

City of Beverly
Regular City Council Meeting
Public Meeting Minutes
Tuesday, June 20, 2023, 7:00pm
City Council Chambers, 191 Cabot St.

CITY OF BEVERLY
RECEIVED AND RECORDED
CITY CLERK'S OFFICE

2023 JUL 26 A 11: 58

Julie Flowers, City Council President, called the meeting to order at 7:00pm. City Clerk, Lisa Kent, took attendance by roll call.

Members Present: Hannah Bowen, Steven Crowley, Kathleen Feldman, Scott Houseman, Brendan Sweeney, Estelle Rand, Todd Rotondo, Matthew St. Hilaire, Julie Flowers

Members Absent: None

St. Hilaire led the pledge of allegiance.

Moment of Silence

David Laverdiere, Retired Firefighter with the City of Beverly

A motion to take the agenda out of order was made and seconded. A vote was taken, and the motion carried (9-0).

Citizen Speakers

Carole Rein, 27 Pratt Ave., read a land acknowledgement statement.

Lorinda Visnick, 39 Middlebury Ln., spoke about channeling empathy and using language intentionally. Visnick asked the Council to reconsider the reading of the land acknowledgement to start the meetings.

Presentations, Awards and Memorials

Rachel Hand, Family Promise Executive Director

Rachel Hand's presentation was rescheduled for the fall.

Colliers Engineering & Design and Finegold Alexander Architects, Lara Pfadt, Tony Hsiao, Megan Hoover -Presentation on City Hall Design Renovations

Mayor Michael Cahill stated that Tony DiLuzio from Colliers could not attend tonight but his colleague Chad Healey is here tonight, and Tony, Lara, and Megan are here from Finegold Alexander. Cahill gave some of the rationale for this city hall renovation. City hall itself hasn't had a renovation in almost 100 years. There is no HVAC system on the first and second floors, and the one on the third floor needs to be replaced. There are whole city departments that have been off campus for years due to a lack of space at city hall, such as inspectional services and health. In particular, the health department has been sharing space over at the senior center that Beverly's growing senior population is going to need more and more. Several departments are in really tight spaces that were problematic before Covid and that has really highlighted how difficult it has been to work in tight spaces. Cahill also thanked those on the permanent building committee.

The projector in Council Chambers was not working but the visual presentation is available as part of the BevCam recording of the meeting.

Lara Pfadt, Tony Hsiao, and Megan Hoover spoke about some of the design options for the building, including using the existing old police station, using the existing old police station foundation and footprint and rebuilding up from there, or completely rebuilding where the old police station is currently.

There was some discussion about the cost, parking concerns, sustainability, and maintaining the character of Council Chambers.

Public Hearings

Order #171-8:00pm- National Grid-Plan #30548817-to install underground electric conduits approximately 65 feet southeast of the centerline of the intersection of Cabot Street and Central Street and continuing approximately 25 feet in a north direction.

The public hearing was opened.

Michael Kazadi from National Grid stated this is to upgrade service for a customer.

Rand asked if part of the work is removing an old line as well and when the project would take place.

Kazadi confirmed the old line will be removed and stated the work will be done when the customer lets National Grid know they are ready.

Rotondo asked how long the project would take.

Kazadi stated one to two days.

No members of the public wished to speak on the item.

The public hearing was closed and the item was referred back to Committee on Public Services.

Acceptance of Minutes of Previous Meeting

Finance and Property Committee-May 30, 2023

Finance and Property Committee-June 1, 2023

Regular City Council-June 5, 2023

Public Service Committee-June 12, 2023

Special City Council-June 13, 2023

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Communications from His Honor the Mayor

Order #173-Donation of \$10,000 from One Stop Harm Reduction Program via the North Shore Health Project

Referred to Committee on Finance and Property.

Communications from other City Officers and Boards

Order #174-City Clerk-A letter to re-elect Christine Dixon to be Clerk of Committees per City Charter

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #175-City Clerk-A new application for a temporary Hawkers and Peddlers License for Mary Penta

Referred to Committee on Legal Affairs.

Order #176-City Clerk-A letter requesting approval for Police details at the 2023 Municipal Elections

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #177-Sergeant Henebury-City Ordinance section 270-49-Amendment to include Handicapped Parking Space-12 ½ Bow Street

Referred to Committee on Legal Affairs.

Communications, Applications and Petitions

Order #178-Department of Environmental Protection-Issuance of Waterways License

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (9-0).

Order #179-National Grid-Plan #30782870- Ober Street to install electric conduits

Referred to Committee on Public Services to set a public hearing.

Public Hearings (Continued)

Order #150-8:10pm-A transfer request of \$75,000 from the airport enterprise fund balance to fund the continuation of work associated with the testing and monitoring of property at the airport

The public hearing was opened.

No members of the public wished to speak on the item.

The public hearing was closed and the item was referred back to Committee on Finance and Property.

Motions and Orders

Order #164-Councilor Rotondo-Proposed Ordinance Amendment for Article VI, Section 192 regarding Lodging House Licenses

Kent read the proposed ordinance.

A motion to approve for the first vote was made and seconded. A vote was taken, and the motion carried (9-0).

Public Hearings (Continued)

Order #152-8:25pm-A budget transfer request of \$15,000 into the Fire Department budget to fund FY2023 costs associated with the City of Beverly and the Firefighters Union as well as some anticipated cost overages within the department's operating budget for FY2023

The public hearing was opened.

No members of the public wished to speak on the item.

The public hearing was closed and the item was referred back to Committee on Finance and Property.

Motions and Orders (Continued)

Order #169-Sergeant Henebury-A request to amend a current city ordinance 270-49 by adding a Handicapped Parking Sign and space across from 25 Broadway

Kent read the proposed ordinance.

A motion to approve for the first vote was made and seconded. A vote was taken, and the motion carried (9-0).

A motion for a brief recess was made and seconded. A vote was taken, and the motion carried (9-0). The meeting recessed at 8:32pm. The meeting was called back to order at 8:35pm.

Public Hearings (Continued)

Order #151-8:35pm-A transfer request of up to \$230,000 in the FY2023 budget to fund retroactive costs back to July 1, 2022 as a result of the BMEA job and salary review

The public hearing was opened.

St. Hilaire asked what spurred this study.

Ayles stated it has been a long-held belief from BMEA and others that there existed some disparities in compensation. It was felt the best way to address that was to get an independent review. This was important both for recruiting and for retaining employees.

Rand asked if retention is as incentivized for the lowest wage earners as it is for the top wage earners.

Ayles stated for comparable positions it is. To go to another community for the same job, now Beverly would likely be competitive with those other communities.

The hearing was paused to open the 8:50pm public hearing.

Order #154-8:50pm-A transfer request of \$600,000 from the city's certified free cash balance to be placed into the City's road and sidewalk capital fund to support paving work for fiscal year 2024.

The public hearing was opened. A motion to recess this public hearing to 9:00pm was made and seconded. A vote was taken, and the motion carried (9-0).

Order #151-8:35pm-A transfer request of up to \$230,000 in the FY2023 budget to fund retroactive costs back to July 1, 2022.

The public hearing was reopened.

Rand stated she feels concerned with the practice of comparing across communities. The idea that the city can retain staff because it pays the same as surrounding communities is logical, but surrounding communities are also probably underpaying some of these positions. In order to really value the lowest wage earners, there needs to be a lessening of that gap, especially considering the cost of living now.

Sweeney encouraged the administration to regularly review salaries so as not to fall behind.

Sweeney asked if for the coming fiscal year these salaries are included as proposed.

Ayles stated the vote tonight is for the money to cover FY23 costs. Within the FY24 budget, all positions were put at their scheduled pay rate, excluding this report because it was not completed yet. A reserve was put aside for the redistributed effect if this is approved tonight. That reserve will be used to fully fund the positions.

No members of the public wished to speak on the item.

St. Hilaire asked why this is retroactive.

Ayles stated the administration has been committed to the process for more than a year. Rather than rush the process, we told union members we would commit to a July 1, 2022 implementation date.

The public hearing was closed and the item was referred back to Committee on Finance and Property.

Order #154-8:50pm/9:00pm-A transfer request of \$600,000 from the city's certified free cash balance to be placed into the City's road and sidewalk capital fund to support paving work for fiscal year 2024.

The public hearing was reopened.

There was discussion back and forth about whether it was better to use free cash for this or to have it built into the budget.

Bowen stated her concern is about how the council can ensure the city is getting its money's worth for that paving budget. The best way to do that is to continue having these conversations. There are still some questions about where the balance sheet will end this year. The way the budget works, we don't get regular updates. We have been told there will be a three-year plan, so the best tool to make sure we get that by November/December is to vote against this proposal right now and commit to supporting this amount or more towards next year's overall paving budget once free cash is certified and we have more information.

Perry advised against that. When June 30 hits, free cash goes away. It would just kick the can down the road.

Lorinda Visnick, 39 Middlebury Ln., spoke about how the city does the financial forecast and builds the city budget. Visnick stated the city could be less conservative in estimating revenues.

The public hearing was closed and the item was referred back to Committee on Finance and Property.

A motion to break for committee work was made and seconded. A vote was taken, and the motion carried (9-0). The meeting recessed at 9:49pm.

The meeting was called back to order at 10:17pm.

Reports of Committees

Finance and Property

Order #144-Mayor Cahill's Proposed FY2024 Budget

Flowers stated there will be a special meeting on June 22 regarding the budget.

Order #150-A transfer request of \$75,000 from the airport enterprise fund balance to fund the continuation of work associated with the testing and monitoring of property at the airport
A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #151-A transfer request of up to \$230,000 in the FY2023 budget to fund retroactive costs back to July 1, 2022.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #152-A budget transfer request of \$15,000 into the Fire Department budget to fund FY2023 costs associated with the City of Beverly and the Firefighters Union as well as some anticipated cost overages within the department's operating budget for FY2023.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #154-A transfer request of \$600,000 from the city's certified free cash balance to be placed into the City's road and sidewalk capital fund to support paving work for fiscal year 2024.

Bowen stated she does not want to support this request now. Bowen stated she would be a champion of this funding if it were in front of the council in January with a whole plan and report on what had been done so far.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-1, Bowen opposed).

Order #173-Donation of \$10,000 from One Stop Harm Reduction Program via the North Shore Health Project

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Legal Affairs

Order #282-Councilor Bowen-A letter regarding Accessory Dwelling Units

Committee on Legal Affairs voted Order #282 be returned to the Council to remain under Unfinished Business.

Rand motioned that the Council request an update from the planning department regarding accessory dwelling units either in writing or in person for the June 26 meeting. The motion was seconded. A vote was taken, and the motion carried (9-0).

Order #156-A reappointment for Richard S. Kelly, 2 Goodwin Avenue to serve on the Beverly License Board

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #158-An appointment for Tara A. Duffy, 28 Whitney Avenue to serve on the Conservation Commission

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #159-An appointment for Grace K. Charles, 12 Hale Park Avenue to serve on the Conservation Commission

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #161-An appointment for Mr. Nathaniel J. Lewis, 27 Whitney Avenue to serve on the Beverly Planning Board

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #175-City Clerk-A new application for a temporary Hawkers and Peddlers License for Mary Penta

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #177-Sergeant Henebury-City Ordinance section 270-49-Amendment to include Handicapped Parking Space-12 ½ Bow Street

Flowers stated Order #177 will go to the June 26 meeting.

Public Services

Order #157-A reappointment for Stephanie Tallo to serve on the Beverly Council on Aging

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #160-An appointment for Janice L. Wanchik to serve as the tenant representative on the Beverly Housing Authority

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #171-National Grid-Plan #30548817-to install underground electric conduits approximately 65 feet southeast of the centerline of the intersection of Cabot Street and Central Street and continuing approximately 25 feet in a north direction.

A motion to approve was made and seconded. A vote was taken, and the motion carried (9-0).

Order #179-National Grid-Plan #30782870-Ober Street to install electric conduits

A motion to set the public hearing for September 5 at 7:30pm was made and seconded. A vote was taken, and the motion carried (9-0).

A motion to adjourn was made and seconded. A vote was taken, and the motion carried (9-0).

The meeting adjourned at 10:29pm.

Scott D. Houseman-Chair
Julie R. Flowers
Matthew J. St. Hilaire

FINANCE AND PROPERTY / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, June 20, 2023 7:00PM,
 Within the Confines of the City Council Meeting
 City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

Houseman called the meeting to order at 9:50pm.

Members present: Julie Flowers, Matthew St. Hilaire, Scott Houseman

Order Number	Date to Committee	Description	Action Taken
#326	4/18/2023	Councilor Bowen-Regarding Beverly Regional Airport	Held
#104	4/18/2023	2023 Capital Expenditure Plan pursuant to the City Charter	Held
#165	6/5/2023	Councilor Houseman-Update and petitions regarding the Central Cemetery	Held
#150	6/20/2023	A transfer request of \$75,000 from the airport enterprise fund balance to fund the continuation of work associated with the testing and monitoring of property at the airport	Approved (3-0)
#151	6/20/2023	A transfer request of up to \$230,000 in the FY2023 budget to fund retroactive costs back to July 1, 2022	Approved (3-0)
#152	6/20/2023	A budget transfer request of \$15,000 into the Fire Department budget to fund FY2023 costs associated with the City of Beverly and the Firefighters Union as well as some anticipated costs overages within the department's operating budget for FY2023	Approved (3-0)
#154	6/20/2023	A transfer request of \$600,000 from the city's certified free cash balance to be placed into the City's road and sidewalk capital fund to support paving work for fiscal year 2024	Approved (3-0)
#173	6/20/2023	Donation of \$10,000 from One Stop Harm Reduction Program via the North Shore Health Project	Approved (3-0)

The motion to adjourn Committee on Finance and Property was made and seconded. A vote was taken, and the motion passed (3-0). The meeting adjourned at 9:57pm.

Estelle M. Rand-Chair
Todd C. Rotondo
Brendan S. Sweeney

LEGAL AFFAIRS / CITY COUNCIL COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, June 20, 2023, 7:00PM
Within the Confines of the City Council Meeting
City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

Rand called the meeting to order at 9:50pm.
Members present: Todd Rotondo, Brendan Sweeney, Estelle Rand

Order Number	Date to Committee	Description	Action Taken
#282	11/14/2022	Councilor Bowen-A letter regarding Accessory Dwelling Units	Referred back out to Council to request update from planning department (3-0)
#156	6/5/2023	A reappointment for Richard S. Kelly, 2 Goodwin Avenue to serve on the Beverly License Board	Approved (3-0)
#158	6/5/2023	An appointment for Tara A. Duffy, 28 Whitney Avenue to serve on the Conservation Commission	Approved (3-0)
#159	6/5/2023	An appointment for Grace K. Charles, 12 Hale Park Avenue to serve on the Conservation Commission	Approved (3-0)
#161	6/5/2023	An appointment for Mr. Nathaniel J. Lewis, 27 Whitney Avenue to serve on the Beverly Planning Board	Approved (3-0)
#175	6/20/2023	City Clerk-A new application for a temporary Hawkers and Peddlers License for Mary Penta	Approved (3-0)
#177	6/20/2023	Sergeant Henebury-City Ordinance section 270-49- Amendment to include Handicapped Parking Space-12½ Bow Street	Approved (3-0)

Discussion

Order #175

Mary Penta was present and spoke about wanting to sell her art around Beverly. Rotondo asked where she would want to sell it. Penta said she had thought a park by the beach but wanted to know where she would be allowed to sell it. Sweeney asked if granting this license would limit her to a certain space. Assistant City Solicitor Jesse Dole stated she would not be allowed to set up on a sidewalk. There was some discussion about the use of public parks and the permitting process through the parks and recreation department. Rand stated the process and the ordinance need work because it is not clear where hawkers and peddlers can be.

Order #282

Rand noted this Order is from November 2022 and recommended voting it out to the City Council to remain on the Council agenda as unfinished business and that the City Council vote to request an update from the planning department, either in writing or in person, regarding the accessory dwelling unit process at the June 26 meeting. The motion was made and seconded. A vote was taken and the motion passed (3-0).

The motion to adjourn was made and seconded. A vote was taken, and the motion passed unanimously. The meeting adjourned at 10:14pm.

Kathleen M. Feldman-Chair
Hannah L. Bowen
Steven M. Crowley

PUBLIC SERVICES / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, June 20, 2023 7:00PM

Within the Confines of the City Council Meeting

City Council Chambers, 3rd Floor, Beverly City Hall, 191 Cabot St.

The meeting was called to order at 9:50pm.

Members present: Hannah Bowen, Steven Crowley, Kathleen Feldman

Order Number	Date to Committee	Description	Action Taken
#171	6/5/2023	National Grid-Plan #30548817-to install underground electric conduits approximately 65 feet southeast of the centerline of the intersection of Cabot Street and Central Street and continuing approximately 25 feet in a north direction	Approved (3-0)
#179	6/20/2023	National Grid-Plan #30782870- Ober Street to install electric conduits	Set public hearing for September 5 at 7:30pm

A motion to adjourn was made and seconded. A vote was taken, and the motion passed (3-0).

The meeting adjourned at 9:58pm.