06 27 2022 Jacob Majahad 6 59th St. Comm. On Disabilities 7/31/2025**
Motion to approve by Councillor Cameron, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **APPT00331 06 27 2022 Andrew R. Port 61 Water St. Dir. Planning & Dev. 1/31/2024 (COTW)**
Motion to approve by Councillor Cameron, seconded by Councillor Khan. Roll call vote. 6 yes, 3 no (JM, MW, SZ), 2 present (CW, JD). Motion passes.
- **ODNC00111 05 09 2022 Amendment Net Zero Energy Public Projects**
Motion to refer back to committee by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **ORDR00358 05 31 2022 Acceptance of Stables - Colby Farm Lane Lot 3**
Motion to approve by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 8 yes, 1 no (BL), 2 present (CP, AK). Motion passes.

- **COMM00415 05 31 2022 Global Efforts Related/Potential Residential Use Property 5/22 Update**
Motion to receive and file by Councillor Cameron, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.
- ODNC046_01_27_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)

Public Safety

In Committee:

- **APPL00088 06 27 2022 Greek Food Festival Fri. 7/29-Sat. 7/30 10am-9pm Harris St**
- **APPL00089 06 27 2022 Block Party 29 Hill St & Bricher St. Sat. 7/23/2022 2pm-10pm**
Motion to approve collectively by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **APPL00090 06 27 2022 Yankee Homecoming July 30th -August 7th**
Motion to approve by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **APPL00094 07 11 2022 Misselwood Concours d'Elegance Classic Car Tour Ferry Wharf Parking Lot**
Saturday, July 16th 10am-11:30am
Motion to waive the rules, declare an emergency, and approve by Councillor McCauley, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **APPL00096 07 11 2022 NFD Fill the Boot 8/4, 8/5, 8/6 9am-4pm Market Square**
Motion to waive the rules, declare an emergency, and approve by Councillor McCauley, seconded by Councillor Wright. Councillor McCauley added two stipulations: 1. An email from the deputy stating his knowledge that the firefighters will be holding a fill the boot drive. 2. Naming the charity that the money is being raised for. Roll call vote. 11 yes. Motion passes.
- COMM00412_05_31_2022 Ltr Ann Jaroncyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- ODNC00114_05_31_2022 Amended Liberty St Resident Parking
- ODNC00116_06_13_2022 Atwood St. Parking Restrictions

Public Utilities

In Committee:

- ORDR00352_05_09_2022 Licensed Contractor Robert Pike Construction, Inc.
- ORDR00353_05_09_2022 Licensed Contractor Commonwealth and Consulting Co., Inc.
- ORDR00370_06_27_2022 M. L. Mazzotta - Licensed Contractor
- COMM00420_06_27_2022 Ltr. Owen Smith re: Water/Sewer Rates
- COMM00421_06_27_2022 Communication re: Water/Sewer Rates b/w Mayor Reardon,
Roger Jones, and Owen Smith

Rules

In Committee:

- ORDR239_02_8_2021 Council Rule 7 and 10B

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 9:30pm by Councillor Vogel, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.