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City of Amesbury
Office of the City Clerk
62 Friend St.
Amesbury, MA 01913

MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A §§18-25
Version 7.1.10

City Council Meeting Agenda
Tuesday, November 15, 2022
City Hall Auditorium- 62 Friend St.
7:00 PM

1. Call to Order
2. Pledge of Allegiance – Councilor Lennon
3. Roll Call
4. Act on Minutes- October 4, 2022, and October 11, 2022
5. Mayoral Appointments- None
6. Monthly list of licenses
7. Correspondence
 - President/Vice President Communications
 - Communication from Elected Officials, Boards and Commissions
 - Collins Center- Human Resources Presentation
 - Council Communications, Announcements and Committee Reports
 - Budget and Finance: Councilor Hickok
 - Ordinance and Administration: Councilor Frey
 - Planning and Development: Councilor Mandeville
 - Traffic & Transportation: Councilor Hickok
 - AES School Building Committee: Councilor Wheeler
 - Energy Committee: Councilor Rinaldi
 - Open Space, Natural Resources & Trails Committee: Councilor Frey
 - Chamber of Commerce Liaison: Councilor Rinaldi
 - CDBG Advisory: Councilor Hickok
 - Disposition: Councilor Lennon
 - Amesbury Housing Trust: Councilor Stanganelli
8. Public Comment- Public comment can be done in person during the meeting, or by emailing your comments to clerk@amesburyma.gov by 12:00 p.m. the Friday before the Council meeting, per City Council Rule 5G. Subject line PUBLIC COMMENT. Your comments will be read aloud at the appropriate time in the agenda and entered into the public record.
9. Council Response to Public Comment
10. Second Readings

Public Hearings:

2022-086 An Ordinance to amend the Amesbury Zoning Ordinance to allow restaurant use at marina facilities in the City of Amesbury. -Mayor Sponsor

Summary: Communities along the Merrimack River are increasing their appreciation of this natural resource and exploring ways to increase access to the River for the enjoyment of residents and visitors alike. One of the uses that Amesbury is exploring is allowing restaurants. In this proposed amendment, the restaurant use would only be allowed if it is connected to an active marina. The proposed ordinance seeks to amend certain provisions of the Amesbury Zoning Ordinance as follows:

1. Amend Section II by adding a definition of "Banquet Hall"
2. Amend Section V – Table of Use Regulations, by allowing restaurant use at active marina facilities by Special Permit from the Planning Board (S1) and Site Plan Review in the zoning districts where marinas are allowed and adding a new note after current note #14.

2022-087 An Order to authorize the Mayor to surplus, procure a development proposal, and then sell the public properties located at 58 Cynthia Road (Parcel 22-72) and 63 Cynthia Lane (Parcel 23-163) which combined consist of approximately 3.11 acres of residentially zoned land (R-40).-Mayor Sponsor

Summary: The Mayor is requesting authorization to surplus up to two (2) City-owned parcels to enable the creation of no more than four units of affordable housing constructed by an experienced non-profit housing developer. The sale of one or both of these parcels will remove the obligation of maintenance costs and liability by the City, place the site back on the tax rolls and increase revenue. These two parcels were taken through tax foreclosure: 58 Cynthia Road, which is 1.51 acres, was taken in 2005; 63 Cynthia Lane, which is 1.6 acres, was taken in 2004. Both properties are located in the R-40 Zoning District. Disposition of one or both of these parcels shall follow the process outlined in *Bill No. 2021-039 An Order to Amend the By-Laws of the Amesbury Disposition Committee*.

2022-131 An Ordinance to amend City Code, Chapter 118 "Meetings"- Councilor Wheeler Sponsor

Summary: These revisions are intended to bring the Chapter 118 of the City Code into conformity with the City Council's new meeting schedule adopted in May of 2022. The revisions proposed also include replacement of outdated references of "*Municipal Council*" with "*City Council*" (as adopted in the City Charter amendments approved by in November of 2011), and finally these revisions remove additional outdated language.

2022-138 An Order to fund the employment agreement between the City of Amesbury and the Amesbury Superior Officers Union, I.B.P.O., Local 99-629 dated July 1, 2022 to June 30, 2025. -Mayor Sponsor

Summary: This appropriation will transfer \$65,464.23 from FY23 Reserves to the Police Department Personal Services to fund the FY 2023 portion of the 3-year labor contract between the City of Amesbury and the Amesbury Superior Officers Union, I.B.P.O., Local 99-629. Pursuant to Chapter 95, Section 95-2 of the City Ordinances, the initial request for appropriations for funding of a labor contract agreement must be submitted by the Mayor as a unique measure separately from the annual operating budget and be accompanied by a copy of the contract for which funding is requested.

2022-139 An Order to fund the employment agreement between the City of Amesbury and the Amesbury Patrol Officers Union, I.B.P.O., Local 629 dated July 1, 2022 to June 30, 2025. -Mayor Sponsor

Summary: This appropriation will transfer \$104,387.51 from FY23 Reserves to the Police Department Personal Services to fund the FY 2023 portion of the 3-year labor contract between the City of Amesbury and the Amesbury Patrol Officers Union, I.B.P.O., Local 629. Pursuant Chapter 95, Section 95-2 of the City Ordinances, the initial request for appropriations for funding of a labor contract agreement must be submitted by the Mayor as a unique measure separately from the annual operating budget and be accompanied by a copy of the contract for which funding is requested.

2022-142 Dangerous Dog Hearing- 4 Spindletree Lane

11. First Readings

2022-147 An Ordinance to amend the Section V Schedule I (Parking) of the City Traffic code to limit parking on the south side of Cedar street from the corner of R street and Cedar St to the Eastern end of the property of the Lofts on Clark Pond- **Councilor Deschenes Sponsor**

Summary: Since the opening of the Briggs Mills apartments residents have been using the south side of Cedar St from R street intersection to the Eastern end of the Lofts at Clarks property as a permanent parking lot instead of using their designated parking lot on Poplar St. This situation causes the following.

1. Reduced visibility for vehicles turning Right onto Cedar St. from R Street.
2. Reduced visibility for vehicles tuning into and out of the main and visitor parking lots @ the Lofts at Clark pond.

These changes were reviewed and approved at the Traffic and Transportation Committee on October 18, 2021.

2022-148 An Order to transfer \$233,187.89 from FY23 Salary and Budget Reserve accounts to various Departmental Salaries & Wages accounts. -**Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$233,187.89 from FY23 Salary and Budget Reserve accounts to various Departmental Salaries & Wages accounts to fund the FY23 portion of the 3-year labor contract between the City of Amesbury and the Office and Professional Employees International Union, Local 6, AFL-CIO (OPEIU), dated July 1, 2022 to June 30, 2025, as well as to fund FY23 non-union employees' cost of living adjustments at a rate of 2.5% and other salary adjustments (i.e. vacation payouts, retention incentives, changes in weekly hours). Additional funds necessary for the first-year cost items of the OPEIU collective bargaining agreement and FY23 non-union costs of living and other adjustments are contained within the existing and approved FY23 Budget. Pursuant to Chapter 95, Section 95-2 of the City Ordinances, the initial request for appropriations for funding of a labor contract agreement must be submitted by the Mayor as a unique measure separately from the annual operating budget and be accompanied by a copy of the contract for which funding is requested.

2022-149 An Order to request the City Council vote to hold the annual Classification Hearing to vote on four (4) separate items in order to establish the tax burdens for each class of property. -**Mayor Sponsor**

Summary: On an annual basis, the City Council must vote on the issue of selecting a residential factor which will determine the percentage of the burden to be borne by each class of property.

2022-150 An Order to request the City Council vote to increase the exemption amount of qualified applicants. -**Mayor Sponsor**

Summary: On an annual basis, the City Council must vote to decide if the City of Amesbury shall increase the exemption amount of qualified applicants under the provisions of M.G.L.

2022-151 An Order to authorize the Mayor to accept a donation for one-time mowing of Quinn Farm, located at 116 Whitehall Road. -**Mayor Sponsor**

Summary: Kenneth Aspeslagh, a resident of Amesbury, has offered to donate \$8,000 to cover the cost of the one-time mowing of Quinn Farm. Once this one-time mowing is complete, DPW will maintain the farm by haying the farm annually. Quinn Farm was purchased by the City in 2014 and was slated for development but has since been transferred to the care and custody of the Amesbury Conservation Commission. This mowing will remove the 8 years of growth from the non-jurisdictional areas of the property. The work has been bid out by Public Works and approved by the Amesbury Conservation Commission.

2022-152 An Order to authorize the transfer of \$66,100.00 from the Library North Wall Repair Plan capital account (120 0610 5861 04) to hire an architectural firm to create a Facilities Master Plan and to install a climate control solution at the Amesbury Public Library. -**Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$66,100.00 from the Library North Wall Repair Plan capital account (which has a remaining balance of \$66,100.00). We are requesting that these funds be reallocated as follows: \$50,000.00: To be used to hire an architectural firm to conduct comprehensive studies, assessments and evaluations of the entire building interior and exterior, resulting in a Facilities Master Plan. This older historic building has a variety of facilities issues, and this master

plan will provide us with a priority list of short-, mid-, and long-term facilities projects. Total project cost is estimated between \$70,000.00 and \$88,000.00. Matching funds source is the Library Board of Trustees Trust Funds. \$16,100.00: To be used to install a climate control solution in the vault and local history collections records room. This climate control solution is necessary to eliminate the current silverfish infestation as well as to prevent future infestations, which can cause irreparable harm to the City's irreplaceable collections. Total project cost is estimated between \$45,000.00 and \$50,000.00. Matching funds sources are Library Water Infiltration Study capital account (120 0610 5861 03) and Private Funds.

2022-153 An Order to authorize the transfer of \$12,220.00 from the Library Water Infiltration Study capital account (120 0610 5861 03) to install a climate control solution at the Amesbury Public Library. **-Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$12,220.00 from the Library Water Infiltration Study capital account (which has a remaining balance of \$12,220.00). We are requesting that these funds be reallocated as follows: \$12,220.00: To be used to install a climate control solution in the vault and local history collections records room. This climate control solution is necessary to eliminate the current silverfish infestation as well as to prevent future infestations, which can cause irreparable harm to the City's irreplaceable collections. Total project cost is estimated between \$45,000.00 and \$50,000.00. Matching funds sources are Library North Wall Repair Plan capital account (120 0610 5861 04) and Private Funds.

2022-154 An Order to authorize the Mayor to accept and expend a FY23 Community One Stop for Growth Housing Choice Grant from the Executive Office of Housing and Economic Development (EOHED) in the amount of \$80,000.00. **-Mayor Sponsor**

Summary: Amesbury recognizes that the housing crisis is upon us. As our community continues to grow, we want to engage our residents and businesses in strategies to create housing that is affordable and accessible for all of our residents. This project will engage a consultant to guide us through our Housing Element of the Master Plan (I Amesbury 2030), update our Affordable Housing Ordinance to be inclusive and effective, and create an accessory dwelling unit (ADU) ordinance to diversify our housing stock.

2022-155 An Order to authorize the Mayor to accept and expend, for its third year, a Drug Free Communities Support Program Grant from the United States Department of Health and Human Services (HHS) Centers for Disease Control and Prevention (CDCP). **-Mayor Sponsor**

Summary: This \$125,000.00 Federal grant from HHS/CDCP will fund the Partnership of Amesbury Community and Teens (PACT) Coalition's Substance Abuse Prevention Program. This grant seeks to address two major goals: to establish and strengthen collaboration among communities, public and private non-profit agencies, and Federal, state, local and tribal governments to support the efforts of community coalitions; and to reduce substance use among youth and, over time, among adults. This project has a total yearly value of \$250,000.00, with \$125,000.00 of non-federal City match, and has been approved from December 31, 2020 through September 29, 2025. It is anticipated that the grant may be renewed beyond the end of this period if the program achieves demonstrated success.

2022-156 An Order to approve payment from the FY23 general fund operating budget for the below listed prior year invoices. **-Mayor Sponsor**

Summary: The below listed invoices are for operating expenses related to supplies or services rendered in FY22 but for which funds were not encumbered by the corresponding city department at fiscal year-end. This order requests payment be made to the listed vendors from the corresponding department's current year (FY23) operating budget in accordance with M.G.L. c. 44 s. 64. This vote requires a two thirds approval of the City Council.

2022-157 An Order to transfer \$2,000 from Conservation Commission Salaries & Wages to Conservation Commission Other Expenses. **-Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$2,000 from Conservation Commission Salaries & Wages to Conservation Commission Other Expenses Consulting to cover the cost of a consultant to provide professional services while the City fills the Conservation Agent position.

2022-158 An Order to authorize a transfer of \$4,000 from City Council Salaries & Wages to City Council Other Expenses. **-Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$4,000 from City Council Salaries & Wages to City Council Other Expenses Training account. District 3 Councilor Roger Deschenes has requested to transfer his annual stipend to the City Council Training account to support professional development and training of the City Clerk.

2022-159 An Order to authorize a transfer of \$1,875.00 from Clerk Salaries & Wages to Clerk Other Expenses. **-Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$1,875.00 from Clerk Salaries & Wages Training account to Clerk Other Expenses Training account, because this item should be an expense item rather than a payroll item.

2022-160 An Order to authorize the Mayor to accept and expend a grant in the amount of \$29,999.28 from the Massachusetts Executive Office of Public Safety and Security, Office of Grants and Research FY23 Municipal Road Safety (MRS) Grant Program. **- Mayor Sponsor**

Summary: This grant award will be used to fund traffic enforcement and enforcement equipment. This funding will allow the Police Department to increase the number of hours spent conducting selective enforcement to combat the most problematic areas, which include distracted drivers, impaired driving, and speeding. The Department will also use this funding to purchase speed signs that will be permanently mounted in areas where there are high incidences of speed and crash occurrences. This is a cost reimbursement grant program with an end date of September 15, 2023.

12. Adjournment



November 10, 2022