

GLOUCESTER CITY COUNCIL MEETING
Tuesday, April 27, 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; City Clerk, Joanne Senos; CAO, Nicole Kieser; Auditor, Kenny Costa; CFO, John Dunn; Assistant to CAO, Chris Sicuranza; Harbormaster, TJ Ciaramitaro

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 consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning certain gatherings such that an in person meeting of the City Council is not possible, this meeting will be conducted by remote participation. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time and participate when necessary. 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.

ORAL COMMUNICATIONS:

Patti Page, 3 Tidal Cove Way

Requested a budgetary line item to purchase a full-capacity Zoom account that, she stated, would cost under \$4,000 per year. She stated moving forward there should be a hybrid of in-person access and Zoom access for the meetings to promote public transparency and ADA access to give the public the opportunity to attend and participate remotely if unable to do so in person. She also asked that the City Council endorse the mosquito opt-out program recommendation from the Board of Health as written without amendments. **Councilor LeBlanc** stated the City Council would be having a Public Hearing on this matter on May 11, 2021.

Olimpia Palazzola, 57 Western Avenue

She stated she wanted to make the P&D Standing Committee aware of the height level, and how high the ground would be built up to make the building street level. She stated 35 feet plus the street level could make the building quite high. She then asked who within the City had the right to make the decision to take a building down.

Councilor Gilman called a Point of Order at 6:09 p.m. to state that the City Council would not be hearing comments on matters that were on the agenda or any matters that were in litigation with the City. **Councilor LeBlanc** stated there would be an Executive Session on this matter next week and reminded the caller of the guidelines during Oral Communications.

Ms. Palazzola then made an accusation against an employee of the City. **Councilor Holmgren** called a Point of Order at 6:09 p.m. citing there should be no disparaging remarks made against City officials during Oral Communications.

Councilor O'Hara called a Point of Order at 6:10 p.m. and asked **Councilor LeBlanc** to disclose the lawsuits to the City's taxpayers. **Councilor LeBlanc** then called a Point of Order at 6:10 p.m. and stated that the City was in litigation and those matters would not be discussed or debated during Oral Communications.

Annette Dion, 114 Main Street

Stated she was a resident who was extremely concerned about the water supply issue on Cape Ann. **Councilor Holmgren** called a Point of Order at 6:11 p.m. to state that Ms. Dion provided her business address and asked Ms. Dion to clarify her address. Ms. Dion stated that was her business address. **Councilor LeBlanc** reminded Ms. Dion that Oral Communications was for residents of the City. Ms. Dion proceeded to read an excerpt of a letter she sent to the local paper regarding water issues within the City. Ms. Dion stated she previously sent letters to all members of the City Council and didn't receive a response regarding her concerns about water supply. Several members of the Council conveyed that they had in fact responded to Ms. Dion's emails. **Councilor Holmgren** again stated that Ms. Dion had not provided the City Council with her residential address as Councilor Holmgren, and other members of the Council, stated they believed she lived in a neighboring town.

PRESENTATIONS/COMMENDATIONS:

1. Karin Carroll, Public Health Director re: COVID-19 update (TBC to May 11, 2021)

CONFIRMATION OF NEW APPOINTMENTS:

None.

CONSENT AGENDA:

- **CONFIRMATION OF REAPPOINTMENTS**

- **MAYOR'S REPORT**

1. New Appointments:

| | | | |
|-----------------------------------|---|-------------|-------------|
| Gloucester Archives Committee | Beth Welin | TTE 2/14/24 | (Refer O&A) |
| Gloucester Cultural Council | Arthur Thomas | TTE 2/14/24 | (Refer O&A) |
| Historical Commission | Ralph Pisaturo | TTE 2/14/24 | (Refer O&A) |
| Open Space & Recreation Committee | Liam Anastasia-Murphy | TTE 2/14/24 | (Refer O&A) |
| Zoning Board of Appeals | James Gigliotti (<i>alternate member</i>) | TTE 2/14/24 | (Refer O&A) |

2. Memorandum from Fire Chief requesting acceptance of a Firefighter Safety Equipment Grant in the amount of \$15,000 (Refer B&F)

3. Memorandum from Police Chief and Special Budgetary Transfer Request (#2021-SBT-4) in the amount of \$12,000 (Refer B&F)

4. Memorandum from Building Inspector and Special Budgetary Transfer Request (#2021-SBT-5) in the amount of \$1000 (Refer B&F)

5. Memorandum from City Auditor re: City's FY20 Comprehensive Annual Financial Report (CAFR) (Refer B&F)

6. Memorandum from City Auditor re: Gloucester Public School's End of Year Financial Report – Independent Accountant's Report (Refer B&F)

7. Memorandum from Public Health Director requesting to increase spending limit on Vaccine Revolving Account (Refer B&F)

- **COMMUNICATIONS/INVITATIONS**

- **INFORMATION ONLY**

- **APPLICATIONS/PETITIONS**

1. SCP2021-001: Cross Street #12, Map 50, Lot 18, GZO Sec. 2.3.1.7 "Conversion to or new multi-family or apartment dwelling, four to six dwelling units" in the R-5 High Density Residential District (Refer P&D)

2. SCP2021-002: Webster Street #11, Map 47, Lot 13, GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 Low/Medium Density Residential District (Refer P&D)

- **COUNCILLORS ORDERS**

1. CC#2021-009 (Holmgren): Request the O&A Committee review the Human Right's Commission's proposed amendments to the 2020 City Council Civility Resolution (Refer O&A)

2. CC#2021-010 (Memhard): Pursuant to MGL c. 54, §24 and Sec. 8.6 of the City Charter, request the City Council move the Ward 1, Precinct 2 polling place currently at 11 Webster Street to the Cape Ann YMCA, 7 Gloucester Crossing Road, effective with the Preliminary Election on September 14, 2021 (Refer O&A)

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

1. City Council Meeting: 4/13/2021 (Approve/File)

2. Standing Committee Meetings: B&F 4/22/2021 (under separate cover), O&A 4/19/2021, P&D 4/21/2021 (Approve/File)

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

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

COMMITTEE REPORTS

• Budget & Finance – April 22, 2021

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the 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 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer 2021-SBT-3 in the amount of \$6,842.82 from the DPW – Public Services - Salaries, Account #0147051-511000, to DPW –Admin. – Salaries, Account #0142151-511000 for the purpose of funding a deficit in the salaries account.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to approve Special Budgetary Transfer 2021-SBT-3 in the amount of \$6,842.82 from the DPW – Public Services - Salaries, Account #0147051-511000, to DPW –Admin. – Salaries, Account #0142151-511000 for the purpose of funding a deficit in the salaries account.

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 cash donation under MGL c. 44, §53A, to support Cape Ann Veterans Services in the amount of \$200 from the following member within our community:

| | |
|-----------------------------|-----------------|
| Ronald and Beverly Teixeira | <u>\$200.00</u> |
| Total | \$200.00 |

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept a cash donation under MGL c. 44, §53A, to support Cape Ann Veterans Services in the amount of \$200 from the following member within our community:

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| Ronald and Beverly Teixeira | <u>\$200.00</u> |
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| | |
|--------------------------|--------------|
| Janet and Gregory Lemnah | \$ 25.00 |
| John and Randi Pata | <u>20.00</u> |
| Total | \$ 45.00 |

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| Total | \$ 45.00 |

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 state grant from the Metropolitan Area Planning Council (MAPC) on behalf of the Commonwealth of Massachusetts and the Department of Public Health (DPH), in the amount of \$14,705.88 for the purpose in responding to the COVID-19 outbreak, including vaccination efforts, to cover expenses incurred after January 1, 2021 to June 30, 2021. 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 9 in favor, 0 opposed to accept under MGL c. 44, §53A, a state grant from the Metropolitan Area Planning Council (MAPC) on behalf of the Commonwealth of Massachusetts and the Department of Public Health (DPH), in the amount of \$14,705.88 for the purpose in responding to the COVID-19 outbreak, including vaccination efforts, to cover expenses incurred after January 1, 2021 to June 30, 2021. There is no local match for this grant.

Rocky Neck Cultural District in the amount of \$7,500

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 state grant under MGL c. 44, §53A, from the Massachusetts Cultural Council for a FY21 Cultural District Initiative Grant in the amount of \$7,500 for the purpose of supporting the Rocky Neck Cultural District and financial assistance to support personnel, marketing, artist stipends and free public transportation for summer Thursday evening cultural experiences located in the Rocky Neck Cultural District and Downtown Harbortown Cultural District. The grant period of the grant is from July 1, 2020 through June 30, 2021 and there's no local match for this grant.

Downtown "Harbortown" Cultural District in the amount of \$7,500

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- **Ordinances & Administration – April 19, 2021 (holiday)**
- **Planning & Development – April 21, 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 City Council approve the foregoing Conservation Restriction from Mount Adnah Cemetery Company to Essex County Greenbelt Association, Inc., as being in the public interest, pursuant to Section 32 of Chapter 184 of the Massachusetts General Law

Summary of Discussion: Councilor Gilman stated this was a wonderful step for the City as this Conservation Restriction would be protecting land and making sure there were trails that provided safe passage long-term. She also stated there was a massive fundraising effort with the public in partnership with Greenbelt to purchase the piece of land now known as 109R Leonard Street in the amount of \$650,000. Councilor Pett wished to elaborate on the safety piece that Councilor Gilman spoke of. He stated there was a dangerous corner on Leonard Street and the trails would provide safe passage for pedestrians in the area without having to traverse Leonard Street.

Chris LaPointe of Essex County Greenbelt Association, Inc., explained in 2017 there was a group effort between Mt. Adnah Cemetery and Greenbelt to purchase the parcel of land. He stated the vast majority of the land will remain protected open space, owned and controlled by Greenbelt, open to the public for passive recreation and protecting views from Lobster Cove and the rest of the village. He stated Mt. Adnah’s part of the project was that the cemetery would acquire just under an acre of land adjacent to the current cemetery which could be used for future cemetery expansion. As part of the transaction, Greenbelt would take back a Conservation Restriction so all future activities for the land are limited to cemetery expansion and/or open space and public access. Mr. LaPointe wished to express his appreciation for the support of the City Council and the partnerships Greenbelt has with the City.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed to recommend that City Council approve the foregoing Conservation Restriction from Mount Adnah Cemetery Company to Essex County Greenbelt Association, Inc., as being in the public interest, pursuant to Section 32 of Chapter 184 of the Massachusetts General Law

SCHEDULED PUBLIC HEARINGS:

1. PH2021-012: Amend GCO Ch. 10 “Waterways,” Sec. 10-51(e) “Fees” by STRIKING \$100.00 in the last sentence in this section and ADDING \$150.00

Public hearing opened at 6:25 p.m.

Those speaking in favor: Harbormaster, TJ Ciaramitaro explained this matter was believed to have been brought before B&F in 2017 with other Waterways increases and restructuring of fees but was overlooked. He explained the City Clerk's office discovered the error of the fee not being increased during an ordinance change.

Those speaking in opposition: None.

Written communications: None.

Questions from Councilors: None.

The public hearing closed at 6:27 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor McCarthy the Budget & Finance Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 absent (Memhard) to recommend that the City Council Amend GCO Ch. 10 "Waterways" Section 10-51(e) "Fees" by deleting the \$100 fee in the last sentence in this section and to read as follows: "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.~~ \$150.00."

Summary of Discussion: Councilor Cox explained this was a minor correction.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to amend GCO Ch. 10 "Waterways" Section 10-51(e) "Fees" by deleting the \$100 fee in the last sentence in this section and to read as follows: "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.~~ \$150.00."

FOR COUNCIL VOTE:

1. City Council vote pursuant to City Charter Sec. 2-6 "Council Access to Information"

Summary of Discussion: Councilor LeBlanc stated this would be an Executive Session after the presentation of the 2022 Budget, but the date was actually May 4, 2021 and offered a motion to amend.

MOTION TO AMEND: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed to AMEND the date to require the Mayor to attend a City Council Remote meeting pursuant to City Charter Sec. 2-6 "Council Access to Information," to May 4, 2021

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed pursuant to City Charter Sec. 2-6 "Council Access to Information," to require the Mayor to attend a City Council Remote meeting on May 4, 2021

OTHER BUSINESS: None.

COUNCILORS' REQUESTS TO THE MAYOR:

- Councilor Memhard requested through the Mayor that the DPW address the dilapidated and unsafe sidewalks in the area of East Gloucester Square
- Councilor Cox requested through the Mayor that the DPW Director provide a regular status update via email on overall happenings in the City for any DPW work so that Councilors stay informed and are able to convey that information to constituents

- **Councilor Gilman** requested that the Mayor explore the feasibility of continuing the use of Zoom technology after the COVID-19 State of Emergency ends and in-person meetings resume
- **Councilor Gilman** requested through the Mayor, referencing CC#2021-024, during the FY2022 budget review, that the Administration consider the feasibility of budgeting for quarterly Municode updates for the Gloucester Code of Ordinances
- **Councilor LeBlanc** requested through the Mayor that the Police Department enforce no parking on sidewalks and crosswalks

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

- **Councilor Nolan** wished to acknowledge the efforts of the DPW for work done throughout the City
- **Councilor Gilman** wished to express her thanks to Assistant to CAO, Chris Sicuranza for a conversation they had concerning constituent services
- **Councilor Gilman** expressed her thanks to the Mayor, the Community Development Director and Planning Director for their work and dedication to the Open Space forum
- **Councilor Gilman** wished to acknowledge the work being done by the Human Rights Commission

COUNCILORS' WARD UPDATES AND COMMUNITY NEWS:

- **Councilor Gilman** encouraged members of the Council and public who did not have a chance to attend or view the Board of Health meeting last week concerning mosquito control to watch the meeting on the Zoom link as it was very helpful and informative
- **Councilor LeBlanc** explained that all traffic matters do not need to come before the Traffic Commission. If the matter was for a simple sign, then the matter could be heard by the O&A Committee and does not need to come before the full City Council. If the matter involved changing an ordinance or traffic patterns or speed studies, then the matter would have to go before the Traffic Commission

Councilor LeBlanc explained the process that should happen of Challenging the Rule of the Chair as defined by Robert's Rules of Order if a member of City Council disagreed with how the Chair was running the meeting. He explained that the particular ruling of the chair being disagreed upon would then go to a Council vote, which in turn would put the decision of the ruling on the City Council as a whole.

MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed to adjourn the meeting at 6:43 p.m.

Submitted by Sherry Karvelas, Clerk of Committees

Items submitted at the meeting: None