

CITY COUNCIL MEETING

MINUTES

May 22, 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

2. PLEDGE OF ALLEGIANCE

CALL TO ORDER REMOTE 7:00 pm City Clerk Richard B. Jones called the role, the following City Councillors answered present: Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, Preston, and Shand. 11 present (2 remote JD, BL).

3. LATE FILE

- ORDR00458_05_22_2023 Hale Street Resolution

Motion to waive the rules, accept the late file, and refer to Public Works & Safety by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

4. MAYOR'S COMMENT

5. PUBLIC COMMENT

Marianne Vesey	10 Kent St.
Mary Young	11 Jefferson Ct.
Stephanie Niketic	93 High St.
Marguerite Casey	487 Merrimac St.
Jason Lacroix	14 Hill St.
Victoria Carr	1 Hill St.
Rita Mihalek	53 Warren St.
Jean Costello	522 Merrimac St.
Madeline Nash	19 Arlington St.

Motion to move APPT00403_05_08_2023 to the beginning of the meeting by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- APPT00403 05 08 2023 Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028

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

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.

6. APPROVAL OF MINUTES

- May 8, 2023

(Approve)

7. COMMUNICATIONS

- APPL00140_05_22_2023 Block Party 51 Prospect St. August 3rd 6:30pm (L&P)
- APPL00141_05_22_2023 Block Party 14 Dove St. August 5th 5:30pm-10pm (L&P)

- COMM00485_05_22_2023 Newburyport Maritime Days June 30th-July 10th Custom House Lawn (R&F)
- COMM00486_05_22_2023 Newburyport Comprehensive Economic Development Strategy

8. TRANSFERS

- TRAN00154_05_22_2023 DPS: General Fund-Free Cash \$253,294.14 & Snow & Ice-Labor \$17,840.72 to Snow & Ice-Expenses \$271,134.86 (B&F)
- TRAN00155_05_22_2023 Health Insurance: General Fund-Free Cash \$61,195 to Health Insurance Premiums \$61,195 (B&F)
- TRAN00156_05_22_2023 Fire Dept: FIR Dues & Memberships \$1,291.54 to Emergency Mgmt. Coordinator \$922.58 & Emergency Mgmt. Deputy Coordinator \$368.96 (B&F)
- TRAN00157_05_22_2023 Police: POL Fuel/Oil Vehicle \$8K, POL Misc. Supplies \$2K, & POL MIS/Comm. \$2K to POL Maint-Equipment \$12K (B&F)
- TRAN00158_05_22_2023 Library: LIB Salary Librarian \$7K & LIB Salaries Staff \$13K to LIB Purchase Books \$3K, LIB Heat/Electricity \$12K, & LIB Maint-Equipment \$5K (B&F)

9. APPOINTMENTS

- APPT00404_05_22_2023 Edward Noymer 8 Lucey Dr. Historical Comm. 6/1/2026 (P&D)
- APPT00405_05_22_2023 Ronald Thurlow 28 Hancock St. Harbor Comm. 6/1/2026 (PW&S)
- APPT00406_05_22_2023 Murphy Hesse Toomey & Lehane LLP City Solicitor 7/1/2023-1/31/2024 50 Braintree Hill Office Park Suite 410 Braintree MA 02184 (GG/COTW)

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

GENERAL GOVERNMENT

- COMM00464_02_27_2023 Brown School RFI Councillor Zeid Redline (COTW) *amended*
- ORDR00428_02_27_2023 RFI Brown School Property (COTW) *amended*

LICENSES & PERMITS

- APPL00134_05_08_2023 9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm
- APPL00135_05_08_2023 Paws for a Cause 10/14/2023 10am-12pm
- APPL00136_05_08_2023 Yankee Homecoming July 29th-August 6th *amended*
- APPL00137_05_08_2023 Olive's Backyard Makers Market 7/22/2023 9am-2pm
- APPL00138_05_08_2023 Lions Bed Race August 3rd 5pm-8pm
- APPL00139_05_08_2023 Block Party 31 Howard St June 14th 12pm-9pm
- COMM00484_05_08_2023 Newburyport Pride Parade Information

PLANNING & DEVELOPMENT

- APPT00391_04_24_2023 Marc Cendron 91 High St. Historical Commission 5/1/2026
- APPT00394_04_24_2023 Madeline K. Nash 19 Arlington St. Affordable Housing Trust 5/1/2025
- APPT00396_04_24_2023 Jane Healey 38 Winter St. Community Preservation Comm. 5/1/2026
- ORDR00450_05_08_2023 NBHI Interpretive signs locations
- ORDR00456_05_08_2023 344 Merrimac St. Preservation Restriction

PUBLIC WORKS & SAFETY

- APPT00403_05_08_2023 Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028
- ODNC00150_05_08_2023 Amend Municipal Fees Street Permits and Employee Permits (COTW)
- ODNC00151_05_08_2023 Amend Ch 13-180 Residential Permits (COTW)
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)
- ODNC00153_05_08_2023 Amend Ch 13-166 Anti-Shuffling (COTW)

END OF CONSENT AGENDA

COMM00486_05_22_2023 is removed at request of Councillor Khan.
ODNC00152_05_08_2023 to remain in committee at request of Councillor Wallace
Motion to accept the Consent Agenda as amended by Councillor Zeid, seconded by Councillor McCauley . Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Wright , seconded by Councillor Cameron. roll call 11

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

• COMM00486_05_22_2023 Newburyport Comprehensive Economic Development Strategy
Motion to refer to Planning & Development by Councillor Khan, seconded by Councillor Vogel. Roll call vote. 10 yes, 1 no (SZ). Motion passes.

12. TRANSFERS

13. SECOND READING APPOINTMENTS

• APPT00398_05_08_2023 Ilene Harnch-Grady 10 Cushing Ave Council on Aging 6/1/2026
• APPT00401_05_08_2023 Annie Maurer 17 Otis Pl. Council on Aging 6/1/2026
Motion to collectively approve APPT00398 and APPT00401 by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

14. ORDERS

• ORDR00457_05_22_2023 FY24 Revolving Funds Spending Limits
Motion to refer to Budget & Finance by Councillor Zeid , seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

• ODNC00135_01_30_2023 **2nd reading** Zoning Amendment ITIF Remove Residential Use *Amended*
Motion to approve on 2nd reading by Councillor Cameron, 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)
- TRAN00153_05_08_2023 Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 (COTW)
- ORDR00451_05_08_2023 PEG Center Gift Acceptance
- ORDR00452_05_08_2023 FY2024 Budget Order (COTW)
- ORDR00453_05_08_2023 FY2024-2028 Capital Improvement Program (COTW)

Community Services

In Committee:

- COMM00474_04_10_2023 Newburyport Public Art Policy
- ORDR00455_05_08_2023 ACO Intermunicipal Agreement

General Government

In Committee:

- **COMM00464 02 27 2023** **Brown School RFI Councillor Zeid Redline (COTW) amended**

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

- **ORDR00428 02 27 2023** **RFI Brown School Property (COTW) amended**

Motion to approve by Councillor Vogel, seconded by Councillor Donahue.

Motion to amend to remove the gym from order by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 4 yes (CW, SZ, BL, JM), 7 no (BV, MW, EC, JD, AK, CP, HS). Amendment fails.

Motion to approve by Councillor Vogel, seconded by Councillor Donahue. Roll call vote. 7 yes (BV, MW, EC, JD, AK, CP, HS), 4 no (CW, SZ, BL, JM). Motion passes.

- **ORDR239 02 8 2021** **Council Rule 7 and 10B**
- **COMM00461 02 27 2023** **Brown School Gymnasium Considerations (COTW)**
- **COMM00468 03 13 2023** **Brown School Proposal (COTW)**
- **ODNC00146 03 13 2023** **Amend Ch 2-34 Responsibilities of Committee on Community Services**
- **APPT00390 04 24 2023** **Caitlin Haire 43 Prospect St. Board of Registrars 5/1/2026**
- **APPT00402 05 08 2023** **Steven Wallace 20 Allen St Waterfront Trust 6/1/2026**

Licenses & Permits

In Committee:

- **APPL00134 05 08 2023** **9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm**
- **APPL00135 05 08 2023** **Paws for a Cause 10/14/2023 10am-12pm**
- **APPL00136 05 08 2023** **Yankee Homecoming July 29th-August 6th amended**
- **APPL00137 05 08 2023** **Olive's Backyard Makers Market 7/22/2023 9am-2pm**
- **APPL00138 05 08 2023** **Lions Bed Race August 3rd 5pm-8pm**
- **APPL00139 05 08 2023** **Block Party 31 Howard St June 14th 12pm-9pm**

Motion to collectively approve APPL00134, APPL00135, APPL00136, APPL00137, APPL00138, and APPL00139 by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **COMM00484 05 08 2023** **Newburyport Pride Parade Information**

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

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

Planning & Development

In Committee:

- **APPT00391 04 24 2023** **Marc Cendron 91 High St. Historical Commission 5/1/2026**

Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 10 yes, 1 no (JM). Motion passes.

- **APPT00394 04 24 2023** **Madeline K. Nash 19 Arlington St. Affordable Housing Trust 5/1/2025**

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

- **APPT00396 04 24 2023** **Jane Healey 38 Winter St. Community Preservation Comm. 5/1/2026**

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

- **ORDR00450 05 08 2023** **NBHI Interpretive signs locations**

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

- **ORDR00456 05 08 2023** **344 Merrimac St. Preservation Restriction**

Motion to approve by Councillor Cameron, seconded by Councillor Preston. Roll call vote. 9 yes, 1 no (SZ), 1 absent (JD). Motion passes.

- **ODNC00141 02 27 2023** **Zoning Amendment STRU (COTW)**

Public Works & Safety

In Committee:

- **APPT00403 05 08 2023** **Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028**

- **ODNC00150 05 08 2023** **Amend Municipal Fees Street Permits and Employee Permits (COTW)**
Motion to approve on 1st reading by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 no (SZ). Motion passes.
- **ODNC00151 05 08 2023** **Amend Ch 13-180 Residential Permits (COTW)**
Motion to approve on 1st reading by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)
- **ODNC00153 05 08 2023** **Amend Ch 13-166 Anti-Shuffling (COTW)**
Motion to approve on 1st reading by Councillor Wallace, seconded by Councillor McCauley. Roll call vote. 7 yes, 4 no (BV, SZ, BL, CP). Motion passes.
- COMM00412_05_31_2022 Ltr Ann Jarocyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- COMM00456_12_12_2022 Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- 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
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming
- 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
- APPT00404_05_08_2023 *Re-appointment* James Knapp 24 Cutting Dr. Harbor Comm. 6/1/2026
- COMM00483_05_08_2023 Residential HP App 12 Merrill St.
- APPT00399_05_08_2023 Brett Carrier 231 Middle Rd. Byfield Asst Hrbrmstr/Shlfsh Cnstbl/SpPO 6/1/2026
- APPT00400_05_08_2023 Robert Dow 185 Storey Ave Harbor Comm. 6/1/2026
- ORDR00454_05_08_2023 Storey Avenue bicycle lane

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 8:49 pm by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.