

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, June 11, 2019 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc, Jr.; Councilor Jennifer Holmgren; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara**

**Absent: Councilors Cox, Gilman and Hecht**

**Also Present: Joanne Senos; Jim Destino; Amit Chhayani; Chip Payson; John Dunn; Fire Chief Eric Smith; Jonathan Pope; Kathy Clancy; Dr. Richard Safier; Melissa Teixeira; Joel Favazza; Michelle Sweet; Gregg Cademartori; Michael Hale; Karin Carroll; James Pope; Jill Cahill; Grace Poirier; Peter Seminara; Vanessa Krawczyk**

**The meeting was called to order at 7:05 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.**

**Flag Salute & Moment of Silence.** Council President Lundberg dedicated the Moment of Silence in honor of Jim Dowd who passed away much too young. He conveyed that Mr. Dowd and his family are important citizens of Gloucester. He indicated that Mr. Dowd was a great writer and observer of life in our City. His daughter, Rebecca, was the Valedictorian for the Class of 2019 at the High School graduation this past Sunday. He reported that Rebecca gave an upbeat speech to her classmates, and concluded by thanking her Dad for teaching her how to write and how to think. Her speech was inspiring and moving. Councilor Holmgren mentioned the blog, the GloucesterClam, edited by Mr. Dowd and recommended his favorite album, the Crane Wife by the band, the Decemberists and their song, “Sons and Daughters” which was his favorite.

Council President noted the absences of Councilors Cox, Gilman and Hecht from this evening’s meeting.

**Oral Communications:** None.

**Presentations/Commendations:** None.

**Confirmation of New Appointments:**

Clean City Commission

Demitra Lavrakas

TTE 02/14/20

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor Lundberg, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Demitra Lavrakas to the Clean City Commission, TTE 02/14/20.

**DISCUSSION:**

Councilor O’Hara mentioned that Ms. Lavrakas would be a good addition to the Clean City Commission. It was noted Ms. Lavrakas was unable to attend the City Council meeting.

**MOTION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to appoint Demitra Lavrakas to the Clean City Commission, TTE 02/14/22.**

**Consent Agenda:**

• **MAYOR’S REPORT**

1. New Appointments:

- |                             |                         |              |             |
|-----------------------------|-------------------------|--------------|-------------|
| Council on Aging            | Rosalie Nicastro        | TTE 02/14/22 | (Refer O&A) |
| Gloucester Cultural Council | Shayla Kaufmann Swigart | TTE 02/14/20 | (Refer O&A) |
| Tourism Commission          | Jennifer Goulart Amero  | TTE 02/14/21 | (Refer O&A) |

2. Memorandum from Personnel Director re: request approval of FY18 wage adjustments and payment of 3 DPW Superintendents For work performed in FY18 (Refer B&F)

3. Memorandum, Grant Application & Checklist from the Director of Public Health re: request acceptance of a Community Compact Grant in the amount of \$84,557 to expand regional transportation for senior citizens on Cape Ann (Refer B&F)

4. Memorandum, Grant Application & Checklist from the Director of Public Health re: request acceptance of a Blue Cross Blue Of MA Foundation Catalyst Fund Grant in the amount of \$4,998 for the purchase of a digital Intraoral X-Ray sensor (Refer B&F)

- 5. Special Budgetary Transfer Request 2019-SBT-12 from the DPW (Refer B&F)
- 6. Memorandum from the Planning Director re: application to the Coastal Resilience Grant Program to assess the feasibility of design alternatives to protect the Water Pollution Control Facility on Essex Avenue (Refer B&F)
- 7. Response from Mayor’s Office to Oral Communications of the May 14, 2019 City Council Meeting (Info Only)
- 8. Community Outreach Meeting notice from Fresh Fields regarding the proposed Retail Marijuana Establishment anticipated to be Located at 65-73 Essex Avenue (Info Only)
  - **INFORMATION ONLY**
  - **APPLICATIONS/PETITIONS**
- 1. Special Events Application: Request to hold the Fishtown Horribles Parade July 3, 2019 (Refer P&D)
- 2. Special Events Application: Request to hold the “Cheer for the Pier” Magnolia Pier Fundraiser on July 27, 2019 (Refer P&D)
- 3. Special Events Application: Request to hold the Sidewalk Bazaar on August 1, 2 and 3, 2019 (Refer P&D)
- 4. Special Events Application: Request to hold the Mother of Grace Fiesta on September 7, 2019 (Refer P&D)
- 5. PP2019-003: Request by Comcast to excavate and place a 3’x3’ manhole cover over existing conduit and place one 4” PVC Conduit 50’ +/- to Harbor Loop #2 (Refer P&D)
- 6. PP2019-004: Request by National Grid to install 3’ +/- of 2”-3” concrete-encased PVC conduit at a point approximately 300 feet Northwest of the centerline of the intersection of Acacia Street and Grove Street (Refer P&D)
  - **COUNCILORS ORDERS**
- 1. CC2019-023 (LeBlanc): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-270.1 “Resident Sticker parking only” by ADDING Foley Road, York Road and Bertoni Road for their entire lengths (Refer O&A & TC)
- 2. CC2019-024 (O’Hara): request General Counsel draft a Home Rule Petition to cease the addition of sodium fluoride in the City’s Public water supply; and request the City of Gloucester’s state legislators file the Home Rule petition on behalf of the City (Refer O&A & General Counsel)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: 5/28/2019 (Approve/File)
- 2. Standing Committee Meetings: B&F 6/6/19 (under separate cover), O&A 6/3/19, P&D 06/05/19 (cancelled ) (Approve/File)

**Unanimous Consent Calendar**

- 1. Addendum to the Mayor’s Report: Appropriation request for MassDEP CWSRF 2019 Asset Management Grant reimbursement In the amount of \$250,000 (Refer B&F)

**Items to be added/deleted from the Consent Agenda & Unanimous Consent Calendar:**

**By unanimous consent of the City Council, the Consent Agenda and the Unanimous Consent Calendar was accepted as presented.**

**Committee Reports:**

**Budget & Finance: June 6, 2019**

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, donations from members and business partners to the Cape Ann Office of Veterans’ Services for the purpose of supporting on-going efforts to serve Veterans and Active Duty military for a total of \$210.00 as follows:

<u>Name/Entity</u>	<u>Dollar Amount</u>	<u>Date Received</u>
P. Michael Earl	\$ 20.00	02/27/2019
Virginia R. McKinnon	\$115.00	03/18/2019
Virginia R. McKinnon	<u>\$ 75.00</u>	01/28/2019
TOTAL:	\$210.00	

**DISCUSSION:**

**Councilor Memhard** offered his congratulations to the city’s Director of Veterans Services, Adam Curcuro, whom he indicated has continued to forge great relationships in the community, partnering with local Cape Ann businesses, interested groups and individuals. His fundraising efforts are supporting veterans activities and are greatly appreciated, he noted.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor O’Hara, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to accept under MGL c. 44, §53A, donations from members and business partners to the Cape Ann Office of Veterans’ Services for the purpose of supporting on-going efforts to serve Veterans and Active Duty military for a total of \$210.00 as follows:**

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P. Michael Earl	\$ 20.00	02/27/2019
Virginia R. McKinnon	\$115.00	03/18/2019
Virginia R. McKinnon	\$ 75.00	01/28/2019
<b>TOTAL:</b>	<b>\$210.00</b>	

COMMITTEE RECOMMENDATION: On motion by Councilor O'Hara, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, a private grant for \$1,980 for FY19 Massachusetts Dental Society MDS Foundation for the purpose of a transportation program for school-aged children in Gloucester, to be transported to and from area schools in the City of Gloucester to the Children's Dental Center. Grant funds must be expended by April 30, 2020. There is no local match for this grant.

#### DISCUSSION:

**Councilor Memhard** conveyed his thanks to Jenna Newbegin, the Public Health Department's Grants Manager who presented this grant for acceptance to the B&F Committee last week. He recounted that this grant will fund about 66 student transport by school bus from area schools to the Dental Center to provide services to kids during the school year. The Gloucester Dental Center serves low-income and underserved families and their children. He indicated it is a great program to which **Council President Lundberg** concurred.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor O'Hara, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to accept under MGL c. 44, §53A, a private grant for \$1,980 for FY19 Massachusetts Dental Society MDS Foundation for the purpose of a transportation program for school-aged children in Gloucester, to be transported to and from area schools in the City of Gloucester to the Children's Dental Center. Grant funds must be expended by April 30, 2020. There is no local match for this grant.**

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, to recommend that the City Council accept under MGL Ch. 44, §53A a federal grant from the U.S. Department of Transportation, Federal Highway Administration Recreational Trails Program through the Mass. State Department of Conservation and Recreation Recreational Trails Program, a Gloucester Watershed & Open Space Public Access Upgrades Project Grant for a total of \$49,500. An in-kind match or matching funds is a minimum of 20% of the total project cost. The proposed match for this project is \$73,373. The grant is effective through December 31, 2020.

#### DISCUSSION:

**Councilor Memhard** explained that the city was in receipt of a state Department of Conservation and Recreation grant award of \$49,500. He acknowledged this was largely due to the efforts of the city's Environmental Engineer who has working with the Open Space & Recreation Committee regarding access to public wooded areas in the city including city reservoirs. He reported that parking has been eliminated along Essex Avenue, which is a state highway, by MassDOT in the past two years limiting access to Fernwood and Haskell Reservoirs because of no public parking on Route 133. He explained that this funding will enable the city to create some small parking areas to accommodate a few vehicles, and to work with the Cape Ann Trail Stewards to create better trail flagging and wayfinding. This grant requires a \$73,373 match which will be comprised of in-kind services through the DPW's equipment, labor and management.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor O'Hara, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to accept under MGL Ch. 44, §53A a federal grant from the U.S. Department of Transportation, Federal Highway Administration Recreational Trails Program through the Mass. State Department of Conservation and Recreation Recreational Trails Program, a Gloucester Watershed & Open Space Public Access Upgrades Project Grant for a total of \$49,500. An in-kind match or matching funds is a minimum of 20% of the total project cost. The proposed match for this project is \$73,373. The grant is effective through December 31, 2020.**

**Ordinances & Administration: June 3, 2019**

There are no matters for Council action under this heading.

**Planning & Development: June 5, 2019 – Meeting Cancelled.****Scheduled Public Hearings:** Taken Out of Order.

- 5. PH2019-025: SCP2019-004: Fuller Street #35, Map 168, Lot 14, GZO Secs. 1.9, 3.1.6, 3.2.2 and 1.7 for a special permit to exceed the maximum allowable building height, decrease the minimum lot area per dwelling unit and decrease the minimum open space per dwelling unit in the NB/R-20 district (Cont'd from 5/28/19) To be withdrawn**

**This public hearing is opened at 7:16 p.m.**

**Attorney Mark Nestor**, 45 Middle Street, representing the Applicant, Beauport Shores, LLC, owners of 35 Fuller Street noted his submission of an email (on file) requesting to withdraw an application for a Special Council Permit. He indicated that during his investigation there were issues that weren't correct on the application; the application needs to be pulled back and then move to the Zoning Board of Appeals (ZBA) for correction. They were seeking in SCP2019-004 to move from four dwelling units to six, but in the course of the (permitting) process, an issue was raised as to the actual number of units in the building that existed prior to the fire. He also indicated that the City Assessors hadn't done an internal appraisal of the building in over 20 years; therefore, there was no information available. This, he advised, is why this issue has to go before the ZBA to address some special permits and variances with the Board. After the ZBA hearing, and with the support of the neighbors, a changed Special Council Permit application will be submitted for this locus, he indicated. **Mr. Nestor** asked that the application for SCP2019-004 be withdrawn without prejudice. He submitted a letter dated June 11, 2019 indicating same for the record.

**This public hearing was closed with the request to withdraw the application for SCP2019-004 at 7:19 p.m.**

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to permit the withdrawal of SCP2019-004: Fuller Street #35, Map 168, Lot 14, GZO Secs. 1.9, 3.1.6, 3.2.2 and 1.7 for a special permit to exceed the maximum allowable building height, decrease the minimum lot area per dwelling unit and decrease the minimum open space per dwelling unit in the NB/R-20 district without prejudice.**

**This matter is closed.**

- 1. PH2019-026: Public Hearing on FY20 Proposed Budget (FY20 Mayor's Recommended Budget)**

**This public hearing is opened at 7:20 p.m.**

**Council President Lundberg** noted that the process of the Mayor's Budget was received by the City Council in early May and the B&F Committee held their review meetings. He announced voting by the Council on the FY20 budget will take place next Tuesday.

**Public Comment:**

**Cynthia Lanzendorf-Carney**, 34 Fernald Street, conveyed concerns as Vice President of the Gloucester Teachers' Association that over the last several decades many teaching positions, administrative positions and programming have been lost as reported by teachers in the city's elementary schools, middle school and high school which she enumerated. She noted the introduction of bus fees and increased sport fees as another deterrent to students attending the city's schools. She noted that the city is looking to build a new combined elementary school at some expense to residents, but indicated there is a great need to serve the children of Gloucester by investing in their educational needs as well as facilities. She mentioned the Cherish Act before the state legislature that the Mass. Teachers Association is lobbying for which demands better school funding and asked for support of that effort. She also encouraged the city to invest in their schools so that this school district becomes a district others want to regionalize with and choice into, thereby attracting and retaining teachers. Written statement placed on file.

**Councilor Questions:**

**Councilor O'Hara** asked about a \$285,000 line item funding the Children's Dental Center, asking that the Public Health Director review what the Center does. **Karin Carroll**, Public Health Director reported the following: The Children's Dental Center (Center) is a small, free standing Dental Center located on Prospect Street serving the public school students of the city, and some of the area's day care centers and preschools. The Center has a part-time dentist on contract and a part-time hygienist. The Center has its own Revolving Account, and bills Medicare and MassHealth if children have that insurance; if not the cost is absorbed by the Center. **Councilor O'Hara** confirmed the clinic is opened to all in the city. **Ms. Carroll** advised it is. She explained that some services have expanded to adults when possible. Because adult services have different billing needs and equipment for which the Center isn't fully set up to expand into, she indicated that it's beyond what the Center can handle. She noted adults are usually referred to other dental care services as the Center is predominantly for children. The bus grant just accepted this evening, she pointed out, will help expand transportation for school children to the Center. She reiterated that this Center is free standing and self-sufficient, and has been in place for 15 to 20 years. She reported that the Dental Center received its accreditation from the state in December 2018 with 100% compliance. **Councilor O'Hara** confirmed there is no reason a child couldn't receive dental care in the city. **Ms. Carroll** advised dental services are offered to all public school students but there is a high no show rate and indicated other barriers to care. The Center is open to anyone who could take advantage of it, she conveyed, saying that they will see anyone that makes an appointment. In general, she noted that the majority of the Center's patients come from the schools. To make an appointment parents/guardians can contact the Children's Center directly or through the School Nurses, and there is a website portal or people can stop in at 99 Prospect Street. The Center is open four days a week.

**Council President Lundberg** asked if the funding for the Children's Dental Center is part of the FY20 budget. **Ms. Carroll** reiterated that the funding is all in a Revolving Fund account. **John Dunn**, CFO, advised that funding for the Center is through a Revolving Fund which was presented to the B&F Committee (during their FY20 Budget Review) and is voted as a part of a motion the Council will consider next week for the FY20 city budget funding. The Children's Dental Center funding is not part of the General Fund operating budget; rather it is in a Revolving Fund, he highlighted.

**Councilor O'Hara** noted Ms. Carney mentioning a number of cutbacks in the School Department over time related to the student population/enrollment, and asked where the School Department about district enrollment for the 2018/2019 and going back five years. **Dr. Richard Safier** recounted there a presentation made on May 13, 2019 (on file) to the B&F Committee on the School Department's FY20 budget which spoke to changes for teachers and teachers' aides based on student population. He indicated that the presentation noted changes in student demographics, and that the presentation made the case that there was a transition from academic areas to social service areas. Some of the changes in the last five years are the result of changing demographics, he reported. The Mass. School Building Association (MSBA), as part of their due diligence related to the city's eligibility for school building funding, has done a student population projection he advised, which confirmed that between now and 2025 the district will be about 100 students less than today across all 12 grades. The number is relatively static, he suggested. **Councilor O'Hara** asked how many students choiced out in 2018/2019. **Dr. Safier** conveyed it was between 287 and 303 students; students choicing in has been in the low 30's. **Councilor O'Hara** asked if there are other avenues besides choicing out for leaving the school district, mentioning the Essex Vocational/Technical School. **Dr. Safier** pointed out that the city is part of that Essex Tech school district, and students attending that school are not choicing out, but are in the district. He advised some students may choose to go to private schools. The outflow numbers include neighboring North Shore communities, he added.

**This public hearing is closed at 7:41 p.m.**

**Council President Lundberg** announced that on Tuesday evening, June 18 at a special meeting, the Council would vote on the FY20 city budget department by department, thanking those who attended this public hearing.

**2. PH2019-027: Loan Order 2019-005: Loan Authorization Request to pay for the redesign and retrofit of the Gloucester High School Flood Barrier in the amount of \$3,150,000**

**This public hearing is opened at 7:43 p.m.**

**Those speaking in favor:**

**Mr. Dunn** explained that this is a loan order to fund the construction of a flood barrier along the back of the Gloucester High School (GHS) property. He pointed out this is a situation where the city has significant input from the state for a grant; and asked for approval for the loan order. **Council President Lundberg** mentioned a public

informational meeting sponsored by the Administration last week chaired by Councilor LeBlanc held at GHS regarding the flood barrier project. He noted there's been a good amount of public description on the project.

**Kathy Clancy**, 78 High Popples Road, School Committee member, urged passage of the Loan Order to protect the GHS campus assets.

**Gregg Cademartori**, Planning Director, recounted that there was a Municipal Vulnerability Preparedness (MVP) Workshop in April 2017 saying that the GHS campus was identified as a priority area and to accelerate city planning efforts for its protection from future flooding because of storm events two winters ago. He explained the city applied for a grant from Coastal Zone Management (CZM), and are finishing that process resulting in design plans that will be able to move the project to construction. He also mentioned the previous week's public meeting at GHS, and pointed out the city is entering into formal permitting with the Conservation Commission. He announced that this week because of the threshold size of the project and the possibility of state funding, the project also entered into the Mass. Environmental Protection Agency (MEPA) review process. MEPA will be conducting a site visit next week to go through their certification process of identifying any outstanding issues during the permitting process. This loan authorization is the full value estimate of the project minus grants that the city hopes to obtain for the project, he noted.

At the request of **Councilor Memhard, Mr. Cademartori** explained the following: The city contracted with GZA Engineers to review options for the protection of the GHS campus as a whole. Along the Blynman Canal at the campus there is a revetment and concrete wall; fencing; athletic fields and the school. The opportunity is compact as to what can be done. Some of the criteria included in the design is to retain the walkway along the canal. Options reviewed by the engineers were briefly touched on, noting the poor soils in the area. The limited option of providing the maximum protection is a driven steel wall will almost replace the same orientation of the current fence line with a varying height because the land is not level in that location. The controlling elevation for flooding in that area is the Boulevard, and the wall would near that elevation. This will be a solid fence along the canal for about 1,400 feet. The work will be within that immediate area with access from construction coming from the campus and will have a limited window of construction next spring if all elements align.

**Those speaking in opposition:**

**Joel Favazza**, 28 Middle Street, reminded the Council that some of what the city is protecting is through private donations of \$3 million from citizens of Gloucester for a stadium, and recounted a year ago the city paid \$1.5 million after the storm event flooded that facility for reparations. He pointed out there will be a financial impact to the city to construct a wall. He offered that this is trying to preserve facilities that are below sea level with a building too close to the water and too low to the ground. He suggested that the city needs to plan for long-term solutions with public properties rather than short-term financing solutions several million dollars at a time. The location of the building has to be reconsidered, he suggested.

**Communications: None.**

**Councilor Questions:**

**Councilor O'Hara** conveyed that floods are the new norm and they have to start to deal with the elements. He noted the suggested cost of a new High School is \$200 million and asked where it would be sited. He urged that the city needs to start addressing where they will put public facilities. He mentioned photographs he took during the (winter) storm two years ago showing a low spot on the current GHS canal wall. He highlighted inferior land on the campus, and expressed his concern for the engineering to drive a wall into an old dump site. **Jim Destino**, CAO, noted this project is being done by leveraging a grant with the city paying one-third of the cost to shore up and protect city assets. This \$3 million loan order with a hoped for \$2 million grant is \$1 million to the city which could get another 30 years for this facility which he pointed out is still viable. He highlighted that the Administration takes climate change very seriously and named several measures already underway. This project makes perfect sense, he suggested, and is leveraging grants. This project was debated within the Administration thoroughly, he advised, vetted by engineers, spoken about at length with the B&F Committee. He indicated the Administration's confidence that this can buy the city time – for decades. They can't even find a piece of land for a combined elementary school, he pointed out and haven't looked yet for a new location for a high school. They feel with the flood barrier that it will protect the GHS location for some time to come and is money well spent. **Councilor O'Hara** expressed that the engineers should be looking at anything that could be compromised such as drainage systems and other related issues on the campus. **Mr. Destino** assured that was the case; that the engineers would look at everything, particularly drainage. As to ground water rising with sea level rise, they have explored that issue as much as possible -- they're making the best effort to preserve the city's asset. **Councilor O'Hara** engaged a lively discussion with **Mr. Destino** about the possibility of the engineers providing a guarantee that the wall would hold back flooding at a certain sea level with **Mr. Destino** pointing out that this is a reputable firm that said this will work. **Councilor O'Hara** pointed out that roofs are guaranteed for so many years and other facilities improvements

and contended that engineers should guarantee their work. **Mr. Destino** indicated that the city always has the option that if the flood barrier is built and doesn't work, they can take a contractor to court. As far as a guarantee from the engineers, he conveyed that for a job like this he's never seen or heard of such a guarantee given, but they can ask the question. **Mr. Dunn** added that they put something out to bid but without a performance warranty, and for what the Councilor indicated, they'd have to start from scratch. He advised that there is professional liability insurance which they ask for from engineering consultants for such projects. He assured that if there is a design flaw, the city does have options. They do have an implied warranty with the professional liability insurance, he noted.

**This public hearing is closed at 8:06 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Cox) absent, to recommend that the City Council approve the following a loan authorization of \$3,150,000 as follows:

Ordered: That the City of Gloucester appropriates Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) to pay costs of improvements for the redesign and retrofit of the Gloucester High School flood barrier, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

#### **DISCUSSION:**

**Councilor LeBlanc** expressed his support of the loan order. He highlighted the community outreach meeting on Monday, June 3<sup>rd</sup>, which was highly advertised for the neighborhood. He reported that at the meeting there was a thorough review of the project which was attended by about 20 people, none of whom were in opposition to the project. He reported that as the Ward Councilor he's heard no opposition from residents on either side of the Blynman Canal. He pointed out that this project isn't just about protecting the football field but the school building itself. He advised the flood barrier will go from the Blynman Bridge to the Dun Fudgin boat ramp where the elevation rises a bit at that spot. He made note of the wall's sheet pile construction and keeping the integrity of the walkway. He expressed that this is a good idea to protect the high school asset for cost to the city of about \$1 million in the end.

**Councilor Holmgren** noted her attendance at the community outreach meeting offering her thanks to Councilor LeBlanc, Mr. Cademartori, Mike Hale, DPW Director, and the city's Administration. She voiced her support for the loan order, as well as expressing her hope for a better solution although noting it would take too long, and the city needs to protect the school now. She noted that at the meeting a resident of Centennial Avenue who is directly across the football field mentioned that the flood tides comes up through the storm drains there, and that GZA engineers will take a closer look at that situation.

**Councilor Nolan** offered his thanks to the Administration saying that this is a great idea. He voiced his support for the loan order pointing out that even at the full \$3 million this is a good investment.

**Councilor Memhard** advised this is an appropriate step to defending the city against sea level rise and is in the right direction. He mentioned federal funding that has already built sea gates and sea walls in harbors in other Massachusetts waterfront communities.

**Councilor O'Hara** advised his support for the loan order saying that there are limited choices. He highlighted the cost of replacing the high school at an estimated \$200 million which he deemed unrealistic at this time. He expressed his hope that they take this design beyond the boat ramp pointing out two years ago water came in past it.

**Council President Lundberg** conveyed that the city has made the right decision to protect the asset of the high school saying that this is an effective next step. He complimented the Administration for recognizing the issue of sea level rise and taking these first steps.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Nolan, the City Council voted by ROLL CALL 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to approve the following a loan authorization of \$3,150,000 as follows:**

**Ordered: That the City of Gloucester appropriates Three Million One Hundred Fifty Thousand Dollars (\$3,150,000) to pay costs of improvements for the redesign and retrofit of the Gloucester High School flood barrier, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.**

**Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.**

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 0 in favor, 6 opposed, 3 (Cox, Gilman, Hecht) absent, to reconsider the vote for a Loan Order for \$3,150,000 to pay costs of improvements for the redesign and retrofit of the Gloucester High School flood barrier, including costs incidental or related thereto.**

**MOTION FAILS.**

- 3. PH2019-028: Loan Authorization to amend Loan Order 2019-001 in the amount of \$900,000, by increasing it to \$1,150,000 for the demolition and reconstruction of the Magnolia Pier**

**This public hearing is opened at 8:14 p.m.**

**Those speaking in favor:**

**Mr. Dunn** advised that the original loan was approved for \$900,000 recently by the City Council, but unfortunately bids came in, four or five of them, but even the lowest bid was slightly over the original \$900,000. That left them no room for contingencies and they couldn't sign the contract with the low bidder. The other bids were significantly higher than the lowest bid, and he advised that the low bidder is confident with his estimate to complete the project. In order to lock in the low bidder, he suggested it was necessary to amend the original loan order. Anything that requires construction in the water can have contingent issues that arise, and advised it was prudent to bring this loan order back to increase it to cover contingencies and to cover the costs to meet the lowest bid.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:17 p.m.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Cox) absent, to recommend that the City Council approve the following amendment to Loan Order 2019-001 for an additional \$250,000 for a new total loan authorization of \$1,150,000 as follows:**

**Ordered: That Loan Order 2019-001, Certificate of Vote 2019-054 of this Council approved March 26, 2019 authorizing the borrowing of \$900,000 to pay costs of the demolition of the existing and reconstruction of a new Magnolia Pier, is amended in its entirety to provide as follows:**

That the City of Gloucester appropriates One Million One Hundred Fifty Thousand Dollars (\$1,150,000) to pay costs of the demolition of the existing and reconstruction of a new Magnolia Pier, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Memhard, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to approve the following amendment to Loan Order 2019-001 for an additional \$250,000 for a new total loan authorization of \$1,150,000 as follows:**

**Ordered: That Loan Order 2019-001, Certificate of Vote 2019-054 of this Council approved March 26, 2019 authorizing the borrowing of \$900,000 to pay costs of the demolition of the existing and reconstruction of a new Magnolia Pier, is amended in its entirety to provide as follows:**

**That the City of Gloucester appropriates One Million One Hundred Fifty Thousand Dollars (\$1,150,000) to pay costs of the demolition of the existing and reconstruction of a new Magnolia Pier, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.**

**Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.**

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 0 in favor, 6 opposed, 3 (Cox, Gilman, Hecht) absent, to reconsider the vote for Loan Order 2019-001, Certificate of Vote 2019-054 of this Council approved March 26, 2019 authorizing the borrowing of \$900,000 to pay costs of the demolition of the existing and reconstruction of a new Magnolia Pier to be amended for an additional \$250,000 for a new total of \$1,150,000.**

**MOTION FAILS.**

- 4. PH2019-029: Amend GCO Ch. 20 "Shellfish, Seaworms and Eels," Sec. 20-26(a) "Permit to take eels generally; restrictions as to traps; Fyke nets prohibited" by DELETING the words "six inches" in the third sentence and ADDING the words, "nine inches" in their place**

**This public hearing is opened at 8:19 p.m.**

**Those speaking in favor:**

**Peter Seminara**, Shellfish Warden, advised that state law changes frequently as to Marine Fisheries. The taking of eels by length has changed from six inches to nine inches under MGL Ch. 130, §52. In order to be compliant with state law he requested the Ordinance reflect this change.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:21 p.m.**

**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 Ch. 20 "Shellfish, Seaworms and Eels", Sec. 20-26(a) "Permit to take eels generally; restrictions as to traps; Fyke nets prohibited" by DELETING the words "six inches" in the third sentence and ADDING the words, "**nine inches**" in their place.

**DISCUSSION:**

**Councilor LeBlanc** expressed his support for the ordinance amendment, recognizing the work of Mr. Seminara as Shellfish Warden, especially by updating the Council of state law changes. He expressed his appreciation for Mr. Seminara's good work.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to Amend GCO Ch. 20 "Shellfish, Seaworms and Eels", Sec. 20-26(a) "Permit to take eels generally; restrictions as to traps; Fyke nets prohibited" by DELETING the words "six inches" in the third sentence and ADDING the words, "**nine inches**" in their place.**

**The City Council recessed at 8:23 p.m. and reconvened at 8:24 p.m.**

- 6. PH2019-030: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-281 "Ten-minute parking" by DELETING "Angle Street southerly side beginning at a point 42 feet from its intersection with Middle Street for a distance of 22 feet in an easterly direction"**

**This public hearing is opened at 8:24 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:24 p.m.**

**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 Ch. 22 "Traffic and Motor Vehicles", Sec. 22-281. "Ten-Minute Parking" by DELETING, "Angle Street, southerly side, beginning at a point 42 feet from its intersection with Middle Street for a distance of 22 feet in an easterly direction."

**DISCUSSION:**

**Councilor LeBlanc** noted that this was a parking spot in front of the Visiting Nurses Association building and since that the organization is no longer at this location the neighbors asked this 10-minute parking space be removed.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to Amend GCO Ch. 22 "Traffic and Motor Vehicles", Sec. 22-281. "Ten-Minute Parking" by DELETING, "Angle Street, southerly side, beginning at a point 42 feet from its intersection with Middle Street for a distance of 22 feet in an easterly direction."**

- 7. PH2019-031: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Art. II, Div. 2, "Traffic Commission" by ADDING a new Sec. 22-38, "Commission authority to approve stop intersections"**

**This public hearing is opened at 8:25 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:25 p.m.**

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 Ch. 22, "Traffic and Motor Vehicles" Art. II, Division 2 "Traffic Commission" by ADDING new Sec. 22-38 as follows:

"Sec. 22-38. - Commission's authority to approve stop intersections.

(a) The traffic commission may, after conducting a duly notice public meeting, promulgate regulations to approve stop intersections.

(b) A request for a stop intersection shall be filed with the commission through the city clerk's office. At the close of the public meeting, the commission may, by majority vote, approve the stop intersection. The commission shall file notice of its decision to promulgate such regulation with the office of the city clerk. All approved stop intersections shall be published as regulations known as the "List of Stop Intersections in the City of Gloucester."

(c) The city council committee on ordinances and administration may review the regulation approving the stop intersection. The committee's approval or disapproval of the traffic commission's decision shall be considered final action and shall not be subject to further review. The request for review shall be filed by an aggrieved party within 30 days of the traffic commission's filing its decision with the city clerk's office."

#### **DISCUSSION:**

**Councilor LeBlanc** advised that this was from Councilor Memhard in speaking with the O&A Committee about how requests for stop signs have to be referred to O&A to the Traffic Commission, then back to O&A and can take several months to get a stop sign in place. This streamlining, he conveyed, should have been done a long time ago, and will get stop signs into place at a faster pace.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the City Council voted 6 in favor, 0 opposed, 3 (Cox, Gilman, Hecht) absent, to Amend GCO Ch. 22, "Traffic and Motor Vehicles" Art. II, Division 2 "Traffic Commission" by ADDING new Sec. 22-38 as follows:**

**"Sec. 22-38. - Commission's authority to approve stop intersections.**

**(a) The traffic commission may, after conducting a duly noticed public meeting, promulgate regulations to approve stop intersections.**

**(b) A request for a stop intersection shall be filed with the commission through the city clerk's office. At the close of the public meeting, the commission may, by majority vote, approve the stop intersection. The commission shall file notice of its decision to promulgate such regulation with the office of the city clerk. All approved stop intersections shall be published as regulations known as the "List of Stop Intersections in the City of Gloucester."**

**(c) The city council committee on ordinances and administration may review the regulation approving the stop intersection. The committee's approval or disapproval of the traffic commission's decision shall be considered final action and shall not be subject to further review. The request for review shall be filed by an aggrieved party within 30 days of the traffic commission's filing its decision with the city clerk's office."**

**For Council Vote: None.**

**Unfinished Business: None.**

**Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:**

**Update of the Animal Advisory Committee by City Council Representative, Councilor Jen Holmgren:**

**Council President Lundberg** noted that Councilor Holmgren is no longer the Council liaison to the Animal Advisory Committee, and another Councilor has yet to be appointed to that role. Councilor Holmgren, he advised, and has joined the Housing Production Planning Committee. **Councilor Holmgren** highlighted she'd just learned that Kestrel Educational Adventures has been invited to conduct a coyote education program and curriculum in the Gloucester Public Schools, which she termed as exciting. She suggested that either the Animal Advisory Committee has been briefed on it or will be shortly; with an article anticipated to be published on it this week.

**Councilors' Requests to the Mayor:**

**Councilor O'Hara** thanked the Administration for their efforts for GHS, a valuable asset and are doing a great job and specifically mentioned Mr. Hale and Mr. Destino. He announced that on Monday, June 24 there will be another blood drive at the Magnolia Library 2:00 p.m. to 7:00 p.m. -- to make an appointment call 1-800-RED CROSS.

**Councilor Holmgren** updated the Council on behalf of Councilor Gilman that at Seaside Cemetery many large, old trees had to be cut down. She reported that the DPW Director advised there was significant decay to the trees' cores; the trees were becoming a hazard. The DPW has plans to replant, she added.

**Councilor Memhard** noted on Monday, June 17<sup>th</sup> in Kyrouz Auditorium there will be a Ward 1 meeting at 6:00 p.m. on the East Gloucester Elementary School building project for Ward 1 residents to hear directly about the Building Committee's plans and to express their concerns and preferences to ensure the School Committee hears them. He reported that the Piping Plovers are still on the Good Harbor Beach, and all survived this past beautiful busy beach weekend saying that implemented protective measures appear to be working. He thanked Councilor Gilman, Mr. Hale, and Grace Poirier for composing the city's betterment and pothole communications to the public, which is almost ready to go live with interactive links which will be a helpful tool for the public for education and communication for residents.

**Councilor Nolan** offered his thanks to Councilor Gilman and Mr. Hale for the betterment/pothole communications soon to go live. He announced that on Wednesday, June 12<sup>th</sup> at 4:00 p.m. the Stacy Boulevard Tennis Courts will be renamed and dedicated as the Avis Murray Tennis Courts. The rejuvenated tennis courts are beautiful, he noted, mentioning the work of J.J. Bell and his committee and Councilor Gilman.

**Councilor LeBlanc** thanked Councilors O'Hara for chairing the June 3<sup>rd</sup> O&A meeting and for Councilor Lundberg for filling in for him while he was at the High School that same evening.

**Council President Lundberg** also mentioned the dedication of the Avis Murray Tennis Courts saying it is a beautiful location for tennis courts where the public can play tennis for free with renovations made through a public/private partnership.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:36 p.m.**

Respectfully submitted,

*Dana C. Jorgenson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Under PH2019-026: Public Hearing on FY20 Proposed Budget (FY20 Mayor's Recommended Budget):** Written statement of Cynthia Lanzendorf-Carney, 34 Fernald Street
- **Under PH2019-025: SCP2019-004: Fuller Street #35, Map 168, Lot 14, GZO Secs. 1.9, 3.1.6, 3.2.2 and 1.7 for a special permit to exceed the maximum allowable building height, decrease the minimum lot area per dwelling unit and decrease the minimum open space per dwelling unit in the NB/R-20 district:** Letter dated June 11, 2019 addressed to the City Council President from Attorney Mark Nestor representing Beauport Shores, LLC, owners of 35 Fuller Street, Gloucester, requesting the withdrawal of the application for SCP2019-004 without prejudice.