

GLOUCESTER CITY COUNCIL MEETING
Tuesday, November 10, 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; City Clerk, Joanne M. Senos; Community Development Director, Jill Cahill; CFO, John Dunn; Auditor, Kenny Costa; Grants Administrator Jaimie Corliss; Stage Fort Park Advisory Committee Members; David Benjamin and David Dow

Applicant: Attorney Joel Favazza from Seaside Legal Solutions representing PH2020-030: SCP2020-005

Absent: None

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

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

Council President 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 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.”

Council President LeBlanc stated that the meeting currently consisted of 16 panelists and 7 attendees.

ORAL COMMUNICATIONS:

Peggy Dillon, 10 Well Street

Ms. Dillon mentioned that the house next door to her located at 10 Commonwealth Avenue is a three-unit building, and two of the units are being used for Airbnb. She is concerned about that for three reasons; it is a densely-populated neighborhood with an existing parking shortage, non-residents (especially those from out-of-state, including those labeled high-risk) undermine the City's efforts to fight the spread of the COVID-19 virus, and the property owners are technically only supposed to have one rental, but two of their rentals are listed on Airbnb.

Beverly Palmacci, 8 Commonwealth Avenue

Ms. Palmacci has lived next door to 10 Commonwealth Avenue for 25 years. She stated that she attended the Sawyer Free Library meeting held about two years ago regarding the Airbnbs being approved in Gloucester, and the attendees were informed that the Board of Health would be monitoring all these operations, but with limited staff. She contacted the Board of Health, and has not yet received a response. She shared Ms. Dillon’s concerns, and said that she had spoken to 11 long-term neighbors who are all opposed to having Airbnbs in

that area. The two units can hold up to 14 overnight guests; one is advertised on Airbnb as being able to sleep up to 9, and the other one is advertised as sleeping up to 5. It attracts a lot of teenagers and young adults, and there is a lot of drinking. She mentioned that she had been in touch with **Councilor O'Hara**, and was under the impression that he had shared the information she had given him with the Board of Health. She stated that the property owner claims to be living in the largest unit on the second floor, but she is not. She wondered if the City has a way of measuring or collecting information on the neighborhood impacts of Airbnbs.

Summary of Discussion: Council President LeBlanc stated that while the City Council does not have that type of information readily available, he would try ensure that it was included in the response Ms. Palmacci would receive.

Councilor Cox wanted to make sure that Ms. Dillon was aware that tomorrow, City offices would be closed for the Veterans Day holiday, so an immediate response to her communication may not be received.

PRESENTATIONS/COMMENDATIONS: None

CONFIRMATION OF NEW APPOINTMENTS: None

CONSENT AGENDA:

ACTION

• **CONFIRMATION OF REAPPOINTMENTS**

• **MAYOR'S REPORT**

1. New Appointment:

- | | | | |
|--|-------------|-----------------------------|----------------------------|
| Lucas Cotterman (fulfilling an unexpired term) | TTE 2/14/21 | Gloucester Cultural Council | (Refer O&A) |
| 2. Memorandum, Grant Application, & Checklist from the Public Health Director requesting acceptance of an award from the Metropolitan Area Planning Council for 2020 flu season support, in the amount of \$3,090.10 | | | (Refer B&F)
(Refer P&D) |
| 3. Memorandum, Grant Application, & Checklist from the Police Chief requesting acceptance of a FY21 State 911 Emergency Medical Dispatch in the amount of \$45,149.79 | | | (Refer B&F) |
| 4. Memorandum, Grant Application, & Checklist from the Community Development Director requesting acceptance of U.S. Department of Commerce's Economic Administration Grant in the amount of \$3,000,000 | | | (Refer B&F) |
| 5. Memorandum from Police Chief requesting acceptance of \$16,000 from the Doug Flutie, Jr. Foundation for Autism | | | (Refer B&F) |
| 6. Flyer from the Massachusetts Department of Public Health with tips for a safe Thanksgiving | | | (Info Only) |

• **COMMUNICATIONS/INVITATIONS**

• **INFORMATION ONLY**

• **APPLICATIONS/PETITIONS**

• **COUNCILLORS ORDERS**

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

- | | |
|---|----------------|
| 1. City Council Meeting: 10/27/2020 | (Approve/File) |
| 2. Standing Committee Meetings: B&F 11/5/20 (under separate cover), O&A 11/2/2020 (cancelled), P&D 11/4/2020 (under separate cover) | (Approve/File) |

UNANIMOUS CONSENT CALENDAR:

• **ADDENDUM TO MAYOR'S REPORT**

- | | |
|--|-------------|
| 1. Memorandum, Grant Application & Checklist from the Community Development Director requesting acceptance of \$240,000 from the MA Seaport Economic Council | (Refer B&F) |
| 2. Memorandum, Grant Application & Checklist from the Community Development Director requesting acceptance of \$170,000 from the MA Seaport Economic Council | (Refer B&F) |

Items to be added/removed from the Consent Agenda: **Councilor Cox** requested that Item 4 under the **Mayor's Report** be removed since it should be listed as Information Only. She explained that if the loan order passes, the Budget & Finance Committee would be allowed to accept all the grants without having to come back before the full Council.

MOTION: On a motion by Councilor Cox, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to accept the Consent Agenda as amended.

MOTION: On a motion by Councilor Cox, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 abstained due to technical difficulties (Pett), to accept the Unanimous Consent Agenda.

COMMITTEE REPORTS:

• Budget & Finance – November 5, 2020

Summary of Discussion: Councilor Cox recognized the donors listed below, and asked the City Councilors to personally thank any donors they may know.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to accept the November 5, 2020 Budget & Finance Unanimous Consent Agenda.

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 accept various cash donations under MGL c. 44, §53A, to support Cape Ann Veterans Services in the amount of \$350 from the following members and business partners within our community:

Caroline Lee Herter	\$ 50.00
Linda & Edward Comeau	50.00
Lisa & James Doucette	<u>250.00</u>
Total	\$350.00

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Total	\$350.00

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 accept various cash donations under MGL c. 44, §53A, to support the Archives Dept. in the amount of \$100 from the following donors:

Pollyann Statom	\$ 50.00
Karen M. Anderson	<u>50.00</u>
Total	\$100.00

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to accept various cash donations under MGL c. 44, §53A, to support the Archives Dept. in the amount of \$100 from the following donors:

Pollyann Statom	\$ 50.00
Karen M. Anderson	<u>50.00</u>
Total	\$100.00

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 accept under MGL c. 44, §53A a U.S. Dept. of Justice FY2020 Bullet Proof Vest Program Grant passed through the Massachusetts Executive Office of Public Safety & Security in the amount of \$13,524.00 with a grant expiration date of 08/31/2022 for the purpose of purchasing 12 ballistic vests for Gloucester Police Department officers.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to accept under MGL c. 44, §53A a U.S. Dept. of Justice FY2020 Bullet Proof Vest Program Grant passed through the Massachusetts Executive Office of Public Safety & Security in the amount of \$13,524.00 with a grant expiration date of 08/31/2022 for the purpose of purchasing 12 ballistic vests for Gloucester Police Department officers.

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 accept a federal grant under MGL c. 44, §53A, in the amount of \$291,230, a third round special allocation from the Community Development Block Grant from the U.S. Department of Housing and Urban Development for Program Year 2019/Fiscal Year 2020, this allocation was authorized by the Coronavirus Aid, Relief and Economic Security Act (CARES Act) for CDBG-CV funding to aid in the preventions, preparation, and response to the COVID-19. The cumulative amount for all allocation rounds is \$697,049. There is no match or in-kind requirements.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to accept a federal grant under MGL c. 44, §53A, in the amount of \$291,230, a third round special allocation from the Community Development Block Grant from the U.S. Department of Housing and Urban Development for Program Year 2019/Fiscal Year 2020, this allocation was authorized by the Coronavirus Aid, Relief and Economic Security Act (CARES Act) for CDBG-CV funding to aid in the preventions, preparation, and response to the COVID-19. The cumulative amount for all allocation rounds is \$697,049. There is no match or in-kind requirements.

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 Supplemental Appropriation - Budgetary Request 2021-SA-1 in the amount of \$258,827.00 (Two Hundred Fifty Eight Thousand and Eight Hundred Twenty Seven Dollars) from Account #75005-596001, General Stabilization Fund, Transfers to General Fund to Account #00972972-497006, General Fund, Transfers from Trust Funds for the purpose of adjusting General Fund Budgeted Revenues to account for the overall net reduction to FY2021 State Aid and Assessments.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to approve Supplemental Appropriation - Budgetary Request 2021-SA-1 in the amount of \$258,827.00 (Two Hundred Fifty Eight Thousand and Eight Hundred Twenty Seven Dollars) from Account #75005-596001, General Stabilization Fund, Transfers to General Fund to Account #00972972-497006, General Fund, Transfers from Trust Funds for the purpose of adjusting General Fund Budgeted Revenues to account for the overall net reduction to FY2021 State Aid and Assessments.

Ordinances & Administration- November 2, 2020 (no meeting)

Planning & Development-November 4, 2020

Summary of Discussion: Councilor Gilman moved to reconsider her November 4, 2020 vote, and to refer SCP2020-005 back to the Planning & Development Committee for a public meeting to be held on November 18, 2020. It was seconded by **Councilor Holmgren**.

Councilor Gilman explained that **Councilor McCarthy** had posed a question during the November 4, 2020 Planning & Development Committee meeting regarding deed restriction in perpetuity in exchange for the commitment that the extra residential unit permit is contingent on the gallery space offered to the Rocky Neck Art Colony. The property owner, Mark Goetemann had voiced concerns about the proposed deed restriction. **Councilor Gilman** felt that the permit details needed to be further vetted by the Planning & Development Committee before the matter appeared again before the City Council for a vote, especially since 3 out of the 6 people who had submitted communications in favor of the matter had clearly stated that their support was conditioned on the space being given in perpetuity to the Rocky Neck Art Colony. She expressed hope that the other City Council members would support her decision.

Councilor Cox stated that as a point of order, she did not think that a debate should have occurred during the time designated for **Councilor Gilman** to share the Committee Report from the November 4, 2020 Planning & Development Committee meeting. Rather, she thought that what **Councilor Gilman** had referred to as a request for reconsideration was not the process that should be followed, and that the proper time for any action to be taken on the matter was once the public hearing was opened. **Councilor Cox** shared that in her previous experience, a reconsideration occurred within the full City Council, not at a subcommittee meeting. She suggested that the City Council proceed, open the public hearing, and listen to the discussion before it was decided whether the matter needed to be sent back to Planning & Development.

Council President LeBlanc asked if there was any further discussion from the members of the Council. **Councilor Gilman** responded that she understood **Councilor Cox's** acknowledgment that typically reconsiderations are conducted at the full Council once a 2-11(d) (motion to adopt) is filed. She elaborated that her reconsideration request was a procedural matter outlined in the Robert's Rules of Order as suggested by General Counsel Chip Payson. She recommended that the public hearing be opened and continued.

Council President LeBlanc acknowledged that two different opinions had been presented, however, there was currently a motion on the floor that had been moved by **Councilor Gilman** and seconded by **Councilor Holmgren** to return the matter to the Planning & Development Committee. He stated that if there was no other discussion or input, the Roll Call vote would be taken.

Councilor McCarthy stated that he supported this matter going back to Planning & Development to be further vetted.

Councilor Cox clarified that she was not objecting to the matter returning to Planning & Development, but rather objected to the current process that she believed was out of order. She repeated that once the public hearing was opened, it would be the proper time for **Councilor Gilman** to make that motion.

Council President LeBlanc stated that he agreed with **Councilor Cox**, and that while he had not been present during the communication between Attorney Payson and **Councilor Gilman**, in his experience, he believed that the public hearing should have been continued. However, since it had reached this point, and there were meeting attendees present who intended to speak during the public hearing, a decision needed to be reached. He called for the Roll Call vote to determine if the matter should be referred back to Planning & Development.

During Roll Call, **Councilor Nolan** changed his vote from No to Yes.

MOTION for RECONSIDERATION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 4 in favor (Gilman, McCarthy, Nolan, O’Hara), 4 opposed (Cox, Holmgren, LeBlanc, Memhard), 1 absent due to technical difficulties (Pett), to move the matter back to the Planning & Development Committee meeting scheduled for Wednesday, November 18, 2020.

Council President LeBlanc consulted the **City Clerk** to determine the best course of action to break the deadlock. He also agreed with **Councilor Holmgren** that the Council could attempt to resolve the issue raised on the matter during the public hearing, and if it became apparent that it needed to be further vetted, it could then be returned to Planning & Development.

Councilor Cox stated that since the public hearing needed to be opened and continued anyway, she felt that this conversation should be part of that instead of a preamble to it.

Council President LeBlanc asked **Councilor Gilman** to withdraw her motion so that the public hearing could be opened. **Councilor Gilman** agreed so that the deadlock could be broken, however, she stated that she was not comfortable voting tonight on this matter due to the additional information that needed to be discussed.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to withdraw the motion for reconsideration to move the matter back to the Planning & Development Committee meeting scheduled for Wednesday, November 18, 2020.

Councilor Cox asked **Councilor Gilman** to elaborate on why she felt the matter needed to be returned to the Planning & Development Committee once the public hearing was opened. **Councilor Pett** had returned to the meeting via telephone, so **Council President LeBlanc** informed him of what had transpired.

SCHEDULED PUBLIC HEARING

1. 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 (Cont. from 10/27/20)

This matter was continued until January 12, 2021.

3. PH2020-030: SCP2020-005: Rocky Neck Avenue #37, Map 130, Lot 4A, GZO Secs. 2.3.1.7 “Conversion to or new multi-family or apartment dwelling, four to six dwelling units,” and 3.2 “Dimensional Tables,” reduction in minimum lot area and open space per dwelling unit to create a fourth unit, in the NB zone

The public hearing opened at 6:32 p.m.

Those Speaking in Favor:

Attorney Joel Favazza from Seaside Legal Solutions, 123 Main Street Gloucester, shared a PowerPoint presentation of the property on behalf of Mark Goetemann and his family. He explained that the proposed work had been requested to add skylights and a dormer in an existing mixed-use condominium building to allow the creation of an additional dwelling unit in the building. He demonstrated the location of the addition with a red laser to highlight the minimized changes, and the view of it from both the street and out back from the docks.

He explained that the property was located in the neighborhood business district, which pulled in the individual requirements because the neighborhood business district does not have any of its own. The lot and existing structures are non-conforming, and were originally handled back in 1989 by the Zoning Board of Appeals (ZBA) under the special zoning ordinance that few properties fall under. In May 2020, the ZBA reaffirmed that relief, and modified it to allow for the creation of the fourth unit in the building. It is currently a condominium building that stretches from the gravel parking lot on Rocky Neck Avenue to the right of the Goetemann unit all the way down to the wooden deck after the Meagher gallery and before the ice cream shop. Inside the building, there are currently three residential units and three commercial units.

The Goetemann family is looking to honor the memory of their recently-deceased parents, Judy and Gordon, who had contributed to the preservation of America's oldest working art colony, the Rocky Neck Art Colony. The hope is to continue the presence of the art gallery space on the first floor to be provided for use by the Rocky Neck Art Colony or a similar art organization rent-free, with the organization only being responsible for utilities and other business-related expenses. Two residential units would need to be rented to sustain the ongoing costs required to support their share of the building, so Mark Goetemann has requested to improve and formalize the legality of one of the apartments that already exists on-site.

When the matter appeared before the ZBA on May 28, 2020, no opposition was received, and several neighbors spoke in favor, including the Rocky Neck Art Colony. It received a unanimous ZBA vote in favor. **Attorney Favazza** reminded the Council that the matter was now before them since three pieces of relief had been requested: a special permit for change in use, as well as a reduction in area per dwelling unit (5,000 square feet was required, the space contains 2,176.5 square feet) and a reduction in open space for a dwelling unit (3,500 square feet per unit was required, the space contains 1,750 square feet per unit).

The presentation included the original plans that were submitted with the application, and **Attorney Favazza** offered to refer to them if there were any questions. He stated that Section 1.8.3 had a six-factor test of standards to be applied, and he believed that those conditions would be met in this case. It provided the opportunity to preserve a historic art colony while an additional housing unit would be created in accordance with the 2017 Housing Production Plan, which required 600 new units of housing. Community and economic needs would be met in terms of traffic flow and safety since off-street parking for up to four cars was provided for the building, and a large municipal lot was located approximately 500 feet away. Technical requirements have been met since the ZBA has already granted relief that excused the building from meeting the requirement for off-street parking. It is located in a developed neighborhood, so the adequacy of utilities and other public services would not be an issue. Neighborhood character and social structure would be preserved, there are several condo units and mixed-use buildings throughout Rocky Neck. He stated that there would be no appreciable impact on the natural environment since it was an existing building, and a visible sign and improved public access to the waterfront would be provided as a condition of the ZBA relief that had been granted. The potential fiscal impact would be increased tax revenue for Gloucester and maintained first level gallery space.

He mentioned that Section 3.2.2 (a) was applied when looking at the reductions requested for area dwelling unit and open space. The reduction requested was in keeping with neighborhood character and structural density since Rocky Neck contains many crowded buildings that occupy part of the sidewalks, the proposed density was similar to other neighboring properties, and the unit count increase is not likely to be noticed by allowing that existing unit to be formally recognized.

There was some concern raised at the ZBA and Planning & Development Committee meetings that the Special Council Permit request was based in part on preserving gallery space for use by a local artist or group such as the Rocky Neck Art Colony. During Planning & Development, **Councilor McCarthy** had asked whether there should be some sort of condition to ensure that if Mr. Goetemann ever sold the property, the

gallery space would be protected in perpetuity. **Attorney Favazza** explained that throughout the permit request process, the Rocky Neck Art Colony has been in communication with Mr. Goetemann as the two parties have attempted to reach an agreement as to the best use for the gallery space. However, Mr. Goetemann felt that it would be problematic if that art colony was specifically named in the permit because if for some reason that agreement ended, the permit would automatically be terminated.

The presentation questioned if the relief should be expressly conditioned upon that preservation. **Attorney Favazza** stated that his client would maintain the gallery space whether or not the permit was granted, however, he proposed that the following be included if the Council felt that it was necessary:

Special Condition: This relief granted by this City Council Special Permit is conditioned upon Petitioner maintaining the "front" two rooms on the first floor of Petitioner's condominium unit (the "Gallery") for use as a gallery or other use related to the production, preservation, or display of art for public enjoyment and/or retail sales related thereto. Petitioner may allow third parties to operate the Gallery, provided that Petitioner does not charge such third parties rent; however; Petitioner may require such that parties carry their own liability and hazard insurance and cover the actual cost of utilities consumed by the Gallery. Should such use cease, Petitioner shall have 90 days to seek modification of this City Council Special Permit, failing which, this City Council Special Permit shall terminate and be of no further force and effect.

Karen Ristuben, 210 East Main Street

As former President of the Rocky Neck Art Colony for 10 years, and current board member for the past two, Ms. Ristuben spoke strongly in favor of Mark Goetemann's proposed request. She mentioned that during her 12-year involvement with the art colony, she had witnessed an increasing number of artists being unable to live and work on Rocky Neck due to the high cost of real estate. As a result, she explained that the art colony as an organization has been able to support many artists in the common spaces located in the cultural center and Gallery 53. She expressed that this kind of gesture on the part of a local resident who is so committed to preserving continued art in the colony is emblematic of what the community can do to preserve a treasure like Rocky Neck that is also an important destination for the whole community of Gloucester. She felt it was a great example of what private homeowners can do to assist artists, and expressed admiration and gratitude to the Goetemann family for their offer.

Ruth Mordecai, 4 Terrace Lane

Ms. Mordecai seconded what Ms. Ristuben had said so beautifully, and shared that she lived a block away from the Goetemann Gallery. She mentioned that since the gallery space was located at the entrance to Rocky Neck, it was a kind placeholder for the neighborhood designated for art. She applauded Mr. Goetemann wanting to keep the legacy of his parents, and with the loss of gallery and studio space that Rocky Neck has faced, she believed this project was crucial.

Kathleen Archer, 20 Washington Street Beverly

As current President of the Rocky Neck Art Colony, Ms. Archer spoke in favor of Mr. Goetemann's grand gesture. She stated that right now, with the cultural center, the greatest board of volunteers is helping to maintain what had previously been a much more thriving art colony on Rocky Neck. It now consisted of about 200 members, people who would like more space to display their work, and Mr. Goetemann has provided that for the community. She shared that the personal reason she had opened a gallery on the Madfish Wharf in prior years, and the reason she came to Rocky Neck and became involved was because of Mark's parents, Gordon and Judy Goetemann, which was why Mark wanting to promote art in his parents name meant so much to her and the entire colony.

Brenda Malloy, 43 Rocky Neck Avenue

Ms. Malloy has had a gallery down the street from the Goetemann's since 2002, and during that time, had witnessed many galleries on Rocky Neck become private living spaces, much to the detriment of the art colony. She stated that there really is a need to do whatever can be done to help preserve the galleries, and she thought that the opportunity to have the Goetemann Gallery continue would be really important and crucial to the health of the art colony. As a neighbor who lives 100 feet away, she expressed gratitude and 100% support for the permit request.

Council President LeBlanc repeated the procedure for calling in by phone or using the Raise Hand button on a device to be acknowledged to speak. No one else requested to speak in favor or opposition. The **City Clerk** shared that communications in support had been received by Tom Cox, Brenda Malloy, Ruth Mortdecai, Jane Adams, Ann Rosenfeld, and Richard Gold.

Councilor Cox mentioned to **Attorney Favazza** that in the original application submitted, it stated that the reason why his client wanted to add an apartment was to preserve the gallery space down below. She asked whether he or his client ever intended to have that be a condition of the application. He answered that he and his client had not anticipate that would be a condition, but it was certainly the reasoning behind the request.

This is the link for the ZBA Meeting minutes of May 28, 2020:

<http://gloucester-ma.gov/ArchiveCenter/ViewFile/Item/11975>

This is the link for the ZBA Zoom meeting held on May 28, 2020:

https://us02web.zoom.us/rec/play/78Utlb2s_Wo3SIKd5gSDAad-W43oKK-shCBI-vpezR68WiULM1SnNbYQN-VQh_Tlf_Pu0KdwMfBotE2Z

This is the link for the Planning & Development meeting minutes of November 4, 2020.

<http://gloucester-ma.gov/ArchiveCenter/ViewFile/Item/12363>

This is the link for the Planning & Development Zoom meeting held on November 4, 2020:

<https://gloucester-ma.gov.zoom.us/rec/play/uyreMCZXbOABxK10JKRHdhKxQpUHom1sGcwsH02EzsMBvNFXIMf3ZIYEibHgLU5aa13DY8WKQ3igPSY.oq4xz2N9EDAfCVPE>

Councilor Gilman mentioned that during **Attorney Favazza's** ZBA meeting presentation reflected in the May minutes, he had said the art gallery space would be used by the Rocky Neck Art Colony. She said there was no discussion back then about the broader condition that has been presented today, which she acknowledged gave her a little bit of angst that prompted her to want to bring the matter back to subcommittee. She asked him if it was acceptable to all of the people who had submitted communications in favor from the beginning that there was now a broader interpretation as presented by a condition that he had shared with the City Council at the beginning of this meeting.

She reread **Attorney Favazza's** proposed Special Condition to the permit, and stated that her personal objection was based on the fact that she wished the Planning & Development Committee had been given the opportunity to vet it before it came before the full Council.

Attorney Favazza responded that he does not speak for anyone except his client. He pointed out that this condition that was put out there as something that would be required had been presented to all meeting attendees including those who had just spoken in favor.

He explained that there is usually a reason why an applicant requested relief from the ZBA. Oftentimes, through permitting, the narrative is explained as to what is driving the request, and that remains. He stated that in this case, there is no misrepresentation or “bait and switch” intended. His client’s expressed intention was for the gallery space to be offered, and the Rocky Neck Art Colony was currently interested in putting the offer to use, which was evident by the continued communication between the two parties, and that is what the callers spoke in favor of this evening. If the relief was granted, that would be the probable outcome, however, **Attorney Favazza** requested that if a Special Condition was required, it needed to be broad enough to provide reasonable flexibility so the overall purpose of making sure it remains a gallery space for the public to enjoy could be achieved.

Councilor Nolan asked how many legal commercial and residential permits were currently approved for that building. **Attorney Favazza** answered that there were currently three resident occupancy and three business permits approved, which had been the property layout since it was first zoned. The part of the building owned by Mr. Goetemann currently has space for two apartment units, this permit would just make sure that the other apartment space was legalized. He stated that he would be surprised if the City department inspection services were not aware of the additional apartment space, however, this application was reviewed at ZBA by Building Inspector Bill Sanborn, was reviewed again by Mr. Sanborn and Planning Director Gregg Cademartori before it was submitted to the City Council, and **Attorney Favazza** and Mr. Sanborn had also recently discussed the matter in response to the question that had been raised during the Planning and Development meeting about other relief requested for this project.

Councilor McCarthy had reviewed the October 21, 2020 Planning and Development meeting, and felt that it was clearly stated in those meeting minutes that the space was going to the Rocky Neck Art Colony. He understood that may have changed from the last meeting. He asked if the Rocky Neck Art Colony dropped out, whose responsibility would it be to see that this condition is perpetuated to the end of time? He stated that while Mr. Goetemann was a reputable member of the art community down there, if the building needed to be sold for any reason, who would ensure that this agreement was adhered to? He told Attorney Favazza that he believed the verbiage of the Special Condition should be changed from may to shall, and that there were several things that needed to be worked on to protect the art colony and integrity of this agreement.

Attorney Favazza stated that the technical, legal answer was that the building inspector, the building department, and the zoning enforcement apparatus would monitor and ensure compliance as they do for all other building permits that are granted. He also shared that since it was Rocky Neck, there would be an extra layer of protection in that if Mr. Goetemann or any future owner of the property shut down the gallery, someone would notify City Hall. He also stated that this matter being on the agenda for tonight’s City Council public hearing had been featured on the front page of the Gloucester Daily Times. He mentioned that the verbiage would be easy to correct. Special Council Permits are recorded in the Essex County Registry of Deeds in Salem, so anyone who purchased this property would be legally bound by it, and the Building Department would be charged with enforcing it under the watchful eye of the neighborhood.

Councilor Cox told **Attorney Favazza** that she needed to be very clear about what was being offered in the original application. There was no “this for that”. She mentioned that saw in the application the reason it had been submitted, why the relief had been requested, however, it was not a condition that the relief would be granted if it remained a gallery on the first floor. She said she really needed to make sure because when she had first asked that question, Attorney Favazza had said that was not the case, but she commented that when he answered questions from **Councilors McCarthy** and **Gilman** as the Special Council permit was a condition based on whether or not that gallery stays in place, and it was the reason behind the special permit being requested, and yet it was not being offered by he or his client as a condition. It was what he wanted to do with the property, so therefore, so she felt that questions should not be entertained as to who would run it questions about who's running it, but rather, she believed the Council needed to stick to the fact of the matter:

the fact that relief had been requested instead of it being based on the condition that the gallery would remain in perpetuity.

Attorney Favazza stated that was correct, and elaborated that although he has answered these questions, he was unable to predict the future. There appeared to be some concern expressed by the Council, and he was concerned that the permit would not be approved if the Special Condition was not offered. If it was required to secure approval, then it will be offered. He explained that it had not been initially offered because that was typically the way the process worked.

She clarified with **Attorney Favazza** that this was approved by ZBA without that condition being stipulated, and then at Planning and Development, it had been suggested that the requested relief might be granted if the commercial gallery space remained in perpetuity. He stated that she was close, it moved through ZBA without an express condition being required, and then **Councilor McCarthy** had raised the same issue he did tonight. He said that while he was not speaking for **Councilor McCarthy**, he thought that his expressed concern was that someone could execute this proposed plan with the best of intentions, but in the event that Mr. Goetemann needed to sell the property, that the buyer could potentially take advantage of the situation, close the gallery immediately, and would have these two apartments that were granted in based on the representation that the gallery would be preserved.

Attorney Favazza explained that the Special Condition had been drafted to provide broader language so that it could be used as gallery space without the Rocky Neck Art Colony being specifically named. The proposal remained the same, and if approved, the Art Colony would probably move into that space, however, if the Special Condition was required by the Councilors as a condition of approval, then the language provided is what would be acceptable to his client and also ensured that the Councilors' concerns were addressed.

When **Councilor Cox** had reviewed the ZBA meeting minutes, she had noticed that **Attorney Favazza's** name appeared on multiple applications. She asked since he has handled many types of zoning relief, if he had ever been before the Council for a Special Council Permit request where there was such a condition required before the requested relief could be approved. In his 10 years of experience of coming before ZBA and the City Council, he said that there are instances based on conditions, however he was unable to think of an exact situation. A generic example he provided was that in-law apartments must be conditioned to be used by immediate family members. He explained that while there were always possible exceptions, typically when relief is sought, conditions are usually based on size, shape, and use.

Council President LeBlanc asked if any other Councilors had a question before **Councilor Cox** finished her questioning.

Councilor Pett stated that he had a difficult time this evening following what was happening due to technical difficulties, however, he believed he had heard some Councilors ask about gallery deed restrictions being a condition for the relief and permit to be granted, and wanted to verify that was the case. **Councilor President LeBlanc** said that it was part of the process that **Attorney Favazza** had stated, but if **Councilor Pett** had been unable to hear **Attorney Favazza's** entire presentation, than he would be unable to vote on the matter this evening. **Councilor Pett** agreed. He thanked Councilor Pett for making the Council aware of the technical difficulties rather than attempting to vote when he had not witnessed and understood the entire presentation.

Councilor McCarthy asked **Attorney Favazza** to clarify whether he had asked him to condition this permit, or whether **Attorney Favazza** had volunteered to do that after **Councilor McCarthy** had asked him how the gallery space would remain in perpetuity. **Attorney Favazza** said that he thought the issue began during the Planning & Development Committee meeting when **Councilor McCarthy** had not asked for the condition specifically, but rather requested or referred to a deed restriction. **Attorney Favazza** understood **Councilor**

McCarthy's concern that enforcement be maintained, and if the permit was granted, that it could not be subverted in the future. When Mr. Goetemann had expressed feeling uncomfortable with a deed restriction, **Attorney Favazza** had provided the Special Condition. He verified that the proposed plan to turn this gallery space over free of charge to an interested art organization came from he and his client, and not as a condition imposed by the City Council.

Councilor Gilman shared that as the one being asked to reconsider the matter, she thought Mr. Goetemann's intentions were noble, and she wanted to support it, but without the condition, with the amount of density in Rocky Neck right now, with some of the concerns about expressed about parking, available space, and all of the details that Attorney Favazza had brought up, if the Council was not clear on the condition, she apologized, but stated that she would not be able to support it. She mentioned that **Councilor Pett** would be unable to vote, and she was unsure whether the six votes in favor would be obtained, so she did not understand why the matter could not return to Planning & Development. **Council President LeBlanc** stated that he understood her position, however, the public hearing was still open and in the Councilor questions section.

Attorney Favazza expressed appreciation for everything that the City Councilors had done that evening, and that he did not want to rush this matter to a negative result. He had no objection to returning the matter to Planning & Development, he had just wanted the public hearing to be opened, and that the neighbors be given the chance to speak. **Council President LeBlanc** agreed.

Councilor Cox directed **Attorney Favazza** to a previous discussion they had regarding parking, and she thought it was the ZBA's 1989 decision that had precluded the Council from making parking part of the reason for potential denial of a special city council permit. **Attorney Favazza** explained that was not the case, while the specific parking plan is under ZBA jurisdiction, it had been approved in 1989, and again in 2020. Section 1.8.3 is where traffic and safety concerns are addressed. He would never say the Council is precluded from thinking about parking, however, he mentioned that the ZBA, the parking authority, and had twice now said what was presented for this project was sufficient. He mentioned that parking should be analyzed when 1.8.3 was reviewed by the Council.

Councilor Gilman inquired about a rule of procedure, if the wish to refer the matter received a majority vote, it would be in the Council's best interest not to close the public hearing, and that we continue the public hearing, which is an option given to the Council in Section 25 of the Rules of Procedure. She also questioned why it would be insisted that the public hearing be closed and Committee Report be read now if the matter was to be continued. **Council President LeBlanc** stated that for rule of procedure, if the Council received new information, the public hearing would need to be reopened, and started from the beginning. It was possible that an amendment could be added to the Special Council Permit since **Attorney Favazza** had offered a condition that would be considered new material, so it return back to Planning & Development so the new condition could be voted on vote before it returned to the full Council as a new public hearing that would need to be advertised in a new publication since what was advertised for tonight's meeting would be different than the information that needed to be advertised for the next.

Councilor Gilman told **Council President LeBlanc** that she understood what he was saying, but was sure that the Council had previously added conditions on to the votes before them. She cited Gloucester Crossing as an example, and said she did not know why it was necessary for the matter to be readvertised. **Councilor Cox** agreed with **Councilor Gilman**.

The City Clerk stated that the public hearing does not need to be closed unless Attorney Favazza changed the sections that he had requested relief from, which he had not done in this case. She recommended that the matter be sent back to Planning & Development, and maybe that conditions be placed on what the subcommittee had previously voted so the original vote can be rescinded.

She advised against closing the public hearing since it would need to be advertised again. Once the matter was referred back to Planning & Development, the public hearing could be continued until the next City Council meeting on **November 24, 2020**.

Council President LeBlanc said that typically a Special Council Permit would need to be readvertised if something major had changed. The **City Clerk** believed that nothing major had been changed since Attorney Favazza had not changed the zoning sections.

Councilor Holmgren suggested that the amendments be added to the original motion that evening. **Councilor Gilman** explained that since **Councilor Pett** could not vote, and she was not comfortable voting because she thought the matter needed to be further reviewed, than there was a chance that the matter would not receive the 6 votes necessary to move forward, so she preferred that the matter be returned to Planning & Development so that when the public hearing continued on November 24th, it would be prepared to move forward with a council vote, and by then **Councilor Pett** would have time to be notified of everything that had taken place at tonight's meeting. **Council President LeBlanc** clarified that under Roberts Rules of Order, a tied vote fails. He understood where **Councilor Gilman** was coming from, and he would hate to see the matter not pass due to a condition that may need to be added. **Councilor Holmgren** expressed thanks and appreciation for the explanation she had received.

Councilor Cox expressed concern that the next City Council meeting was being held the week of Thanksgiving, and whether there would be a quorum of the Council. She shared that she would be traveling, so it should not be based on one Councilor. She felt that the assumption had been made that the Councilors would vote against the matter if it was not conditioned. She thought that **Attorney Favazza** and his client to decide to either have the matter referred back to Planning & Development, or request that a vote be taken this evening. **Council President LeBlanc** thanked **Councilor Cox**, and stated that the public hearing was still in the councilor questions phase, so once the appropriate point is reached, **Attorney Favazza** would be given the opportunity to have his concerns voiced. He asked if there were any other Councilor questions.

Councilor Cox stated that before **Council President LeBlanc** decided whether the public hearing needed to be continued, **Attorney Favazza** needed to decide which option he wanted to take. A continuation could not be declared unless it was referred back to Planning & Development, or one of the Councilors declared a 2-11 (c).

Council President LeBlanc asked **Attorney Favazza** how he wanted to proceed, and as a point of order, **Councilor Gilman** questioned why an applicant was being allowed to decide since it was the City Council who needed to decide if the permit would be granted. **Council President LeBlanc** responded that **Attorney Favazza** had a right to decide to either request that the matter be voted on this evening, or to return the matter to Planning & Development, so as a courtesy, the **Council President** would offer him that choice. Since **Attorney Favazza** wanted to ensure that **Councilor Gilman** felt comfortable voting in favor, he stated that he would be happy to return the matter to Planning & Development as she had requested if that was the will of the Council. It was decided that it would be sent back to the subcommittee for further review.

The **City Clerk** answered **Councilor Gilman's** inquiry that a vote needed to be taken for the matter to be referred back to the subcommittee, and to continue the public hearing until **November 24, 2020**.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent due to technical difficulties (Pett), to bring PH2020-030: SCP2020-005 back to be heard at the next Planning & Development meeting scheduled for November 18, 2020.

In support of her motion, **Councilor Gilman** requested the document that **Attorney Favazza** had sent to the Council that afternoon be included in the packet so that the public could read it and understand what these proposed conditions are in the spirit of transparency. She thanked the Councilors, Attorney Favazza, and Mr. Goetemann for their participation in this evening's public hearing.

At the **City Clerk's** suggestion, **Council President LeBlanc** announced for the record that the public hearing was continued until **November 24, 2020**.

3. PH2020-031: CPC off-cycle recommendation to appropriate \$74,500 for the purpose of the Stage Fort Park Advisory Committee and Gloucester Public Works Department to support the landscape construction design project (Cont. from 10/22/20)

The public hearing opened at 7:34 p.m.

Those Speaking in Favor: Community Development Director Jill Cahill believed that Community Preservation Committee (CPC) Co-Chair had been invited to attend this evening's meeting to discuss the funding, however, **Ms. Cahill** shared that the Community Development team had worked closely with the Stage Fort Park Advisory Committee, the CPC, and the Department of Public Works. The shared goal was to keep building upon the park improvements. She explained that this recommendation was for the next step, the design of the next phase. She mentioned that **Stage Fort Park Advisory Committee members David Benjamin** and **David Dow** were also in attendance to discuss the project details.

Those Speaking in Opposition: None

Communications Received: None

Summary of Discussion: Councilor Gilman was unsure whether **Mr. Benjamin** and **Mr. Dow** were able to hear the meeting even though the screen showed them sitting in a room together. She wanted to make sure they were given the opportunity to speak.

They responded that they were able to hear, and shared that they were in favor, and had filed the application to receive this off-cycle funding so we will be ready for construction in the spring. The requested amount had been \$80,000, however the City only had \$74,500 available that could be committed to the project, and \$6,500 was also available in the revolving park fund for the project. The total amount requested included a survey of all the elevations, which has never been done for the park, and a detailed concept plan. From there, between now and next spring, a contractor should be ready to begin the actual construction of the park, a continuation of the Lucy Davis Pathway, the Welcome Center park, and the Fort area itself. The expressed appreciation for the Council helping them to receive funds right away.

Councilor Pett stated that during the public hearing that had been held at the Cape Ann Savings Bank, which he and **Ms. Cahill** had attended, he had offered to assist with a few different areas of the project, and had specifically asked to be notified of any and all meetings as a primary user of that space. He expressed disappointment that he had never been notified of any meeting or plans.

The public hearing closed at 7:38 p.m.

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 appropriate up to \$74,500 (Seventy Four Thousand Five Hundred) from the Community Preservation Act funds, as recommended by the Community Preservation Committee to provide off-cycle funding for the purpose of the Stage Fort Park Advisory Committee and the Gloucester Public Works Department to support the landscape construction design project. The appropriation will be allocated to the Open Space and

Recreation category and be funded up to \$74,500 from the Open Space and Recreation Reserves #4150. The project will be tracked in Community Preservation Fund-Open Space and Recreation Capital Projects Fund #5719.

Summary of Discussion: Councilor Nolan praised Dave Dow, who he said has been instrumental in everything that has been improved at Stage Fort Park in the past 10-15 years, which included the cannon restorations to keeping the Visitor Center's appearance maintained. He believed that with Dave Benjamin and the rest of the advisory committee, it was a strong community that would prepare the park for the Gloucester 400 celebration. He also thanked Mr. Benjamin on a personal level for the instrumental entertainment he had provided on Facebook during the pandemic.

Councilor Gilman echoed the comments of Councilor Nolan, and on behalf of herself and the community, thanked them for their passion and enthusiasm, and hard work for Stage Fort Park and the rest of the city even during COVID.

Councilor Holmgren also echoed what had been said. She stated that she cannot wait to see what improvements could be made with the money, and thanked them for their care and stewardship of the City's beautiful Stage Fort Park.

Councilor Pett wanted to make sure they knew how appreciative he was for all of their work at Stage Fort Park, and he thanked Mr. Benjamin personally for having provided so much instrumental entertainment over the years. He also praised Mr. Dow's devotion to improving the park, and specifically cited his work on the cannons. He reminded everyone that there are many users of the whole park, it is quite a gem, and he expressed hope that everyone could work together to so that the Gloucester 400 can come to fruition for the benefit of the entire community.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to appropriate up to \$74,500 (Seventy Four Thousand Five Hundred) from the Community Preservation Act funds, as recommended by the Community Preservation Committee to provide off-cycle funding for the purpose of the Stage Fort Park Advisory Committee and the Gloucester Public Works Department to support the landscape construction design project. The appropriation will be allocated to the Open Space and Recreation category and be funded up to \$74,500 from the Open Space and Recreation Reserves #4150. The project will be tracked in Community Preservation Fund-Open Space and Recreation Capital Projects Fund #5719.

FOR COUNCIL VOTE:

1. Waive notice to abutters under GZO Sec. 1.11.4(b) pursuant to the Initiation of Zoning Amendments, through a Memorandum of the Community Development Director, requesting temporary extension of temporary zoning relief to businesses during COVID-19 through December 30, 2021, set the public hearing for that matter as November 24, 2020, and refer to the Planning Board

Councilor President LeBlanc stated that in regard to the Memorandum from Community Development Director requesting extension of temporary zoning relief to businesses during COVID-19 through December 30, 2021 that was referred out at the October 27, 2020 City Council Meeting to the Planning and Development Committee, that given that notice to all abutters in the city in this situation is impracticable.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Gilman, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to waive the Notice to Abutters under GZO Sec. 1.11.4(b) that the Council is asked to amend the Zoning Ordinance accordingly; to set the public hearing for that matter as November 24, 2020, and to refer the matter to this matter to the Planning Board.

COUNCILORS' REQUESTS TO THE MAYOR
(HOLMGREN)

1. A constituent asked **Councilor Holmgren** if there was any plan to have COVID testing for Gloucester prior to Thanksgiving or even during the Thanksgiving break since there will be more college students in the area and possibly tourists staying at hotels or rooms rented through Air BNB.

(GILMAN)

1. **Councilor Gilman** asked if it would be possible to consider leaving the gate open at Good Harbor Beach, at least through the end of March on nice days to encourage people to walk the beach, because the construction on Witham Street has taken all parking spots on that street now that they are filled with workers and trucks. She stated that she knew that the gates have been open, and that has been appreciated by a lot of dog walkers and walkers in general.

(LEBLANC)

1. **Council President LeBlanc** requested that Marshfield Street be placed back on the Resident Only Summer No Parking list.

Summary of Discussion: Mayor Romeo Theken responded to the Councilors' requests:

She thanked Governor Baker since he had provided the City with emergency COVID testing when there was a cluster of cases and the color map had turned red, and shared that Gloucester was now in the green. She also thanked her administration and the Board of Health for their assistance. While screenings are still being provided that are not available in all communities to contain the spread (and COVID testing is still available at Gloucester CVS), there is currently a testing site in Salem that North Shore residents are able to attend. Public Health Director Karin Carroll and Superintendent Ben Lummis are working together regarding college students returning home for the holidays.

She explained that the gates were open this weekend after several resident requests were received due to the recent warm weather. When the gates are open off-season, it will not be announced to the public, only confirmed to the residents who contact City Hall to deter foot and vehicle traffic from non-residents to minimize potential liabilities such as illegal parking, dogs being allowed on the beach off-leash, and people not wearing masks. She noted that a lot of residents in that neighborhood walk down to the beach instead of driving, and suggested that Stage Fort Park is also a beautiful place to walk. The Department of Public Works needs to be dispatched to clean up the area and empty the trash on those days as well, while also trying to complete roadwork for the season, and prepare to salt the roads and remove snow this winter.

She acknowledged that Air BNBs are monitored to the greatest extent possible, and she has been concerned about them since the pandemic began, however, the Board of Health is short-staffed, and it is not legal to enter a residence and request that people prove their residency there.

She also asked **Council President LeBlanc** to forward his Marshfield Street request to General Counsel Chip Payson, and the Councilors to consider which streets should be one-way in the winter to make them easier to navigate and plow, and to have them forward the street names to the Mayor's office and DPW.

COUNCILOR'S WARD UPDATES & COMMUNITY NEWS

Councilor Holmgren shared that the Human Rights Commission first Zoom meeting on Monday, November 9, 2020. She said that it went well, had received a lot of support from the administration, and she thought that the commission members were going to do a wonderful job.

Councilor Pett wished all veterans including himself and **Council President LeBlanc** a happy Veterans' Day. He reminded everyone that that an Office of Veteran's Services Zoom presentation with musical entertainment would be held on **Wednesday, November 11th**.

COUNCILOR'S THANKS & ACKNOWLEDGEMENTS

Councilor O'Hara extended sincere thanks and congratulations to the **City Clerk's office** employees and volunteers for making the November 30th election a success.

Councilor Memhard congratulated the School Committee and School Building Committee for the vote that approved Gloucester's funding of the new elementary school. He noted that of the 10 wards and precincts and 17,424 votes received from the City's 22,000 registered voters, 3 precincts had not completely approved the new school; Ward 1-1 was down by seven votes, Ward 3-2 was down by 57 votes, and Ward 4-1 was down by 40 votes, but overall, the motion passed by 52% of Gloucester voters. He believed that was a really spectacular endorsement.

Councilor Pett thanked and congratulated the **City Clerk's** staff and volunteers for the tremendous work to make the election a success in Gloucester. He also thanked the residents for their vote on Question 3 to approve the new school. He noted that there had been a mixed response from Ward 2 where the new combined elementary school will be located, and he and Council President LeBlanc had discussed a couple of things that might improve the situation.

Councilor McCarthy stated that he did not think the **City Clerk** and her staff could be mentioned enough this week for their work during the election.

Councilor Nolan thanked the **City Clerk's** office staff and volunteers, as well as the voters for their involvement. He also thanked the people of Gloucester for lowering the number of confirmed COVID cases to bring the community back into the green, and for their resilience during this difficult time. He also thanked the Board of Health and the administration for how hard they have worked.

Councilor Holmgren echoed everything that had been said. She praised the **City Clerk's** office staff and volunteers, and stated that she had heard nothing but wonderful things. She also reiterated what **Councilor Nolan** had said about the City's efforts to get back into the green, and specifically thanked the Health Department and Board of Health.

Councilor Cox congratulated the City Clerk's office for getting through the election and for its efforts to make sure everything got done.

Councilor Gilman agreed with everything that had been said about the City Clerk's office. She also praised the new Council on Aging Director Elise Sinagra for her hard work at the Rose Baker Senior Center during the pandemic to offer seniors as many great programs via Zoom as possible. **Councilor Gilman** shared that

she had attended the monthly board meeting this morning, and recognized that seniors were near and dear to **Mayor Romeo Theken**. She also mentioned the success of the Halloween drive-through that was held for the seniors.

Council President LeBlanc asked the **City Clerk** if she wanted to share any information regarding the election.

She expressed thanks, appreciation, and gratitude to the Councilors for their kind words on behalf of herself and her staff, the support received by the community, the administration, and all volunteers, including the Councilors who had assisted, and the new poll workers that assisted in spite of the pandemic. She mentioned that the results would be unofficial until they were certified by the state on November 18th at 5:00 p.m. Hand counts were still being taken for votes that were received between November 3rd and November 6th. Uniformed and Overseas Citizens Absentee votes could be received up to 5:00 p.m. on November 13th, and would be counted on November 16th.

MOTION: on a motion by Councilor LeBlanc, seconded by Councilor Gilman, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adjourn the meeting at 8:03 p.m.

There is a link to this meeting available on the city website at

https://gloucestermagov.zoom.us/rec/play/QWcSswdBReWOWyJTtvIir4u5Ljkg4JmfMTTx1TO2Uei3gASTN_yJ2I8pFCLEmhrZaGoAk_JVf0fVqDYO.6jqx3VR89Rcog5wX

A transcript of this meeting will be filed with the minutes as soon as possible.

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