

**Special City Council Meeting
Thursday, July 30, 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, Sefatia Romeo Theken; Acting CAO, Vanessa Krawczyk; Asst. City Clerk, Grace E. Poirier; CFO, John Dunn; General Counsel, Chip Payson; Dr. Richard Safier; School Committee Chair, Jonathan Pope; School Committee Vice-Chairperson, Melissa Prince; School Committee Member Kathy Clancy

Absent: None.

*This meeting was conducted remotely via ZOOM
All votes were ROLL CALL*

Meeting called to order at 6:00 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 10 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 *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.

Consent Agenda

- *APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS*
1. Special B&F Meeting 7/29/2020

(Approve/File)

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

Committee Report

Budget & Finance – July 29

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council approve the placement of a ballot question on the November 3, 2020 Election Ballot, and the ballot shall read: "Shall the City of Gloucester be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for bonds issued in order to provide the necessary funding for the design, site work, construction and outfitting of a new East Gloucester/Veterans Memorial Elementary School."

Summary of Discussion: Councilor LeBlanc specified that this Special City Council Meeting was a Public Meeting, not a Public Hearing, so the public would not be given an opportunity to speak during it, either in oral communications, or in favor or opposition of the matters presented.

Proposition 2 ½ is an initiative petition adopted by Massachusetts voters in 1980. The principal features of the petition are related to the total amount of property taxes that a city or town can raise each year.

Councilor Cox explained that the same format followed for the Pole's Hill override is being used in this situation. That did not include any monetary figure (even though there was one), so the example set by numerous courts, states, and the past motion to override Proposition 2 ½ is being used as the precedent. The **City Clerk** verified at the Budget and Finance Committee meeting that, unlike some ballot questions that have a summary, anything dealing with Proposition 2 ½ cannot have one. **Councilor Cox** emphasized the fact that the administration would be consistent in the message of what is being done and carry that communication forward to ensure that the voters receive an unbiased introduction to the meaning behind the question.

CFO John Dunn mentioned that during an earlier conversation with **Councilor O'Hara**, he clarified that there was a specific reason why the ballot question was drafted the way it was; there is an accepted template for debt exclusion override questions. While there are other override questions in existence, this is a template for what the administration is trying to accomplish, which is to exclude the debt from the limits of Proposition 2 ½. This template is based on the initial law enacted in 1980 that was reaffirmed by the Department of Local Services (a division of the Department of Revenue) in their August 2017 publication. It is also a requirement of the Massachusetts School Building Authority according to their 2011 publication, and mirrors the 1998 Pole's Hill exclusion ballot question. It is consistent language according to previous experience, and the concern is that if worded differently and then sent to the Secretary of State, it would not be approved. He explained that it also would not be accepted by the MSBA any other way, if the city wants to potentially receive \$25 million dollars in grant money, this is how it needs to be done.

Councilor Pett reiterated what the **CFO** had stated, and attested that in his previous dealings with the MSBA, it needed to be worded in this specific way.

CFO John Dunn added that the MSBA is scheduled to meet in August to decide on the budget numbers, and if the ballot question is approved on November 3, 2020, a Loan Appropriation Order would be created that would reveal the specific project budget according to MSBA requirements at the City Council meeting following the election.

Councilor Cox sought clarification as to whether the overall project would include the cost of moving Mattos Field and creating a new one. **CFO Dunn** explained that the budget being presented to the organization at the August meeting will only include project aspects that are MSBA reimbursable, the reason being is that the administration does not want ancillary costs (swing space, construction of the ball field, and the demolition and renovation of the East Gloucester site) to be subject to MSBA audit and review, which could delay final reimbursement and close-out of the project. If the ballot question is not approved in November, a rescind order on the ancillary costs would follow. He went on to say that as far as the administration is concerned, the project is considered all one bundle, however, the ancillary costs will not be subject to the override vote.

Councilor Gilman shared a point that **Councilor McCarthy** had mentioned during the July 29, 2020 Budget and Finance Committee meeting, which was the fact that there is a strong benefit of the path the administration is on right now, because bringing this ballot question to the November 3, 2020 presidential election will represent a majority of the community. If a special election was held instead, there would

probably be a smaller turnout for what she considers to be an important vote. She continued that she feels very strongly that this is the right way to go. She expressed pride in the City Council, School Committee, and the administration including **CFO John Dunn**, and thanked **Acting CAO Vanessa Krawczyk** for providing the Council with all necessary information regarding the core templates used by the MSBA and the Department of Revenue.

Councilor Memhard stated that he wanted to follow up on the comments from the other councilors that **CFO Dunn** had clarified. He mentioned that constituents and voters need to hear the commitment of the City Council, and that of the administration, to the overall project scope. This whole project needs to be considered as a whole so that the obligations to reconfigure Mattos Field, the Gloucester school site, and any other parts of the overall project that will not be subject to MSBA reimbursement are not shortchanged.

Councilor O'Hara thanked **Councilor Gilman** for explaining the purpose of having this move forward. He mentioned that the City Clerk's office can project that a special election would cost upwards of \$20,000, and that COVID-19 would undoubtedly further escalate the cost. He thanked the **CFO** for his explanation on the matter, and for his assistance in getting the question on the ballot in time for the general election. He then clarified that this vote is only to put that question on the ballot.

Councilor McCarthy echoed the comments made by **Councilor Gilman** and **Councilor O'Hara**. He declared that he has been on record since the beginning saying that he would not support a special election, he wanted it to be on the general election so that the bulk of Gloucester's citizens are able to vote on this.

Councilor Nolan thanked the School and Building committees for everything they have gone through to make the final decision on what the City Council needs to vote on. He mentioned that to put it forward to the public is the best aspect. He stated that the administration including **CFO Dunn** and other city leaders have been excellent, and that he thinks everyone did a great job delivering the project to this point. He praised **Councilor Cox** and the Budget and Finance Committee for trying to provide answers to the citizens of Gloucester.

Councilor LeBlanc thanked everyone, and recognized School Committee members Kathy Clancy and Melissa Teixeira Prince for making it a priority to attend the meeting to learn the decision results. He went on to say that this takes the control out of the hands of the City Council, and places it into the hands of the voters, which is what the Council and School Committee wants to do. He thanked **CFO Dunn**, the **Mayor**, and **Acting CAO Vanessa Krawczyk** for being part of the team, everyone in the administration including **General Counsel Chip Payson**.

MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve the placement of a ballot question on the November 3, 2020 Election Ballot, and the ballot shall read: "Shall the City of Gloucester be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for bonds issued in order to provide the necessary funding for the design, site work, construction and outfitting of a new East Gloucester/Veterans Memorial Elementary School."

MOTION TO RECONSIDER: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted 0 in favor, 9 opposed, to reconsider the vote to approve the placement of a ballot question on the November 3, 2020 Election Ballot, and the ballot shall read: "Shall the City of Gloucester be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for bonds issued in order to provide the necessary funding for the design,

site work, construction and outfitting of a new East Gloucester/Veteran's Memorial Elementary School."

MOTION: on a motion by Councilor Nolan, seconded by Councilor Gilman, the City Council voted by ROLL CALL 9 in favor, 0 opposed to adjourn the meeting at 6:24 p.m.

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