

City of Beverly
Regular City Council Meeting
Public Meeting Minutes
Monday, January 3, 2023, 7:00pm
City Council Chambers, 191 Cabot St.

CITY OF BEVERLY
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2023 JAN 10 A 10:45

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, Kathleen Feldman, Scott Houseman, Todd Rotondo, Matthew St. Hilaire, Estelle Rand, Brendan Sweeney, Julie Flowers

Members Absent: Steven Crowley

Rand led the pledge of allegiance.

Comments by Citizens

Dean Berg of Green Beverly summarized a report that was released recently, called the Massachusetts Climate Change Assessment, which is available online through mass.gov.

Acceptance of Minutes of Previous Meeting

Regular City Council Meeting December 5, 2022

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

Regular City Council Meeting December 20, 2022

A motion to approve was made and seconded. A vote was taken, and the motion carried (7-0, Rand abstained).

Communications from His Honor the Mayor

Order #001-Grant-\$24,995 FY23 Firefighter Safety Equipment Grant from the Massachusetts Executive Office of Public Safety and Security for an Accountability Board and a Passport Accountability tag for each fire department member and for seven sets of turnout gear

Referred to Committee on Finance and Property.

Order #002-Reappointment-Stephanie Williams to serve as City Solicitor

Referred to Committee on Legal Affairs.

Order #003-Reappointment-Bryant Ayles to serve as Director of Municipal Finance/Treasurer

Referred to Committee on Finance and Property.

Order #004-Reappointments-Joanne Panuzio, 31 Old Planters Road and Colleen Michaels, 18 Madison Avenue to serve as Trustees of the Beverly Public Library

Referred to Committee on Public Services.

Order #005-Appointment-Sheryl R. Silva, M.D., 95 Hale Street, to serve on the Beverly Board of Health

Referred to Committee on Public Services.

Communications from other City Officers and Boards

Order #006-City Clerk-Renewal Application for a lodging license for Garden City Residences, 490 Rantoul Street

Referred to Committee on Legal Affairs.

Order #007-City Clerk-Renewal Application for a lodging license for Grigor Qirjazi, 32 Broadway

Referred to Committee on Legal Affairs.

Communications, Application and Petitions

Order #008-Danvers Town Manager, Steve Bartha-Intent to waive payment in lieu of tax fee assessed to the City of Beverly for Fiscal Year 2022 (\$6,736.92) in conjunction with the operations of the Beverly airport

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

Order #009-Notice of availability of response to comments Phase II summary Former Varian Facility Site, 150 Sohier Road

Referred to Committee on Public Services.

Order #010-Department of Public Utilities-Notice of Filing and request for comments

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

A motion to break for committee work was made and seconded. A vote was taken, and the motion carried (8-0). The meeting was recessed at 7:14pm.

The meeting was called back to order at 7:51pm.

Reports of Committees

Finance and Property

Order #267-President Flowers-A request to delegate to the Council President the power to do an annual review and evaluation of the City Clerk

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

Order #001-Grant-\$24,995 FY23 Firefighter Safety Equipment Grant from the Massachusetts Executive Office of Public Safety and Security for an Accountability Board and a Passport Accountability tag for each fire department member and for seven sets of turnout gear

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

Public Services

Order #009-Notice of availability of response to comments Phase II summary Former Varian Facility Site, 150 Sohier Road

A motion to receive and place on file was made and seconded. A vote was taken, and the motion carried (8-0).

Legal Affairs

Order #006-City Clerk-Renewal Application for a lodging license for Garden City Residences, 490 Rantoul Street

Rotondo stated for clarification that there are still some follow up questions for the Board of Health. We don't want them to be non-compliant or to put anyone out in the cold, but we also want to make sure that all our questions are fully answered.

A motion to temporarily extend the license until February 21 and to refer back to the Committee on Legal Affairs until then was made and seconded. A vote was taken, and the motion carried (8-0).

Order #007-City Clerk-Renewal Application for a lodging license for Grigor Qirjazi, 32 Broadway

A motion to temporarily extend a license until January 17 and to refer back to the Committee on Legal Affairs until then was made and seconded. A vote was taken, and the motion carried (8-0).

Rand and Feldman shared information on upcoming committee meetings on January 9 and January 30.

Public Hearing

Order #287-8:00 PM-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 Street to the regulator station at Boyles Street (Public hearing continued from December 5, 2022 and December 20, 2022 meetings)

The public hearing was opened.

No members of the public were present to speak.

Flowers stated more information will be coming from National Grid and the City's Engineering Department.

The motion to recess the public hearing to January 17 at 7:45pm was made and seconded. A vote was taken, and the motion carried (8-0).

Unfinished Business from a Previous Meeting

Order #237-Councilor St. Hilaire-A Proposed zoning ordinance amendment to limit new building projects in the City of Beverly to three stories (Continued from October 24th Special Meeting)

This item will continue to be held while the other zoning amendments are being reviewed.

Rotondo thanked all the agencies and individuals who helped the residents that were affected by the Folly Hill fire.

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

The meeting adjourned at 8:05pm.

Scott D. Houseman-Chair

Julie R. Flowers

Matthew J. St. Hilaire

FINANCE AND PROPERTY / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, January 3, 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 7:19pm.

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

Members absent: None

Order Number	Date to Committee	Description	Action Taken
#267	10/17/2022	President Flowers-A request to delegate to the Council President the power to do an annual review and evaluation of the City Clerk	Approve 3-0
#315	12/20/2022	Earmark from the Economic Development Legislation signed by Governor Baker \$200,000 for the installation of solar panels at Beverly High School	Hold
#001	1/3/2023	Grant-\$24,995 FY23 Firefighter Safety Equipment Grant from the Massachusetts Executive Office of Public Safety and Security for an Accountability Board and a Passport Accountability tag for each fire department member and for seven sets of turnout gear	Approve 3-0

The meeting adjourned at 7:34pm.

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

LEGAL AFFAIRS / CITY COUNCIL COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, January 3, 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 7:19pm.
 Members present: Todd Rotondo, Brendan Sweeney, Estelle Rand
 Members absent: None

Order Number	Date to Committee	Description	Action Taken
#276	11/14/2022	Mayor's response to Order 75A proposed amendments to 1995 Beverly Home Rule Charter	Hold
#276A	12/20/2022	Solicitor Williams-Regarding Order #276 Mayor's Edits Incorporated into Draft Charter Approved by the City Council Order #75A	Hold
#279	12/5/2022	Proposed Zoning Ordinance Amendment of various articles related to building heights and inclusionary zoning	Hold
#279A	12/20/2022	Councilor Houseman-Regarding Order #279, Proposed Amendments to the Zoning Ordinance	Hold
#282	11/14/2022	Councilor Bowen-A letter regarding Accessory Dwelling Units	Hold
#006	1/3/2023	City Clerk-Renewal Application for a lodging license for Garden City Residences, 490 Rantoul Street	Approve to temporarily extend the license until February 21 (3-0)
#007	1/3/2023	City Clerk-Renewal Application for a lodging license for Grigor Qirjazi, 32 Broadway	Approve a temporary license until January 17 (3-0)

Discussion on Order #006

Rotondo stated this license was meant to be temporary. Extending the license until January 15 kept them in compliance and allowed time to follow up with the Board of Health and Police. Rotondo stated he has been able to talk to those offices and still have some concerns but doesn't want to make anyone homeless. The goal is for the owner to be able to come into compliance. Rotondo stated he is aware some things cannot be done immediately and asked the Committee to consider extending the temporary license out for another 30 days or 60 days.

Rotondo stated the Committee would not be looking to have them reapply for a new license but to extend the current license and current application.

Jesse Dole, Assistant City Solicitor, stated for the record that this is a continued consideration of the original application that was received September 2022. The committee would have the authority to continue consideration of the application and either extend the temporary license or grant a successor temporary license until whatever date they would like.

Rand asked if the Committee voted to extend this temporary license until the end of February, then at that time could the Committee take a vote to approve the 2023 license. Dole stated that the Committee could do that.

Rotondo suggested extending the current temporary license to February 21 since there is a Council meeting that night.

George Skalkos, who co-owns Garden City Residences with his brother, spoke of his frustration with the inspections process.

Committee of the Whole was called to order at 7:37pm.

Rotondo moved to extend the temporary license from January 15 to February 21. The motion was seconded. A vote was taken, and the motion passed unanimously (3-0).

Discussion on Order #007

Sweeney asked if approving this application would still mean that these violations need to be remedied and approved by the Health Department before any long-term license was issued.

Dole stated it is up to your discretion whether to grant this license based on what is before you. If you have concerns that you don't think it is appropriate to grant the license at this time based on those inspection reports, you do have the authority to not take a final action or grant a temporary license to allow for some remediation and re-inspection. Dole stated he had no idea what the nature of the violations is with this particular inspection, so he could not speak to what is appropriate.

The motion to issue a temporary license for this current application until January 17 was made and seconded. A vote was taken, and the motion was approved unanimously (3-0).

Dole stated according to the City's ordinances dealing with lodging houses, for the renewal process, all inspections are supposed to be completed and reports provided to the Clerk's Office recommending either to grant or deny the application by December 7. It may have been the process in the past that the license be issued pending or contingent on inspections, that is not what the ordinances requires. The ordinances requires that the inspection be completed and recommended that they be approved or denied prior to December 7. You do have the authority to grant a temporary license, but for the purposes of issuing the full license, there is no authority to do that absent inspection reports recommending the issuance of the license.

The motion to adjourn Committee of the Whole was made and seconded. A vote was taken, and the motion was approved unanimously.

The motion to adjourn Committee on Legal Affairs was made and seconded. A vote was taken, and the motion was approved unanimously.

The meeting adjourned at 7:47pm.

Kathleen M. Feldman-Chair

Hannah L. Bowen

Steven M. Crowley

PUBLIC SERVICES / CITY COUNCIL COMMITTEE OF THE WHOLE MINUTES

Tuesday, January 3, 2023 7:00PM

Within the Confines of the City Council Meeting

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

Feldman called the meeting to order at 7:15pm.

Members present: Hannah Bowen, Kathleen Feldman

Members absent: Steven Crowley

Order Number	Date to Committee	Description	Action Taken
#316	12/20/2022	Appointment for Mr. Jason Reulet, 106 Standley Street, to serve on the Beverly Airport Commission	Hold
#317	12/20/2022	Appointment for Ms. Rachel E. Morse, 14 Pond View Lane, to serve on the Beverly Board of Health	Hold
#318	12/20/2022	Appointments for Chelsea Turner, 7 Jackson Street; Amanda Lennon, 7 Columbus Avenue; and Michael Gove, 9 Bartlett Street, to serve on the Beverly Cultural Committee	Hold
#326	12/20/2022	Councilor Bowen-Regarding Beverly Regional Airport	Hold
#327	12/20/2022	Councilor Bowen-Regarding City Parks	Hold
#328	12/20/2022	Councilor Bowen-Regarding Storm Water Management	Hold
#331	12/20/2022	Notice of Availability Public Comment Draft Phase III Remedial Action Plan -Former Varian Facility Site, 150 Sohier Road	Hold
#004	1/3/2023	Reappointments-Joanne Panuzio, 31 Old Planters Road and Colleen Michaels, 18 Madison Avenue to serve as Trustees of the Beverly Public Library	Hold
#005	1/3/2023	Appointment-Sheryl R. Silva, M.D., 95 Hale Street, to serve on the Beverly Board of Health	Hold
#009	1/3/2023	Notice of availability of response to comments Phase II summary Former Varian Facility Site, 150 Sohier Road	Receive and place on file (2-0)

The meeting adjourned at 7:34pm.