

**CITY COUNCIL MEETING**

**MINUTES**

**February 12, 2024 7:00 pm**  
**City Council Chambers, City Hall**  
**60 Pleasant Street, Newburyport**

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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)

