

Ordinances & Administration Committee
Monday, May 2, 2016 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara (arrived at 6:03 p.m.); Councilor Sean Nolan

Absent: None.

Also Present: Councilor Ciolino; Councilor Gilman; Councilor Memhard; Jim Destino; Joanne Senos; Tony Gross;

The meeting was called to order at 6:00 p.m. There was a quorum of the City Council.

1. A. New Appointments:

Community Preservation Committee Heidi Wakemen (Open Space & Rec. Comm. Rep.) TTE 02/14/19

Ms. Wakeman advised that she is replacing Charles Crowley as the Open Space & Recreation Committee representative. She noted she’s been a member of the OS&RC since 2013 and reviewed some of that Committee’s recent accomplishments. She said she remains committed to her obligations to not only with the OS&RC but with the CPC and asked to have her appointment confirmed.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 (O’Hara) absent, to recommend that Heidi Wakemen be appointed to the Community Preservation Committee as the Open Space & Recreation Committee representative, TTE 02/14/19.

Historical Commission Holly Clay Smith (Alternate) TTE 02/14/19

Ms. Clay Smith reviewed her qualifications briefly with the Committee. She acknowledged she is a new permanent resident of the city, but was a part-time resident for 30 years. She acknowledged her interest in historic preservation and architectural history from having travelled and lived in many countries. Most recently she said she had lived in Washington, DC, and was on the board of a historic African/American Church, she noted. She expressed her commitment to the Historical Commission as an Alternate member.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Holly Clay Smith to the Historical Commission Alternate, TTE 02/14/19.

Historic District Commission Prudence Fish (Alternate) TTE 02/14/19

Ms. Fish, who was well known by the Committee from her previous community activism, expressed her desire to serve on the Historic District Commission once again. She noted she was on the Commission for 15 years with a 10 year hiatus, but was eager to return. She noted during her hiatus she published a book on the historic homes of Gloucester as well as participated in other activities related to historic architecture and preservation.

Councilor O’Hara acknowledged he knew Ms. Fish and said she that she was dedicated to the city’s historic preservation. **Councilor Ciolino** said Ms. Fish is a, “star,” regarding historic preservation. The Committee agreed and voted as follows:

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that Prudence Fish be appointed to the Historic District Commission, Alternate, TTE 02/14/19.

Trust Fund Commission Barry Weiner (Cont’d to 5/18), Rick Ciolino TTE 02/14/19

Mr. Ciolino expressed his desire to serve on the Trust Fund Commission pointing out that he has an extensive investment background in finance and community organizations which placed him in a position of strength to position to oversee the city's Trust Funds.

Councilor LeBlanc said it is all the volunteers who report back to the Standing Committees of the Council keeping them informed which is an integral part of what they do. It is very important and their work is greatly appreciated, he said.

Councilor Ciolino acknowledged that Mr. Ciolino is his nephew and advised that he will be recusing himself from that vote at the City Council.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that Rick Ciolino be appointed to the Trust Fund Commission, TTE 02/14/19.

B. Reappointments:

City Hall Restoration Commission

Stephen Pardee (Cont'd from 02/29/16)

TTE 02/14/19

It was noted that Mr. Pardee had asked that his reappointment not move forward as he resigned from the City Hall Restoration Committee. A memorandum acknowledging the withdrawal of Mr. Pardee's appointment is on file with the Committee from the Mayor's office.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the withdrawal of Stephen Pardee's reappointment to the City Hall Restoration Commission.

Clean Energy Commission

Tom Kiely (Cont'd from 02/29/16)

TTE 02/14/18

Mr. Kiely expressed his desire to again serve on the Clean Energy Commission in light of the new projects being undertaken by the CEC, especially mentioning the Community Choice Energy Program now under development which he briefly described. He said he has been a long-time resident and just retired three years ago. This is an area he worked in, he added.

Councilor Nolan expressed his appreciation for the CEC working to make the lives of the city's residents better.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Tom Kiely to the Clean Energy Commission, TTE 02/14/18.

Historic District Commission

Paul Shea (Cont'd from 02/29/16)

TTE 02/14/19

Mr. Shea informed the Committee of his wish to continue to serve on the Historic District Commission. He said he's been on the Commission for some time and advised things are going well. They've done a good job handling property owners that come before them treating them fairly and expeditiously. He said the process is working well in his estimation.

Councilor Ciolino said in the past this Commission's process was concerning, but that no longer appears to be the case. He said the Commission members are more concise on what they're looking for from applicants, and that the Commission is doing a good job.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Paul Shea to the Historic District Commission, TTE 02/14/19.

Planting Committee

Bonnie Angus (Cont'd from 02/29/16)

TTE 02/14/19

Ms. Angus expressed her desire to continue to serve on the Planting Committee in order to be able to help beautify the city's public spaces. She noted that she's been on the Committee for some years and enjoys making the city look beautiful as a 15 year full-time resident.

The Committee and Councilor Ciolino expressed their thanks to the dedicated group of volunteers for their labors that helps to keep the city looking its best.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Bonnie Angus to the Planting Committee, TTE 02/14/19.

2. CC2016-010 (Cox) Amend GCO Sec. 22-267 "One Way Streets-Generally" re: Derby Court (Cont'd from 04/04/16)

Councilor LeBlanc explained that after the Traffic Commission made a site visit to Derby Court and Derby Street which he attended. The Commission at its April 28 meeting was in agreement that the street should be made one way as it is a safety issue which he expanded upon (See Traffic Commission minutes of 4/28/16 on file). Not included in the Council Order, but because of an already installed stop sign that would be rendered moot by making Derby Court one way, it was recommended by the Traffic Commission that the stop sign be removed on Derby Street for eastbound drivers on Derby Street at its intersection with Maplewood Avenue under GCO Sec. 22-269.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-267 "One Way Streets-Generally" by ADDING: "Derby Court from the intersection of Maplewood Avenue to Derby Court and Derby Court to Derby Street in a northwesterly direction."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-269 "Stop intersections" by DELETING: "Derby Street. Eastbound drivers on Derby Street at its intersection with Maplewood Avenue."

These matters will be advertised for public hearing.

3. Memo & relevant information from the Administration re: proposed reorganization of the Harbormaster's Department

Tony Gross, Waterways Board Chair, explained the following:

There was a management review of the Harbormaster's office. One of the main recommendations of the review was to reorganize the department away from a Harbormaster/Clerk model to that of a Harbormaster/Deputy Harbormaster model, a model that is employed successfully in many other Massachusetts waterfront communities. The Harbormaster/Deputy Harbormaster model allows for the administration of the office to be an integral part of the department's function with staff that is routinely on the water where they can observe the management of actual boats on moorings helping to prevent moorings lying fallow. It will also be advantageous when comparing what the mooring software documents versus actual staff observations. The Deputy Harbormaster will have greater authority than a clerk. This model will help ensure better and more accurate mooring renewals and possible waitlist movement due to being able to maximize mooring areas.

There is a possibility of staffing the office seven days a week during the boating season as administration of the department is generally done in the off-season. It can be handled with a split schedule -- with one staff working Sunday through Thursday and Tuesday through Saturday -- which places someone with authority in the Harbormaster's office seven days a week which hasn't been the case. Having the office open on weekends is a key matter for better customer service, a particular goal of better customer service. Staff technology skills need to be increased for better departmental functioning, and it is a requirement that the position of Harbormaster and Deputy Harbormaster must have IT skills.

Mr. Gross noted that in page 2 of the letter to the Mayor from the Waterways Board (on file) define why the Board supports the reorganization which is taken directly out of the management review report recommendations.

Councilor Nolan acknowledged he had read the management report and said these are good changes and should remedy the deficiencies that were pointed out in that report. **Councilor O'Hara** expressed his support of the Harbormaster's Department reorganization as well.

Councilor LeBlanc acknowledged that the timing was right to undertake this reorganization now and to see the Waterways Board moving forward with new initiatives which he briefly discussed with **Mr. Gross**.

Councilor Ciolino noted the duties of the Harbormaster and Deputy Harbormaster and inquired as to why the hours were not part of the job description. He also expressed concern for that department's staff timing of vacation. **Mr. Gross**, responding to the inquiry about the hours as part of the job description, said that the hours are an administrative/management function. **Jim Destino**, CAO, said the management audit pointed the way to the first step of the reorganization of the Harbormaster's Department in order to meet the needs of the community. He said most importantly from the audit, it is clear that the Administration oversees the Harbormaster's Department, not the Waterways Board. The Board knew they set policy but didn't have the ability to direct the Harbormaster's actions. As to hours of work, he said the Administration is asking that the Council approve the reorganization of the Harbormaster's Department. The job descriptions are written by the Personnel Department, and the hours will be determined when two new people are hired, he said. At that time the Administration will look at the needs of the city and the department, and will match those skills to those two people to better serve the community. **Councilor Ciolino** and **Mr. Destino** continued to briefly discuss the scheduled hours of the reorganized Harbormaster's Department and the issue of vacations during high season.

Councilor Gilman said she the management report of the Harbormaster's Department done by the consultants was thorough. She observed that a lot of the recommendations are being carried forward to improve the service to the community.

Councilor LeBlanc expressed his appreciation for the direction the Waterways Board and the Administration is taking the Harbormaster's Department saying that this reorganization is overdue.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, in connection with the Harbormaster's Department Reorganization Plan, to recommend that the City Council accept the amended Harbormaster's position job description as presented to the City Council on April 12, 2016 and with a revision submitted to the Council, date and time stamped April 27, 2016.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, in connection with the Harbormaster's Department Reorganization Plan, to recommend that the City Council Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:

1. That Appendix A, Classification Plan, be amended adding the position of "Deputy Harbormaster";
2. That Appendix B, Compensation Plan, be amended by setting the compensation for said position of "Deputy Harbormaster" for GMAA Pay Grade M6.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the Harbormaster Department Reorganization Plan based on the chart as submitted to the City Council in accordance with the City Charter Sec. 7-1.

The matter of the Harbormaster's Department reorganization will be taken up at an advertised public hearing by the City Council on Tues., May 10.

4. *CC2016-015 (Cox) Request O&A review & recommend the matter of prohibiting the use of polystyrene food & beverage containers or serving items for food service establishments if the packaging takes place on the premises of food service establishments & recommend whether an ordinance on polystyrene food & beverage containers be adopted*

Councilor LeBlanc said that this matter would be continued at the request of Councilor Cox to May 16.

This matter is continued to May 16, 2016.

5. *CC2016-016 (Memhard) Request Traffic Commission perform a speed study on Rockport Rd. from the intersection of Thatcher Rd. northeasterly to its intersection with Beachland Ave. to determine whether*

there should be a speed limit of 20 mph & whether the City Council should petition MassDOT to approve said speed limit

Councilor Memhard advised that the Traffic Commission at its April 28 meeting confirmed that a speed study the Commission conducted that although most vehicles are within the 25 m.p.h. current speed limit that a lower speed limit would do a great deal towards better assuring pedestrian safety in an area that sees a great deal of beach foot traffic. The Commission is recommending that the speed limit be lowered by 5 m.p.h. to 20 m.p.h. The speed study will be done again at the height of the summer, **Councilor Memhard** advised noting that it was documented that vehicles leave the area faster than coming into it.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council forward a request to MassDOT to be accompanied by the Traffic Commission Speed Study and the Certificate of Vote of the City Council to approve a speed limit of 20 m.p.h. on Rockport Road from the intersection of Thatcher Road northeasterly to its intersection with Beachland Avenue.

This matter will be forwarded to the Council for its approval.

6. *CC2016-017 (Memhard) Amend GCO c. 22, Sec. 22-270 "Parking prohibited at all times," Sec. 22-291 "Tow away zones," and Sec. 22-265 "Turning movements-Generally" re: 354 Main Street*

Councilor Memhard explained that there is an on-going issue of vehicles entering and exiting the Speedway gas station on Main Street with limited sight lines due to the two-way flow of traffic with parked cars between the entrance and exit of the business. There is no parking restriction on the street at that location now, he advised, and the proposed ordinance amendment to eliminate parking between the exit and entrance of the Speedway gas station will create a line of sight. The Commission also has recommended to also creating a tow-away zone, he said, but didn't recommend adding a prohibition on left turns for vehicles exiting the business.

Councilor LeBlanc said that he is in agreement that the parking ban is a safety issue. He noted the Commission's support of the action the Committee would be recommending to the Council.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-291 "Tow-away zones" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

These matters will be advertised for public hearing.

7. *CC2016-018 (Memhard) Amend GCO c. 22, Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" re: Mt. Pleasant Avenue*

Councilor Memhard said that at the Traffic Commission's April 28 meeting, the Commission decided that and recommended changes as stated in the Council Order. The Commission noted that the changes fine tune the existing ordinance regulating parking in this area of Mt. Pleasant Avenue. This will allow for one more residential parking space to be added, he noted.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times" as follows:

by **DELETING**: “Mt. Pleasant Avenue” in its entirety after the words “southerly side” and,

by **ADDING** as follows: “beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction.”

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-291 ““Tow-away zones” as follows:

by **DELETING**: “Mt. Pleasant Avenue” in its entirety after the words “southerly side” and,

by **ADDING** as follows: “beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction.”

These matters will be advertised for public hearings.

8. *CC2016-019 (Memhard) Request that O&A consider the placement of a crosswalk on Eastern Avenue (Route 127) in the vicinity of Pond Road and the adjacent shopping center area north of Pond Road & Request the Traffic Commission study the placement of a crosswalk at this location & recommend as to whether this request should be forwarded to MassDOT for their approval*

Councilor Memhard explained that this is a matter of public safety at a location where CATA bus discharges riders, many of whom cross Eastern Avenue to access the businesses in the immediate Pond Road area. He advised that there are in no crosswalks and no traffic controls. He said he spoke with the DPW Director who told him that MassDOT in the past has denied the installation of a crosswalk for this location on Eastern Avenue at Pond Road based on Americans with Disabilities Act issues concerning sidewalks or lack thereof. But with with the opening of the Common Crow and a shopping strip mall adjacent to it, it is now a much busier area and there are more pedestrians as a result. He said the crosswalk would need to be installed from the northwest corner of the Captain’s Lodge to the northeast corner of the lot where the Common Crow store is located, he noted. He said this action is clearly indicated.

Councilor LeBlanc said it is dangerous in that area of Eastern Avenue and it is time to seek a remedy from MassDOT.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council forward a letter to MassDOT requesting that there be a crosswalk installed on Eastern Avenue in the vicinity of Pond Road and the adjacent shopping area north of Pond Road to assist persons crossing Eastern Avenue (Route 127) (from the northwest corner of the property at 237 Eastern Avenue to the northeast corner of 200 Eastern Avenue), and that the request be accompanied by the Certificate of Vote of the City Council.

9. *CC2016-020 (Cox) Request O&A determine whether GCO c. 11, Sec. 11-11 “Permit required; fee” be amended by deleting, “The fee for a permit issued shall not exceed \$100.00”*

Councilor LeBlanc explained that he is asking this matter be continued to May 16, 2016.

10. *Council President Appointment of Assistant City Clerk to Interim/Acting City Clerk*

Councilor Ciolino said he was asking that Joanne Senos be confirmed as Interim City Clerk, a role she filled almost eight years ago when Robert Whynott left the City Clerk position. The Assistant City Clerk position will not be filled until the Council selects a new City Clerk, he said.

Councilor LeBlanc said that he and Ms. Senos have been working closely on this since the announcement that former City Clerk, Linda Lowe, announced her retirement. He agreed that Ms. Senos would be a great Interim City Clerk. The job description for the City Clerk will be reviewed, he noted, as well as the pay grade through a collaborative effort which he noted would include the Personnel Department and the City Clerk’s Department staff.

Councilor Ciolino said that in the last go around it was six months before they selected a new City Clerk. He said the City Clerk's office was in good hands with Ms. Senos. There is no rush to get a replacement, but they do have to start thinking about possible part-time person to help out during this transitional period, he said.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Assistant City Clerk, Joanne Senos, as the Interim City Clerk effective retroactively to May 1, 2016.

The following Council Orders awaiting Traffic Commission recommendations will be taken up at the 06/06/16 regularly scheduled O&A meeting:

11. *CC2016-021 (Cox) Amend GCO Sec. 22-280 "Fifteen-minute parking" re: Maplewood Avenue*
12. *CC2016-023 (Cox) Amend GCO Sec. 22-274 "Two-hour Parking – Between Certain Hours" re: 201 Main Street*
13. *CC2016-024 (Memhard) Request Traffic Commission perform a speed study on Beach Road to determine whether to reduce the speed limit and whether the city should petition MassDOT for approval*

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:00 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.