

City of Beverly
Regular City Council Meeting
Public Meeting Minutes
Monday, November 14, 2022, 6:30pm
City Council Chambers, 191 Cabot St.

CITY OF BEVERLY
RECEIVED AND RECORDED
CITY CLERK'S OFFICE

2022 NOV 17 A 11: 02

A 9-0

Julie Flowers, City Council President, called the meeting to order at 6:30pm. City Clerk, Lisa Kent, took attendance by roll call.

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

Members Absent: None

Houseman led the pledge of allegiance.

The motion to, under Rule 30 of the Council, suspend Rules 21 and 22 to allow all orders to be moved on the floor except Orders #270, 276, 278, 282, 283, 288A, 288B, 259, and 259A was made and seconded. A vote was taken, and the motion carried (9-0).

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

Comments by Citizens

Stacy Ames, 3 Prospect Street, offered comments on behalf of herself and Joyce McMahon on the mayor's most recent markup on the proposed charter review. Ames expressed concern about the mayor's opposition to an annual budget meeting being codified in the charter and spoke on other budget concerns.

Resolution

Order-#285- Council President Flowers, Councilor Bowen, Councilor Sweeney-Resolution honoring the Naumkeag and Pawtucket bands of the Massachusetts

Councilors Flowers, Bowen, and Sweeney read the resolution and presented it to Thomas Green of the Massachusetts Tribe.

Green thanked the councilors for taking these first steps to get to know their indigenous neighbors.

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

The motion for a brief recess was made and seconded. A vote was taken, and the motion carried (9-0). The meeting adjourned at 6:54pm. The meeting was called back to order at 6:59pm.

Presentations, Awards and Memorials

Order #183-Mayor-Proclamation Endorsing the Working Definition of Anti-Semitism Established by the International Holocaust Remembrance Alliance

Mayor Michael Cahill read the proclamation and presented it to Rabbi Alison Adler.

Flowers shared a community invitation from the Human Rights Committee to a learning conversation about anti-Semitism on Wednesday, December 14, from 6:30pm-8pm at Temple B'nai Abraham.

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

The motion for a brief recess was made and seconded. A vote was taken, and the motion carried (9-0). The meeting adjourned at 7:11pm. The meeting was called back to order at 7:18pm.

Comments by Citizens (continued)

Mr. Sandy Freiberg Kelliher, 63 Lothrop Street, spoke on the issue of water and sewage billing and his frustration that people with irrigation systems and pools have to pay more in sewer fees even though that water does not go into the sewer system.

Acceptance of Minutes of Previous Meeting

Regular City Council Meeting October 17, 2022

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0, Houseman abstained).

Executive Session

A motion to enter executive session Pursuant to Massachusetts General Laws, Chapter 30A, Section 21(6) (open meeting law exemption regarding considering the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body), regarding a proposed taking by eminent domain of 2-4 Cabot Street, Beverly, MA, aka 2 Cabot Street, Beverly, MA, aka 4 Cabot Street, Beverly, MA and to reconvene into public session afterwards was made and seconded. A roll call vote was taken, and the motion carried (9-0). The City Council went into executive session at 7:27pm. The City Council returned to public session at 7:57pm.

Communications from His Honor the Mayor

Order #270-Appointment-Director of Municipal Inspections-Mr. James Butler

Referred to Committee on Legal Affairs.

Order #271-A Grant for \$800,000 from the Massachusetts Seaport Economic Council. The City intends to use this grand funding to purchase the parcel at 2-4 Cabot Street through a friendly eminent domain. This also requires a transfer of \$150,000 from the City's reserve for unforeseen.

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

Order #272-A \$200,000 earmark from the Division of Conservation and Recreation to build pickle ball courts at Birch Plains Fields

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

Order #273-A \$133,188 FY State Formula Grant from the Executive Office of Elder Affairs to support operations at the Council on Aging

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

Order #274-A \$25,000 Community One Stop for Growth-Housing Choice Program Grant from the Baker Polito Administration and the Mass EOHEd to be used to study and identify parking supply related to the City's thriving cultural venues and downtown businesses and the possible redevelopment of a public parking lot

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

Order #275-A \$50,000 donation from the Beverly Rotary Club for the reconstruction and maintenance of the gazebo in the Beverly Common

Flowers recused herself from the discussion and vote since she is a member of the rotary club.

A motion to approve was made and seconded. A vote was taken, and the motion carried (8-0).

Order #276-Mayor's response to Order 75A proposed amendments to 1995 Beverly Home Rule Charter

Referred to Committee on Legal Affairs. Flowers asked if the Solicitor's Office could create a document to show the redlines of the mayor's feedback.

Order #277-A donation of \$2,000 from the Friends of the Beverly Library to benefit Nancy P. Robinson Memorial Endowment Fund to benefit the Beverly Library

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

Order #278-Proposed Order approving the taking by eminent domain of the property at 2-4 Cabot for the purposes of municipal parking and to increase public access to the City's waterfront

Referred to Committee on Finance and Property.

Order#-279-Proposed Amendment to the Beverly Zoning Ordinance: Various articles related to building height and inclusionary zoning

A motion to set the public hearing for December 5 at 8:30pm was made and seconded. A vote was taken, and the motion carried (9-0).

Houseman requested that the councilors be provided with paper copies of the full redline and clean copy before that meeting.

Communications from other City Officers and Boards

Order #280-City Council 2023 Regular Meeting Calendar

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

Order #281-Finance Director, Bryant Ayles-Approval to use FY2023 appropriated funds toward the payment of two prior year (FY2022) invoices totaling \$22,936.09

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

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

Referred to Committee on Legal Affairs.

Order #283-Assistant City Solicitor Dole-Declare the property of 119 Livingstone Avenue available for disposition

Referred to Committee on Legal Affairs.

Communications, Application and Petitions

Order #284-National Grid-Plan #30554593-Ober Street-to install beginning at a point approximately 185 feet southeast of the centerline of the intersection of Elm Top Lane and continuing approximately 40 feet in an east direction. Install a total of 40ft 2-3 inch conduit from MH#778-2 to HH#713 on customer's property

A motion to set the public hearing for December 5 at 8:00pm was made and seconded. A vote was taken, and the motion carried (9-0).

Order #285-National Grid-Plan WR#30639141-Odell Ave-to install beginning at a point approximately 220 feet southwest of the centerline of the intersection of Whitney Ave and Odell Ave and continuing approximately 20 feet in a north direction. Install 35ft pole across from 41 Odell Ave.

A motion to set the public hearing for December 5 at 8:10pm was made and seconded. A vote was taken, and the motion carried (9-0).

Order #286-Salem and Beverly Water Supply Board-annual report determining the volume of water supplied in the cities of Salem and Beverly

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

Order #287-National Grid-Petition to install approximately 8,050 feet of 12 inch, 60 psig plastic gas main on Hale Street, extending from the existing stub near Cabot to the Regulator Station at Boyle Street in accordance with the attached plans

A motion to set the public hearing for December 5 at 8:20pm was made and seconded. A vote was taken, and the motion carried (9-0).

Order #288-Attorney Marshall Handly-Relating to two easements at 114 and 116 Livingstone Ave. and Porter Terrace LLC

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

Order #288A-Attorney Handly-Acceptance of an easement on 114-116 Livingstone Ave.

Referred to Committee on Legal Affairs.

Order #288B-Attorney Handly-Grant an easement to Massachusetts Electric Company at 119 Livingstone Ave.

Referred to Committee on Legal Affairs.

Unfinished Business from a Previous Meeting

Order #259-Councilor Houseman-Special Municipal Employees-Shall be designated "Special Municipal Employees"

Referred to Committee on Legal Affairs.

Order #259A-Councilor Houseman-Special Municipal Employees-Conflict of Interest disclosures filed with the Office of the Mayor

Referred to Committee on Legal Affairs.

Order #237-Councilor St. Hilaire-A Proposed zoning ordinance amendment to limit new building projects in the City of Beverly to three stories

St. Hilaire requested this be held given the introduction of other zoning items.

Flowers stated this will be held under unfinished business.

Bowen shared that the Friends of the Beverly Public Library along with colleagues in Peabody and Lynnfield are hosting an event on November 16 called “Decolonizing Contributions by Indigenous People” which will be at the Lynnfield Meeting House.

A motion to adjourn was made and seconded. A vote was taken, and the motion carried (9-0). The meeting adjourned at 8:43pm.