

GLOUCESTER CITY COUNCIL MEETING
Tuesday, February 9, 2021 – 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, CAO Nicole Kieser; City Solicitor Chip Payson; City Clerk Joanne Senos

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

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

Councilor LeBlanc announced that the meeting was 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, the meeting would 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 someone is calling in on a phone, they can press Star 9 (*9) to request to speak. If they are watching on a computer or device there is a “raise hand” button that can be tapped or pressed to request to speak. Please use either of these options during oral communications or the public hearing to be recognized.

Councilor LeBlanc announced the names of the Councilors and city staff who were in attendance.

MOMENT OF SILENCE:

Councilor LeBlanc called for a moment of silence in honor of Sandy Peek, husband of city employee Sally Peek. **Councilor Sean Nolan** shared some memories about Sandy Peek.

Before continuing with the next order of business, **Councilor Steve LeBlanc** announced to everyone in attendance that the public hearing for 99A Essex Avenue would be continued until March 9, 2021.

ORAL COMMUNICATIONS:

Annabel Wildrick, 46 Sumner Street

Concerned regarding a letter her husband received from the **Mayor** after he spoke at a previous City Council meeting. Stated the letter had erroneous/contradictory information regarding when the firing range would be in use.

Mary Ann Albert Boucher, 93 Mount Pleasant Avenue

Requested the Traffic Commission be invited to speak at a future City Council meeting regarding the East Gloucester/Veterans Memorial School as she is concerned about the traffic.

Stephen Noel, 567 Essex Avenue

Voiced concern that he has not heard back from the GPD in response to a Facebook message he sent January 20th regarding how the GPD plans to announce shooting days at the firing range.

Nubar Alexanian, 11 Sumner Street

Asked how the City solved the problem for the past 11 years in regards to the police department training with the firing range closed since 2009.

Councilor Nolan stated he did not want to set a precedence of letting people speak on matters currently on the agenda for referral.

Anne Stevens, 10 Winterhaven Road

Received a letter from the **Mayor** regarding the concerns she raised at the City Council meeting January 12th regarding signage at the West Gloucester Firing Range. Stated there is no signage at the firing range property, and that is a contradiction to what is stated in the letter.

Dennis McGurk, 283 Concord Street

He was concerned about development going on in the city, particularly in West Gloucester, and feels the city is not prepared to manage such growth. He suggested revising guidelines for the issuance of special permits for cluster developments; tightening the guidelines for variances; creating a blasting ordinance; tightening the conflict of interest laws; and that the city have tighter oversight and control on violations, and look at its review and approval process.

Jean Grobe, 17 Lincoln Street

Requested the Council rescind the firing range ordinance and start over.

Robin Hosking, 20 Forest Lane

Brought up concerns that lead bullets, which create lead dust, are being used at the firing range and how the use of lead bullets affect the environment.

PRESENTATIONS/COMMENDATIONS:

None.

CONFIRMATION OF NEW APPOINTMENTS

Community Preservation Committee	Matthew Lundberg	TTE 2/14/24
Council on Aging	Suzanne Silveira	TTE 2/14/24
Magnolia Pier Advisory Committee	Noreen Gillis (<i>fulfilling unexpired term</i>)	TTE 2/14/22

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances and Administration voted by Roll Call 3 in favor, 0 opposed to recommend that the City Council appoint Matthew Lundberg to the Community Preservation Committee, TTE 02/14/24.

Summary of Discussion: The City Council thanked Mr. Lundberg for volunteering to serve.

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 Matthew Lundberg to the Community Preservation Committee, TTE 02/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances and Administration voted by Roll Call 3 in favor, 0 opposed to recommend that the City Council appoint Suzanne Silveira to the Council on Aging, TTE 02/14/24.

Summary of Discussion: The City Council thanked Ms. Silveira for volunteering to serve.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Pett and Councilor O'Hara, the City Council voted by ROLL CALL 9 in favor, 0 opposed to appoint Suzanne Silveira to the Council on Aging, TTE 02/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances and Administration voted by Roll Call 3 in favor, 0 opposed to recommend that the City Council appoint Noreen Gillis (fulfilling an unexpired term) to the Council on Aging, TTE 02/14/22.

Summary of Discussion: The City Council thanked Ms. Gillis for volunteering to serve.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 9 in favor, 0 opposed to appoint Noreen Gillis to the Magnolia Pier Advisory Committee, TTE 02/14/22.

Consent Agenda

• **CONFIRMATION OF REAPPOINTMENTS**

1. Affordable Housing Trust	Ruth Pino, Michael Luster	TTE 2/14/23	
Bd. of Commissioners of Trust Funds	Karen Neva Bell	TTE 2/14/24	
Clean City Commission	Sarah Steward, Carter Whitlock	TTE 2/14/24	
Clean Energy Commission	Samuel Ziergiebel, Linda Brayton, John Moskal	TTE 2/14/23	
Community Preservation Committee	Pamela Tobey	TTE 2/14/24	
Conservation Commission	Barry Gradwhol, Linda Charpentier	TTE 2/14/24	
Council on Aging	Selma Bell, Barry McKay, Frederick Cowan, Jay Gustafarro	TTE 2/14/24	
Board of Health	Robert Harris	TTE 2/14/24	
Community Preservation Committee	Jennifer-Lee Levitz Aronson (<i>GHA Rep.</i>)	TTE 2/14/24	
Fisheries Commission	Michael Orlando	TTE 2/14/24	
Historical Commission	Lillian Olmsted, Robert Whitmarsh	TTE 2/14/24	
Human Rights Commission	Nicole Richon Schoel, LHMC	TTE 2/14/24	
Magnolia Woods Oversight & Adv.Cmt.	Richard Jabba, Dave Marro, Dean Sidell	TTE 2/14/24	
Open Space & Recreation Committee	Noel Mann, Heidi Wakeman	TTE 2/14/24	
Shellfish Advisory Commission	Michael Orlando	TTE 2/14/24	
Stage Fort Park Advisory Committee	Craig Anderson, David Benjamin, David Dow, Frederick Geisel, Steve Kaity	TTE 2/14/24	

• **MAYOR'S REPORT**

- New Appointments:** Jamie Marshall

Stage Fort Park Advisory Committee	TTE 2/14/24	(Refer O&A)
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Reappointments:

Susan Goodall	Council on Aging	TTE 2/14/24	(Refer O&A)
Robert Chandler, Prudence Fish, Stephen Goodick, Kristal Pooler (from regular to alternate) Dave Sargent	Historic District Commission Open Space & Recreation Cmt.	TTE 2/14/24 TTE 2/14/24	(Refer O&A) (Refer O&A)
- Memorandum from Police Chief requesting approval to submit a home rule petition re: authority to convey special police authority upon qualified retired Gloucester police officers (Refer O&A)
- Memorandum from City Auditor regarding the Massachusetts Dept. of Revenue notification of Free Cash approval (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-3) from the CFO (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-4) from the CFO (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-5) from the CFO (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-6) from the CFO (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-7) from the CFO (Refer B&F)
- Supplemental Appropriation-Budgetary Request (#2021-SA-8) from the CFO (Refer B&F)
- Memorandum from the Police Chief requesting acceptance of a 2-year grant from the Essex County District Attorney's Office in the amount of \$50,000 (Refer B&F)
- Memorandum, Grant Application & Checklist from the Public Health Director requesting acceptance of \$14,262.51 from the Metropolitan Area Planning Council to cover COVID-19 expenses (Refer B&F)
- Special Budgetary Transfer Request (#2021-SBT-1) from the DPW Director (Refer B&F)
- Response from Mayor's Office to oral communications at the January 12 and January 26, 2021 City Council meetings (Info Only)
- ADDENDUM TO MAYOR'S REPORT**

1. Richard Sagall	Board of Health	TTE 2/14/24	(Refer O&A)
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• **COMMUNICATIONS/INVITATIONS**

• **INFORMATION ONLY**

• **APPLICATIONS/PETITIONS**

1. PP2021-001: Request by National Grid to install 1 JO Pole on Witham Street beginning at a point approx. 60' northwest of the centerline of the intersection of Witham Street and Thatcher Road and continuing approx. 0' in a northerly direction	(Refer P&D)
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• **COUNCILLORS ORDERS**

1. CC#2021-001 (Holmgren): Amend GCO Ch. 2, Art. V, Div. 8 "Human Rights Commission," Sec. 2-497 "Established; terms; compensation," subsection (a)	(Refer O&A)
2. CC#2021-002 (Cox/O'Hara): Amend GCO Ch. 21 "Streets, Sidewalks and Other Public Places" Article V, "West Gloucester Firing Range"	(Refer O&A)

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

1. City Council Meeting: 1/26/2021	(Approve/File)
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2. City Council Executive Session Minutes: 2/24/2020, 7/14/2020, 11/17/2020

(Approve/File)

3. Standing Committee Meetings: B&F 2/4/2021 (under separate cover), O&A 2/1/2021 (under separate cover), P&D 2/3/2021 (under separate cover)

(Approve/File)

ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA: None.

Summary of Discussion: Councilor Holmgren informed the Council that her request (CC#2021-001) to amend the ordinance is from a community request for increased diversity. This amendment will increase the number of members on the commission.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Gilman, technical failure) to accept the Consent Agenda.

COMMITTEE REPORTS

• Budget & Finance – February 4, 2021

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 (Gilman, technical failure) to accept the Budget and Finance Unanimous Consent Agenda.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 absent to recommend that the City Council accept a cash donation under MGL c. 44, §53A, to support Cape Ann Veterans Services in the amount of \$3,000 from the following member within our community:

Mr. and Mrs. Millhouser	<u>\$3,000.00</u>
Total	\$3,000.00

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 (Gilman, technical failure) to accept that the City Council accept a cash donation under MGL c. 44, §53A, to support Cape Ann Veterans Services in the amount of \$3,000 from the following member within our community:

Mr. and Mrs. Millhouser	<u>\$3,000.00</u>
Total	\$3,000.00

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 federal grant from the Federal CARES Act passed through the Metropolitan Area Planning Council (MAPC) on behalf of the Commonwealth of Massachusetts and the Department of Public Health, in the amount of \$10,000 for the purpose in responding to the COVID-19 outbreak to cover expenses incurred from July 1, 2020 to December 31, 2020. There is no local match for this grant.

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 (Gilman, technical failure) to accept that the City Council accept under MGL c. 44, §53A, a federal grant from the Federal CARES Act passed through the Metropolitan Area Planning Council (MAPC) on behalf of the Commonwealth of Massachusetts and the Department of Public Health, in the amount of \$10,000 for the purpose in responding to the COVID-19 outbreak to cover expenses incurred from July 1, 2020 to December 31, 2020. There is no local match for this grant.

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 private grant through the MED Project LLC and in partnership with the Commonwealth of Massachusetts approved FY21 MED-Project drug stewardship program in the amount of \$1,300 for the purpose of the management and disposal of unwanted household generated opioids and benzodiazepine medications, as regulated by the Massachusetts Department of Public Health. There's no local matching requirements for the private grant.

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 (Gilman, technical failure) to accept under MGL c. 44, §53A, a private grant through the MED Project LLC and in partnership with the Commonwealth of Massachusetts approved FY21 MED-Project drug stewardship program in the amount of \$1,300 for the purpose of the management and disposal of unwanted household generated opioids and benzodiazepine medications, as regulated by the Massachusetts Department of Public Health. There's no local matching requirements for the private grant.

COMMITTEE RECOMMENDATION: On 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 private grant from the Beth Israel-Lahey Health, Beverly & Addison Gilbert Hospitals for the FY21 Community Collaborative Grant in the amount of \$5,000 to enhance the ongoing project of the Gloucester Police Department's Community Impact Unit. The grant period is from January 1, 2021 through September 30, 2021 and there's no local match for this grant.

MOTION: On motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Gilman, technical failure) to accept under MGL c. 44, §53A, a private grant from the Beth Israel-Lahey Health, Beverly & Addison Gilbert Hospitals for the FY21 Community Collaborative Grant in the amount of \$5,000 to enhance the ongoing project of the Gloucester Police Department's Community Impact Unit. The grant period is from January 1, 2021 through September 30, 2021 and there's no local match for this grant.

• **Ordinances & Administration – February 1, 2021**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend to the City Council to AMEND the Council Rules of Procedure 2018 "Rule 1: Meetings" Section E "Remote Participation at City Council and Standing Committee meetings" by ADDING the following:

Rules of Procedure for Participation in Remote Meetings

On March 10, 2020, Governor Baker declared a statewide emergency and implemented certain restrictions to combat the spread of Covid-19. The emergency measures required, among other things, the discontinuation of all in-person meetings. As a result, the City Council began to hold remote meetings using a video conferencing platform. The use of such a video conferencing platform may continue well into the future. Accordingly, the City Council has created the following rules to govern attendance at its meetings that are held using video conferencing platforms.

1. If the City Council president is unable to access a City Council meeting held via a video conferencing platform for whatever reason then the City Council vice president shall continue to run the meeting unless and until the president returns to the meeting.
2. If the City Council president and vice president are both unable to access a City Council meeting held via a video conferencing platform for whatever reason then the City councilor with the most seniority on the Council shall continue to run the meeting unless and until the president or the vice president returns to the meeting provided there is still a quorum of the City Council.

3. If the City Council president, vice president and councilor with the most seniority are unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall immediately adjourn to be re-scheduled at a later date.
4. If the City Clerk is unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall continue provided there is still a quorum of the City Council.
5. If one or more City councilors are unable to access a City Council meeting held via a video conferencing platform for whatever reason then then the meeting shall continue provided that there is still a quorum and those councilors who were unable to access the meeting, should they return to the meeting, shall not vote on the matter being considered at the time they lost access. The chair of meeting may, at his discretion, call for a five (5) minute recess to wait for the councilor(s) to return.

Summary of Discussion: Councilor LeBlanc talked about why amending the rules for remote meetings are necessary, and gave the example of a Councilor temporarily dropping off the call. Councilor Gilman talked about recent Massachusetts Municipal Association (MMA) meetings that she attended and the guidance that cameras on during meetings and suggested that be added to the rules. Attorney Payson advised the Council that he has looked at the Attorney General's website and he saw no mention of requirements in the amended open meeting law sections, but it is fine if the Council wants to add it to their requirements. Councilor Gilman moved to amend the motion by adding the language, *If a councilor has the capability to be on video, the councilor must continue to be on the video, with the exception that if a councilor calls in, that is acceptable as the only medium of communication.*

Summary of Discussion on the Amendment: Members of the City Council were agreeable to amending the motion to adding the requirement of keeping their cameras on during meetings.

MOTION TO AMEND: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to amend the motion to include the recommendation from Councilor Gilman and Councilor LeBlanc.

Summary of Discussion: Councilor Gilman reiterated how important it is to call for a break so as not to miss any important votes.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the amendment to the Council Rules of Procedure 2018 "Rule 1: Meetings" Section E "Remote Participation at City Council and Standing Committee meetings" by ADDING the following:

Rules of Procedure for Participation in Remote Meetings

On March 10, 2020, Governor Baker declared a statewide emergency and implemented certain restrictions to combat the spread of Covid-19. The emergency measures required, among other things, the discontinuation of all in-person meetings. As a result, the City Council began to hold remote meetings using a video conferencing platform. The use of such a video conferencing platform may continue well into the future. Accordingly, the City Council has created the following rules to govern attendance at its meetings that are held using video conferencing platforms.

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2. **If the City Council president and vice president are both unable to access a City Council meeting held via a video conferencing platform for whatever reason then the City councilor with the most seniority on the Council shall continue to run the meeting unless and until the president or the vice president returns to the meeting provided there is still a quorum of the City Council.**
3. **If the City Council president, vice president and councilor with the most seniority are unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall immediately adjourn to be re-scheduled at a later date.**
4. **If the City Clerk is unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall continue provided there is still a quorum of the City Council.**
5. **If one or more City councilors are unable to access a City Council meeting held via a video conferencing platform for whatever reason then then the meeting shall continue provided that there is still a quorum and those councilors who were unable to access the meeting, should they return to the meeting, shall not vote on the matter being considered at the time they lost access. The chair of meeting may, at his discretion, call for a five (5) minute recess to wait for the councilor(s) to return.**
6. **If a councilor has the capability to be on video, the councilor must continue to be on the video, with the exception that if a councilor calls in, that is acceptable as the only medium of communication.**

• **Planning & Development – February 3, 2021 (no items under this heading)**

SCHEDULED PUBLIC HEARINGS

1. **PH2020-010: SCP2020-002: Essex Avenue #99A, Map 216, Lot 126, GZO 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 MID 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 1/26/2021, 2/9/2021; to be continued 3/9/2021)**

Councilor LeBlanc continued the public hearing to March 9, 2021.

2. **PH2021-002: SCP2020-006: Modification of SCP2017-012: School House Road #2-4, Map 262, Lots 37 & 38, GZO Secs. 4.3 “Sign Regulations,” 5.17 “Drive-Through Facilities,” 5.29.3.3 “Additional Uses,” 5.29.6.1 “Off-Street Parking Requirements,” 5.29.8 “Drive-Through Facilities,” and 5.29.10 “Relief by Special Permit” in the R-10/Mixed Use Overlay District**

Public Hearing Opened at 7:05 p.m.

Those Speaking in Favor:

Attorney Joel Favazza, Seaside Legal Solutions, 123 Main Street. Attorney Favazza appeared on behalf of Cape Ann Savings Bank (CASB) (applicant/tenant), and land owners GX-PH4, LLC and YMCA of the North Shore in a limited capacity. Attorney Favazza shared his screen (slides on file):

- The applicant was requesting the necessary relief to construct a full-service bank branch with drive-through facilities;
 - Modify existing City Council Special Permit 2017-012 (allow for retail bank with drive-through facilities; modify parking lot; alter footprint of retail buildings)
 - Obtain new drive-through permit
 - Receive relief from signage requirements
- The bank is located in R-10 District modified by MUOD; construction is limited to 4 School House Road (modification to parking lot shared with 2 School House Road);

- The GZO Sec. 1.8.3 “Standards to be Applied” have been met:
 - Social, Economic and Community needs will be served
 - Original Gloucester Crossing special permit called for a drive-through bank facility
 - CASB expects to add to workforce
 - CASB has a proven track record of being an excellent corporate citizen on Cape Ann
 - Traffic Flow and Safety
 - SCP2017-012 approved of site design, layout and traffic
 - Updated traffic report showed nominal impact; recommended no mitigation
 - Drive-through facility itself complies with all requirements for stacking, spacing, bypass, etc.
 - Adequacy of Utilities and Other Public Services
 - City and FMUV worked out extensive upgrades to utilities along with original permitting
 - No increase to demand on utilities or public services as a result of modification
 - Neighborhood Character and Social Structure
 - Neighborhood is mixed use of community, business, and residential buildings
 - Bank use is complimentary to existing and proposed uses
 - Specific bank applicant is Cape Ann’s oldest bank and an excellent corporate citizen
 - Qualities of Natural Environment
 - Was already permitted as impervious/improved building and parking area
 - CASB employing green technologies where feasible, including solar panels
 - Potential Fiscal Impact
 - CASB customer base being drawn to School House Road helps YMCA and retail
 - Is not expected to result in closure of any existing CAPB locations
 - Encourages residents of new apartment complex to keep money local

Attorney Favazza stated the Traffic Report previously submitted overstated the square footage of the retail space. Calculations based on reduction from 26,000 SF of retail to 23,440 SF of retail plus 2,560 SF drive-through bank branch. The 2,560 is included in the 23,440 SF figure and, if anything, should result in less traffic. **Attorney Favazza** also stated the shift in parking space striping to widen the 24’ drive aisle to 28’ was eliminated. Traffic islands have already been constructed and wired for lights at original 24’ spacing per initial permit.

Robert Gillis, 31 Sayward Street, President, Cape Ann Savings Bank, stated the following:

- Cape Ann Savings Bank was founded on May 9, 1846 with \$1,355.00, grown to \$700,000,000 over 175 years;
- Offices in Gloucester, Rockport and Manchester-by-the-Sea;
- Drive-through facilities only at “Granite” branch in Rockport;
- Pre-pandemic, demand for drive-through in Gloucester was high, which has become even higher given recent events;
- Cape Ann Savings Bank is a local, community and independent bank, with the intent is to remain as such.

Those Speaking in Opposition: None.

Communications: None.

Councilor Questions: None.

Public Hearing Closed at 7:21 p.m.

COMMITTEE RECOMMENDATION: on a motion by Councilor Holmgren, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council grant to Cape Ann Savings Bank, (GX-PH, LLC owner of real property known as 4 School

House Road, and Young Men’s Christian Association of the North Shore, Inc. owner of real property known as 2 School House Road) a modification of SCP2017-012 for a Special Council Permit (SCP2020-006), for the property located at School House Road #2-4, Assessors Map 262, Lots 37 & 38, pursuant to Gloucester Zoning Ordinance Sec. 5.29.3.3 “Additional Uses” 5.29.6.1 “Off-Street Parking Requirements,” 5.29.10 “Relief by Special Permit,” 5.17 and 5.29.8 “Drive-through Facilities,” and 4.3 “Sign Regulations,” to (i) modify existing permit SCP2017-012; (ii) allocate 8 (eight) parking spaces at School House Road #4 to the parking space count of School House Road #2; (iii) obtain a new drive-through permit; and (iiii) receive relief from signage requirements. This permit is made on the basis of plans and elevations dated November 4, 2020 and submitted to the City Clerk on November 18, 2020 entitled, “School House Road Permit Site Overview Plan.” Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

Summary of Discussion: Councilor Gilman advised the Council of the following:

- The modifications were consistent with the initial Special Council Permit in a Mixed Use Overlay District, which was approved under SCP2017-012;
- There are 89 required spaces and 97 are now provided at the Cape Ann Savings Bank location; the YMCA parcel requires 250 spaces and there are now 242 spaces. Under GZO 5.29 “easements,” the parking lot is shared between the properties and the requirement has been met;
- The signage will be on the building, on the north side of the tower facing the large parking lot and the side facing the rotary, on the window facing the apartments and on the drive-through awning;
- The permit is based on the plans and elevations dated November 4, 2020;
- The P&D Committee voted 3-0 that the Special Council Permit was deemed to be in harmony with the intent and purpose of the Zoning Ordinance, which includes meeting the 1.8.3. “Standards to be Applied:”
 - Traffic Flow and Safety – no increases
 - Adequacy and Utilities – no increases
 - Neighborhood Character – project is consistent with MUOD
 - Natural Environment – the bank will be able to use solar panels when allowed
 - Economic Impact – the project is beneficial
- The site visit was very helpful.

Members of the City Council voiced support of the application. **Councilor Memhard** announced that he was a corporator of the Cape Ann Savings Bank but would not be benefitting in any way from the vote. **Councilors Pett** and **Gilman** announced that they were depositors at the bank but would not be benefitting from the vote. **Councilor Cox** announced that she was a mortgage holder with the bank but would not be benefitting from the vote.

Councilor O’Hara announced that he was recusing himself from the vote as he performed work for the applicant.

MOTION: on a motion by Councilor Holmgren, seconded by Councilor Pett, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 recused (O’Hara) to grant to Cape Ann Savings Bank, (GX-PH4, LLC owner of real property known as 4 School House Road, and Young Men’s Christian Association of the North Shore, Inc. owner of real property known as 2 School House Road) a modification of SCP2017-012 for a Special Council Permit (SCP2020-006), for the property located at School House Road #2-4, Assessors Map 262, Lots 37 & 38, pursuant to Gloucester Zoning Ordinance Sec. 5.29.3.3 “Additional Uses” 5.29.6.1 “Off-Street Parking Requirements,” 5.29.10 “Relief by Special Permit,” 5.17 and 5.29.8 “Drive-through Facilities,” and 4.3 “Sign Regulations,” to (i) modify existing permit SCP2017-012; (ii) allocate 8 (eight) parking spaces at School House Road #4 to the parking space count of School House Road #2; (iii) obtain a new drive-through permit; and (iiii) receive relief from signage requirements. This permit is made on the basis of plans and elevations dated November 4, 2020 and submitted to the City Clerk on November 18, 2020 entitled, “School House Road Permit Site Overview

Plan.” Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

FOR COUNCIL VOTE:

- 1. Motion for Reconsideration (Cox): City Council vote of 1/26/2021 re: appointment of Charles Payson as General Counsel, TTE 2/14/23**
- 2. Motion for Reconsideration (Cox): City Council vote of 1/26/2021 re: appointment of Holly Dougwillo as Human Resources Director, TTE 2/14/23**

Summary of Discussion: Councilor Cox explained to the Council that her reconsideration was strictly from a budget standpoint, not a personnel matter. In the Legal Department there was a sick/vacation buyback and a hire from part time to full time, which was not budgeted. Budget & Finance asked twice for an explanation of the deficit in the Legal Department, and was told it would be given at the next meeting. At the same time, the appointments were before Ordinances & Administration; Budget & Finance was not in receipt of any information pertaining to their inquiry prior to the appointments being voted on at Ordinances & Administration. Councilor Cox said she was concerned the Ordinances & Administration Committee did not have the budgetary information they needed in order to ask those questions regarding the appointments.

Councilor Gilman stated she will not support the reconsideration as she is ready to move forward, but is very grateful B&F brought this up.

Councilor McCarthy stated this is something the Council takes very seriously.

Councilor Pett stated that all councilors have a responsibility of vetting as appointments come through. Councilor LeBlanc agreed.

Members of the City Council expressed the need for all Councilors to participate more in the management appointment process through both O&A and B&F going forward.

Councilor Questions:

Q. (Holmgren): When were these requests to administration first put forward by B&F? What is considered best practice by the State in regards to legal departments?

A. (Cox): They were part of the discussion at the Budget and Finance meetings, when the committee went over the deficit list for different departments. It would have been part of the discussion at B&F; not necessarily an email. As far as makeup, the city has always managed with what it had.

Q. (Holmgren): How many hours did the part-time attorney work before she went full-time?

A. (Cox): She was budgeted for a part-time position. What that entails, as far as 20 hours or less, would only be an assumption.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Holmgren, the City Council voted 3 in favor (Cox, McCarthy, Memhard), 6 opposed (Gilman, Holmgren, LeBlanc, Nolan, O’Hara, Pett) to reconsider the appointment of Charles Payson as General Counsel, TTE 2/14/23.

Motion to reconsider fails.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Holmgren, the City Council voted 3 in favor (Cox, McCarthy, Memhard), 6 opposed (Gilman, Holmgren, LeBlanc, Nolan, O’Hara, Pett) to reconsider the appointment of Holly Dougwillo as Human Resources Director, TTE 2/14/23.

Motion to reconsider fails.

COUNCILORS' REQUESTS TO THE MAYOR:

- **Councilor McCarthy:** request that, in accordance with GCO, the Mayor appoint members of the Police, Fire and DPW Departments to serve on the Traffic Commission.
- **Councilor LeBlanc:** request the Mayor to put some pressure on our Governor regarding vaccines and to reexamine the phases of vaccine rollout.
- **Councilor Pett:** request the Mayor ask the Traffic Commission to look at the Maplewood Avenue with Prospect Street and Railroad Avenue intersection for the installation of a yield sign.
- **Councilor Gilman:** request that the CAO review the City Charter Appendix C, Sec 6-4.

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

- **Councilor Holmgren:** thanked the public for their participation in the meeting, and reminded everyone to wear a mask.
- **Councilor Cox:** thanked Carol Mondello and everyone working at the vaccination clinics at the Rose Baker Senior Center.
- **Councilor Memhard:** thanked the Council and told them to stay safe.
- **Councilor Pett:** thanked the Rose Baker Senior Center for hosting the VA vaccination clinic. He also thanked the DPW for keeping the roads safe.
- **Councilor O'Hara:** thanked the DPW for their hard work with snow removal.
- **Councilor Gilman:** thanked the City Clerk for her work in the 2020 United States Census. The **City Clerk** shared that the award received from the US Census Bureau would be shared with Administration and the Sawyer Free Library.

Councilor Gilman asked the P&D to begin looking at sections of the City Charter as it relates to P&D.

MOTION: on a motion by Councilor Holmgren, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent to adjourn the meeting at 8:06 p.m.

Submitted by Sherry Karvelas, Clerk of Committees

Items submitted at the meeting: SCP2020-006 presentation slides