

GLOUCESTER CITY COUNCIL MEETING
Tuesday, July 28, 2020 – 6:00 p.m.
REMOTE MEETING
-Minutes-

Present: Council President, Councilor Steve LeBlanc; Council Vice President, Councilor Val Gilman; Councilor Melissa Cox; Councilor Jen Holmgren; Councilor John McCarthy; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Barry Pett

Also Present: Mayor Theken, Vanessa Krawczyk, Joanne M. Senos, John Dunn, Jill Cahill, Krisna Basu

Absent: None.

*This meeting was conducted remotely through Zoom
All votes were ROLL CALL votes*

Meeting called to order at 6:00 p.m.

Councilor Memhard joined the meeting at 6:05 p.m.

Councilor LeBlanc announced, “This meeting is recorded by video and audio in accordance with state Open Meeting Law. Consistent with the Governor’s orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If you are calling in on a phone you can press Star 9 (*9) to request to speak. If you are watching on a computer or device there is a “raise hand” button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak.”

ORAL COMMUNICATIONS:

Craig Hamilton, 46 Grove Street

He stated that he understands that the roadwork will not begin until after Labor Day. He requested a street sweeper, and to have the DPW fix some potholes that need to be filled. The DPW is aware, and the request is in progress. He also spoke to **Acting CAO Vanessa Krawczyk** to request that speed radar be placed on Grove Street, and she contacted Assistant Police Chief Joe Fitzgerald regarding this matter.

Councilor LeBlanc told Mr. Hamilton that he will call him as soon as he receives any information regarding the street sweeper and DPW work request.

Mr. Hamilton also mentioned that per the SeeClickfix.com website, (a location-based reporting service that allows residents to document neighborhood concerns and improvements) Madison Avenue is documented as having a National Grid cutout that was done about a month ago. On the website, it was posted that the sidewalk had not been fixed. He noticed after the recent heavy rainfall that a two-and-a-half-foot sinkhole was created there, so he notified the Gloucester Police Department. The DPW filled it in, roped it off, and placed a traffic cone. He expressed concern that there is still gravel in the middle of the sidewalk, which he believes is a danger to wheelchairs and baby strollers. He stated that these issues are safety concerns for himself and his mother.

Councilor LeBlanc told Mr. Hamilton that he will also get him some information regarding that matter.

Marianne Peterson, 3 Brier Neck Avenue

She is a longtime Long Beach resident concerned that the current city parking lot restrictions have created an influx of people using the private parking lot in her neighborhood, resulting in increased traffic, litter, and domestic disputes. She expressed concern for her 91-year-old neighbor who is unable to comfortably enter and exit her house due to the crowd of people. The neighbors wanted to hold a meeting to share their concerns with private parking lot owner Richard Pratt. Ms. Peterson explained that they don't want to put Mr. Pratt out of business, they are just trying to come to an agreement to alleviate the congestion, other issues, and some of the stress that they're all feeling.

Ms. Peterson cited a five-year-old study conducted that determined that Rockport has lost 100 feet of beach in the past 99 years, and stated that more has been lost since Mr. Pratt was granted a 225-vehicle parking permit for his lot prior to the coronavirus pandemic. She explained that there is no beach at high tide, and that 99% of Long Beach is in Rockport. She went on to say that on the Gloucester side, it is owned in part by the Cape Ann Motor Inn, and the rest is privately owned, so there's a right of way, and then it goes into Rockport. She requested a capacity reduction in the private parking lot and some police presence, and suggested use of a parking app for parking by reservation.

Deborah Weinstock-Savoy, 34 Rockport Road

She stated that she is a longtime resident and expressed concern about the congestion caused by vehicle and pedestrian traffic in the context of the COVID-19 pandemic. She and her husband have health conditions and have felt uncomfortable leaving their property because they feel like their health is threatened by the foot traffic. She explained that it has increased markedly since the city first closed the public lots to non-resident beach parking. Many of the people on the streets don't wear masks, and it's difficult to social distance. Her family's solution has been to try to stay inside most of the time on nice days. She stated that over the years, she has appreciated the fact that Mr. Pratt is accommodating to neighbors and abutters, and that she agreed with Marianne Peterson about not wanting to shut Mr. Pratt's business down, but with this ongoing public health emergency, it seems appropriate that private parking lots be held to the same kind of capacity restrictions as public ones, especially since the public lot restrictions drive more traffic to them.

Mark Cincotta, 8 Twilight Avenue

He stated that he is a Long Beach resident and reiterated what his two neighbors who spoke before him said about not wanting to put Mr. Pratt out of business, but he would like to see the private lot capacity reduced since it is dangerous on the weekends. He remarked that Gloucester must have some concerns about beachgoers regarding COVID-19 since the number of non-residents is being limited, and that he is looking for the same concern in his neighborhood.

Lisa Buchert, 34 Rockport Road

She stated that she is a healthcare professional whose workplace is preparing for a second wave of coronavirus, and that the number of cases is rising all over the country. She mentioned that she lives up front, sees everything going on, and feels unsafe on the walkways in her neighborhood because there are too many people in one area. She is upset because she has had to call the police recently regarding parking issues, and a domestic dispute that she witnessed. She would also like to see the number of parking spots in the private lot reduced for safety reasons. She mentioned that she was late for work one day because she couldn't get off the street, there was no police presence to assist, she asked the parking lot attendants to help her, and was told that she had to "fight her way through" the traffic. She also mentioned that the neighborhood would like the support of Rockport and Gloucester in maintaining public safety.

John Taplett, 16 River Road

He stated that Wingaersheek Beach has been like a block party every weekend recently, there has been very limited social distancing, and lots of rafting up to other boats, which has been banned by the Governor and does not appear to be enforced. He expressed concern that the 20 to 30-year-olds who could potentially be

spreading the virus may not be the ones who have to reap the consequences of it, and stated that it's going to be the older members of our community with health issues this fall if we have another outbreak, and the youngest members, the kids trying to go back to school in the fall. If we keep our schools closed, there is going to be an economic impact. He elaborated that there has got to be a way to enforce social distancing or masks, and limit rafting, otherwise the regulations we have in place are basically meaningless.

Mr. Taplett also mentioned that parking is a big problem on his road, and requested Resident Parking signs, and possibly visitor placards. People have also trespassed on his property, public drinking and drug use have increased, and he and his family even witnessed someone urinating in public. He expressed concern for his 80-year-old father-in-law who has lived there his entire life, and now does not feel safe in his own home, front yard, or crossing the street to get to his dock.

Mary Ann Boucher, 93 Mount Pleasant Avenue

She lives next to Niles Beach, and believes that parking ticket fines should be increased, possibly doubled. She encountered non-resident beachgoers who told her that paying \$75 in a vehicle filled with 8 people contributing to the payment is worth the risk to spend the day at the beach.

Richard Pratt, 2 Beachland Avenue

His family has owned the private parking lot at Long Beach for 65 years. He attended the recent neighborhood meeting and shares the neighbors' concerns. After thinking of ways to improve the current situation, he has enacted a mask policy at the parking lot and stated that anyone leaving the lot without a face covering will be provided a mask by himself or his staff.

Mr. Pratt also created a 6-foot pathway with large cones and plastic chains from the parking lot to the high watermark and stated that there is plenty of space on Long Beach. He mentioned that he has been adhering to all city and state regulations, and they are visibly posted on his lot. He has also made sure that the restrooms located on the lot are cleaned every 2 hours.

Councilor LeBlanc reminded Mr. Pratt that people with respiratory issues are unable to wear masks all the time.

PRESENTATIONS/COMMENDATIONS:

None.

CONFIRMATION OF NEW APPOINTMENTS:

City-Owned Cemeteries Advisory Committee Christine Maney TTE 2/14/22
(alternate to full member; fulfilling unexpired term)

COMMITTEE RECOMMENDATION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Christine Maney (from alternate to full member, fulfilling unexpired term) to the City-Owned Cemeteries Advisory Committee, TTE 2/14/22.

Summary of Discussion: Christine Maney was not present at the meeting, and there was no discussion regarding her appointment.

MOTION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed to appoint Christine Maney (from alternate to full member, fulfilling unexpired term) to the City-Owned Cemeteries Advisory Committee, TTE 2/14/22.

COMMITTEE RECOMMENDATION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Jennifer Beloff to the Human Rights Commission, TTE 2/14/23.

Summary of Discussion: Jennifer Beloff was present. All Councilors expressed their enthusiasm for Ms. Beloff's appointment.

MOTION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council by ROLL CALL 9 in favor, 0 opposed to appoint Jennifer Beloff to the Human Rights Commission, TTE 2/14/23.

Human Rights Commission

Paul Wasserman

TTE 2/14/23

COMMITTEE RECOMMENDATION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Paul Wasserman to the Human Rights Commission, TTE 2/14/23.

Summary of Discussion: Paul Wasserman was not present. All Councilors expressed their enthusiasm for Mr. Wasserman's appointment.

MOTION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed to appoint Paul Wasserman to the Human Rights Commission, TTE 2/14/23.

Open Space & Recreation Committee Daniel Morris

TTE 2/14/23

COMMITTEE RECOMMENDATION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Daniel Morris to the Open Space & Recreation Committee, TTE 2/14/23.

Summary of Discussion: Daniel Morris was present. **Councilor McCarthy** and **Councilor Pett** thanked the appointees for volunteering their time. **Councilor Nolan** welcomed Mr. Morris back to the Open Space & Recreation Committee. **Councilor Gilman** noted that Mr. Morris has a rich history with the Open Space & Recreation Committee and will be terrific.

Councilor LeBlanc thanked the appointees for stepping up. He recognized everybody on the city boards, commissions, and committees who help the City Council members do their jobs. He also expressed that if they need anything from the City Council, please feel free to reach out so the councilors can see what they can do for them. He also thanked the appointees for volunteering, said that it is greatly appreciated, and encouraged them to keep up the good work.

MOTION: on a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed to appoint Daniel Morris to the Open Space & Recreation Committee, TTE 2/14/23.

CONSENT AGENDA:

• **CONFIRMATION OF REAPPOINTMENTS**

1. Conservation Commission Robert Gulla TTE 2/14/23

• **MAYOR'S REPORT**

1. Memorandum from Police Chief re: request acceptance of donations to the Community Impact Unit in the amount of \$5,000 (Refer B&F)
 2. Memorandum, Grant Application & Checklist from the Public Health Director re: request approval of a 5-year grant from the Massachusetts Community Health and Healthy Aging Funds in the amount of \$343,631.20 (Refer B&F)
 3. Memorandum from Community Development Director re: request authorization to negotiate a TIF with Hefring Engineering (Refer B&F)

4. Updated Cape Ann Seniors on the GO summer schedule (Info Only)
5. Response from Mayor's Office to oral communications from the June 23 and July 14, 2020 City Council meetings (Info Only)
 - **COMMUNICATIONS/INVITATIONS**
 - **INFORMATION ONLY**
 - **APPLICATIONS/PETITIONS**
 - **COUNCILLORS ORDERS**
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 7/14/2020 (Approve/File)
2. Standing Committee Meetings: B&F 7/23/2020 (no meeting), O&A 7/20/2020 (under separate cover), P&D 7/8/2020 (under separate cover) (Approve/File)

Items to be added/removed from the Consent Agenda: None.

MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the Consent Agenda.

UNANIMOUS CONSENT CALENDAR:

1. Addendum to the Mayor's Report: Approval of recommended draft ballot question for the November 3, 2020 election regarding the debt exclusion for the construction of a new East Gloucester/Veterans' Memorial Elementary School (Refer B&F)
2. Communication from Interim CAO re: request City Council decision on reinstatement of the plastic bag ban (FCV 8/11/2020)

Items to be added/removed from the Unanimous Consent Calendar: None.

MOTION: on a motion by Councilor Nolan, seconded by Councilor Pett, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the Unanimous Consent Calendar.

COMMITTEE REPORTS:

• Budget & Finance – July 23 (no meeting)

• Ordinances & Administration – June 15 (continued from 6/23/2020)

1. Application of Sarah Valencik for a Permit for Scientific Research in the Coastal Waters & Tidal Flats in the City of Gloucester pursuant to GCO Ch. 20, Sec. 20-27 "Permits for Scientific Works in coastal waters and flats of city"

Summary of Discussion: Ms. Valencik stated that she has applied for a Request for Determination Applicants through the Conservation Commission and will be going before the commission on August 5, 2020. She confirmed that other people will be participating in this project, and that their names are on the permits she received from the state. **Councilor LeBlanc** informed Ms. Valencik that he would email her after the meeting and requested that she call him the following day to discuss the project details.

Councilor LeBlanc continued this matter until August 11, 2020.

• Ordinances & Administration – July 20

1. CC#2020-009(Gilman): Pursuant to MGL c.54, §24, request City Council vote to move the Ward 4, Precinct 2 polling location from the Lanesville Community Center, 8 Vulcan Street to the Plum Cove School, 15 Hickory Street, to become effective with the September 1, 2020 State Primary and the November 3, 2020 General Election due to the inability to practice social distancing in the current Ward 4-2 poling location; AND pursuant to State Election Laws, that the City Council evaluate and make a public report on the impacts of such change

Summary of Discussion: **Councilor Gilman** explained that this was a proactive and important move to make to ensure that all city polling locations allowed for social distancing. When it was determined that it would not be possible at the Lanesville Community Center, the **City Clerk** navigated the process of selecting a new location within the precinct. **Councilor Gilman** went before the School Committee on July 8, 2020, and they unanimously supported the Ordinances and Administration Committee's recommendation. She and

the **City Clerk** reviewed the technical aspects such as dimension requirements and ADA accessibility, and discovered that an additional ADA parking spot was needed, which Traffic Commission Chair Bob Ryan immediately assisted with. **Councilor Gilman** also met with Daniel Jewett, the new principal at Plum Cove School. She stated that she supports this and appreciates the work of the offices of the City Clerk and the Mayor, Gloucester schools, and the Ordinances and Administration Committee for providing positive feedback. She also reminded parents that school will not be in session on the 2020 election days, the state primary September 1st, and the national election November 3rd.

Councilor Holmgren and **Councilor Pett** thanked **Councilor Gilman** and the **City Clerk** for their work on this project and efforts to get the word out to the community. **Councilor Memhard** thanked **Councilor Gilman** for her efforts to make this happen.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Council Nolan, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend, pursuant to section 11 of Chapter 115 of the Acts of 2020, that the City Council evaluate and report on whether, for public health reasons due to COVID-19, changing the Ward 4, Precinct 2 polling location from the Lanesville Community Center, 8 Vulcan Street, to the Plum Cove School, 15 Hickory Street, would have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that, pursuant to section 11 of Chapter 115 of the Acts of 2020 and for public health reasons due to COVID 19, the City Council move the Ward 4, Precinct 2 polling location from the Lanesville Community Center, 8 Vulcan Street to the Plum Cove School, 15 Hickory Street, effective immediately for the September 1, 2020 State Primary and the November 3, 2020 General Election.

MOTION: On a motion by Councilor LeBlanc, seconded by Council Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to section 11 of Chapter 115 of the Acts of 2020, to evaluate and report on whether, for public health reasons due to COVID-19, changing the Ward 4, Precinct 2 polling location from the Lanesville Community Center, 8 Vulcan Street, to the Plum Cove School, 15 Hickory Street, would have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 8 in favor, 1 absent, 0 opposed, pursuant to section 11 of Chapter 115 of the Acts of 2020 and for public health reasons due to COVID 19, to move the Ward 4, Precinct 2 polling location from the Lanesville Community Center, 8 Vulcan Street to the Plum Cove School, 15 Hickory Street, effective immediately for the September 1, 2020 State Primary and the November 3, 2020 General Election.

• **Planning & Development – July 22**

1. Special Event Permit Application: Request to hold the Fishbox Derby on September 20, 2020

Summary of Discussion: **Councilor Gilman** informed the council that several special events came up during the last Planning and Development meeting, most notably The Fishbox Derby. It was approved by the Planning & Development Committee with the stipulation that event organizer Mark Nestor check in a month before the event. On Monday, July 27, 2020, a letter from the applicant was received which requested that the application be withdrawn.

MOTION: On a motion moved by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to withdraw the Special Events Application for the Fishbox Derby on September 20, 2020.

SCHEDULED PUBLIC HEARINGS

1. PH2020-021: Application of EIP Dory Road LLC for the storage of ethanol at 11 Dory Road, Assessors Map 262, Lot 16 per MGL Ch. 148, §13, and GCO Ch. 8, Sec. 8-1 “License for storing inflammables” (Cont. from 7/14/20)

The public hearing opened at 6:43 p.m.

Those Speaking in Favor: EIP Dory Road LLC applicant Jeff Beeney stated that the company is looking to move forward from Phase 1. During that time, Fire Inspector Adam DeBrigard had examined their operations, and allowed storage of small volumes, about 500-700 gallons. Mr. Beeney explained that the company is now looking to expand beginning in August by installing a 10,000 gallon tank that will allow them to produce and distribute more hand sanitizer to both local and national companies.

Councilor Pett reiterated that the applicant had already come before the Planning and Development Committee, and that the **Fire Inspector** also supported the application after completing a detailed facility inspection, so the Fire Department supported the license application as well. **Councilor Gilman** echoed Councilor Pett’s statement and praised the company for being a local business that has found a way to be of service to the community during the global pandemic. **Councilor Holmgren** thanked Mr. Beeney, and expressed excitement at having ethanol produced locally, and stated that she wholeheartedly supports this application. **Councilor Nolan** thanked Mr. Beeney for choosing to operate a business in Gloucester. **Councilor LeBlanc** echoed **Councilor Nolan’s** statement, and told Mr. Beeney that if he needs anything else, please feel free to reach out, and the City Council will try to help him out with whatever they can.

Mr. Beeney expressed his appreciation, and thanked everyone, specifically mentioning the support of the **Mayor** and the entire **City Council**, and the entire city of Gloucester,

Those Speaking in Opposition: None.

Communications: None.

Councilor Questions: None

The public hearing closed at 6:46 p.m.

COMMITTEE RECOMMENDATION: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council grant a license under GCO Ch. 8 “Fire Prevention and Protection,” Sec. 8-1 “License for storing inflammables,” MGL Ch. 148, Sec. 13 and 527 CMR 1.00 for storage of inflammables at 11 Dory Road, Assessors Map 262, Lot 16, owner EIP Dory Road, LLC, specifically to store Ethanol, Class 3 (AST) for a total quantity of 10,000 gallons.

MOTION: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to grant a license under GCO Ch. 8 “Fire Prevention and Protection,” Sec. 8-1 “License for storing inflammables,” MGL Ch. 148, Sec. 13 and 527 CMR 1.00 for storage of inflammables at 11 Dory Road, Assessors Map 262, Lot 16, owner EIP Dory Road, LLC, specifically to store Ethanol, Class 3 (AST) for a total quantity of 10,000 gallons.

2. PH2020-022: City Council Vote of August 22, 2017 re: COV2017-166 re: GZO Sec. 5.30.1 “Purpose” regarding the sunset clause

Councilor LeBlanc opened and continued the public hearing to August 25, 2020.

3. PH2020-009: SCP2020-001: Wingersheek Road #105, Map 261, Lot 31, GZO Secs. 1.8.3 “Standard to be Applied” and 3.1.6(b) “Building Heights in Excess of 35 Feet” in the R-20 Low/Medium Density Residential District (Cont. from 6/23/2020)

Councilor LeBlanc opened and continued the public hearing to August 11, 2020.

4. PH2020-010: SCP2020-002: Essex Avenue #99A, Map 216, Lot 126, GZO Sec. 1.8.3 “Standard to be applied,” Sec. 3.1.6(b) “Building Heights in Excess of 35 Feet;” Sec. 2.3.4(13) “Marine related service, storage or repair, limited primarily in the MI District to commercial fishing vessels;” Sec. 5.5 “Lowland Requirements;” Sec. 5.5.2 and Sec. 5.5.3 in the EB District

Councilor LeBlanc opened and continued the public hearing to August 25, 2020.

FOR COUNCIL VOTE:

No items.

UNFINISHED BUSINESS:

None.

Councilor Nolan left the meeting at 7:00 p.m.

OTHER BUSINESS:

1. Discussion Only: City Council discussion on resuming public hearings for Special Council Permits

Summary of Discussion: **Councilor LeBlanc** began the discussion by mentioning that **Assistant General Counsel Krisna Basu** and **Community Development Director Jill Cahill** were present to answer any questions. He encouraged all members of the City Council to share their thoughts because each member is equally important. He then explained that he had the authority to resume these permits since otherwise they could be suspended indefinitely.

Jill Cahill stated that she is attending this meeting as the Reopening Task Force Chair of the Events, Culture, and Social Gatherings Subcommittee. She mentioned that she has also been working with the Department of Public Health, Planning Board, and the Conservation Commission, which are required to act under similar pretenses. Regarding gatherings, the Governor’s guidance states that there should not be more than 25 people gathered in an indoor space no matter how big it is, so at some point, the City Council would have to limit the number of people, and then you start possibly being in violation of the Open Meeting Law.

Mrs. Cahill shared the fact that the Planning Board and Conservation Commission have been successfully conducting site visits on many of the projects that are now before them, and asked the Council to remember that the purpose of site visits is not to be public meetings where the public comes to listen in on a topic, but instead is to allow councilors to gather the information that needs to be brought to City Council meetings for deliberation.

She consulted with **Planning Director Gregg Cademartori** and **Conservation Agent Adrienne Lennon** prior to this City Council meeting, and both shared that the public attendance in these hearings have increased in some ways. They both feel strongly that they can present things well on the screen. **Adrienne Lennon** shared that the fact that the process by which abutters are notified has not changed, so that is the stimulus that gets people to go out and participate in a public meeting.

Both committees encourage members to go alone if possible, otherwise, Ms. Lennon and Mr. Cademartori will meet with the Chair or one other member during the site visit so they're on the same page, but they emphasize wearing a mask and social distancing. Ms. Lennon is working hard to have contactless site visits, notifying the owner of the date and time of her visit, and telling them that no interaction is required.

The Conservation Committee is a little different, they have leaned on the Department of Environmental Protection to push if an appeal is needed. The Governor gives 45 days after the end of the emergency order. The DEP has intervened on some of the properties that are now before the City Council because they were getting so much pushback, and the Conservation Commission was holding permits, so the DEP negotiated that if applicants specifically request it, the agency will respond within 10 days as to whether or not they're going to intervene. Abutters have the same opportunity, and that is working also. Mrs. Cahill mentioned that they are happy to provide guidance on that, and that they also consult with the Department of Public Health regarding social distancing. She also encouraged the Council to reach out to the chairs of the Planning Board and Conservation Committee, or to Mr. Cademartori or Ms. Lennon with any questions or concerns.

Councilor Holmgren agreed with everything Mrs. Cahill said, and with the feedback from the other boards and commissions. She remarked that since using the Zoom meeting platform, attendance has increased, and having a public hearing that way, as opposed to figuring out which 25 people can go into a room together is more practicable since we're looking at needing to use virtual meetings for a long time into the foreseeable future. **Councilor LeBlanc** stated that he agreed with Councilor Holmgren.

Councilor Gilman explained that the Planning and Development Committee began this site visit conversation during the past two sessions, which was helpful because General Counsel Chip Payson suggested that they be consistent with each applicant and how they are scheduled, which is part of the next step to scheduling a public hearing since everything is currently stalled. They presented a draft that was reviewed by **Public Health Director Karin Carroll** and Mr. Cademartori. The suggestion was that if more than 10 people are interested in attending, that the visit be broken up into two sessions. She also discussed the importance of notifying abutters, and suggested that when the public hearing is posted, that they be given the information necessary to access previous Zoom meetings and packets.

Mrs. Cahill stated that her understanding is that if you post a site visit as a public meeting, a public meeting can only take place on public property. She encouraged **Councilor Gilman** to clarify the matter with General Counsel.

Assistant General Counsel Krisna Basu advised that from Legal's perspective, by definition, a site visit is not a public meeting, and the public does not have an entitlement to participate and go onto a private landowner's property. Accessibility is also an important consideration. The purpose of a site visit is only for boards or committees to gather information. There cannot be any deliberations because there must be transparency, and the same information must be shared with all interested parties. She also stated that under the Open Meeting Law, materials presented by the applicant must be accessible to the public, and that a Roll Call vote is required for Special Permit applications. It is perfectly acceptable if site visits are conducted in shifts, the most important factors are use of face coverings or masks and practicing social distancing. It is permitted by law to conduct these meetings by video if we have the technological capability to do it.

Councilor Cox expressed support for the idea of moving forward, that she feels like the City Council has waited as long as possible, and should lead by example, and instead they have allowed other boards to lead the way.

Councilor McCarthy, Councilor Memhard and **Councilor Pett** stated that they agree with everything that has been said so far. **Councilor McCarthy** expressed some reservations about the appeal process when

issuing a building permit, and hoped that going forward, there is some type of waiver that if someone moves ahead without waiting for an appeal, that the city is indemnified from that.

Councilor Pett commented that many different groups are trying to do some sort of development, and the City Council owes it to them to move forward while understanding the constraints of what is happening with the pandemic.

Councilor O'Hara stated that there is nothing better than a public hearing in a public setting, that the city should try to improve the technology, and mentioned as an example the gentleman who was unable to speak during Oral Communications due to technical difficulties. He added that if the City Council is going to move forward, the councilors need to make sure that everyone is heard, and that all councilors be given the tools to be able to work remotely and make decisions in the most reasonable fashion.

Councilor LeBlanc explained that it was not due to technical difficulties, that the gentleman was unable to speak during Oral Communications because he did not press the Raise Hand button. Moving forward, he stated that he will provide a reminder following each person who provides a communication.

Councilor Questions

Q1 (LeBlanc) If an applicant is granted a Special Council Permit, what will the city be liable for, is there a waiver they must sign that they are building at their own risk?

A1 (Basu) She responded that she would review the question with the General Counsel, and maybe they can add some language into the decision to that effect, that might be the best way to handle it. She explained that how it usually would work with the special permits or any kind of zoning relief, there was a certain amount of time before you're supposed to act, you have to wait to make sure nobody appeals, so she thought they could probably work with that language to put something in there, because they're going to have to build at their own risk at that point.

Q2 (Gilman) One of the things we need to know in Planning and Development is how should what is coming back to us right now be staged? In other words, if there are no complications with a project, I would assume we could get that on the earliest possible meeting provided we meet the terms of notice for the Open Meeting Emergency Order from Governor Baker.

A1 (Cahill) She responded that she would have Mr. Cademartori, Ms. Lennon, and Building Inspector Bill Sanborn contact the City Clerk to see what is on the Planning and Development Committee agenda, and make sure they provide any summaries of changes or updates.

INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES: Update on the Fisheries Commission by City Council Representative, Councilor Barry Pett

There is currently no update since the Fisheries Commission has been unable to meet due to COVID-19.

COUNCILORS' REQUESTS TO THE MAYOR:

Councilor O'Hara requested that the Mayor possibly consider commissioning a study on the sewage treatment plant, as well as the water treatment plan with the recent heavy rainfall. He explained the city is looking at building, he thinks the city needs to know what the limitations are. He recommended that the city look at the entire infrastructure down to voting and COVID-19. He also requested that every cost associated with the new school be disclosed, and asked the schools, the new superintendent, and the school department to consider what is being done with the schools, and getting our children back into them.

The **Mayor** thanked everyone, and informed **Councilor O'Hara** that the city conducted a report for the YMCA project, and for watershed supplies and maintenance. She thanked **Jill Cahill** for her work with the EPA to get some of the dams repaired. She encouraged anyone who smells gas to contact the fire department immediately because it could be toxic. She also discussed the waterways, and emphasized that even with the complaints she has heard, the city is doing very well. She thanked Richard Pratt for his involvement with alleviating the current parking and other issues at Long Beach, and mentioned the school subcommittee of teachers, parents, and other concerned citizens that is working to get the children back into school safely.

Councilor Gilman requested replacement "Quarry's Closed" signs for the two High Street entrances, and one on the Quarry Street entrance. She also requested to remove the small boulder on the Plum Cove footpath and replace it with a jersey barrier to prevent parking when the school gate is closed. She requested a water test for Vernon's and Nelson's pit. She would like to place two cones that say "No Parking, Tow Zone" across from the tennis courts on River Road on the right side.

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

Councilor McCarthy acknowledged the recent retirement of Donna Leete, Lucy Sheehan, and Dr. Safier. He wished them great luck and good health in retirement.

Councilor Pett offered kudos to the new retirees and thanked them for their years of assistance. He also extended thanks to the **Mayor** and her administration for all their efforts, not only regarding pandemic health, but also being inundated by visitors to the city, and mentioned that the Governor has acknowledged her hard work. He also wanted to thank the DPW workers, even though he received complaints from residents being awakened at 5:00 a.m., for completing the scheduled, announced work on Main Street.

Councilor Memhard thanked the **Mayor** and her administration for all the initiatives and heartfelt efforts to steer our community through this unprecedented time.

Councilor Holmgren echoed thanks to **Mayor Theken** and city administration, staff, fellow councilors, and everyone in Gloucester. She stated that she is grateful and impressed every day that we live here and extended to the **Mayor** thanks for her accessibility and responsiveness.

Councilor LeBlanc echoed **Councilor Holmgren**, and thanked the **Mayor** for doing a great job, answering social media, returning emails, and trying to run the city.

COUNCILORS' WARD UPDATES AND COMMUNITY NEWS:

Councilor Cox shared the fact that the Nip Bottle Deposit did not pass, so it will be retried with the full bottle bill again soon.

Councilor Gilman shared that Sunday, August 2, 2020 at 7:30pm, a socially distanced graduation will be held for the Gloucester High School seniors, and all the councilors have been invited to attend.

MOTION: on a motion by Councilor Holmgren, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to adjourn the meeting at 7:46 p.m.

Respectfully Submitted by: Brianna Komi,
City Clerk's Office Administrative Support