

GLOUCESTER CITY COUNCIL MEETING**Tuesday, July 11, 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 (joined the meeting at 6:11 p.m.); Councilor Scott Memhard; Councilor Jamie O’Hara; Councilor Tracy O’Neil; Councilor Jeff Worthley

Also Present: City Clerk, Joanne Senos; Auditor, Kenny Costa; CFO, John Dunn; General Counsel, Suzanne Egan; Director of Communications and Constituent Services, Pam Tobey; School Superintendent, Ben Lummis; School Committee Chairperson, Kathy Clancy

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

Meeting called to order at 6:02 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.

Matters were taken out of order; minutes reflect the order in which matters were taken.

PRESENTATIONS/COMMENDATIONS: None.

ORAL COMMUNICATIONS:**Joan Cumminskey, 39 Ye Olde County Road**

Ms. Cumminskey requested year-round water in her neighborhood; otherwise, she stated that her neighborhood is in danger of severe fire.

Joan Borselli, 7 North Landing Way

Ms. Borselli thanked the Mayor for his commitment with replacing seasonal water with year-round water in her neighborhood. She referenced a July 5th, 2023, letter from the Mayor to resident Kevin O’Maley [who spoke during Oral Communications at a prior City Council meeting] where the Mayor referenced “a strategic plan for water infrastructure work.” **Ms. Borselli** asked that the Mayor provide a copy of the strategic plan and make it public, as well as provide a timeline for the work.

Charles Crowley, 19 Biskie Head Point

Mr. Crowley asked that the Mayor instruct the DPW to immediately replace the fire hydrant near Grand Banks which will provide a “standpipe” to help fight a fire and will cut down by “half” the amount of effort, distance and time it would take to fight a fire in that area. [Mr. Crowley referenced the Mayor’s response to a question posed at a prior meeting of how a fire would be handled in his neighborhood]. **Mr. Crowley** also asked what the role of the “Police/Fire Boat” would be if there was a fire at the Heron Way Marina.

CONFIRMATION OF NEW APPOINTMENTS: None.

CONSENT AGENDA:

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR’S REPORT**

1. New Appointments

Gloucester Cultural Council	Andrew Dunbar	TTE 2/15/26	(Refer O&A)
Gloucester Historical Commission	Timothy Quinn	TTE 2/15/26	(Refer O&A)
2. Memorandum from General Counsel regarding Water Pollution Control Facility Improvements, Construction Manager at Risk(Refer P&D)
3. Memorandum from General Counsel regarding a request for two utility easements: 11 Webster Street, East Veterans School and 15 Hickory Street Water Tower (Refer P&D)
4. Memorandum from Director of Elder Services requesting acceptance of donations in the amount of \$490 (Refer B&F)
5. Mayor’s response to oral communications made at the June 27, 2023 City Council meeting (Info Only)
- **COMMUNICATIONS/INVITATIONS**
1. City Council letters to the Massachusetts House and Senate in support of expansion of the Bottle Bill (Senate Docket #2038) (FCV 7/25/23)
- **INFORMATION ONLY**
- **APPLICATIONS/PETITIONS**
1. PP#2023-002: Request by National Grid to install underground conduit approx. 706’ SW of the centerline of the intersection of Grapevine Road and Atlantic Road and continuing approx. 104’ in a SW direction. Installation of 4-3” concrete encased PVC conduit and all appurtenances (Refer P&D)
- **COUNCILLORS ORDERS**
1. CC#2023-041 (Gross): Amend GCO Ch. 21, “Streets, Sidewalks and Other Public Places,” by ADDING a new Article V “Petition for Alteration of a Private Way” (Refer O&A & Legal Dept.)
2. CC#2023-042 (Gilman): Pursuant to MGL c. 54, §24, move the Ward 4, Precinct 2 polling location from Plum Cove School, 15 Hickory Street to the Lanesville Community Center, 8 Vulcan Street, to become effective with the Preliminary Election on September 19, 2023 and all future elections (Refer O&A)
3. CC#2023-043 (Worthley): Amend GZO Sec. IV “General Regulations,” Sec. 4.1 “Off street parking,” Sec. 4.1.1 “Intent and Application of Parking Requirements” by DELETING subsection (c) “Except for business and municipal uses which occupy more than 10,000 square feet of space and are located in buildings constructed after February 1, 1990, business and municipal uses need not provide off-street parking if they are located within 400 feet of a Municipal Parking Lot/Facility” and re-lettering accordingly (Refer P&D & PB)
4. CC#2023-044 (Worthley): Amend GZO Sec. IV “General Regulations, Sec. 4.1 “Off street parking,” Sec. 4.1.2 “The following minimum number of parking spaces must be provided except as exempted above, and except that the Zoning Board of Appeals may issue a Special Permit for a lesser number upon demonstration by the applicant that such lesser number will serve the intent of these provisions” re: increasing minimum number of parking spaces from one to one and a half in the CB, VB, R-5 or CCD district (Refer P&D & PB)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 6/27/2023 (Approve/File)
2. Standing Committee Meetings: B&F 7/6/2023 (under separate cover), O&A 7/3/2023 (no meeting), Special O&A 7/10/2023 (under separate cover), P&D 7/5/2023 (no meeting) (Approve/File)

ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA: Councilor Gilman added, under “**APPROVAL OF MINUTES...**,” the meeting minutes from the Special B&F meeting of 7/11/2023.

Councilor Worthley removed Council Orders, CC#2023-043 (Worthley) and CC#2023-044 from the Consent Agenda.

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

Councilor Worthley stated that he wished to withdraw Council Order CC#2023-043 (Worthley) without prejudice.

Regarding Council Order, CC#2023-044, **Councilor Worthley** stated that he was informed today that every parcel that is impacted would need to be notified and suggested that the **City Clerk** had stated “within 400 feet”. The **City Clerk** stated that the certified abutters list would need to be generated by the Assessor’s Office and that she is not able to speak if the abutters would be within the 400 feet suggested by **Councilor Worthley**. Otherwise, the **City Clerk** stated that since **Councilor Worthley** is unsure of how many abutters there are and what the cost would be then he could offer a motion to waive notice, set the Public Hearing, and notify the Planning Board and P&D of this matter.

Councilor Worthley offered a motion to waive notification to the abutters considering the large number of parcels the Council Order could impact. There was a brief discussion to get clarification as to what exactly **Councilor Worthley** is asking the Council to do. The **City Clerk** clarified that the language in the Zoning Ordinance states under 1.11.4(a): “*Notice of the time and place of public hearing shall be given as provided in Mass General Law in ch. 40, Sec. 5. In addition, the Council shall give notice by mail to the owners of all property, including in and abutting the area of the City to be affected by such amendment. Said owners mean those persons against whose real estate taxes are currently assessed as certified by the Assessor’s Office.*”

MOTION: On a motion by Councilor Worthley, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to waive the Notice to Abutters under GZO Sec. 1.11.4(b) regarding CC#2023-044, set the public hearing date for September 12, 2023, and to refer the matter to the Planning & Development Committee and the Planning Board.

OLD BUSINESS:

1. Correction of a scrivener’s error in the June 22, 223 Budget & Finance Minutes

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

MOTION: On a motion by Councilor Memhard, seconded by Councilor Grow, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to correct a scrivener’s error on page 1, agenda item #2, of the June 22, 2023 B&F meeting minutes by DELETING \$391.56 and INSERTING \$691.56.

COMMITTEE REPORTS

• Budget & Finance – July 6, 2023

1. Memorandum from Grants Administrator re: PY23/FY24 Community Development Block Grant and HOME Allocations

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Worthley) absent, to recommend that the City Council accept, under MGL c. 44, §53A, federal grants in the amount of \$708,434 for the Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (HUD) for Program Year 2023/Fiscal Year 2024 and the HOME Grant from the North Shore HOME Consortium for Program Year 2023/Fiscal Year 2024 in the amount of \$127,156.

Summary of Discussion: **Councilor Memhard** stated that these are allocations provided to the City each year.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept, under MGL c. 44, §53A, federal grants in the amount of \$708,434 for the Community Development Block Grant (CDBG) from the U.S. Department of Housing

and Urban Development (HUD) for Program Year 2023/Fiscal Year 2024 and the HOME Grant from the North Shore HOME Consortium for Program Year 2023/Fiscal Year 2024 in the amount of \$127,156.

2. Memorandum from Director of Elder Services requesting acceptance of donations in the amount of \$960

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Worthley) absent, to recommend that the City Council accept various cash donations, under MGL c. 44, §53A, to support the Council on Aging in the amount of \$960 from the following members and business partners within our community:

Stephen-Susan Niemi	\$ 50.00
Clifford Adams	\$ 50.00
Annette Kennedy	\$ 30.00
Gerry Favaloro	\$ 15.00
Marilyn Grant	\$ 10.00
Andrea Mackey	\$ 25.00
Velma Higgins	\$150.00
Annisquam Association	\$600.00
Marilyn Grant	\$ 15.00
Gerry Favaloro	\$ 15.00

Total: \$ 960.00.

Summary of Discussion: Councilor Memhard thanked the generous donors.

MOTION: On a motion by Councilor Memhard, 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 the Council on Aging in the amount of \$960 from the following members and business partners within our community:

Stephen-Susan Niemi	\$ 50.00
Clifford Adams	\$ 50.00
Annette Kennedy	\$ 30.00
Gerry Favaloro	\$ 15.00
Marilyn Grant	\$ 10.00
Andrea Mackey	\$ 25.00
Velma Higgins	\$150.00
Annisquam Association	\$600.00
Marilyn Grant	\$ 15.00
Gerry Favaloro	\$ 15.00

Total: \$ 960.00.

3. Memorandum from Veterans Services Director requesting acceptance of donations in the amount of \$2,090

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Worthley) absent, to recommend that the City Council accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$2,090 from the following members and business partners within our community:

Leanora Swekla	\$ 25.00
Edward Comeau	\$100.00
Robert and Kathleen Hull	\$100.00
Clare MacDonald	\$100.00
Pratty’s CAV Inc	\$950.00
Edward Comeau	\$100.00
Christine Rasmussen	\$ 25.00
Trinity Congregational Church UCC Gloucester	\$300.00
Wayne Sargent and Theresa Marchant	\$ 50.00
Nanci and Joseph Virgilio	\$100.00
Edward Comeau	\$100.00
Maria and Salvatore Scola	\$ 25.00
Greg and Kellie Verga	\$ 20.00
Patricia and Brian Olson	\$ 25.00
David and Nancy Rose	\$ 50.00
Gloria Stevens	\$ 20.00

Total: \$2,090.00.

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

MOTION: On a motion by Councilor Memhard, seconded by Councilor Gross, the City Council voted 9 in favor, 0 opposed, to accept various cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$2,090 from the following members and business partners within our community:

Leanora Swekla	\$ 25.00
Edward Comeau	\$100.00
Robert and Kathleen Hull	\$100.00
Clare MacDonald	\$100.00
Pratty’s CAV Inc	\$950.00
Edward Comeau	\$100.00
Christine Rasmussen	\$ 25.00
Trinity Congregational Church UCC Gloucester	\$300.00
Wayne Sargent and Theresa Marchant	\$ 50.00
Nanci and Joseph Virgilio	\$100.00
Edward Comeau	\$100.00
Maria and Salvatore Scola	\$ 25.00
Greg and Kellie Verga	\$ 20.00
Patricia and Brian Olson	\$ 25.00
David and Nancy Rose	\$ 50.00
Gloria Stevens	\$ 20.00

Total: \$2,090.00.

4. Memorandum from CFO re: FY23 Year End Budget Transfers

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Gross, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following Special Budgetary Transfer (2023-SBT-24) for the purpose of funding and making whole Fiscal Year 2023 account deficits totaling \$1,066,000 in the following accounts:

FROM ACCOUNT			TO ACCOUNT			AMOUNT
ORG	OBJ	Account Name	ORG	OBJ	Account Name	
0111152	530000	City Council Professional	0170059	591500	LTD - Interest	\$ 25,000
0112152	578001	Mayor - Contingency	0121151	511000	Police Uniform Salaries	\$ 75,000
0112152	578001	Mayor - Contingency	0122051	517001	Fire Workers Comp	\$ 105,000
0112152	578001	Mayor - Contingency	0182052	565004	School Choice Sending Tuition	\$ 30,000
0113851	511000	Purchasing Salaries	0194552	574001	Liability Insurance	\$ 5,500
0113851	511000	Purchasing Salaries	0170059	590000	LTD - Principal	\$ 5,500
0114552	520000	T/C Purchase of Services	0114551	512000	T/C Temp Salaries	\$ 40,000
0115151	511000	Legal Salaries	0115152	530010	Legal Services	\$ 50,000
0115251	511000	HR Salaries	0182052	565004	School Choice Sending Tuition	\$ 22,000
0116151	512000	City Clerk Temp Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 16,000
0117151	511000	ConCom Salaries	0170059	591500	LTD - Interest	\$ 10,000
0118151	511000	Com Dev Salaries	0149951	511000	DPW Central Service Salaries	\$ 15,000
0118151	511000	Com Dev Salaries	0170059	591500	LTD - Interest	\$ 65,000
0122058	585003	Fire - EMS Equip	0122051	513004	Fire - OT	\$ 40,000
0124151	511000	Building Salaries	0190351	517008	Medicare Insurance	\$ 30,000
0129152	520000	Emergency Manage POS	0142352	553010	Snow & Ice - Salt & Sand	\$ 25,000
0142351	513002	Snow & Ice OT	0142352	553010	Snow & Ice - Salt & Sand	\$ 27,000
0142358	585000	Snow & Ice Equipment	0142352	553010	Snow & Ice - Salt & Sand	\$ 8,000
0147051	511000	DPW - Pub Serv Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 22,000
0149958	585000	DPW Central Capital	0149952	527007	DPW Central Street Lights	\$ 3,000
0151051	511000	BOH - Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 130,000
0151052	550000	BOH - Medical Supplies	0190351	517008	Medicare Insurance	\$ 25,000
0154352	577001	Veteran's Benefits - Medical	0154351	511000	Veteran's Salaries	\$ 3,000
0154352	577001	Veteran's Benefits - Medical	0142352	553010	Snow & Ice - Salt & Sand	\$ 100,000
0161051	511000	Library Salaries	0182052	565004	School Choice Sending Tuition	\$ 30,000
0190151	517003	Health Insurance	0182052	565004	School Choice Sending Tuition	\$ 45,000
0192151	517014	Medical Services	0182052	565004	School Choice Sending Tuition	\$ 20,000
0192151	517004	Pension	0182052	565004	School Choice Sending Tuition	\$ 41,000
600051	512000	Water Temp Salaries	600059	592500	Water Short Term Debt	\$ 10,000
600052	534002	Water Bond Issuance	600059	592500	Water Short Term Debt	\$ 6,000
600058	580000	Water Capital Outlay	600059	592500	Water Short Term Debt	\$ 20,000
600058	585000	Water Equipment	600059	592500	Water Short Term Debt	\$ 6,000
640051	512000	Sewer Temp Salaries	640052	530027	Sewer Bond Issuance	\$ 11,000
					Total:	\$ 1,066,000

Summary of Discussion: Councilor Memhard explained that the purpose of the transfer is to make whole the FY2023 account deficits. For comparison, he stated that there was a \$1.6 million yearend adjustment in FY2022. Both Councilors Gross and Worthley pointed out that this is a 0.76% adjustment for the overall budget to close balanced books for FY2023.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Gross, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve the following Special Budgetary Transfer (2023-SBT-24)

for the purpose of funding and making whole Fiscal Year 2023 account deficits totaling \$1,066,000 in the following accounts:

FROM ACCOUNT			TO ACCOUNT			AMOUNT
ORG	OBJ	Account Name	ORG	OBJ	Account Name	
0111152	530000	City Council Professional	0170059	591500	LTD - Interest	\$ 25,000
0112152	578001	Mayor - Contingency	0121151	511000	Police Uniform Salaries	\$ 75,000
0112152	578001	Mayor - Contingency	0122051	517001	Fire Workers Comp	\$ 105,000
0112152	578001	Mayor - Contingency	0182052	565004	School Choice Sending Tuition	\$ 30,000
0113851	511000	Purchasing Salaries	0194552	574001	Liability Insurance	\$ 5,500
0113851	511000	Purchasing Salaries	0170059	590000	LTD - Principal	\$ 5,500
0114552	520000	T/C Purchase of Services	0114551	512000	T/C Temp Salaries	\$ 40,000
0115151	511000	Legal Salaries	0115152	530010	Legal Services	\$ 50,000
0115251	511000	HR Salaries	0182052	565004	School Choice Sending Tuition	\$ 22,000
0116151	512000	City Clerk Temp Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 16,000
0117151	511000	ConCom Salaries	0170059	591500	LTD - Interest	\$ 10,000
0118151	511000	Com Dev Salaries	0149951	511000	DPW Central Service Salaries	\$ 15,000
0118151	511000	Com Dev Salaries	0170059	591500	LTD - Interest	\$ 65,000
0122058	585003	Fire - EMS Equip	0122051	513004	Fire - OT	\$ 40,000
0124151	511000	Building Salaries	0190351	517008	Medicare Insurance	\$ 30,000
0129152	520000	Emergency Manage POS	0142352	553010	Snow & Ice - Salt & Sand	\$ 25,000
0142351	513002	Snow & Ice OT	0142352	553010	Snow & Ice - Salt & Sand	\$ 27,000
0142358	585000	Snow & Ice Equipment	0142352	553010	Snow & Ice - Salt & Sand	\$ 8,000
0147051	511000	DPW - Pub Serv Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 22,000
0149958	585000	DPW Central Capital	0149952	527007	DPW Central Street Lights	\$ 3,000
0151051	511000	BOH - Salaries	0142352	553010	Snow & Ice - Salt & Sand	\$ 130,000
0151052	550000	BOH - Medical Supplies	0190351	517008	Medicare Insurance	\$ 25,000
0154352	577001	Veteran's Benefits - Medical	0154351	511000	Veteran's Salaries	\$ 3,000
0154352	577001	Veteran's Benefits - Medical	0142352	553010	Snow & Ice - Salt & Sand	\$ 100,000
0161051	511000	Library Salaries	0182052	565004	School Choice Sending Tuition	\$ 30,000
0190151	517003	Health Insurance	0182052	565004	School Choice Sending Tuition	\$ 45,000
0192151	517014	Medical Services	0182052	565004	School Choice Sending Tuition	\$ 20,000
0192151	517004	Pension	0182052	565004	School Choice Sending Tuition	\$ 41,000
600051	512000	Water Temp Salaries	600059	592500	Water Short Term Debt	\$ 10,000
600052	534002	Water Bond Issuance	600059	592500	Water Short Term Debt	\$ 6,000
600058	580000	Water Capital Outlay	600059	592500	Water Short Term Debt	\$ 20,000
600058	585000	Water Equipment	600059	592500	Water Short Term Debt	\$ 6,000
640051	512000	Sewer Temp Salaries	640052	530027	Sewer Bond Issuance	\$ 11,000
					Total:	\$ 1,066,000

MOTION TO RECONSIDER: On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL Call 0 in favor, 9 opposed to reconsider the vote on Special Budgetary Transfer (2023-SBT-24).

The motion fails.

• **Special Budget & Finance – July 11, 2023**

1. Memorandum from CFO re: FY23 Year End Budget Transfers (cont. from 7/6/23)

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council approve the following Special Budgetary Transfer (223-SBT-25) for the purpose of funding and making whole Fiscal Year 2023 account deficits totaling \$25,450 in the following accounts:

FROM ACCOUNT			TO ACCOUNT			AMOUNT
ORG	OBJ	Account Name	ORG	OBJ	Account Name	
0170059	591500	LTD - Interest	0147251	511000	DPW - Facilities Salaries	\$23,000
0170059	591500	LTD - Interest	0114151	511000	Assessors' Salaries	\$1,000
0170059	591500	LTD - Interest	0121851	511000	Police - Parking Salaries	\$1,000
600052	524009	Water EF - R&M Pump Station	600059	592500	Water EF - Short Term Debt	\$450
Total						\$25,450.

Summary of Discussion: Councilor Memhard explained that a Special B&F meeting was held as the fiscal yearend of June 30th bridged two fiscal year payrolls and that there would be overtime due to Fiesta for Police, DPW and Harbormaster’s Office. He stated that the **CFO, John Dunn**, explained that these are the final FY2023 budget transfers in the amount of \$25,450.

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 the following Special Budgetary Transfer (2023-SBT-25) for the purpose of funding and making whole Fiscal Year 2023 account deficits totaling \$25,450 in the following accounts:

FROM ACCOUNT			TO ACCOUNT			AMOUNT
ORG	OBJ	Account Name	ORG	OBJ	Account Name	
0170059	591500	LTD - Interest	0147251	511000	DPW - Facilities Salaries	\$23,000
0170059	591500	LTD - Interest	0114151	511000	Assessors' Salaries	\$1,000
0170059	591500	LTD - Interest	0121851	511000	Police - Parking Salaries	\$1,000
600052	524009	Water EF - R&M Pump Station	600059	592500	Water EF - Short Term Debt	\$450
Total						\$25,450.

MOTION TO RECONSIDER: On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL Call 0 in favor, 9 opposed to reconsider the vote on Special Budgetary Transfer (2023-SBT-25).

The motion fails.

- **Ordinances & Administration – July 3, 2023 (no meeting)**
- **Ordinances & Administration – Special – July 10, 2023 (no items)**
- **Planning & Development – July 5, 2023 (no meeting)**

SCHEDULED PUBLIC HEARINGS:

1. *PH2023-035: Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-265 “Turning movements – Generally” by ADDING “Webster Street, at its intersection with Eastern Avenue traffic shall use the dedicated turning lanes”*

Councilor Gilman reminded the Council that the sole purpose of the Public Hearing was to amend the GCO to create designated turning lanes as the traffic exits Webster Street to Eastern Avenue; the hearing is not about the school location.

The Public Hearing was opened at 6:54 p.m.

Those speaking in favor: The **School Superintendent, Ben Lummis**, stated that this recommendation has been before a number of different bodies going back to February of 2020 including the City Council, School Committee, Building Committee and Traffic Commission, and that the proposed change will help family cars move away from the school and neighborhood more efficiently and safely by installing two dedicated turning lanes on Webster Street where it meets Eastern Avenue, one for a right-hand turn and one for a left-hand turn.

The **Chair of the School Committee, Kathy Clancy**, stated that she is in favor of this matter as it is part of an overall approach to make the new school successful, efficient and as safe as possible for both cars and pedestrians. She stated that the turn lanes will help to alleviate any bottleneck on Webster Street as best as they can.

Those speaking in opposition: None.

Those speaking neither in favor nor opposition:

Mary Ann Albert Boucher, 93 Mt. Pleasant Avenue

Ms. Boucher stated that she is neither in favor nor opposed and safety is of the utmost importance. **Ms. Boucher** asked why the legal ad for the public hearing was published on June 30, 2023 as she does not believe proper procedure was followed; she stated that this matter was not heard at O&A until July 10, 2023, with the Public Hearing being today, July 11, 2023.

Denise Pascucci, 20 Birch Grove Heights

Ms. Pascucci stated that she is neither in favor nor opposed. She asked if there has been an updated traffic report that justifies the proposed change. She also referenced potential future changes to streets to make them one-ways.

Written communications: The **City Clerk, Joanne Senos**, stated that there is an email communication that was received at 1:49 p.m. today from Robert Ryan of 3 Blake Court to all the councilors, the Mayor and herself. She stated that Mr. Ryan does not support the proposed change and listed in the email his reasons for not supporting the order.

The **City Clerk** stated a second email communication was received from the Administration in support of the matter as *“the change has been identified as critically important to the public safety and the flow of traffic as we open the new school.”*

Questions from Councilors

Q1. (Nolan): Asked if the City Clerk could explain the legal ad process.

A1. (Senos): Stated that per the City Charter public hearings for the Code of Ordinances are to be advertised at least seven days in advance of the public hearing. Stated that this public hearing was advertised on June 30, 2023 and that if a matter is time sensitive the City Council President has the right to order a public hearing before the committee votes on the matter.

Q2. (Worthley): Asked if there would be value to the School Department having an “open referral” to the Traffic Commission and the Ordinances and Administration Committee to perform a review once school is opened.

A2. (Lummis): Stated that the City is likely “to learn a number of things” once school is open and in session and that the School Department will be assessing both the arrival and departure process. In response to a resident who spoke in public comments, Superintendent Lummis stated that with this ordinance change no one is suggesting that Webster Street should be a one-way.

Q3. (Worthley): Asked if any parking on Webster Street would change with the proposed traffic change.

A3. (Lummis): Stated that he believes that parking was amended last summer.

Q4. (O'Hara): Asked if Mr. Lummis could explain the width of the turn lanes in reference to a bus traveling from the lights at Route 128/Eastern Avenue taking a right-hand turn onto Webster Street.

A4. (Lummis): Stated that he does not have enough knowledge about streets, signage or school bus driving to comment on lane width.

The Public Hearing was closed at 7:12 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND Gloucester Code of Ordinances Ch. 22 "Traffic and Motor Vehicles," Article VI. "Traffic Schedules," Sec. 22-265 "Turning movements – Generally" by ADDING the following:

Webster Street, at its intersection with Eastern Avenue traffic shall use the dedicated turning lanes.

Summary of Discussion: Councilor Nolan offered a motion to amend GCO Ch. 22, Article VI., Sec. 22-265, seconded by Councilor O'Hara, and stated that the proposed change is to alleviate the outgoing traffic from the new school. Councilor O'Neil stated that she would like a full presentation from Nitsch Engineering, who performed the prior traffic study, and is specifically looking for a video simulation that was presented to the School Building Committee in March of 2020. She stated that she believes that turning buses will block the site lines for cars and that it is dangerous. Councilor Gilman stated that at the Special O&A meeting regarding this matter emphasis was placed on utilizing school buses for transportation of students to and from school. She also stated that the March 2020 meeting where the video simulation occurred, that Councilor O'Neil is referring to, was a public meeting and not just for the School Building Committee and that it was well-attended. She added that the traffic engineering report has been available to all members of the Council. She stated that she believes that the Council is ready to move this matter forward. Councilor O'Neil called a Point of Order at 7:16 p.m. and stated that the Council is not ready to move forward and that she is invoking a 2-11(c).

The Superintendent asked for clarification as to what a 2-11(c) means in terms of the matter moving forward. Councilor Nolan called a Point of Order at 7:18 p.m. and reminded the Council that after a 2-11(c) is invoked there should be no more discussion on the matter. He stated that the Superintendent's questions can be answered after the City Council meeting.

Later in the meeting, Councilor Grow requested, under Sec. 2-5 of the City Charter, that Councilor Gilman call a Special City Council meeting on July 18, 2023, for the purpose of a one-item agenda for the Webster Street matter [PH2023-035]. After confirming with the City Clerk that there is not a conflict for Tuesday, July 18th, 2023, Councilor Gilman agreed to call a Special Meeting of the City Council to take up Councilor O'Neils 2-11(c) for PH2023-035.

Councilor O'Neil asked if one week allowed enough time to request that Nitsch Engineering make a presentation regarding the traffic on Webster Street. Councilor Gilman stated that the detailed report of the traffic engineering survey can be placed into the packet. Councilor Grow called a Point of Order at 7:44 p.m. and stated that the Council is at the point of the Public Hearing for discussion and vote as the Public Hearing is closed and that there is no place for the introduction of new material or repeat of material or questions from the community. He stated the 2-11(c) does not grant Councilor O'Neil the right to upend the public hearing process. Councilor O'Neil stated that if there is to be a special meeting on July 18th then "that is the place to have it." Councilor Nolan called a Point of Order at 7:46 p.m. and reminded the Council that additional discussion, under 2-11(c) is not allowed. Councilor Nolan stated that Councilor Grow is correct in his statement that the introduction of new

material is not allowed as the public hearing will begin at councilor discussion and then vote. **Councilor Gilman** agreed with **Councilor Nolan** and confirmed that a Special City Council meeting will be called for July 18, 2023 at 6:00 p.m. and that the public hearing [PH2023-035] will resume where it left off. **Councilor Worthley** added that there will be no Oral Communications allowed at the Special City Council meeting and that it will be a one-item agenda. **Councilor O’Neil** questioned the language “public hearing” at the upcoming special meeting. **Councilor Gilman** re-explained that the public hearing will begin where it left off when the 2-11(c) was invoked which is at councilor discussion. **Councilor Gross** stated, after reviewing the language in the Charter, that all discussion is ceased at the calling of the 2-11(c) and the Council should move forward to the vote at the special meeting.

- 2. PH2023-036: 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 “Washington Street, westerly side, from its intersection with Centennial Avenue in a northerly direction for a distance of 110 feet”**

The Public Hearing was opened at 7:21 p.m.

Councilor Worthley offered a motion, seconded by **Councilor Memhard**, to continue public hearings, PH2023-036, -037, -038, -039 and -040, to the City Council meeting of September 26, 2023. He stated that the matter was submitted to both the Mayor’s Office and Traffic Commission last year and that the Administration provided some statistics today regarding accidents at the intersection. He stated that continuing the Public Hearing will allow the Council to review the statistics and allow for additional input from the Administration, as well as a formal site visit. **Councilor Grow** stated that he believes that **Councilor Worthley’s** reasons for continuing the public hearings should have been done prior to the matters being advertised and moved forward to full Council. He stated that he believes **Councilor Worthley** should be requesting a withdrawal of the matters and to resubmit them for additional vetting at O&A. **Councilor Nolan** stated that he will support the will of the full Council on the disposition of these matters – whether **Councilor Worthley** withdraws and resubmits the Council Orders or if the Council refers the matters back to O&A for additional vetting. **Councilor Worthley** withdrew, without prejudice, his motion to continue the public hearings to September 26, 2023. He then offered a motion, seconded by **Councilor Memhard**, to refer public hearings, PH2023-036, -037, -038, -039 and -040 back to O&A for additional vetting. **Councilor Gilman** offered an amendment to **Councilor Worthley’s** motion, seconded by **Councilor Worthley**, to set the date for the continuation of the public hearings to September 26, 2023.

MOTION TO AMEND: On a motion by Councilor Gilman, seconded by Councilor Worthley, the City Council voted 9 in favor, 0 opposed, to AMEND the main motion to set the continuation of the public hearings to the City Council meeting of September 26, 2023.

MOTION: On a motion by Councilor Worthley, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to refer public hearings, PH2023-036, -037, -038, -039 and -040, back to the Ordinances & Administration Committee and to set the continuation of the public hearings to the City Council meeting of September 26, 2023.

Councilor Gilman then opened the public hearings at 7:34 p.m. for PH2023-036, PH2023-037, PH2023-038, PH2023-039 and PH2023-040 and continued them until September 26, 2023 and offered a motion, seconded by Councilor Worthley.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to continue the public hearings until the City Council meeting of September 26, 2023.

FOR COUNCIL VOTE:

1. Memo from City Clerk re: City Council vote to authorize the purchase of 11 DS200 voting machines and associated equipment

Summary of Discussion: The **City Clerk** explained that a vote is required by the Secretary of State's Office when there is a change of voting machines, to authorize use of the new machines and to authorize discontinuance of the "old" machines. She added that the funding for the eleven (11) DS200 voting machines was approved at a prior meeting. She further explained that the State authorizes the use of only two types of machines and that after a demonstration it was determined that the DS200 would better serve the City. To answer **Councilor O'Neil's** question, the **City Clerk** explained that the company is giving the City trade-in value for the old Accuvote tabulators.

MOTION: On a motion by **Councilor Gilman**, seconded by **Councilor Worthley**, the **City Council** voted by **ROLL CALL 9** in favor, **0** opposed, to authorize the purchase of eleven (11) DS200 voting machines and associated equipment, to discontinue the use of the Accuvote tabulators, and begin using the DS200 tabulators in all precincts and in all elections beginning with the September 19, 2023 Preliminary Municipal Election in accordance with MGL Ch. 54, Sec. 34.

MOTION TO RECONSIDER: On a motion by **Councilor Memhard**, seconded by **Councilor Grow**, the **City Council** voted by **ROLL CALL 0** in favor, **9** opposed, to reconsider the vote to authorize the purchase of eleven (11) DS200 voting machines and associated equipment, to discontinue the use of the Accuvote tabulators, and begin using the DS200 tabulators in all precincts and in all elections beginning with the September 19, 2023 Preliminary Municipal Election in accordance with MGL Ch. 54, Sec. 34.

The motion fails.

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

1. City Council statement regarding the Gloucester 400th celebration

Summary of Discussion: **Councilor Grow** 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 Margiotta** requested to the Mayor information regarding the barriers surrounding Gloucester High School and their effect on Western Avenue residents. He asked if there are any plans to help the residents impacted by the barriers and if there are any plans in conjunction with the State to control the water flow over the causeway.
- **Councilor Worthley** requested to the Mayor information if the paving project of Perkins and Green Streets have any impact on the sewer/water work that will be done to accommodate bathrooms at the softball field off of Green Street

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

- **Councilor Memhard** thanked both **Councilors Gilman** and **Gross** for joining him at the Gloucester Rotarian celebration and groundbreaking for the playground improvements at Stage Fort Park. He stated that it was also attended by Mayor Verga, Rep. Ferrante and Senator Tarr. He thanked the Gloucester Rotary, as well as the support from the Gloucester Community Preservation Act.

- **Councilors Nolan and Worthley** thanked Ringo Tarr, Barry Pett, Emily Oliver, and all involved for their hard work and dedication to the City to provide the concert on the boulevard and the fireworks.
- **Councilor Gross** recognized Officer Peter Sutera who was recently given the 2023 Floyd Ledbetter National School Resource Officer Award.
- **Councilor Gilman** wished to acknowledge and thank the City Clerk and her staff. She stated that she continues to be amazed at the productivity and dedication of the entire Clerk's Office.

COUNCILORS' WARD UPDATES AND COMMUNITY NEWS:

- **Councilor Grow** invited and encouraged his fellow councilors to review the presentation he forwarded regarding Citizens for Juvenile Judicial Reform and, if so inclined, to write a letter individually in support.
- **Councilor Grow** informed the Council and public that at the upcoming P&D meeting [July 19th, 2023] there will be two public hearings regarding pole petitions. He asked that councilors send him any specific questions or concerns via the City Clerk or Assistant City Clerk.
- **Councilor Gross** highlighted the time he spent recently on the Harbormaster's pace boat viewing the Dory races.
- **Councilor Worthley** informed the Council that he has connected with some service organizations to assist residents who depend on shopping carriages to cart their groceries to their homes.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adjourn the meeting at 8:00 p.m.

Submitted by: Sherry White, Clerk of Committees

Items submitted at the meeting: None.