

GLOUCESTER CITY COUNCIL MEETING
Tuesday, March 23, 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 Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Barry Pett

Absent: Councilor John McCarthy

Also Present: Mayor Sefatia Romeo Theken; CAO, Nicole Kieser; City Auditor, Kenny Costa; City Clerk, Joanne Senos; Community Development Director, Jill Cahill; Assistant to CAO, Chris Sicuranza; Treasurer, John Dunn; Police Chief, Ed Conley; Harbormaster, TJ Ciaramitaro

Presenters: MBTA Deputy Chief of Staff, Angel Donahue-Rodriguez; MBTA Deputy Chief of Bridges and Structures, Brad Nicoll

*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. **Councilor O’Hara** joined the meeting at 6:04 p.m.

Councilor LeBlanc stated he reached out to the Attorney General’s office at 617-727-2200 and spoke to Sarah Monahan, Assistant Attorney General. He stated an ordinance that is before the Council and in subcommittee can or cannot be heard during Oral Communications at the discretion of the chair. **Councilor LeBlanc** stated the City Council would not be hearing any Oral Communications on the West Gloucester Firing Range matter as the matter is before the City Council at the Ordinances & Administration level.

ORAL COMMUNICATIONS:

Anne Stevens, 10 Winterhaven Road

Stated she wanted to lodge a complaint that it was unfair and illegal to move Oral Communications to the end of the previous City Council meeting. **Councilor LeBlanc** stated the City Council can vote to suspend the Rules of Procedure at any time, which the City Council did.

PRESENTATIONS/COMMENDATIONS:

Angel Donahue-Rodriguez, MBTA Deputy Chief of Staff re: presentation on the MBTA Drawbridge Project

MBTA Deputy Chief of Staff, Mr. Angel Donahue-Rodriguez provided an update regarding the replacement of the Gloucester Drawbridge over the Annisquam River, Bridge No. G-05-028. He shared his screen (slides on file):

GLOUCESTER DRAWBRIDGE UPDATE

Gloucester City Council Briefing
March 23, 2021

Mr. Donahue-Rodriguez showed a picture of the previous bridge along with a rendering of the new bridge.

FALL BUS DIVERSION EXPECTED TO CONTINUE TO LATE SUMMER 2021

- Diversion ongoing and successful
- Current ridership is approximately 12% of prepandemic levels
- Diversion typically adds 10 – 20 minutes to overall trip times
 - Rockport Line Shuttle Bus
 - Weekdays and Weekends through Summer 2021
 - West Gloucester to Rockport
 - Free Shuttle buses replace train service during construction of the new Gloucester Drawbridge. This project is part of the MBTA’s \$8 billion “Building a Better T” program
 - 20 passenger capacity on shuttle buses
 - Please wear face covering while using the MBTA
 - Allow extra space between you and your fellow riders

Mr. Donahue-Rodriguez stated minor adjustments have been made to the diversions based on feedback received from members of the community, particularly West Gloucester residents. He stated the diversions would continue through summer of 2021 on at least one track and that riders should expect at least a 10 to 20 minute delay due to the diversions.

RIDERSHIP LEVELS

Normal Ridership from 2018 Data

- **Inbound AM Peak (Trains 100-108)**
 - Rockport Station – 92 On’s
 - Gloucester Station – 149 On’s, 2 Off’s
 - Load at North Station 5,520 passengers
- **Outbound PM Peak (Trains 113-175)**
 - Gloucester Station – 4 On’s, 172 Off’s
 - Rockport Station - 101 Off’s
 - Load at North Station 5,216 passengers
- **AM and PM Peak Represent 4 to 5% of Normal Ridership**

Mr. Donahue-Rodriguez shared the information above on a slide showing ridership levels at 2018 prepandemic levels. He stated that current ridership levels at peak times represent only 4% to 5% of normal ridership.

PARKING & ALTERNATIVE STATION OPTIONS

NORMAL PARKING OPTIONS

- Under normal ridership, during the summer 2019 Full Diversion, no parking issues arose
- Majority of riders parked at Gloucester and Rockport Commuter Stations and utilized shuttle buses

ALTERNATE STATIONS ALONG THE LINE

- Beverly and Salem Stations provide alternative options
 - Additional train service on Newburyport Line provides more train choices for riders
 - Beverly and Salem Stations have garages that provide plenty of parking capacity

Mr. Donahue-Rodriguez stated there has not been any issues with parking with the normal parking options or at alternate stations along the line, including Beverly and Salem.

COMMUNICATIONS

- Website – www.MBTA.com/GloucesterDraw
- Inbox for questions and issues – GloucesterDraw@MBTA.com
 - 20 project related emails received since December of 2020
 - Respond, track, and log to ensure timely responses
- Project email list for advisories and newsletters
 - 117 subscribers
- Fact sheet
- Monthly email newsletter
 - Work completed and upcoming
- Public meetings – March 30, 2021 @ 6:00 PM, online
- Biweekly briefings with elected officials and staff
- Legislative briefings

Mr. Donahue-Rodriguez explained to the City Council that since the MBTA's last update in September 2020 the MBTA has implemented measures to improve communication, including a webpage and dedicated email that is monitored closely. He stated in addition to the email and webpage there is a monthly newsletter and advisory about the project that the public can sign up to receive. He stated there was also now biweekly briefings with elected officials and staff. He also stated that there would be an online public meeting on March 30, 2021 at 6:00 p.m.

MBTA Deputy Chief of Bridges and Structures, Brad Nicoll took control of the screen sharing, which showed a photograph of demolition of the existing timber trestle at the Gloucester Drawbridge. **Mr. Nicoll** stated the Gloucester Drawbridge project has been one of the most challenging projects but since the suspension of train service there has been the ability for unencumbered access to advance the construction. The next slide showed a photograph of the installation of drilled shafts for the new bridge foundation which, **Mr. Nicoll** explained, happened over the previous winter and now into the spring. He explained this work was quite difficult in-water work, in which **Mr. Nicoll** wished to thank the Harbormaster and the City for their cooperation and collaboration efforts. Next, **Mr. Nicoll** showed a slide with a photograph of the east side showing the abutment had been completely demolished.

PROJECT SCHEDULE: RETURN TO SERVICE

- Return to normal ridership (single track) currently tracking to late summer 2021
- Second track and overall project anticipated to be complete in 2022

Mr. Nicoll's next slide showed a rendering of the completed bridge. He clarified that there are actually two drawbridges being built side-to-side. He stated that the goal is to have one side operational, safety test that side to make sure it is ready for use, and then try to get train service on that side so that the drawbridge on the northbound side can then move forward. He stated the goal was to have train service hopefully back by late summer of 2021 with the completion of the other side by summer/fall of 2022.

Councilor Holmgren thanked **Mr. Donahue-Rodriguez** and **Mr. Nicoll** for the MBTA's flexibility and willingness to work with the neighborhood, Senator Tarr and for the outreach to the Mayor's office. **Councilor Nolan** and **Councilor Pett** also thanked **Mr. Donahue-Rodriguez** and **Mr. Nicoll** for their hard work and dedication in moving this project forward.

Councilor LeBlanc wished to thank **Mr. Donahue-Rodriguez** and **Mr. Nicoll** and the whole MBTA team including: Jody Ray, Peter Gagnon, Adam Kamoune, John Smith, Katy Zazzera, Nancy Farrell and Kyle Olsen.

Councilor Cox and **Councilor Memhard** joined the meeting at 6:24 p.m.

CONFIRMATION OF NEW APPOINTMENTS:

None.

CONSENT AGENDA:

- **CONFIRMATION OF REAPPOINTMENTS**

Historic District Commission

Robert Chandler

TTE 2/14/24

- **MAYOR'S REPORT**

1. Memorandum from the Community Development Director re: CPC Off Cycle recommendation for City Hall restoration (Refer B&F)
2. Memorandum from the Police Chief, and #2021-SA-16 in the amount of \$70,000 (Refer B&F)
3. Memorandum from the DPW Director, and #2021-SBT-3 in the amount of \$6,842.82 (Refer B&F)
4. Memorandum from the Harbormaster re: request increase in launch fees (Refer B&F)
5. Memorandum from the CAO re: increase of spending limit on DPW Snow and Ice budget (Info Only)
6. DPW Water Fluoridation Quality Award for 2019 (Info Only)
7. Mayor's Response to Oral Communications at the February 23, and March 9, 2021 City Council meetings (Info Only)

- **COMMUNICATIONS/INVITATIONS**

- **INFORMATION ONLY**

- **APPLICATIONS/PETITIONS**

1. RZ2021-002: Amend GZO Sec. 5.24 "Accessory In-Law Dwelling Units" and associated definition in Sec. VI "Definitions" in accordance with GZO Sec. 1.11.2(a) (Refer P&D &PB)

- **COUNCILLORS ORDERS**

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

1. City Council Meeting: 3/9/2021 (Approve/File)
2. Special City Council Meeting: 3/16/2021 (Approve/File)
3. Standing Committee Meetings: B&F 3/18/2021 (under separate cover), O&A 3/15/2021, P&D 3/17/2021 (Approve/File)

UNANIMOUS CONSENT AGENDA:

1. CC#2021-003 (Nolan, McCarthy, Gilman): Amend GCO Ch. 22, Art. V, Sec. 22-176(a) "Penalties for Parking Violations" pursuant to MGL Ch. 90, Sec. 20A½

ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA/UNANIMOUS CONSENT AGENDA:

Councilor Gilman pulled RZ2021-002: Amend GZO Sec. 5.24 "Accessory In-Law Dwelling Units" and associated definition in Sec. VI "Definitions" in accordance with GZO Sec. 1.11.2(a). Given that notice to all abutters is impractical, **Councilor Gilman** moved 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 the matter as May 11, 2021 and to refer this matter to Planning & Development Standing Committee and the Planning Board.

Summary of Discussion: **Councilor LeBlanc** stated sending notice to abutters for this matter is impractical and not feasible.

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 (**McCarthy**) 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 **May 11, 2021** and to refer the matter to the Planning & Development Standing Committee and the Planning Board.

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

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

COMMITTEE REPORTS

- Budget & Finance – March 18, 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 (McCarthy) 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 3 favor, 0 opposed to recommend that the City Council accept under MGL c. 44, §53A, a Massachusetts State FY2021 Council on Aging Formula Grant Allocation from the Mass. Executive Office of Elder Affairs in the amount of \$88,848. There's no local matching requirements for the state grant and the grant period is from July 1, 2020 through June 30, 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 (McCarthy) to accept under MGL c. 44, §53A, a Massachusetts State FY2021 Council on Aging Formula Grant Allocation from the Mass. Executive Office of Elder Affairs in the amount of \$88,848. There's no local matching requirements for the state grant and the grant period is from July 1, 2020 through June 30, 2021.

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 \$38,128 (Thirty Eight Thousand One Hundred Twenty Eight Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, to provide off-cycle funding to the Hammond Castle for the purpose to preserve and rehabilitate the Hammond Castle Courtyard Clerestory ceiling in order to restore an historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #4500. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #4741.

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 (McCarthy) to appropriate up to \$38,128 (Thirty Eight Thousand One Hundred Twenty Eight Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, to provide off-cycle funding to the Hammond Castle for the purpose to preserve and rehabilitate the Hammond Castle Courtyard Clerestory ceiling in order to restore an historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #4500. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #4741.

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 state grant from the Massachusetts Cultural Council in the amount of \$10,900 to the Gloucester Cultural Council for the purpose of supporting FY21 local cultural projects in the City of Gloucester by the Gloucester Cultural Council. The grant period is from July 1, 2020 through June 30, 2021 and there is no required local match.

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 (McCarthy) to accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council in the amount of \$10,900 to the Gloucester Cultural Council for the purpose of supporting FY21 local cultural projects in the City of Gloucester by the Gloucester Cultural Council. The grant period is from July 1, 2020 through June 30, 2021 and there is no required local match.

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 2021-SA-13 in the amount of \$200,000 (Two Hundred

Thousand Dollars) from the Building Maintenance Stabilization Fund-Undesignated Fund Balance, Account #7700-359000, to the Various School Building Repairs - Building Improvements, Account #770010-582003 for the purpose of funding various school building repairs during the summer of 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 (McCarthy) to approve Supplemental Appropriation 2021-SA-13 in the amount of \$200,000 (Two Hundred Thousand Dollars) from the Building Maintenance Stabilization Fund-Undesignated Fund Balance, Account #7700-359000, to the Various School Building Repairs - Building Improvements, Account #770010-582003 for the purpose of funding various school building repairs during the summer of 2021.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2021-SA-14 in the amount of \$180,000 (One Hundred Eighty Thousand Dollars) from General Fund - Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to the Police Uniform - Salaries, Account #0121151-511000 for the purpose of funding for FY2020 retro payout per union contract.

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 (McCarthy) to approve Supplemental Appropriation 2021-SA-14 in the amount of \$180,000 (One Hundred Eighty Thousand Dollars) from General Fund - Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to the Police Uniform - Salaries, Account #0121151-511000 for the purpose of funding for FY2020 retro payout per union contract.

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 2021-SA-15 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”) Account #0001-359000, to the Police Parking – Salaries, Account #0121851-511000 for the purpose of funding an anticipated shortfall in FY2021.

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 (McCarthy) to approve Supplemental Appropriation 2021-SA-15 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”) Account #0001-359000, to the Police Parking – Salaries, Account #0121851-511000 for the purpose of funding an anticipated shortfall in FY2021.

• Ordinances & Administration – March 15, 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 that the City Council request that the State Legislators file a Home Rule Petition; and based on said Petition, the General Court approve and enact a Special Act substantially as follows:

Section 1. Notwithstanding any general or special law to the contrary, the city of Gloucester may, upon approval by the city council and mayor, raise any parking fine established pursuant to section 20A ½ of chapter 90 of the General Laws; provided, however, that a fine established for all other parking violations pursuant to said section 20A ½ of said chapter 90 shall: (i) if paid not more than 21 days after the issuance of the fine, be not more than \$150; (ii) if paid more than 21 days after the issuance of the fine, but before the parking clerk reports to the registrar as provided for under section 20A ½ of said chapter 90, be not more than \$160; and (iii) if paid more than 21 days after the issuance of the fine and after the parking clerk has so reported, shall not be more than \$175.

Summary of Discussion: Councilor Nolan explained that this matter was the City asking the State ahead of time to be able to raise parking fines up to as much as \$150 at the City Council and City's discretion. Councilor Gilman stated she would support this matter and stated looking at best practices, as the City Council did looking at other oceanfront municipalities, was a good thing and would keep the City consistent with parking fines with other oceanfront communities. Councilor LeBlanc thanked Councilor Nolan, Councilor Gilman, Councilor McCarthy, Police Chief Ed Conley and the City Clerk's office for going above and beyond with their time and research in bringing this matter forward.

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

Section 1. Notwithstanding any general or special law to the contrary, the city of Gloucester may, upon approval by the city council and mayor, raise any parking fine established pursuant to section 20A ½ of chapter 90 of the General Laws; provided, however, that a fine established for all other parking violations pursuant to said section 20A ½ of said chapter 90 shall: (i) if paid not more than 21 days after the issuance of the fine, be not more than \$150; (ii) if paid more than 21 days after the issuance of the fine, but before the parking clerk reports to the registrar as provided for under section 20A ½ of said chapter 90, be not more than \$160; and (iii) if paid more than 21 days after the issuance of the fine and after the parking clerk has so reported, shall not be more than \$175.

• **Planning & Development – March 17, 2021**

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 permit the Cape Ann Farmers Market to be held on Thursdays from June 3, 2021 through October 14, 2021 during the hours of 3:00 p.m. – 6:30 p.m. with the following conditions:

1. Harbor Loop to be closed to two-way traffic beginning at the Coast Guard Station driveway, continuing past the Maritime Heritage Center to end across from the Captain Carlos parking lot. The market will be set up on one side of the road so as to have one-way traffic;
2. A Certificate of Insurance naming the City of Gloucester as Certificate Holder is to be on file with the City Clerk's office no later than May 24, 2021 or in lieu of a Certificate of Insurance a letter from the city's Chief Administrative Officer stating that the city is responsible for the insurance;
3. Applicant is to notify all abutters of the closed area of Harbor Loop in advance of the events;
4. Applicant is responsible for providing adequate trash and or recycling receptacles for vendors;
5. Due to the current situation, all vendors, except those excluded by state law, are to obtain city vending permits from the Office of the City Clerk 10 days prior to the start of the event;
6. That the Cape Ann Farmers Market must have two or more farmers primarily selling products grown, produced, or raised by farmers present in order to constitute a "Farmer's Market" in keeping with the Mass. Department of Agricultural Resources Policy for Mass. Farmers' Markets and with the definition in the Code of Ordinances, Chapter 11;
7. Harbor Loop will be one-way traffic only from 12:30 p.m. – 8:00 p.m. for set up and break down;
8. Approval is based on the status of the current situation and is subject to change based on any stay at home orders, public park or beach closures etc. as made by the state or the city.

Summary of Discussion: Councilor Cox asked the City Clerk about issues with vendor IDs and vendor payments. The City Clerk stated last year the City Clerk's office implemented the procedure that the event organizers would be responsible for collecting all the vendor permits for approval and the fees; once the Police Chief signs off on the permits, the permits and fees can be dropped off to the City Clerk's office. Then, the City Clerk's office would process the paperwork and the event organizer would then pick up the permits for their vendors. Councilor Cox asked who checks IDs at the events. The City Clerk stated the Food Inspector and Building Inspector would check IDs at the events and would report back to the City

Clerk's office. The **City Clerk** stated pre-COVID there has only been one or two issues and that the farmers markets are well organized.

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 (McCarthy) to permit the Cape Ann Farmers Market to be held on Thursdays from June 3, 2021 through October 14, 2021 during the hours of 3:00 p.m. – 6:30 p.m. with the following conditions:

1. Harbor Loop to be closed to two-way traffic beginning at the Coast Guard Station driveway, continuing past the Maritime Heritage Center to end across from the Captain Carlos parking lot. The market will be set up on one side of the road so as to have one-way traffic;
2. A Certificate of Insurance naming the City of Gloucester as Certificate Holder is to be on file with the City Clerk's office no later than May 24, 2021 or in lieu of a Certificate of Insurance a letter from the city's Chief Administrative Officer stating that the city is responsible for the insurance;
3. Applicant is to notify all abutters of the closed area of Harbor Loop in advance of the events;
4. Applicant is responsible for providing adequate trash and or recycling receptacles for vendors;
5. Due to the current situation, all vendors, except those excluded by state law, are to obtain city vending permits from the Office of the City Clerk 10 days prior to the start of the event;
6. That the Cape Ann Farmers Market must have two or more farmers primarily selling products grown, produced, or raised by farmers present in order to constitute a "Farmer's Market" in keeping with the Mass. Department of Agricultural Resources Policy for Mass. Farmers' Markets and with the definition in the Code of Ordinances, Chapter 11;
7. Harbor Loop will be one-way traffic only from 12:30 p.m. – 8:00 p.m. for set up and break down;
8. Approval is based on the status of the current situation and is subject to change based on any stay at home orders, public park or beach closures etc. as made by the state or the city.

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 permit the Magnolia Community Farmers Market to be held on Sundays, from June 6, 2021 through October 10, 2021 during the hours of 10:00 a.m. – 1:00 p.m. with the following conditions:

1. Lexington Avenue is to be closed from Norman Avenue to Flume Road with appropriate signage posted at either end of Lexington Avenue advising motorists of alternative routes;
2. A Certificate of Insurance naming the City of Gloucester as Certificate Holder is to be on file with the City Clerk's office no later than May 27, 2021 or in lieu of a Certificate of Insurance a letter from the city's Chief Administrative Officer stating that the city is responsible for the insurance;
3. Applicant is to notify all abutters of the closed area of Lexington Avenue in advance of the events;
4. Applicant is responsible for providing adequate trash receptacles and for removal of same;
5. Due to the current situation, all vendors, except those excluded by state law, are to obtain city vending permits from the Office of the City Clerk 10 days prior to the start of the event;
6. That the Magnolia Farmer's Market must have two or more farmers primarily selling products grown, produced, or raised by farmers present in order to constitute a "Farmer's Market" in keeping with the Mass. Department of Agricultural Resources Policy for Mass. Farmers' Markets and with the definition in the Code of Ordinances, Chapter 11;
7. Lexington Avenue will be closed at 8:30 a.m. for event set up and reopen at 2:00 p.m.
8. Approval is based on the status of the current situation and is subject to change based on any stay at home orders, public park or beach closures etc. as made by the state or the city.

Summary of Discussion: Councilor Gilman stated that during the previous P&D meeting the Co-Chair of the Magnolia Community Farmers Market thanked members of the City Council including Councilor Holmgren for her unwavering support of the market. Councilor Holmgren acknowledged Councilor Nolan and Councilor Cox as well for their support of the Magnolia Community Farmers Market.

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 (McCarthy) to permit the Magnolia Community Farmers Market to be held on Sundays, from June 6, 2021 through October 10, 2021 during the hours of 10:00 a.m. – 1:00 p.m. with the following conditions:

1. **Lexington Avenue is to be closed from Norman Avenue to Flume Road with appropriate signage posted at either end of Lexington Avenue advising motorists of alternative routes;**
2. **A Certificate of Insurance naming the City of Gloucester as Certificate Holder is to be on file with the City Clerk's office no later than May 27, 2021 or in lieu of a Certificate of Insurance a letter from the city's Chief Administrative Officer stating that the city is responsible for the insurance;**
3. **Applicant is to notify all abutters of the closed area of Lexington Avenue in advance of the events;**
4. **Applicant is responsible for providing adequate trash receptacles and for removal of same;**
5. **Due to the current situation, all vendors, except those excluded by state law, are to obtain city vending permits from the Office of the City Clerk 10 days prior to the start of the event;**
6. **That the Magnolia Farmer's Market must have two or more farmers primarily selling products grown, produced, or raised by farmers present in order to constitute a "Farmer's Market" in keeping with the Mass. Department of Agricultural Resources Policy for Mass. Farmers' Markets and with the definition in the Code of Ordinances, Chapter 11;**
7. **Lexington Avenue will be closed at 8:30 a.m. for event set up and reopen at 2:00 p.m.**
8. **Approval is based on the status of the current situation and is subject to change based on any stay at home orders, public park or beach closures etc. as made by the state or the city.**

SCHEDULED PUBLIC HEARINGS:

1. PH2021-006: Loan Order 2021-001: loan authorization request in the amount of \$600,000 for ADA Compliant Street-Scapes Improvements

Public hearing opened at 6:47 p.m.

Those speaking in favor:

Treasurer John Dunn stated **Community Development Director, Jill Cahill** and **DPW Director, Mike Hale** requested funding in the amount of \$600,000 for street, sidewalk and curbing improvements in various downtown areas and also around City Hall, the library and Cape Ann Museum. **Mr. Dunn** stated the improvements would include ADA-compliant wheelchair ramps, crosswalks and pedestrian walkways, including, as necessary, signage and signals to provide safe access. He stated funding was expected from a Shared Streets Grant in the amount of approximately \$275,000. He stated to support the total expenditure the grant was being leveraged on a 50/50 basis to cover a wider area of the downtown for both residents and visitors.

Community Development Director, Jill Cahill stated the Shared Streets Grant was one of the economic development tools the State rolled out this past winter. She stated this was a DOT grant which focused on infrastructure and from the economic development perspective it needed to promote connectivity and mobility and safe access in the downtown area. She stated the DPW Director had recently done an ADA accessibility study of the downtown area and was able to connect the results of the study with this funding. She stated ADA ramps in the most disrepair on Main Street were selected in different locations up to Washington Street. She stated the focus was on connecting the parking on Rogers Street with Main Street so Parsons Street will be resurfaced and highlighted with texture or color. She stated at the bottom of Parsons Street at Rogers Street that crosswalk will be updated along with the placement of two rapidly flashing beacons. She stated the work related to the grant needs to be completed by May 31, 2021.

Those speaking in opposition:

None.

Written communications received in support:

None.

Questions from Councilors: None.

The public hearing closed at 6:54 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 approve the following loan authorization as follows:

ORDERED: That the City of Gloucester appropriates Six Hundred Thousand Dollars (\$600,000) to pay costs associated with various street improvement projects including, but not limited to improvements to streets, curbing, sidewalks, pedestrian walkways and signage and signaling, whether for ADA-compliance or any other requirement, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

Summary of Discussion: Councilor Holmgren stated she appreciated all the work that has been done to make these necessary updates. Councilor LeBlanc voiced his support of the project, particularly the Parsons Street piece to bring people into the downtown area.

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 (McCarthy) to approve the following loan authorization as follows:

ORDERED: That the City of Gloucester appropriates Six Hundred Thousand Dollars (\$600,000) to pay costs associated with various street improvement projects including, but not limited to improvements to streets, curbing, sidewalks, pedestrian walkways and signage and signaling, whether for ADA-compliance or any other requirement, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

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

ORDERED: That the City of Gloucester appropriates Six Hundred Thousand Dollars (\$600,000) to pay costs associated with various street improvement projects including, but not limited to improvements to streets, curbing, sidewalks, pedestrian walkways and signage and signaling, whether for ADA-compliance or any other requirement, including costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the city are authorized to apply for, accept and expend any grants or gifts that may be available to the City to pay costs of the projects. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

The motion to reconsider failed.

2. PH2021-007: Amend GCO Ch. 10, Sec. 10-51 "Regulations of Moorings" subsection (e) "Fees"

Public hearing opened at 6:58 p.m.

Those speaking in favor:

Harbormaster, TJ Ciaramitaro stated he compared the City's fees and services to similar ports around the Commonwealth, including Plymouth, Scituate, Salem and Newburyport. He stated an increase of \$10 would still put the City below comparable ports.

Those speaking in opposition:

None.

Written Communications:

None.

Questions from the Councilors: None.

Public hearing closed at 7:02 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 Amend GCO Chapter 10, Section 10-51 "Regulation of moorings," subsection (e) as follows:

Fees. The fee for each type of mooring shall be established by the city council. Fees for personal moorings shall be charged by the length of vessel at the rate of \$8.00 per foot for city residents and taxpayers and at the rate of \$10.00 per foot for nonresidents. The fee for transient moorings shall be \$200.00 each. A daily fee of ~~\$40.00~~ \$50.00 shall be charged every vessel that utilizes a municipal mooring used for transient boats, operated by the harbormaster. The daily rental fee for transient boats shall include the services of the Gloucester Launch during regular service hours. Fees for 10A float permits shall be in the amount of \$1.00

per square foot up to a maximum of \$400.00. Fees for the use of the Gloucester Launch shall be \$5.00 per person per one-way trip, with children 12 years of age or younger free. A season pass for permitted mooring holders within the boundaries of the Gloucester Harbor Launch with a limit of four people will cost \$100.00.

Summary of Discussion: **Councilor LeBlanc** thanked the Harbormaster for his hard work and dedication to the City since becoming Harbormaster. **Councilor Cox** stated compared to the investment in the building that the City has made, an increase of \$10 was very minimal. **Councilor Nolan** thanked the Harbormaster and the Community Development Director for their hard work and dedication. **Councilor Pett** also thanked the Harbormaster and Community Development Director, as well as the Administration for their hard work and dedication and hopes the City sees the fruits of their efforts this coming summer.

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 (McCarthy) to Amend GCO Chapter 10, Section 10-51 “Regulation of moorings,” subsection (e) as follows:

Fees. The fee for each type of mooring shall be established by the city council. Fees for personal moorings shall be charged by the length of vessel at the rate of \$8.00 per foot for city residents and taxpayers and at the rate of \$10.00 per foot for nonresidents. The fee for transient moorings shall be \$200.00 each. A daily fee of ~~\$40.00~~ **\$50.00** shall be charged every vessel that utilizes a municipal mooring used for transient boats, operated by the harbormaster. The daily rental fee for transient boats shall include the services of the Gloucester Launch during regular service hours. Fees for **10A** float permits shall be in the amount of \$1.00 per square foot up to a maximum of \$400.00. Fees for the use of the Gloucester Launch shall be \$5.00 per person per one-way trip, with children 12 years of age or younger free. A season pass for permitted mooring holders within the boundaries of the Gloucester Harbor Launch with a limit of four people will cost \$100.00.

3. PH2021-008: Amend GCO Ch. 2, Art. V., Div. 8 “Human Rights Commission,” Sec. 2-497 “Established; terms; compensation”

Public hearing opened at 7:09 p.m.

Those speaking in favor:

Hannah Kimberley, Chair of the Human Rights Commission, 15 South Kilby

Wished to thank the City Council for listening and answering the call to increase the numbers on the Human Rights Commission to promote diversity.

John Sarrouf, 5 Sunset Road

Stated he was part of the Gloucester Racial Justice Team and wished to thank the City Council and the Mayor for making the Human Rights Commission a priority in the City.

Those speaking in opposition:

None.

Written Communications:

None.

Questions from the Councilors: None.

Public hearing closed at 7:12 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council amend the Gloucester Code of Ordinances Chapter 2, Article V “Boards

Commissions, Councils and Committees,” Division 8 “Human Rights Commission,” Sec. 2-497 “Established; terms; compensation” subsection (a) as follows:

- (a) There shall be in the city a commission known as the “Gloucester Human Rights Commission” hereinafter called the commission, which shall consist of- ~~seven~~ nine members appointed by the mayor and approved by the city council, to serve without compensation. The commission may have in addition one alternate member appointed by the mayor and approved by the city council and one ex-officio member selected by the majority vote of the commissioners.

Summary of Discussion: Councilor Holmgren thanked City Attorney Chip Payson for his help and support with drafting the Council Order. She stated this was a necessary and easy way for the City to be more inclusive with different populations. Councilor Nolan stated for inclusionary purposes he supports a bigger commission to adequately staff enough people to promote diversity.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (McCarthy) to amend the Gloucester Code of Ordinances Chapter 2, Article V “Boards Commissions, Councils and Committees,” Division 8 “Human Rights Commission,” Sec. 2-497 “Established; terms; compensation” subsection (a) as follows:

- (a) There shall be in the city a commission known as the “Gloucester Human Rights Commission” hereinafter called the commission, which shall consist of- ~~seven~~ nine members appointed by the mayor and approved by the city council, to serve without compensation. The commission may have in addition one alternate member appointed by the mayor and approved by the city council and one ex-officio member selected by the majority vote of the commissioners.

FOR COUNCIL VOTE: None.

COUNCILORS’ REQUESTS TO THE MAYOR:

- Councilor Gilman requested to the Mayor that during the FY22 budget review the Administration consider the feasibility of budgeting for quarterly Municode updates for the Gloucester Code of Ordinances

COUNCILORS’ THANKS AND ACKNOWLEDGEMENTS:

- Councilor Nolan wished Ann-Margaret Ferrante a speedy recovery
- Councilor Gilman wished to thank CAO Nicole Kieser and Assistant to CAO Chris Sicuranza for their help organizing the Lanesville Quarries and Trails Forum
- Councilor Pett asked for everyone’s thoughts and prayers to be with Ann-Margaret Ferrante
- Councilor Gilman stated the paddleboarder that was recently injured in the City was extremely grateful for the care he received from the first responder, a police officer, who provided the tourniquet. Councilor Gilman wished to thank the Mayor, Police Department, Fire Department and first responders who helped with the incident. Councilor LeBlanc stated the first responders would be recognized at a future City Council meeting as the first responders went above and beyond.

COUNCILORS’ WARD UPDATES AND COMMUNITY NEWS:

- Councilor Gilman invited all councilors and members of the public to join the Lanesville Quarries and Trails Forum on Thursday from 4:30 p.m. to 6:00 p.m.
- Councilor LeBlanc stated he will be scheduling a governance meeting which will include discussion of the Municode

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (McCarthy) to adjourn the meeting at 7:23 p.m.

Submitted by Sherry Karvelas, Clerk of Committees

Items submitted at the meeting: Slide presentation from Mr. Angel Donahue-Rodriguez, MBTA Deputy Chief of Staff