

GLOUCESTER CITY COUNCIL MEETING**Tuesday, June 27, 2023 – 6:00 p.m.****REMOTE MEETING****-Minutes-**

Councilors Present: Council President, Councilor Val Gilman; Council Vice President, Councilor Sean Nolan; Councilor Tony Gross; Councilor Jason Grow; Councilor Frank Margiotta; Councilor Scott Memhard; Councilor Jamie O'Hara (joined the meeting at 6:18 p.m.); Councilor Tracy O'Neil; Councilor Jeff Worthley

Also Present: Mayor Greg Verga; Police Chief, Ed Conley; Auditor, Kenny Costa; Assistant Assessor, Gary Johnstone; Economic Development Director, Sal DiStefano; Assistant City Clerk, Grace Poirier; CFO, John Dunn; General Counsel, Suzanne Egan

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

Meeting called to order at 6:01 p.m.

Councilor Gilman announced: “In the interest of government transparency with regards to deliberations and decisions made by the City Council and according to open meeting law, since this meeting was posted as a Zoom meeting, this meeting is recorded by video and audio and will be conducted by remote participation. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If you are calling in on a phone, you can press Star 9 (*9) to request to speak. If you are watching on a computer or device, there is a “raised hand” button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak.”

“It is the finding of the City of Gloucester that no individual should be denied equal treatment or opportunity because of their age, ancestry, color, disability, including intellectual and developmental mental disability, family status, immigration status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation.”

Councilor Gilman introduced the City Council members and City staff in attendance.

PRESENTATIONS/COMMENDATIONS:

None.

ORAL COMMUNICATIONS:**Larry Russo, 56 Ye Olde County Road**

Mr. Russo asked that the City pay for a City-owned water seasonal system on Rust Island for year-round distribution for the assurance of fire protection for the greater than 50 residents. He stated that the island topography has changed over the past fifty years from low-lying brush to a tall, dense forest and that he believes that the City is unprepared to deal with a fire event on Rust Island, as there are no fire hydrants and trucking in water is not feasible. He added that there is a documented need dating back to February 12, 2008, where the then Fire Chief McKay had replied to a request from a councilor regarding water lines stating that “...*there are areas in great need such as Crafts Road and Rust Island,*” as well as at the January 30, 2012, O&A meeting where the DPW Director, Mike Hale, stated that, “...*there are pockets in the City without any fire hydrants. Rust Island is one, as there is no deep water past Lobsta Land restaurant.*” **Mr. Russo** also cited a quote from then Councilor Verga from the June 18, 2012, O&A meeting, “...*they won't know costs until a master water plan is developed by the DPW Director to alleviate water distribution problems in certain areas of the City like Rust Island that has*

- 6. Memorandum from CFO re: FY23 Year End Budget Transfers (Refer B&F)
- 7. Memorandum from Gloucester 400+ Executive Director regarding Gloucester 400+ updates (Info Only)
- 8. Mayor’s response to oral communications made at the June 13, 2023 City Council meeting (Info Only)
 - **COMMUNICATIONS/INVITATIONS**
- 1. Memo from City Clerk re: City Council vote to formally authorize the purchase of 11 DS200 voting machines and associated equipment (FCV 7/11/23)
 - **INFORMATION ONLY**
 - **APPLICATIONS/PETITIONS**
- 1. PP#2023-001: Request by National Grid to install 1 JO pole on Concord Street beginning at a point approx. 14 feet north of the centerline of the intersection of Cabot Lane and continuing approximately 50 feet in a west direction. Installation of new stub pole and anchor to back up dead primary junction on P#1966 Concord Street across the street
 - **COUNCILLORS ORDERS**
- 1. CC#2023-039 (O’Neil/O’Hara): Amend GCO Ch. 21 “Streets, Sidewalks and Other Public Places,” Sec. 21-55 “Permit required”(Refer O&A)
- 2. CC#2023-040 (Gross): Amend GCO Ch. 21 “Streets, Sidewalks and Other Public Places,” Sec. 21-55 “Permit required” (Refer O&A)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: 6/13/2023 (Approve/File)
- 2. Standing Committee Meetings: B&F 6/22/2023 (under separate cover), O&A 6/19/2023 (no meeting), Special O&A 6/20/2023, P&D 6/21/2023 (Approve/File)

ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA: Councilor Gross removed CC#2023-040 (Gross) under Councillors Orders.

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

Councilor Gross explained that he pulled off his Council Order as his order is similar to that of Councilors O’Neil and O’Hara. He stated that he believes that the best course of action is to reconcile both orders at O&A before the matter comes back before the full Council.

MOTION: On a motion by Councilor Gross, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to refer CC#2023-040 (Gross) to the Ordinances & Administration Committee.

COMMITTEE REPORTS

• Budget & Finance – June 22, 2023

Summary of Discussion: Councilor Memhard provided a brief overview of each matter. He thanked all donors for their generous donations.

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

1. Memorandum from DPW Director requesting acceptance of funds for the Langsford Street Cemetery in the amount of \$500

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Standing Committee voted 2 in favor, 0 opposed, 1 (Worthley) absent to recommend that the City Council accept a cash donation, under MGL c. 44, §53A, to support the Department of Public Works/Cemetery Commission for the maintenance of the Langsford Street Cemetery in the amount of \$500 from the following business partner within our community:

Carroll K. Steele Insurance \$500

Total: \$500.

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept a cash donation, under MGL c. 44, §53A, to support the Department of Public Works/Cemetery Commission for the maintenance of the Langsford Street Cemetery in the amount of \$500 from the following business partner within our community:

| | |
|-----------------------------|-------|
| Carroll K. Steele Insurance | \$500 |
| ----- | |
| Total: \$500. | |

- 2. *Memorandum from Fire Chief and #2023-SBT-23 in the amount of \$691.56 re: reimbursement to Police Department for a background investigation*

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Standing Committee voted 2 in favor, 0 opposed, 1 (Worthley) absent to recommend that the City Council approve Special Budgetary Transfer #2023-SBT-23 in the amount of \$691.56 from Fire, Purchase of Services, Account #0122052-520000 to Police – Uniform, Overtime, Account #0121151-513000, for the purpose of reimbursement of background investigation for Fire Department.

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Special Budgetary Transfer #2023-SBT-23 in the amount of \$691.56 from Fire, Purchase of Services, Account #0122052-520000 to Police – Uniform, Overtime, Account #0121151-513000, for the purpose of reimbursement of background investigation for Fire Department.

- 3. *Memorandum from CAO requesting acceptance of a donation from the Associated Charities of Gloucester in the amount of \$200*

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Standing Committee voted 3 in favor, 0 opposed to recommend that the City Council accept a cash donation, under MGL c. 44, §53A, to support the Gloucester Health Department Prevention Team for a youth pizza and game night at Riverdale Park or Willowood Gardens Community Centers in the amount of \$200 from the following partner within our community:

| | |
|------------------------------------|-------|
| Associated Charities of Gloucester | \$200 |
| ----- | |
| Total: \$200. | |

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept a cash donation, under MGL c. 44, §53A, to support the Gloucester Health Department Prevention Team for a youth pizza and game night at Riverdale Park or Willowood Gardens Community Centers in the amount of \$200 from the following partner within our community:

| | |
|------------------------------------|-------|
| Associated Charities of Gloucester | \$200 |
| ----- | |

Total: \$200.

4. Memorandum from former Veterans Services Director requesting acceptance of donations in the amount of \$100

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Standing Committee voted by 3 in favor, 0 opposed to recommend that the City Council accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$100 from the following member within our community:

| | |
|---------------|------------------|
| Edward Comeau | \$100.00 |
| ----- | |
| | Total: \$100.00. |

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$100 from the following member within our community:

| | |
|----------------------|-------------------------|
| Edward Comeau | \$100.00 |
| ----- | |
| | Total: \$100.00. |

5. Memorandum from former Veterans Services Director requesting acceptance of donations in the amount of \$1,350

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Standing Committee voted 3 in favor, 0 opposed to recommend that the City Council accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$1350 from the following member within our community:

| | |
|--|-------------------|
| Laurinda Manthorne | \$100.00 |
| Anthony Bertolino | \$ 50.00 |
| Arthur and Paula Collins | \$ 50.00 |
| John Diamantides | \$ 50.00 |
| Trinity Congregational Church UCC Gloucester | \$400.00 |
| Edward Comeau | \$200.00 |
| Josephine and Sal Testaverde | \$500.00 |
| ----- | |
| | Total: \$1350.00. |

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$1350 from the following member within our community:

| | |
|---------------------------------|-----------------|
| Laurinda Manthorne | \$100.00 |
| Anthony Bertolino | \$ 50.00 |
| Arthur and Paula Collins | \$ 50.00 |

| | |
|---|-----------------|
| John Diamantides | \$ 50.00 |
| Trinity Congregational Church UCC Gloucester | \$400.00 |
| Edward Comeau | \$200.00 |
| Josephine and Sal Testaverde | \$500.00 |

Total: \$1350.00.

6. Memorandum from former Veterans Services Director requesting acceptance of donations in the amount of \$2,536

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Standing Committee voted 3 in favor, 0 opposed to recommend that the City Council accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$2,536 from the following member within our community:

| | |
|------------------------------------|------------|
| Irene and Ralph Pierce | \$100.00 |
| Gaspar and Arline Lafata | \$ 25.00 |
| Edward Mann | \$ 50.00 |
| Karen and Robert Dow | \$ 25.00 |
| Steven and Jacqueline Telles | \$100.00 |
| Frank and Carol Rose | \$200.00 |
| Bank Gloucester | \$200.00 |
| Janet Thompson | \$ 25.00 |
| Janis Collamore | \$ 40.00 |
| Angela and David Rich | \$ 25.00 |
| Diane Bertolino | \$ 50.00 |
| Wayne Sargent and Theresa Marchant | \$ 35.00 |
| Robert Koller | \$150.00 |
| Hugh and Nancy Curley | \$ 25.00 |
| Mary Louise Giuliano | \$100.00 |
| Anthony Bertolino | \$ 25.00 |
| Christine and David Curley | \$ 30.00 |
| Diane and Scott Horne | \$ 20.00 |
| Anthony Bertolino | \$ 50.00 |
| Barry and Diane McKay | \$ 50.00 |
| Robert and Lucille Diamond | \$100.00 |
| Merit and Jennifer McIntyre | \$1,000.00 |
| Edward Comeau | \$100.00 |
| Shaws | \$ 11.00 |

 Total: \$2536.00.

Summary of Discussion: There was no additional discussion on the matter.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by **ROLL CALL 9** in favor, **0** opposed, to accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$2,536 from the following member within our community:

| | |
|---------------------------------|-----------------|
| Irene and Ralph Pierce | \$100.00 |
| Gaspar and Arline Lafata | \$ 25.00 |
| Edward Mann | \$ 50.00 |

| | |
|---|-------------------|
| Karen and Robert Dow | \$ 25.00 |
| Steven and Jacqueline Telles | \$100.00 |
| Frank and Carol Rose | \$200.00 |
| Bank Gloucester | \$200.00 |
| Janet Thompson | \$ 25.00 |
| Janis Collamore | \$ 40.00 |
| Angela and David Rich | \$ 25.00 |
| Diane Bertolino | \$ 50.00 |
| Wayne Sargent and Theresa Marchant | \$ 35.00 |
| Robert Koller | \$150.00 |
| Hugh and Nancy Curley | \$ 25.00 |
| Mary Louise Giuliano | \$100.00 |
| Anthony Bertolino | \$ 25.00 |
| Christine and David Curley | \$ 30.00 |
| Diane and Scott Horne | \$ 20.00 |
| Anthony Bertolino | \$ 50.00 |
| Barry and Diane McKay | \$ 50.00 |
| Robert and Lucille Diamond | \$100.00 |
| Merit and Jennifer McIntyre | \$1,000.00 |
| Edward Comeau | \$100.00 |
| Shaws | \$ 11.00 |

Total: \$2536.00.

- **Ordinances & Administration – June 19, 2023 (no meeting)**
- **Ordinances & Administration – Special – June 20, 2023**

1. **CC#2023-037 (Memhard): Pursuant to MGL c. 54, §24, move the Ward 1, Precinct 1 polling location from East Gloucester Elementary School, 8 Davis Street Extension to the East Veterans Elementary School, 11 Webster Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections due to the permanent closing of the Ward 1, Precinct 1 polling location at the East Gloucester Elementary School**

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend, pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, to move the Ward 1, Precinct 1 polling location from East Gloucester Elementary School, 8 Davis Street Extension to the East Veterans Elementary School, 11 Webster Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections due to the permanent closing of the Ward 1, Precinct 1 polling location at the East Gloucester Elementary School.

Summary of Discussion: Councilor Memhard thanked the City Clerk, Joanne Senos, for her work in changing the polling location. He also thanked the YMCA for their courtesy in allowing City elections to be held at their location. He stated that he is happy to have all of Ward 1 vote within the ward moving forward.

Councilor Worthley asked how the information of a change in polling location will be disseminated to the residents of Ward 1. The Assistant City Clerk, Grace Poirier, stated that a mailing will be sent, as required by law, to each household that has a registered voter in it of the affected ward/precinct. Councilor Gilman added that the Clerk’s Office does a great job with signage as well.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Grow, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, to move the Ward 1, Precinct 1 polling location from East Gloucester Elementary School, 8 Davis Street Extension to the East Veterans Elementary School, 11 Webster Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections due to the permanent closing of the Ward 1, Precinct 1 polling location at the East Gloucester Elementary School.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend, pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, to move the Ward 1, Precinct 2 polling location from the Glen T. MacLeod Cape Ann YMCA, 7 Crossing Road, to the East Veterans Elementary School, 11 Webster Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections to bring back Ward 1, Precinct 2 polling location back to Ward 1.

Summary of Discussion: To correct a scrivener's error, Councilor Nolan offered a friendly amendment to add "Gloucester" after the number "7." There was no additional discussion on this matter.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, to move the Ward 1, Precinct 2 polling location from the Glen T. MacLeod Cape Ann YMCA, 7 Gloucester Crossing Road, to the East Veterans Elementary School, 11 Webster Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections to bring back Ward 1, Precinct 2 polling location back to Ward 1.

• **Planning & Development – June 21, 2023**

Summary of Discussion: Councilor Grow stated that there are a number of upcoming special events including the Annisquam Sea Fair on Saturday, July 29th; on August 4th and 5th, the 64th Annual Sidewalk Bazaar; on September 16th (rain date of September 17th) is the Gloucester Community Safety Day; and on October 8, 2023, the Magtober Fest will take place in Magnolia.

SCHEDULED PUBLIC HEARINGS:

1. PH2023-025: SCP2023-004: Modification of SCP2019-006: East Main Street #116, Map 59, Lot 53, GZO Sec. 5.11 "Inclusionary Housing Requirements," subsection (4) "Basic requirements" to pay fee in lieu required affordable housing unit in the NB district (Cont. from 5/23/23, [To Be Withdrawn](#))

The Public Hearing was opened at 6:44 p.m.

Councilor Grow stated that the applicant has asked that the matter be withdrawn without prejudice. Attorney Joel Favazza, Seaside Legal Solutions, 123 Main Street, representing the applicant, confirmed that he is seeking to withdraw the application without prejudice and stated that the applicant does not have any intention of resubmitting another application for this property.

COMMITTEE RECOMMENDATION: On a motion by Councilor Gilman, seconded by Councilor O'Neil, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the withdrawal request for SCP2023-004: Modification of SCP2019-006: East Main Street #116, without prejudice.

Summary of Discussion: Councilor Grow stated that the P&D Committee thoroughly reviewed the application and stated that he believes that the withdrawal is the correct result for the project and the neighborhood. Councilor Memhard thanked the Planning & Development Committee for their work on this matter, as well as

the **General Counsel, Suzanne Egan**. He also thanked the residents who spoke out loudly in opposition to this matter.

MOTION: On a motion by Councilor Grow, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept the withdrawal request for SCP2023-004: Modification of SCP2019-006: East Main Street #116, without prejudice.

The Public Hearing was closed at 6:52 p.m.

2. *PH2023-032: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Art. VI "Traffic Schedules," Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" by ADDING "Main Street, southerly side, "Police Parking Only" beginning 80' from the intersection of Main Street and Duncan Street in an easterly direction for a distance of 120' to across from the intersection of Main Street and Elm Street"*

The Public Hearing was opened at 6:53 p.m.

Those speaking in favor: Police Chief Conley thanked the Council for reviewing this matter as it is an important public safety issue. He reminded the Council that the building that currently houses the Police Department is under construction and that the construction company will need to take over the current parking spaces for the police cruisers. He stated that the only workable solution is to secure spaces in front of the temporary Police Station in order to allow the officers to have quick access to the police cruisers in case of calls for service. He stated that this is a temporary move while the building is under construction.

Those speaking in opposition: None.

Written communications: The **Assistant City Clerk, Grace Poirier**, stated that there were no written communications received.

Questions from Councilors

Councilor Gilman explained that the questions will be limited to one minute per councilor and if additional time is needed on any matter she will circle back.

Q1. (Grow): Asked if a Sunset Clause can be added to ensure that the parking will revert back to public once the construction project is finished.

A1. (Conley): Stated that he does not have any opposition to that request.

The Public Hearing was closed at 6:57 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 1 (O'Hara) opposed, to recommend that the City Council AMEND the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles," Article VI "Traffic Schedules", Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" by ADDING the following:

Main Street, southerly side, "Police Parking Only" beginning 80' from the intersection of Main Street and Duncan Street in an easterly direction for a distance of 120' to across from the intersection of Main Street and Elm Street.

Summary of Discussion: **Councilor Grow** offered an amendment to add a Sunset Clause. **Councilor O'Neil** stated that she is in favor of the amendment and asked that the number of spaces being used for police vehicles be clarified. **Councilor Nolan** stated that **Councilor Grow's** amendment clarifies that the all spaces taken will

revert everything back to public, as they currently are now. **Councilor Grow** clarified that the intention with his amendment is that everything will revert back to the currently existing parking regulations following termination of construction.

MOTION TO AMEND: On a motion by Councilor Grow, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to add a Sunset Clause that states that the parking restrictions will terminate at the conclusion of construction of the Police and Court Building and all spaces will revert back to public parking.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to AMEND the Gloucester Code of Ordinances Chapter 22 “Traffic and Motor Vehicles,” Article VI “Traffic Schedules”, Sec. 22-270 “Parking prohibited at all times” and Sec. 22-291 “Tow-away zones” by ADDING the following:

Main Street, southerly side, “Police Parking Only” beginning 80’ from the intersection of Main Street and Duncan Street in an easterly direction for a distance of 120’ to across from the intersection of Main Street and Elm Street.

All parking restrictions will terminate at the conclusion of construction of the Police and Court Building and all spaces will revert back to public parking.

Police Chief Conley thanked Bob Ryan and the work of the Traffic Commission for their work on this matter.

3. PH2023-026: RZ2023-002: Madison Avenue #36, Map 39, Lot 41, from EB (Extensive Business) to R-5 (High Density Residential) (Cont. from 5/23/23)

The Public Hearing was opened at 7:06 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Written communications: The Assistant City Clerk, Grace Poirier, stated that there were no written communications received.

Questions from Councilors: None.

The Public Hearing was closed at 7:07 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grow, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend the Zoning Map and Zoning Ordinance by rezoning RZ2023-002: Madison Avenue #36 (Assessors Map 39, Lot 41) from EB (Extensive Business) to R-5 (High Density Residential).

Summary of Discussion: Councilor Grow stated that the Mondello family is renovating a home for their personal use that currently exists on an EB (Extensive Business) piece of property. He explained that the property backs onto the bowling alley off of Gloucester Avenue but the home itself is in a residential neighborhood. He stated that the zoning of R-5 (High Density Residential) is the appropriate designation.

MOTION: On a motion by Councilor Grow, seconded by Councilor Worthley, the City Council voted 9 in favor, 0 opposed, to amend the Zoning Map and Zoning Ordinance by rezoning RZ2023-002: Madison Avenue #36 (Assessors Map 39, Lot 41) from EB (Extensive Business) to R-5 (High Density Residential).

4. PH2023-033: Tax Increment Financing Agreement between the City of Gloucester and The Cut, LLC

Councilor Gilman reminded the Council that only the TIF agreement is what is before City Council this evening and that the Public Hearing is not about permitting, zoning or parking for the venue.

Councilor Grow stated that he filed a form 23(b)(3) for disclosure of appearance of conflict of interest and that he has been advised that there is no conflict.

The Public Hearing was opened at 7:10 p.m.

Those speaking in favor: Mayor Greg Verga introduced the applicant, **Mr. Tom O’Grady**, as well as the **Economic Development Director, Sal DiStefano; Community Development Director, David Fields;** and **Maria DiStefano** [Northeast Regional Director for the Mass Office of Business Development].

Mayor Verga stated that the City has an application for a TIF [Tax Increment Financing] from Granite Cove Equities, LLC, (also known as Granite Cove Venue LLC) d/b/a The Cut, Inc. He explained that The Cut will be an entertainment venue for live music, comedy, film, a bar/restaurant, as well as for private functions. He stated that there will also be a recording studio and rehearsal space for local musicians and students. He stated that the applicant is investing over \$10 million to renovate the former CVS building at 177 Main Street and that approximately 40 full-time jobs are expected to be created.

Mayor Verga explained that a local-only TIF agreement is required of the applicant to qualify for additional State incentives such as the abandoned building renovation deduction (administered by the Mass Office of Business Development) and the TIF Committee has preliminarily offered a TIF of 25% off the estimated incremental tax increase for five years, starting in FY2025, with an estimated savings of \$9,700 off of the incremental tax that the City is not currently receiving. **Mayor Verga** asked for City Council support of **Mr. O’Grady**, who is a local entrepreneur and resident.

Mr. Tom O’Grady, 966 Washington Street, stated that he purchased 177 Main Street and has been performing some much needed updates, including new roofing, new plumbing and new electric. He stated that there will also be a new façade. He asked that the City Council approve the TIF agreement and thanked the Administration for their help in moving this matter forward.

Barnaby Prendergast, 61 Fernald Street

Mr. Prendergast offered his support for the project and asked that the City Council approve the TIF to help move the project forward.

Those speaking in opposition: None.

Written communications: The **Assistant City Clerk, Grace Poirier**, stated that there were no written communications received.

Questions from Councilors: None.

The Public Hearing was closed at 7:13 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Standing Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve a Tax Increment Financing exemption between the City of Gloucester and Granite Cove Venue LLC DBA The Cut, Inc., in accordance with the Massachusetts Economic Development Incentive Program (EDIP) and Chapters 23A, 40 and 59 of the Massachusetts General Laws to be located at 177 Main Street, for a term of five (5) years ending in Fiscal Year 2029.

COMMITTEE RECOMMENDATION: Move to recommend that the City Council accept the following:

- 1) Adopt the Tax Increment Financing (TIF) Agreement between the City of Gloucester and Granite Cove Venue LLC DBA The Cut, Inc., for property located at 177 Main Street;
- 2) Approve the project application and find that it meets the requirements of MGL c. 23A, §3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Agreement;
- 3) Authorize the Mayor to execute the TIF Agreement and submit the TIF Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.

Summary of Discussion: Councilor Memhard thanked all involved for their work on this matter. He specifically thanked Mr. O’Grady for his investment into the property. Councilors Grow, Nolan, O’Hara and Worthley also thanked Mr. O’Grady for his investment into the downtown area and the City. Councilor Gilman wished to point out the benefit of 40 full-time jobs for the City.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve a Tax Increment Financing exemption between the City of Gloucester and Granite Cove Venue LLC DBA The Cut, Inc., in accordance with the Massachusetts Economic Development Incentive Program (EDIP) and Chapters 23A, 40 and 59 of the Massachusetts General Laws to be located at 177 Main Street, for a term of five (5) years ending in Fiscal Year 2029.

The specifics of the recommendation is that the City Council accept the following:

- 1) Adopt the Tax Increment Financing (TIF) Agreement between the City of Gloucester and Granite Cove Venue LLC DBA The Cut, Inc., for property located at 177 Main Street;
- 2) Approve the project application and find that it meets the requirements of MGL c. 23A, §3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Agreement;
- 3) Authorize the Mayor to execute the TIF Agreement and submit the TIF Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.

The Economic Development Director, Sal DiStefano, wished to thank the work of Assistant Assessor, Gary Johnstone, as well as General Counsel, Suzanne Egan.

5. *PH2023-034: Amend GCO Ch. 12 “Marshlands,” Art. II “Wetlands” by DELETING Sec. 12-27 “Floodplain area boundaries and base flood Elevation data” and ADDING “Sec. 12-27 – Reserved”*

The Public Hearing was opened at 7:24 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Written communications: The Assistant City Clerk, Grace Poirier, stated that there were no written communications received.

Questions from Councilors: None.

The Public Hearing was closed at 7:25 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council DELETE Gloucester Code of Ordinances Ch. 12 "Marshlands," Article II. – "Wetlands", Sec. 12-27 "Floodplain area boundaries and base flood elevation data" and ADD GCO Ch. 12, Article II. – "Wetlands", Sec. 12-27. "Reserved."

Summary of Discussion: Councilor Nolan stated that this matter will clean up the ordinances.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to DELETE Gloucester Code of Ordinances Ch. 12 "Marshlands," Article II. – "Wetlands", Sec. 12-27 "Floodplain area boundaries and base flood elevation data" and ADD GCO Ch. 12, Article II. – "Wetlands", Sec. 12-27. "Reserved."

6. *PH2023-030: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-270.1 "Resident sticker parking only" by ADDING "Apple Street both sides from the end of Brown's field/playground to Corliss Landing from May 1 through September 15," by ADDING "Juniper Road both sides, from Honeysuckle Road across Apple Street and to its end where it intersects with Corliss Avenue from May 1 through September 15," by ADDING "Blueberry Lane, for its entire length starting May 1 through September 15" (Cont. from 6/13/23)*

The Public Hearing was opened at 7:27 p.m.

Councilor Gilman explained that there will be a combined public hearing with three separate motions for this matter.

Those speaking in favor:

Bob Ryan, 3 Blake Court

Mr. Ryan stated that he is speaking in support of the resident-only parking signage for Apple Street, Juniper Road and Blueberry Lane. He stated that the proposed order was created to improve the safety, quality of life, traffic congestion and illegal parking in the neighborhood. He asked for City Council support.

Those speaking in opposition:

Karen Bliss, 9 Juniper Road

Ms. Bliss stated that she is opposed to placing resident-only signage in the neighborhood as she thinks it will encourage people to park. She stated that she has never had problems with the overflow parking from Corliss Landing and has lived there for 21 years. She is of the belief that many of the neighbors are not in favor of adding signage.

Bill Hellmuth, 7 Juniper Road

Mr. Hellmuth wished to, again, express his opposition as he feels that it will not address the actual issues of noise and speed. He stated that adding the signage will create a different set of issues.

Donna Crocker, 10 Juniper Road

Ms. Crocker stated that there is no issue with parking on her road and asked that the Council not support this matter. She stated that the residents who signed the petition on this matter have not spoken in favor of this matter and that the only person speaking in favor does not live in the neighborhood. She also stated that this past weekend (“Fiesta Weekend”) there were no parking issues and that there were open spaces at the boat ramp. She reiterated that parking restrictions are not needed in this neighborhood.

Written communications: The **Assistant City Clerk, Grace Poirier**, stated that there was an informal petition contained within the packet as backup to the public hearing with 46 signatures total. There were also two communications received yesterday [Monday, June 26, 2023] that were received too late to be entered into the record but were forwarded to the City Council, for their information only.

Questions from Councilors: None.

The Public Hearing was closed at 7:36 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted by ROLL CALL 1 in favor, 2 (Margiotta, Nolan) opposed, to recommend that the City Council Amend ORDERED the Gloucester Code of Ordinances Chapter 22 “Traffic and Motor Vehicles,” Sec. 22-270.1 “Resident sticker parking only” by *[ADDING]: “Apple Street both sides from the end of Brown’s Field/ playground to Corliss Landing from May 1 through September 15”*

Summary of Discussion: **Councilor Nolan** stated that the Councilor Order was submitted by **Councilor Worthley** for resident-only parking on this street. **Councilor Worthley** stated that this request came to him from “a number of residents” via both “emails and phone calls.” He stated that the Traffic Commission asked him to seek more input from the neighborhood, as well as asked him to create a petition, (in which he collected 39 unique signatures). He stated that he does not foresee a scenario that will create more people parking on these streets if there was resident-only parking signage.

Councilor Gross stated, for the record, that the Traffic Commission voted unanimously to not make a recommendation to the O&A Committee, nor to the City Council. He also stated that the Legal Department provided the Council with the following information: *“...in sum, based on the research I have conducted, I believe the City may permissibly require resident-only parking on private ways if the residents so ask the City Council in writing.”* **Councilor Gross** stated that he believes that the request needs to come in writing from the majority of residents and that this requirement has not been met. **Councilor Gilman** stated that she will not be supporting this matter and as ward councilor the majority of people that have spoken to her, as ward councilor, are not in favor of this matter. **Councilor Worthley** stated that the City Council has an obligation to represent those who were not able to attend City Council meetings to speak on this matter. He asked for Council support for this matter.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the City Council voted by ROLL CALL 1 in favor, 8 (Gross, Grow, Margiotta, Memhard, Nolan, O’Hara, O’Neil, Gilman) opposed, to amend the Gloucester Code of Ordinances Chapter 22 “Traffic and Motor Vehicles,” Sec. 22-270.1 “Resident sticker parking only” by *[ADDING]: “Apple Street both sides from the end of Brown’s Field/ playground to Corliss Landing from May 1 through September 15.”*

The motion fails.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 (Margiotta) present, to recommend that the City Council AMEND the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles," Sec. 22-270.1 "Resident sticker parking only" by *[ADDING]: "Juniper Road both sides, from Honeysuckle, across Apple and to its end where it intersects with Corliss Avenue from May 1 through September 15."*

Summary of Discussion: Councilor Nolan stated that this matter was also submitted as a Council Order by Councilor Worthley. Councilor Worthley stated that he received "lots of emails and phone calls" in favor of resident-only parking. Councilor Gilman stated that, as ward councilor, many residents of Juniper Road have spoken to her adamantly against this matter and that she will not be supporting this matter.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 0 in favor, 9 (Gross, Grow, Margiotta, Memhard, Nolan, O'Hara, O'Neil, Worthley, Gilman) opposed, to AMEND the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles," Sec. 22-270.1 "Resident sticker parking only" by *[ADDING]: "Juniper Road both sides, from Honeysuckle, across Apple and to its end where it intersects with Corliss Avenue from May 1 through September 15."*

The motion fails.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 (Margiotta) present, to recommend that the City Council AMEND the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles," Sec. 22-270.1 "Resident sticker parking only" by *[ADDING]: "Blueberry Lane, for its entire length starting May 1 through September 15"*

Summary of Discussion: Councilor Nolan stated that this matter is similar to the previous two and that it is also a Council Order submitted by Councilor Worthley.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 0 in favor, 9 (Gross, Grow, Margiotta, Memhard, Nolan, O'Hara, O'Neil, Worthley, Gilman) opposed, to AMEND the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles," Sec. 22-270.1 "Resident sticker parking only" by *[ADDING]: "Blueberry Lane, for its entire length starting May 1 through September 15."*

The motion fails.

7. *PH2023-015: Amend GCO Ch. 21 "Streets, Sidewalks and Other Public Places," Sec. 21-1 "Prerequisite to acceptance of ways" (Cont. from 5/23/23)*

Councilor Gilman wished to remind the Council that this matter is regarding the criteria for accepting a private road to a public road and that it is not regarding the improvement or repairs to private roads. Councilor Nolan suggested that this Public Hearing, as well as Public Hearing PH2023-015, be sent back for further review at O&A to allow Councilors Gilman and Worthley and himself (sponsors of the two Council Orders) the opportunity to work together to submit a unified Committee Recommendation.

Councilor Worthley stated that he would be in favor of continued dialogue at O&A but also suggested that there could be an amendment made at the full Council level as well. Councilor Gilman opened the public hearing before continuing.

The Public Hearing was opened at 8:01 p.m.

Councilor Nolan restated his motion to refer the matter back to O&A. **Councilor Grow** stated that he would support referring this matter back to O&A and that it would be more efficient to do so.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Grow, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to refer PH2023-015 and PH2023-016 back to the Ordinances & Administration Committee for further review.

This matter has been referred back to the Ordinances & Administration Committee.

8. PH2023-031: Amend GCO Ch. 21 “Streets, Sidewalks and Other Public Places, “Art. I “In General,” Sec. 21-1 “Prerequisite to acceptance of ways” by STRIKING current Sec. 21-1 and ADDING new Sec. 21-1 “Prerequisite to acceptance of ways” (Cont. from 6/13/23)

The Public Hearing was opened at 8:05 p.m.

Councilor Nolan offered a motion to refer this matter back to the Ordinances & Administration Committee.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to refer PH2023-016 back to the Ordinances & Administration Committee for further review.

FOR COUNCIL VOTE: None.

INDIVIDUAL COUNCILLOR’S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES:

1. Council President Gilman to review the 3rd Quarter City Council meeting schedule including the return to Kyrouz Auditorium on September 12, 2023 for true hybrid

Summary of Discussion: **Councilor Gilman** summarized the **IT Director’s** update on returning to Kyrouz Auditorium for true hybrid City Council meetings. She added that the **IT Director** anticipated that the work to update Kyrouz will be complete by the end of August, which will allow for a couple of weeks of training, to be ready for true hybrid City Council meetings. She stated that the July 11th and August 8th City Council meetings will still be completely remote and that the Harbormaster’s Conference Room has been booked for July 25th and August 22nd so that the Council can meet in person (without the public) in preparation for returning to Kyrouz.

2. Update from Councilor Grow on the Human Rights Commission

Summary of Discussion: **Councilor Grow** stated that there continues to be adjustments to the ordinance governing the Human Rights Commission and the Disability Rights Commission and that those are expected to come back through the Legal Department and then be submitted for review by Administration for recommendation to the City Council to adopt. He highlighted that there is the addition of students, as ex-officio members, to the Human Rights Commission for their perspectives.

He stated that there was a presentation by the Deputy Director for Citizens for Juvenile Justice, Sana Fadel. **Councilor Grow** offered a brief summary of her PowerPoint presentation on the campaign to raise the minimum age of incarceration and added that he would forward her presentation to all councilors and asked for Council support on this issue.

Councilor Grow stated that Wellspring has submitted a request to support the naming of the corner of Magnolia Avenue and Essex Avenue to honor the Freeman family, who is one of the first freed African-American families in the City who lived in the Wellspring building.

Councilor Grow stated that anyone interested in joining the Human Rights Commission should reach out to the Mayor's Office.

3. City Council statement regarding the Gloucester 400th celebration

Summary of Discussion: **Councilor Gross** read a statement on behalf of the City Council in support of the Gloucester 400th celebration: "2023 marks 400 years since the English Dorchester Company landed on our shores. Gloucester sits on the ancestral homeland of the Pawtucket people and their neighbors, the Massachusetts Nipmuc and Penacook and Wampanoag tribes. Please enjoy the year-long and multiple events throughout 2023, most of which will be free or low cost. Visit Gloucesterma400.org for a list of upcoming events, like and share the Gloucester 400 Facebook page. To receive major event notifications by email, send a request to info@GloucesterMA400.org."

COUNCILORS' REQUESTS TO THE MAYOR:

- **Councilors Grow** and **Memhard** requested to the Mayor, in conjunction with the Public Works Director and the City Council, to have a conversation with National Grid Gas. By way of background, he stated that there seems to be no communication on gas projects which sometimes include digging up roads in the City.
- **Councilor O'Hara** requested to the Mayor that the City step in and repair and/or replace the fire hydrant that is out of service near Concord Street, White's Mountain Road and Becker Circle as it poses a safety concern for the residents/businesses of Rust Island.
- **Councilor O'Hara** requested to the Mayor that space be made for the Archives Office for the citizens and visitors of the City.
- **Councilor Gilman** stated that she has requested from Administration to purchase several additional portable speed limit electronic signs that also collect data.

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

- **Councilors Margiotta, Nolan** and **Worthley** thanked the St. Peter's Fiesta Committee, Police and Fire Departments, DPW, and everyone else involved, for their work in making the Fiesta possible and safe.
- **Councilor Nolan** thanked **Councilor Worthley** for attending and taking notes at the meeting for the betterment for Ocean Highlands.
- **Councilor O'Hara** thanked **Councilor Worthley** for his past work on the ad-hoc Beach and Traffic Committee in which the reservation system was presented to the past Administration and the present Administration introduced which has been a "screaming" success.
- **Councilor Worthley** wished to acknowledge the work of the **Assistant City Clerk, Grace Poirier**, in running an efficient meeting, as well as his fellow councilors for rising to the challenge of efficiency with thoroughness.
- **Councilor Worthley** wished to acknowledge the work of all the ward councilors, particularly **Councilor Nolan** who successfully led a process of over three years for a betterment for Ocean Highlands.

COUNCILORS' WARD UPDATES AND COMMUNITY NEWS:

- **Councilor Nolan** stated that donations for the fireworks and upcoming Horribles Parade can be made through the Gloucester Fund at the Cape Ann Savings Banks, as both events are still underfunded.
- **Councilor Worthley** stated that he is in the process of organizing another clean-up event and will distribute the information as soon as it is planned.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adjourn the meeting at 8:29 p.m.

Submitted by: Sherry White, Clerk of Committees

Items submitted at the meeting: None.