

GLOUCESTER CITY COUNCIL MEETING

Tuesday, November 12, 2019 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc, Jr.; Councilor Melissa Cox (left the meeting at 9:03 p.m.); Councilor Valerie Gilman; Councilor Kenneth Hecht; Councilor Jennifer Holmgren; Councilor Sean Nolan; Councilor James O’Hara (left the meeting at 9:33 p.m.)

Absent: Councilor Memhard

Also Present: Mayor Theken; State Sen. Bruce Tarr; Joanne Senos; Jim Destino; Chip Payson; John Dunn; Nancy Papows; Gary Johnstone; Bethann Brousseau; Tim Good; Jill Cahill; Vanessa Krawczyk; Tony Gross; Grace Poirier

The meeting was called to order at 7:01 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 asked members of Boy Scout Troop 60 present at the meeting to lead the City Council in the Flag Salute.

Oral Communications:

Name: Lynn Parisi
Address: 40 Roger Street, 3C
Subject: Steering Committee member of the Gloucester 400th Celebration and Outreach Chair, invited the Councilors, the Mayor and her Administration and the public to the first 400th celebration event leading up to 2023 on Sunday, Nov. 24th at the Gloucester Unitarian Universalist Church, 10 Church Street, with two guest speakers, Mary Ellen Lepionka and Stephanie Buck, both of whom will speak to issues of the city’s first 100 years of the history.

Members of Boy Scout Troop 60: Henry Jacques, Eagle Scout, as the main spokesperson of Troop 60 highlighted his Eagle Scout community project working on the First Parish Burial Ground restoration, and the hundreds of hours he and his fellow scouts have dedicated to that project and to the community at large. He recounted that scouting is a way to improve character, gain life and communication skills. He pointed out that having a facility to meet has been important to Gloucester scouting, noting the city has played a critical role in giving the scouts that honor for many years (at 35 Concord Street). Other members of Troop 60 present expressed their thanks individually to the Council for their support: Evan Wood, Caleb Kent, Owen Parsons, Kadin Lewis, Alan Lewis, Daniel Puglisi, Gavin Harris and Ryan Lewis. In conclusion, **Mr. Jacques**, on behalf of Troop 60, invited the Council and the Mayor to join his fellow scouts on Saturday, Nov. 16th at 6:00 p.m. at the Gloucester Fraternity Club for a “Turkey Cook.”

Presentations/Commendations:

1. Magnolia Pier Fundraising Committee re: presentation of a check from their fundraising efforts to date

Ted Costa, Chair of the Magnolia Pier Fundraising Committee, advised the Council that their Committee has raised \$182,688.77, and a “life-size” check was brought forward by members of Troop 60 accompanied by members of the Fundraising Committee to present the check to the Council. Recounting that the Pier was destroyed in March 2018, he offered the thanks of the Committee to the Mayor and the CAO for their leadership and to the Council for their support. This, he conveyed, demonstrates to the rest of the city a fine example of taking leadership and ownership in a public/private project to benefit the entire community. He mentioned the work of Noreen Gillis, Treasurer of the Fundraising Committee, associated with the Cape Ann Savings Bank, and Robert Gillis, President of the Bank. He cited Sen. Bruce Tarr whom he conveyed was a great help to the Committee.

Mayor Theken offered her thanks to the Magnolia Pier Fundraising Committee. She noted that the replacement of the Magnolia Pier was necessary, and that these folks came forward to offer their assistance by working with the city to bring the Magnolia Pier back for now and future generations. She highlighted the public/private effort to benefit the entire community. She highlighted that the Village of Magnolia has the same zip code -- 01930, saying that it is one Gloucester.

State Sen. Bruce Tarr conveyed his congratulations to the Magnolia Pier Fundraising Committee, as well as the leadership of the Council, commending Councilors Nolan, O'Hara and Holmgren for their efforts. This has created a lasting city asset where more memories can be made, he noted, saying that this is a reminder that they can get things done with a dedicated group effort.

Confirmation of New Appointments: None.

Consent Agenda:

- **CONFIRMATION OF REAPPOINTMENTS**
 - **MAYOR'S REPORT**
1. *Appointments*

Animal Advisory Committee	Lynn R. Jackson, DVM	TTE 02/14/23	(Refer O&A)
Clean Energy Commission	Samuel Ziergiebel (fulfilling unexpired term)	TTE 02/14/21	(Refer O&A)
Council on Aging	Felicia Webb	TTE 02/14/23	(Refer O&A)
Dogtown Preservation Commission	Charles Crowley	TTE 02/14/23	
	Christopher Leahy	TTE 02/14/23	
	Richard Quateman	TTE 02/14/22	(Refer O&A)
	Rebecca Nagle	TTE 02/14/23	(Refer O&A)
Gloucester Cultural Council	Lilian Olmsted (fulfilling unexpired term)	TTE 02/14/21	(Refer O&A)
Gloucester Historical Commission	Sarah Mitchell Peck	TTE 02/14/22	(Refer O&A)
Human Rights Commission			(Refer O&A)
 2. Memorandum from Human Resources Director re: request to amend Personnel Ordinance for job classification, AFSCME B (Refer O&A)
 3. Memorandum from Community Development Director re: Land Disposition Committee Recommendation: 206 Main Street (Refer P&D)
 4. Memorandum from Community Development Director re: Land Disposition Committee Recommendation: 32 Harbor Loop (Refer P&D)
 5. Memorandum from Veterans Services Director re: request acceptance of donations to support Cape Ann Veterans Services in the Amount of \$2,020 (Refer B&F)
 6. Memorandum from Police Chief re: request acceptance of disbursement of donations received from Public Safety Day in the Amount of \$2,156.20 (Refer B&F)
 7. Memorandum from Assistant Fire Chief re: request acceptance of a FEMA Emergency Management Performance Grant in the Amount of \$8,500 (Refer B&F)
 8. Memorandum from Council on Aging Director re: request acceptance of the FY20 Title III B Older American's Provider Services Grant in the amount of \$9,841 (Refer B&F)
 9. Memorandum from CFO re: request the rescission of authorized but unissued debt in the amount of \$3,214,452 (Refer B&F)
 10. Memorandum and Supplemental Appropriation-Budgetary Request (2020-SA-8) from the Treasurer/Collector (Refer B&F)
 11. Request from the Mayor for an Executive Session re: update the City Council on ongoing litigation regarding the 2001 Combined Sewer Overflow project with the Town of Essex (Refer City Council)
 12. Copy of the recently unveiled Transportation Vision for the North Shore Coalition (Info Only)
 - **INFORMATION ONLY**
 - **COMMUNICATIONS/INVITATIONS**
 - **APPLICATIONS/PETITIONS**
 1. Special Events Application: Request to hold the Lobster Trap Tree Lighting on December 14, 2019 (Refer P&D)
 - **COUNCILORS ORDERS**
 1. CC2019-039 (LeBlanc): request review of GCO Ch. 21 "Streets, Sidewalks and Other Public Places" Art. V, "West Gloucester Firing Range" and determine whether certain sections of Art. V be amended (Refer O&A & Police Chief)
 2. CC2019-040 (Memhard): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-271 "Parking prohibited from May 1 to September 15 – Generally" by DELETING "Salt Island Road, both sides, from Witham Street to Barberry (Refer O&A)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. City Council Meeting: 10/22/2019 (Approve/File)
 2. Standing Committee Meetings: B&F 11/07/19 (under separate cover), O&A 11/04/19 (no meeting), P&D 11/06/19 (Approve/File)

Items to be added/deleted from the Consent Agenda:

By unanimous consent of the City Council the Consent Agenda was accepted as presented.

Committee Reports:

Budget & Finance: November 7

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve the Budget & Finance Committee Unanimous Consent Agenda dated November 12, 2019 as follows:

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to accept under MGL c. 44, § 53A, a federal grant from the U.S. Department of Justice, Drug Enforcement Administration (DEA) FY20 Organized Crime Drug

Enforcement Task Force Grant for \$18,649.00, reimbursing the City of Gloucester Police Department (GPD) for overtime by a GPD officer. The grant period is from October 1, 2019 through September 30, 2020 and there is no required local match.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council in the amount of \$10,400 to the Gloucester Cultural Council for the purpose of supporting FY20 local cultural projects in the City of Gloucester by the Gloucester Cultural Council. The grant period is from July 1, 2019 through June 30, 2020 and there is no required local match.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-1 in the amount of \$3,000 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0121851-511000, Police Parking, Salaries, for the purpose of funding a projected account deficit.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-2 in the amount of \$1,500 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0121851-511300, Police Parking, Wages-Hourly Permanent, for the purpose of funding a projected account deficit.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-3 in the amount of \$8,000 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0129251-511000, Police - Animal Control, Salaries, for the purpose of funding a projected account deficit.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-4 in the amount of \$2,000 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0129651-513000, Shellfish Control, Overtime, for the purpose of funding an actual account deficit.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-5 in the amount of \$50,000 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0194552-574001 Liability Insurance, Building Insurance, for the purpose of funding an actual account deficit.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve Special Budgetary Transfer 2020-SBT-6 in the amount of \$10,000 from Account #0192151-517004, Pension/Regular Contributory, Pension Retirement Fund, to Account #0194552-574002 Liability Insurance, Flood Insurance, for the purpose of funding an actual account deficit.

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COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve 2020-SA-7 for \$680.00 (Six Hundred Eighty Dollars) from Account #32145-596001, City Clerk Dog License Receipts Reserved for Appropriation, Transfers to the General Fund to Account #0116152-578000, City Clerk, Other Expenses, for the purpose of purchasing two additional cast iron City Seals to replace the old existing City Seal.

DISCUSSION: None.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve 2020-SA-7 for \$680.00 (Six Hundred Eighty Dollars) from Account #32145-596001, City Clerk Dog License Receipts Reserved for Appropriation, Transfers to the General Fund to Account #0116152-578000, City Clerk, Other Expenses, for the purpose of purchasing two additional cast iron City Seals to replace the old existing City Seal.

Ordinances & Administration: October 15-Special Meeting

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 request that the State Legislators file a Home Rule Petition; and based on said Petition, the General Court approve and enact a Special Act substantially as follows:

“Home Rule Petition (Gloucester)

In accordance with Section 4 of Article LXXXIX of the Massachusetts Constitution¹, the City of Gloucester (City) is seeking to amend the following section of its Charter:

Section 2-10. - Appointments to City Offices.

- (a) *Confirmation — The mayor shall submit to the city council the names of all persons he desires to appoint to any city office, as a department head or as a member of a multiple-member body, except a position which is covered by the state civil service law or except as otherwise provided by this charter. The city council shall refer all such names as are submitted to the standing committee on ordinances and administration which shall investigate all such candidates for confirmation and make a report with recommendations to the full city council not less than seven nor more than twenty-one days following such referral. If the city council has taken no other action, said appointments shall become effective on the thirtieth day following the date the name has been received by the city council. The provisions of section 2-11(c) shall not apply to this section.*
- (b) *No un-elected appointee shall be appointed to more than ~~one~~ onetwo multiple member bodies, ~~unless said board or commission is inter-related, unless said~~ said board or commission is inter-related.*

Background/Objective

The current language in section 2-10(b) of the Gloucester city charter provides an arguably needless limitation on candidate selection for boards and commissions within the City. The new language will allow the City to select from a list of excellent volunteers who have offered to serve on two boards or commissions but have been barred from doing so under the current section 2-10(b) language.

Draft Home Rule Petition Language

Section 1. The General Court may make clerical or editorial changes of form only to the bill, unless the City Council approves amendments to the bill before enactment by the General Court. The City Council is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

Section 2. Notwithstanding any general or special law to the contrary, the city of Gloucester may, upon approval by the city council and mayor, amend Section 2-10(b) of the city charter such that it shall say: “No un-elected appointee shall be appointed to more than two multiple member bodies.

Section 3. The act shall take effect upon passage.”

DISCUSSION:

Councilor Cox explained that the City Charter says an appointee can hold no more than two positions which must be complimentary in subjective language. This Home Rule Petition will allow an appointee to be able to hold a maximum of two appointments but aren't necessarily complimentary. She noted that rather than waiting for a Charter Commission revision, the Council is seeking this remedy now through the state legislature.

Council President Lundberg advised that this action the Council is taking is for unelected citizens that serve the city as volunteers on city boards, committees and commissions. This, he noted, was something the Council came across in recent months that didn't add up; but because it's in the City Charter, it can only be remedied a Home Rule Petition through the state legislature -- it isn't something the Council can do on its own.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to request that the State Legislators file a Home Rule Petition; and based on said Petition, that the General Court approve and enact a Special Act substantially as follows:

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Section 1. The General Court may make clerical or editorial changes of form only to the bill, unless the City Council approves amendments to the bill before enactment by the General Court. The City Council is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

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November 4 – Meeting Cancelled

Planning & Development: November 6

There were no matters for Council action under this heading, however, **Councilor Gilman** advised there will be a Site Visit for 35 Fuller Street is set by agreement of the Committee and the Applicant for Saturday, Nov. 16th at 9:00 a.m., meeting at the corner of Fuller Street and Norman Avenue.

Scheduled Public Hearings:

1. **PH2019-058: SCP2019-008: Fuller Street #35, Map 168, Lot 14, GZO Sec. 1.8.3 “Standard to be applied,” Sec. 2.3.1(7) “Conversion to or new multi-family or apartment dwelling, four to six dwelling units” and Sec. 3.2.2 “Dimensional requirements for multi-family dwelling and their accessory uses (other than signs)” by increasing the number of residential units from two 3 bedroom units to four 2 bedroom units and two 1 bedroom units for a total of 6 units**

This public hearing is opened at 7:28 p.m.

Council President Lundberg announced that this public hearing is continued to November 26, 2019, noting a site visit by the Planning & Development Committee on Saturday, Nov. 16th at 9:00 a.m. which is the reason for the public hearing continuance.

This public hearing is continued at 7:28 p.m.

2. **PH2019-059: Tax Classification in accordance with MGL c. 40, §5 and GCO Ch. 2, Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2020 to be borne by each class of real and personal property**

This public hearing is opened at 7:28 p.m.

Those speaking in favor:

Nancy Papows, Principal Assessor, gave her annual overview on Tax Classification and noted that assessed values and new growth for FY20 were certified by the Department of Revenue on October 23rd enabling the start of the Tax Classification process. As indicated in the Mayor’s memo, there is only one action item which is adopting a residential factor. The residential factor determines the share of the tax levy that each class of property will bear; it doesn’t change the total tax levy.

Ms. Papows then reviewed the Tax Classification Information for Fiscal Year 2020 (on file) with the Committee as follows:

Page 4 – A Comparison of Fiscal 2020 Values by Class: The Residential class this year represents 90.58% of the total value of the City, and Commercial/Industrial/Personal Property (CIP) class represents 9.42%. The taxable value of the city increased by 6.48% from FY19. Based on sales analysis, the residential class as a whole saw an increase of 6.0%. Property types within that class varied from 2% to 14% with higher increases for two-, three- and multi-families and apartments. The Commercial and Industrial classes increased approximately 1% apiece.

Pages 5 – Fiscal Year Parcel Counts, Values, and percent of Total Taxable City Value: The table on this page shows the parcel counts and the assessed values of each class from 2007 to present.

Page 6 – Previous Classification Factors and Resulting Tax Rate: The table shows the historic shift factors adopted over the years, and the associated underlying residential shift factors. NOTE: The 1.03 shift factor was adopted last year (as it had since 2017) which shifts a portion of the residential tax burden to the CIP classes.

Page 7 – Calculating the Maximum Allowable Levy: The table shows the calculation of the maximum allowable levy for FY20. It starts with the levy limit from the prior year and added to that is the Prop 2-1/2 increase and new growth from Residential and CIP classes which results in the FY20 levy limit. Added to that is the CSO debt exclusion, and the water debt exclusion, which results in the maximum FY20 allowable levy at \$87,135,101. That figure divided by the total value of all parcels in the city results in the FY20 tax rate at a factor of 1.0 which is a tax rate of \$12.37, down 36 cents from FY19. The tax rate at a factor of 1.0 would result in all properties paying the same rate for all classes of property. At a factor above 1.0, a portion of the residential tax levy would shift to a different class.

Page 8 – FY20 Tax Rate at a Factor of One = \$1, Shift in Tax Rate: This shows approximate tax rates that will result from the various shifts to the CIP class. The maximum shift allowed by the state is 1.5 percent (represented by 150%).

Page 9 – Comparison of Levy by Class at Various Shift Factors: This further shows the comparison -- levy by class and approximate shift of the levy and also shows the approximate excess levy capacity that results which is approximate based on a rounding of the tax rates when the tax recap is completed.

Page 10 – Change in Tax Dollars at Various Shifts: This shows changes in tax dollar for properties valued at different levels at various shifts. The average single-family home for FY20 is 618,553, the median is \$445,500. For instance, a property value at \$500,000 is the closest to the average single family home in Gloucester which is \$618,553 this year. At last year's shift factor of 1.03 that would save the residential taxpayer \$20 per year while the CIP taxpayer would pay an additional \$185. The extreme as shown at the bottom of the page shows that a \$500,000 property at a maximum 1.5 shift saves the residential taxpayer \$320 while the CIP taxpayer would see an increase of \$3,095.

Page 11 – Open Space Discount and Residential Exemptions; Page 12 Residential Exemptions and Page 13 – Small Commercial Exemption: The remainder are not viable options for FY20.

Those speaking in opposition or in favor of tax classification:

Ken Reihl, CEO, Cape Ann Chamber of Commerce, the largest business association on the North Shore advocated for a Tax factor of 1.0 for FY20. He reviewed that the impact of a 1.03 shift, for instance, is higher on the CIP Classes. Neighboring communities shift less to their CIP classes, and that a 1.0 Tax Classification Factor would signal that Gloucester is business friendly and be a strong selling point to encourage businesses to move here. He cited the establishment of the Beauport Hotel and GMGI as examples of a positive new business. He pointed to Gloucester's island geography as an impediment to attracting new businesses as are the high water/sewer rates. He conveyed that the city's business tax base has decreased over the last 25 years with the biggest decline in recent years. Municipalities such as Beverly, Salem and Peabody have a much larger commercial/industrial tax base, well over Gloucester's 9.5%. He touched several successful business collaborations of neighboring communities that the Cape Ann Chamber wants to bring to the city, mentioning the "Blue Economy." Progress is being made for Gloucester's business prospects, he indicated, but asked that the B&F recommendation of a Tax Classification Factor of 1.0 for FY20 be adopted, urging tax classification parity. (Written statement was placed on file).

Carl Gustin, Chair, Gloucester Economic & Industrial Development Corporation (EDIC), noting that the city prides itself in being business friendly he pointed out that there are multiple challenges in turning an attitude into results to strengthen its tax base. He highlighted several positive business successes, particularly in the Blue Economy. However, he cited concerns of employers ranging from transportation to broadband, power supply to housing. These concerns have an impact to the city's economy as do concerns about transportation and housing, touching on those issues briefly as well as highlighting a chart from the city's 2017 Housing Production Report, , and three charts showing CIP comparisons – Gloucester and all municipalities; Assessed Value: Salem and Beverly, and Assessed Value: Danvers and Peabody. He conveyed that the EDIC Board of Directors joins with the Chamber of Commerce in opposing the 1.03 tax classification factor and urged the Council to adopt a factor of 1.0 for all classifications (Written statement placed on file).

Caitlin Pszenny, 30 Dodge Street, owner with Nic Pszenny of the Cape Ann Lanes, reviewed her statement regarding the expenses to businesses in Gloucester and its impact. She mentioned she was the co-chair of Next Generation Cape Ann, a young professionals networking group that discusses the issues of attracting young families and potential business to the city. In order to continue to be business friendly, she urged that the Council adopt the Budget & Finance Committee's recommendation (Written statement placed on file).

Jerrold Oppenheim, 57 Middle Street, EDIC Board member representative of low income, pointed out that businesses depend on the city increasing its volume of low income worker housing which is of prime concern to the EDIC. The lowering of the city's tax factor, he pointed out, hasn't yielded the hoped for results in attracting new business. The CIP ratio has been essentially unchanged for 16 years, he highlighted, saying that economic development depends on other factors. He concluded his remarks by conveying that they should be debating balanced policy alternatives to foster improvement in employment, wages, affordable housing and economic development in the city, not changing tax rates that do little or nothing to address those concerns while creating a perception that is anti-residential (Written statement placed on file).

Dan Ottenheimer, city homeowner and businessman at 79 Western Avenue, noted this issue affects him on both sides. He suggested that the better approach this evening would be to increase the tax burden on the businesses. He mentioned many years of federal and state policies that have targeted the lower and middle classes at large, resulting in a shrinking middle class which he indicated isn't healthy for the country or for the health of the city. With middle and lower income classes being challenged financially, he highlighted that in 2018 businesses were provided with a 20% tax break. He put forward that it was appropriate for the Council, and at the state and federal levels, to provide balance for a more stable society by strengthen the middle class. He urged relief to the middle class in Gloucester.

Robert Gillis, 31 Sayward Street, urged adoption of a Tax Classification Factor of 1.0. He advised it is about fairness.

Communications: None.

Councilor Questions:

Councilor Cox noted there is a potential debt exclusion coming for a new school and asked how would that affect city taxes and if it would affect the residential and commercial sectors evenly. **Ms. Papows** advised it would be added to the levy limit and paid by all taxpayers. **Councilor Cox** asked would this be a factor for this year's tax rate. **John Dunn**, CFO, advised it wouldn't be. If it is a debt exclusion, an override, it won't go into the tax levy until they move into debt service until principle is paid, about three years after ground breaking.

Councilor Hecht noted that assessed values have gone up for residential versus commercial and asked about the respective rates. **Ms. Papows** advised that residential as a whole is a more volatile market; the commercial/industrial sector is more stable. In an increasing market, a residential values increases at a faster rate and if decreasing, it is the same, residential decreases at a faster rate than commercial/industrial, she added.

This public hearing is closed at 8:07 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox , seconded by Councilor Memhard , the Budget & Finance Committee voted 2 in favor, 1 (Hecht) opposed, to recommend that the City Council adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF 1.0 for Fiscal Year 2020.

DISCUSSION:

Councilor LeBlanc offered an amendment to the main motion to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF 1.03 for Fiscal Year 2020. The motion was seconded by **Councilor Hecht**.

Councilor LeBlanc pointed out they've heard from business owners advocating for a level tax base. A rate of 1.06 was in place for 11 or 12 years, he recounted, showing consistency which businesses could count on. Over the past few years it has shifted almost to 1.0, going back to 1.03. That, he highlighted is an unstable trend, and urged that the Council to keep the rate at 1.03 for the sake of stability.

Councilor Holmgren expressed thanks to those attending the public hearing and offered their opinions. As a Councilor and resident, she advocates for mixed use development and business development as well as more affordable housing. Shifting the levy limit for those who can afford it isn't much, but for those who can't she would her support of the amendment.

Councilor Gilman also offered her support for the amendment.

Councilor Hecht pointed out that from a business perspective Gloucester competes with Peabody and Danvers, and noted the geographical issues of the city. On a tax basis where their tax might be a \$1/ft., but the city offers 50 cents/ft. which is attractive to businesses. As Ward 2 Councilor, he pointed out that residential values have risen precipitously, yet commercial property values remain stable. He mentioned his ward's multi-family homes, and that residential property owners are paying more money every year, especially impactful to his ward, many of whom are struggling to maintain their homes. He voiced his support for the amendment.

Council President Lundberg offered his support for the 1.03 rate. He pointed out that Gloucester is unique amongst its peer communities in that they're on the ocean, and residential property values rise consistently which impacts residential property taxes disproportionately in comparison to Gloucester's neighbors. There are a lot of tax burdens for residents, he highlighted, and is why he's always been in favor of a differential.

Councilor O'Hara offered that the price per square foot (of commercial property) is so low in the city because there isn't the demand for the commercial space, noting issues such as the transportation costs and frustrations of congested roadways in and out of the city that are in poor condition. These issues are then passed on to local businesses in Gloucester, he highlighted. He urged that the Council show that the city is business friendly and open for business. He advised he wouldn't support a rate of 1.03.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Hecht, the motion to amend the main motion by adopting a RESIDENTIAL TAX CLASSIFICATION FACTOR of 1.03 for Fiscal Year 2020 was voted by ROLL CALL 6 in favor, 2 (O'Hara, Cox) opposed, 1 (Memhard) absent.

MOTION PASSES TO AMEND THE MAIN MOTION.

Councilor Gilman noted that although sympathetic to local businesses, single family median values are up 5.3% for 7,000 units; a two-family is similar, whereas commercial/industrial buildings are up .9% for 317 units. She reminded the Council that they'll be asking Gloucester residents in a special election or state election to consider a debt exclusion override to finance a new school. With a school costing about \$45 million, if you own a \$500,000 house it will add about \$12.50 in taxes a month for 20 years. Saying that new schools are a major attraction for businesses, she conveyed they'll need the support of voters to gain the override to finance a new school. She mentioned that in order to do so, by adding a further burden onto the taxpayers it will inhibit support for a successful override. Because of this issue, she urged the Council to hold firm with a tax classification factor of 1.03, as much for its symbolism those who are financially needy.

Councilor Cox noted that the shift for residents is \$20 but for commercial it is much more. This is giving a business a reason to increase their fees to increase their bottom lines to cover an increase. She offered that its likely consumers that will pay more than the \$20 in savings because of an increase in taxes to a business. A tax shift isn't necessary, she advised speaking as a resident. And as a resident she conveyed she doesn't want to pay more taxes, but highlighted that Gloucester taxpayers don't pay enough to cover all the city services that every resident believes they deserve or does deserve. She pointed out that the city pays an enormous portion of the trash collection bill, and people still complain about the cost of purple trash bags. People just don't like paying the government, she remarked.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Hecht, the City Council voted by ROLL CALL 6 in favor, 2 (O'Hara, Cox) opposed, 1 (Memhard) absent, to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF 1.03 for Fiscal Year 20120.

After a short recess later in the meeting to confer with the City Auditor, the Council returned from that recess and acted as follows:

MOTION TO RECIND: On a motion by Councilor Cox, seconded by Councilor Hecht, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to rescind the adoption of a RESIDENTIAL TAX CLASSIFICATION FACTOR OF 1.03 for Fiscal year 2019.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hecht, the City Council voted by ROLL CALL 6 in favor, 2 (O'Hara, Cox) opposed, 1 (Memhard) absent, to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF .996900 that equates to a CIP Shift of 1.03 for Fiscal Year 2020.

MOTION PASSES.

3. PH2019-060: Loan Authorization to amend Loan Order 2018-007 to \$2,500,000 for the improvements to the Harbormaster Facilities

This public hearing is opened at 8:27 p.m.

Those speaking in favor:

John Dunn, CFO, asked for an increase from the previous loan authorization for the Harbormaster facility renovations. He reported that there was a good result on the bidding process receiving five bids, but as with other recent projects, the bids all came in higher than expected. With the higher construction cost more than expected, and an alternate bid for the second floor renovation which needs to be done, that added \$200,000 to the total. That new total triggered, by state law, the need to hire an Owner's Project Manager at a cost of \$150,000 and confirm a contingency of \$140,000. He mentioned that there were also other matters which drove cost of the Harbormaster's building renovations, such as what was behind the walls and ceilings. He cautioned the Council that if they don't do the proper renovations now, it can lead to problems in the future, citing city projects that were shorted and 10 years later had to be redone. He asked for the Council's support saying this is where the construction business is right now.

Tony Gross, 18 Nashua Avenue, Waterways Board Chair, noted the Board has worked a long time on this project. The city has already made a substantial investment on the city's water sheet to ensure Gloucester is a welcoming port. As priorities were made for the Harbormaster's facility, they're now looking to reorganize the mooring fields to make room for more transient moorings. He reported that the city's launch service is a great success which will be built on, and that they anticipate investing in another launch asset. Noting he is on the Harbormaster Facility Building Committee, he conveyed the Committee urged the project's architects to be

circumspect in their plans but encouraged functionality. He assured this will bring two public bathrooms to the downtown, one handicap accessible. This is planned as a multi-use facility housing Discover Gloucester and the Shellfish Constable, along with the Harbormaster's Department. He confirmed it was unexpected that the bids would come in so high. They are asking for more help from the Seaport Economic Council also, and he added that this renovation project will help the city capture more revenue; that this updated facility is something the city needs.

Patti Page, 3 Tidal Cove Way, expressed an alternative vision for investment in a waterfront facility saying that this should be about neighborhood character and be a public access project. She asked why this is so narrow for visitors only and is focused on tourism not on community use. The project should be inclusive, she pointed out, as a dual-purpose facility as a public boating facility as well as a visiting boaters center. She expressed support for a welcoming port for transient boaters, but that it is \$2.5 million for renovations doesn't reflect the true cost of the facility, naming the cost of the 30-year lease, taxes and other expenses. She expressed a preference for a boating center that serves the community, and a center for the downtown wards. She lauded the work of the Harbormaster and its staff, but expressed concern for true public access of the building (written statement placed on file).

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Gilman noted that at a SailGHS race, the team and its supporters were welcome to use the new dock, and asked what is defined as a visitor and will resident boaters be welcomed the same as boaters from other communities to use the renovated facilities. **Mr. Gross** assured there is no residency requirement to be able to use the newly renovated facilities, saying that there are no exclusions. Those who live in other sections of the city can tie up and go to downtown stores and restaurants. There is a \$1.0 million grant from the Seaport Economic Council, he pointed out, to defray the cost for the renovations, and public access is part of that grant. **Councilor Gilman** asked if a community boating group wanted to hold safe boating class could they use the community room for that purpose. **Mr. Gross** confirmed they could and is what it is for.

Councilor LeBlanc noted the community room would be open to all groups not just boaters, which he confirmed with **Mr. Gross**. There would be issues of security meaning that some areas of the facility will have to be closed to the public, but there is no restriction to residents to access the Harbormaster, **Councilor LeBlanc** confirmed also.

Councilor O'Hara asked about the role of Discover Gloucester in the Harbormaster's facility and how much space they use. **Mr. Destino** advised it is a temporary situation using one small office where they were formerly at the City Hall Annex, and highlighted that Discover Gloucester has had discussions of possibly moving to the new Chamber of Commerce office or somewhere else, and are looking at alternate space. He noted they are entertaining alternative spaces to house the organization, and if it makes sense and is feasible, the city could sign a long-term lease with Discover Gloucester for space in the Harbormaster's facility.

This public hearing is closed at 8:48 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following loan authorization as follows:

Ordered: That Loan Order 2018-007, Certificate of Vote 2018-129 of this Council approved July 24, 2018 authorizing the borrowing of \$1,600,000 to pay costs of improvements to the Gloucester Harbormaster facilities and establish a visiting boater center, including costs incidental or related thereto, is amended in its entirety to provide as follows:

Ordered: That the City of Gloucester appropriates Two Million Five Hundred Thousand Dollars (\$2,500,000) to pay costs of improvements to the Gloucester Harbormaster facilities and establish a visiting boater center, 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 Gilman noted that it is important for the community that this renovation move forward, as it is a major access point for people to come ashore, talk to the Harbormaster and to visit the city. She expressed she can't say enough about the professionalism of the Harbormaster, his team and the Waterways Board.

Councilor Holmgren also offered her support for the loan authorization thanking the Waterways Board, the Administration and the entire team.

Councilor LeBlanc advised his support for the loan authorization. Years ago the city's water sheet was overlooked by visiting boaters for a variety of reasons, but that with the revamped Harbormaster's Department and the Waterways Board, boaters now have more access to the city, he recounted. He indicated that this is a great step forward which will bring more boaters, be they residents or transient, to the Gloucester Community Boating Center.

Councilor Hecht offered his support of the loan authorization as a positive for the city despite the cost.

Councilor O'Hara noted this (renovation) is a step forward for the city to be business friendly. Highlighting that the Harbormaster has expanded the mooring fields and revenue is increasing as a result, he expressed he's hopeful they'll see a return for city businesses.

Councilor Cox conveyed that the Harbormaster facility is a permanent home for Discover Gloucester which ties into the city's tourism economy, saying that Discover Gloucester works well in conjunction with the Harbormaster's Department. She reported that Discover Gloucester is excited about this new facility as well.

Council President Lundberg advised this project is an example of a long-term strategic plan and increases access to the water for citizens and visitors. He offered his support of the loan authorization as well.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hecht, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Memhard) absent, to approve the following loan authorization as follows:

Ordered: That Loan Order 2018-007, Certificate of Vote 2018-129 of this Council approved July 24, 2018 authorizing the borrowing of \$1,600,000 to pay costs of improvements to the Gloucester Harbormaster facilities and establish a visiting boater center, including costs incidental or related thereto, is amended in its entirety to provide as follows:

Ordered: That the City of Gloucester appropriates Two Million Five Hundred Thousand Dollars (\$2,500,000) to pay costs of improvements to the Gloucester Harbormaster facilities and establish a visiting boater center, 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.

VOTE TO RECONSIDER:

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 0 in favor, 8 opposed, 1 (Memhard) absent, to Reconsider the Vote for Loan Authorization to amend Loan Order 2018-007 to \$2,500,000 for the improvements to the Harbormaster Facilities.

MOTION FAILS.

The City Council recessed at 8:56 p.m. and reconvened at 9:01 p.m. Upon reconvening the City Council returned to the Tax Classification vote (see above) for recension and revote.

4. PH2019-061: Renewal of Special Permit pursuant to MGL c. 48, §56 and GCO Sec. 22-153 re: Pratt Outdoor Parking Permit at Beachland Avenue #2

This public hearing is opened at 9:04 p.m.

Those speaking in favor:

Attorney Mary Jo Montagnino, 186 Main Street, representing Richard Pratt, current permit holder since 1956, for an Outdoor Parking Permit for an open air parking lot located at 2 Beachland Avenue adjacent to Long Beach which is a public access point. She recounted that 2 Beachland Avenue is at Long Beach which has no municipal parking, and Mr. Pratt's parking lot services the Gloucester side of the beach open to residents and visitors. She reported that Mr. Pratt for decades has provided not only outdoor parking, but shower and restrooms facilities, and attendants at all hours the lot is opened, with trash barrels that he takes responsibility for. She pointed out Mr. Pratt puts up signs advising the public when the lot is full to avoid vehicle congestion which is also a service for local residents. She mentioned that at the P&D Committee meeting a seasonal neighbor of the parking lot drove from Boston to offer his support for the application, she reported, and asked that Mr. Pratt's license be renewed.

Leonard Gyllenhaal, 32 Rockport Road, noted that the parking lot is directly behind his lot. He expressed he's known Mr. Pratt since 1978 when he bought his property. He mentioned the issue of traffic in that when the Good Harbor Beach parking lot is full, and the Pratt lot is close to full, traffic can back up which lasts about an hour but happens only a few times during the entire summer season. Saying that Mr. Pratt's operation is well run, he highlighted that Mr. Pratt hires local teenagers as attendants who also pick up beach trash. He advised he is in favor of the license renewal.

Those speaking in opposition: None.

Communications: Kieran McAllen, 30A Rockport Road, **Bill McLaughlin**, 30B Rockport Road, both in favor of the license renewal, by email and **Gina Razel**, 22 Rockport Road in favor of the license received by U.S. Mail.

Councilor Questions: None.

This public hearing is closed at 9:09 p.m.

COMMITTEE RECOMMENDATION: On motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council renew the License for Richard Pratt for an open air parking lot at 2 Beachland Avenue under GCO Sec. 22-153, with the conditions and restrictions as follows:

1. The lot will hold no more than 225 cars as per the Site Plan on file with the City Clerk's Office dated October 31, 2014; and that the number of vehicles allowed by this license shall be posted;
2. The following information shall be posted:
 - A) Hours of operation;
 - B) Hours restroom is open;
 - C) Fees charged for parking;
 - D) A sign that says "Parking Lot Full" is to be placed at the corner of Thatcher and Rockport Roads;
3. An attendant shall be on duty for those hours that the lot is in operation;
4. Shrubs along the front of the property shall be maintained;
5. Prior to the issuance of the license by the City Clerk, the applicant shall pay over to the Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
6. Current approval of the Board of Health (toilet facilities) and the Fire Chief must be on file with the City Clerk's office;
7. The City of Gloucester will not be held liable for any claims incurred by the parking lot operation;
8. A counter is to be used to count the number of cars coming into the parking lot and a daily log be signed and maintained by the applicant to be made available to city officials upon request;
9. Grass to be cut in and around the parking lot at all times at the permit holder's expense;
10. Barrels to be brought in at the end of the day and brought out in the morning during the season of operation of the open air parking lot;
11. That the Automated Teller Machine (ATM) on the lot be in operation during business hours only.

12. This license runs from 05/01/2020 to 04/30/2025.

DISCUSSION:

Councilor Gilman conveyed that there was a good conversation with the applicant at the P&D Committee meeting, highlighting the new condition added that a daily log be kept, agreed to by the applicant, as well as placing signage that the lot is full at the corner of Thatcher and Rockport Roads to ensure the sign is prominently displayed. She also mentioned the gentleman who drove from Boston to show support for the license renewal application who was present at the P&D meeting.

Councilor LeBlanc offered his support of the license renewal, saying he's heard no complaints or issues from the running of this parking lot. He expressed that the owner provides a great service to the community.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, City Council voted 7 in favor, 0 opposed, 2 (Memhard, Cox) absent, to renew the License for Richard Pratt for an open air parking lot at 2 Beachland Avenue under GCO Sec. 22-153, with the conditions and restrictions as follows:

1. The lot will hold no more than 225 cars as per the Site Plan on file with the City Clerk's Office dated October 31, 2014; and that the number of vehicles allowed by this license shall be posted;
 2. The following information shall be posted:
 - A) Hours of operation;
 - B) Hours restroom is open;
 - C) Fees charged for parking;
 - D) A sign that says "Parking Lot Full" is to be placed at the corner of Thatcher and Rockport Roads;
 3. An attendant shall be on duty for those hours that the lot is in operation;
 4. Shrubs along the front of the property shall be maintained;
 5. Prior to the issuance of the license by the City Clerk, the applicant shall pay over to the Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
 6. Current approval of the Board of Health (toilet facilities) and the Fire Chief must be on file with the City Clerk's office;
 7. The City of Gloucester will not be held liable for any claims incurred by the parking lot operation;
 8. A counter is to be used to count the number of cars coming into the parking lot and a daily log be signed and maintained by the applicant to be made available to city officials upon request;
 9. Grass to be cut in and around the parking lot at all times at the permit holder's expense;
 10. Barrels to be brought in at the end of the day and brought out in the morning during the season of operation of the open air parking lot;
 11. That the Automated Teller Machine (ATM) on the lot be in operation during business hours only.
 12. This license runs from 05/01/2020 to 04/30/2025.
5. PH2019-062: Amend GCO Ch. 2 "Administration," Art. IV, "Boards, Commissions, Councils and Committees" Div. 4, "Council on Aging" by amending Sec. 2-440, "Established; composition; appointment and terms of members" and Sec. 2-442, "Designation of officers"; DELETING Sec. 2-444, "Mission," and renumbering the reserved sections

This public hearing is opened at 9:15 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:17 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. 2 "Administration," Art. IV, "Boards, Commissions, Councils and Committees," Div. 4 "Council on Aging" by amending Sec. 2-440, Established; composition; appointment and terms of members" and Sec. 442, "Designation of officers" as follows:

DIVISION 4. - COUNCIL ON AGING

Sec. 2-440. - Established; composition; appointment and terms of members.

- (a) There is hereby established a council on aging governed by a board of directors of up to ~~14~~ eleven members.
- (b) The mission of the Council on Aging shall be to:
 - 1. ~~Identify the needs of the elder population in the community;~~
 - 2. ~~Educate the community regarding issues facing seniors and advocate on their behalf;~~
 - 3. ~~Promote the development of programs and activities as well as the coordination of existing services to fulfill identification needs;~~
 - 4. ~~Maintain a working relationship with governmental and private agencies and organizations; and~~
 - 5. ~~Be cognizant of relevant legislative initiatives and work to respond accordingly.~~
- (c) The director of public works and the chairperson of the board of health or their respective representatives as well as a member of the City Council appointed by the City Council President shall serve as non-voting ex officio members of the board of directors. ~~The board of directors are further governed by the council on aging by laws created in November of 2004.~~
- (d) Members shall be appointed by the mayor on a rotating basis so that not more than three new members shall be confirmed annually for a three year term.
- (e) All appointed members shall serve at the pleasure of the mayor and be free from professional conflicts of interest.

Sec. 2-441. - Members not compensated.

The members of the council on aging shall serve without compensation.

Sec. 2-442. - Designation of officers.

The officers of the council on aging shall consist of a chairperson, co-chairperson or vice-chairperson; and secretary ~~and treasurer.~~

Sec. 2-443. - Supervision.

The council on aging shall be under the administrative supervision of the mayor.

~~Sec. 2-444. — Mission.~~

~~It shall be the mission of the council on aging to serve as a focal point where seniors and their families can access the local, state and federal network of elder services, while providing an integrated array of health, educational recreational, and social programs for older men and women.~~

~~Secs. 2-445 — 2-449. — Reserved.~~

Sec. 2-444—449. Reserved

DISCUSSION:

Councilor Gilman moved to amend the main motion by DELETING in Sec. 2-440(c) “chairperson of Board of Health” and ADDING “Public Health Director.” **Councilor LeBlanc** seconded the motion to amend.

By unanimous vote of the Council, the motion to amend carried.

Councilor Gilman thanked Chip Payson, General Counsel who assisted with this project to ensure the ordinance was consistent with the Council on Aging bylaws. She highlighted the changes made, that the mission previously referenced the bylaws which shouldn't be in the GCO. The Public Health Director and Public Works Director are all appointed as Ex Officio non-voting members which came out a discussion with the O&A Committee. This was added to keep the Council on Aging on par with other city boards. She highlighted another change, that the Council President appoints the Ex Officio member from the Council.. The Council on Aging Board reviewed the

amendments, she reported, giving their input, and are in support of these changes. She asked the Council for their support.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 7 in favor, 0 opposed, 2 (Memhard, Cox) absent, to Amend GCO Ch. 2 “Administration,” Art. IV, “Boards, Commissions, Councils and Committees,” Div. 4 “Council on Aging” by amending Sec. 2-440, Established; composition; appointment and terms of members” and Sec. 442, “Designation of officers” as follows:

DIVISION 4. – COUNCIL ON AGING

Sec. 2-440. – Established; composition; appointment and terms of members.

(a) There is hereby established a council on aging governed by a board of directors of up to ~~14~~ eleven members.

(b) The mission of the Council on Aging shall be to:

1. Identify the needs of the elder population in the community;
2. Educate the community regarding issues facing seniors and advocate on their behalf;
3. Promote the development of programs and activities as well as the coordination of existing services to fulfill identification needs;
4. Maintain a working relationship with governmental and private agencies and organizations; and
5. Be cognizant of relevant legislative initiatives and work to respond accordingly.

(c) The director of public works and the public health director or their respective representatives as well as a member of the City Council appointed by the City Council President shall serve as non-voting ex officio members of the board of directors. The board of directors are further governed by the council on aging by laws created in November of 2004.

(d) Members shall be appointed by the mayor on a rotating basis so that not more than three new members shall be confirmed annually for a three year term.

(e) All appointed members shall serve at the pleasure of the mayor and be free from professional conflicts of interest.

Sec. 2-441. - Members not compensated.

The members of the council on aging shall serve without compensation.

Sec. 2-442. - Designation of officers.

The officers of the council on aging shall consist of a chairperson, co-chairperson or vice-chairperson, and secretary ~~and treasurer.~~

Sec. 2-443. - Supervision.

The council on aging shall be under the administrative supervision of the mayor.

~~Sec. 2-444. – Mission.~~

~~It shall be the mission of the council on aging to serve as a focal point where seniors and their families can access the local, state and federal network of elder services, while providing an integrated array of health, educational recreational, and social programs for older men and women.~~

~~Secs. 2-445—2-449. – Reserved.~~

~~Sec. 2-444—449. Reserved”~~

6. PH2019-063: Amend GCO Ch. 9, “Trash, Recycling and Litter,” Art. III – “Prohibition on Single use Plastic Straw, Stir Stick & Hotstopper” Sec. 9-25, “Severability; Effective Date” subsection (b) by DELETING, “This chapter shall take effect as of July 1, 2021” and ADDING “This chapter shall take effect as of July 1, 2020”

This public hearing is opened at 9:22 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:23 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. 9 "Trash, Recycling and Litter," Article III – "Prohibition on Single Use Plastic Straw, Stir Stick & Hotstopper," Sec. 9-25 "Severability; Effective Date" subsection (b) by DELETING "This chapter shall take effect as of July 1, 2021" and ADDING "This chapter shall take effect as of July 1, 2020"

DISCUSSION:

Councilor Gilman thanked Councilor Hecht for his efforts.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 6 in favor, 1 (LeBlanc) opposed, 2 (Memhard, Cox) absent, to Amend GCO Ch. 9 "Trash, Recycling and Litter," Article III – "Prohibition on Single Use Plastic Straw, Stir Stick & Hotstopper," Sec. 9-25 "Severability; Effective Date" subsection (b) by DELETING "This chapter shall take effect as of July 1, 2021" and ADDING "This chapter shall take effect as of July 1, 2020"

For Council Vote:

1. **Decision to Adopt: SCP2019-005: Chestnut Street #6-#8, Map 13, Lot 53, GZO Sec. 3.2.2(a) for the decrease in minimum open space per dwelling unit**

Councilor LeBlanc recused himself from the adoption of the Decision for Chestnut Street #6-#8 under MGL Ch. 268A, noting that he's done work to the property in question, and left the dais.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 6 in favor, 0 opposed, 2 (Memhard, Cox) absent, 1 (LeBlanc) recused, to adopt the Special Council Permit Decision (SCP2019-005) for Chestnut Street #6-#8 pursuant to Section 3.2.2(a) of the Gloucester Zoning Ordinance.

Councilor LeBlanc returned to the dais.

Unfinished Business: None.

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

Update on the Stage Fort Park Advisory Committee and the Magnolia Woods Oversight & Advisory Committee by City Council Representative, Councilor Sean Nolan. He reported that at this time the Stage Fort Park Visitor's Center is under construction for needed renovations, and anticipated there'd be more updates in the future.

Councilors' Requests to the Mayor:

Councilor Gilman announced a Ward 4-2 meeting the following evening and a Ward 4-1 meeting scheduled for Thursday, Nov. 21st at the Gloucester United Methodist Church. She mentioned an event to celebrate the one-year anniversary event of the Virginia Lee Burton Little House Writing Cottage at the Lanesville Community Center on Saturday, Nov. 16th and noted several events that are slated for the event. She reminded that this Cottage was underwritten by some CPA Grant funding.

Councilor Holmgren announced that tomorrow is World Kindness Day and Jalapeno's Restaurant will hold a celebration dinner the same evening in honor of the Day to benefit the non-profit Kindness Project the same evening, starting at 4:00 p.m. She highlighted her participation on a panel for a community symposium on Saturday, Nov. 16th, entitled "Gloucester's Housing-From Crisis to Opportunity at the Middle Street Unitarian Universalist Church. She mentioned that the featured speaker is Andrew DeFranza of Harborlight Community Partners.

Councilor Nolan noted that on Englewood and Lake Roads, and Ocean Avenue the city is finishing up the installation of new water lines and completing a betterment paving project. He offered his thanks for everyone's patience and to the Council for their assistance in making this project happen.

Executive Session:

1. Update to the City Council on ongoing litigation regarding the 2001 Combined Sewer Overflow project with the Town of Essex

Council President Lundberg stated in order for the City Council to go into executive session, the Council must adhere to strict Massachusetts General Laws in order to do so. "As Council President I declare that the November 12, 2019 meeting of the City Council has been duly posted and has been called to order. We are now in open session, and there is a quorum present. Before the Council can vote to go into Executive Session, the purpose of said Executive Session must be stated: "I declare the purpose of the Executive Session as follows is to discuss litigation strategy in a legal matter; and to discuss this in an open meeting may have a detrimental effect on the litigating position of the City. I further declare that it is the intent of the Council will not reconvene into open session after the Executive Session but will adjourn the City Council meeting from that point. Motions to go into Executive Session are by roll call vote and require a majority vote of the Council. Therefore, I will entertain a motion: That the City Council and its staff go into Executive Session to discuss strategy with respect to an update on ongoing litigation regarding the 2001 Combined Overflow project with the Town of Essex."

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the City Council BY ROLL CALL voted 7 in favor, 0 opposed, 2 (Memhard, Cox) to call the City Council and City Council staff, to enter into Executive Session (in accordance with MGL Chapter 30A, §21(a) (3) to discuss litigation strategy with respect to an update on ongoing litigation regarding the 2001 Combined Overflow project with the Town of Essex.

This portion of the meeting recessed at 9:33 p.m. for the purpose of entering into Executive Session. Councilor O'Hara departed the meeting at 9:33 p.m.

Council President Lundberg then stated, "I hereby announce that the roll call vote is 7 in favor, 0 opposed, 2 (Memhard, Cox) absent. The Council shall now convene into Executive Session and will not reconvene back into open session to close the City Council meeting

A motion was made, and seconded, to recess the City Council meeting at 9:33 p.m. Upon a Roll Call Vote to end Executive Session at 9:55 p.m., which was the only vote taken in that portion of the meeting, the City Council then voted unanimously to adjourn the November 12, 2019 City Council Meeting at 9:55 p.m.

Respectfully submitted,

Dana C. Jorgensson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **PH2019-060: Loan Authorization to amend Loan Order 2018-007 to \$2,500,000 for the improvements to the Harbormaster Facilities – Written statements:**
 - **Ken Reihl, CEO, Cape Ann Chamber of Commerce in support of a 1.0 Tax Classification Factor**
 - **Carl Gustin, Chair-Economic and Industrial Development Corporation, 9B Curlew Court, in support of a 1.0 Tax Classification Factor**
 - **Caitlin Pszeny, 30 Dodge Street, owner of Cape Ann Lanes, in support of a 1.0 Tax Classification Factor**
 - **Jerrold Oppenheimer, EDIC member, 57 Middle Street, saying lowering Gloucester's tax classification factor doesn't have the desired impact**
- **PH2019-060: Loan Authorization to amend Loan Order 2018-007 to \$2,500,000 for the improvements to the Harbormaster Facilities**

- **Patti Page**, 3 Tidal Cove Way voicing a differing vision for the renovation of the Harbormaster Facility, neither for or against.
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