

GLOUCESTER CITY COUNCIL MEETING

Tuesday, November 13, 2012 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Jacqueline Hardy; Vice Chair, Councilor Sefatia Theken; Councilor Joseph Ciolino; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Paul McGeary; Councilor Bruce Tobey; Councilor Greg Verga; Councilor Robert Whynott

Absent: None

Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; Jeff Towne; Nancy Papows; Beth Godhino; Gary Johnstone; Tim Good; Judith Hoglander; Robert Whitmarsh; Maggie Rosa; Joseph Rosa; Catherine Ryan

The meeting was called to order at 7:01 p.m.

Flag Salute & Moment of Silence: The City Council dedicated the moment of silence to the victims of Hurricane Sandy.

Oral Communications:

Susan Taormina, 115 Essex Avenue explained she had called Councilors Cox and Verga a month ago asking if they knew of an update for the City sewer study on Essex Avenue; and that they were unable to convey an update to her at that time. They agreed to come to the October City Council meeting to request an update. That update has yet to come to the Council. She noted she received in her mailbox a flyer in late September about a sewer inspection on her block on Essex Avenue, and if a homeowner wished to meet in person, they could call and make an appointment for a meeting. The day after finding the flyer, generated by Mike Hale, she called to make an appointment for the first of the following week but found no one in the DPW knew about the inspection. She called a Boston number listed on the flyer and was told that the inspection would take place as stated in the flyer. She suggested there was a need for transparency on what is going on for the people on the street and for the City at large. **Council President Hardy** noted Councilor Verga would be speaking on this issue later in the evening. The goal of the Council is to put that matter on their agenda for the next City Council meeting.

Presentations/Commendations: None.

Appointments:

Councilor Theken noted there was an error on the Council agenda, in that the EDIC members were up for reappointments, and were not new appointments to that board.

- **CIAB Joan Kimberley** **TTE 02/14/15**

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Joan Kimberley to the Capital Improvements Advisory Board, TTE 02/14/15.

DISCUSSION:

Councilor Theken noted all new appointees come before O&A, as well as reappointments. They are all asked what they can offer the City; and in the case of reappointees to ask them if they wish to continue to serve the City in their volunteer capacity. In addition they ask if their appointments/reappointments are in conflict with any other board, committee or commission of the City. They are fortunate to have Ms. Kimberly with her background joining the CIAB. On behalf of Councilor Tobey, O&A has made sure this is a group twould come to the fore. She knew that the Councilor was pleased by this appointment. Ms. Kimberly has submitted her State Ethics test certification to the City Clerk's office. The work of the CIAB is important to the City, as is that of the EDIC. She noted the EDIC reappointments took time over two O&A meetings to make sure all the information submitted was correct; that there was no conflict; that the right folks were being reappointed. She said they have reached an "A" level with all the City's boards, committees and commissions.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to appoint Joan Kimberley to the Capital Improvements Advisory Board, TTE 02/14/15.

- **Historical Commission Robert Whitmarsh TTE 02/14/15**

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Robert Whitmarsh to the Historical Commission, TTE 02/14/15.

DISCUSSION:

Councilor Theken reiterated Mr. Whitmarsh was asked the same questions as that of all other appointees by the Committee. She expressed her endorsement of Mr. Whitmarsh's appointment saying that the City was fortunate to have him volunteer in this added capacity. **Council President Hardy** asked if Mr. Whitmarsh served on another board. **Mr. Whitmarsh** explained he serves on the Downtown Development Commission (DDC); and that there is no conflict between the Historical Commission and the DDC. One of the goals of the DDC is historical preservation. The historical significance of the downtown is very important to its development. He expressed the belief that the two commissions are very closely tied together. **Council President Hardy** asked Councilor Ciolino, as a member of the DDC, if this appointment was a good fit. **Councilor Ciolino** stated it was an "excellent fit." The downtown is not just Main Street, but a much larger area.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to appoint Robert Whitmarsh to the Historical Commission, TTE 02/14/15.

Reappointments:

EDIC: Rebecca Bernie, R. Billings Bramhall, Barry Pett; J. Ronald Ross; Carolyn Stewart TTE 07/01/15

Council President Hardy knew O&A did their due diligence on these reappointments. **Councilor Theken** stated they did and that there was no conflict with Mr. Pett working for Sen. Tarr. She noted there are two vacancies on this Commission and that interested parties should contact the Mayor's Office.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to reappoint the following individuals to the EDIC, TTE 07/01/15: Rebecca Bernie; R. Billings Bramhall; J. Ronald Ross; Carolyn Stewart; Barry Pett.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to reappoint Rebecca Bernie to the EDIC, TTE 07/01/15.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to reappoint R. Billings Bramhall to the EDIC, TTE 07/01/15.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to reappoint Barry Pett to the EDIC, TTE 07/01/15.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to reappoint J. Ronald Ross to the EDIC, TTE 07/01/15.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to reappoint Carolyn Stewart to the EDIC, TTE 07/01/15.

Consent Agenda:

- **MAYOR'S REPORT**
1. Memorandum from Mayor re: FY12 Certified Free Cash (Refer B&F)
 2. Supplemental Appropriation-Special Budgetary Request #2012-SA-9 from Mayor's Department (Refer B&F)
 3. Supplemental Appropriation-Special Budgetary Request #2012-SA-10 from CFO (Refer B&F)

4. Supplemental Appropriation-Special Budgetary Request #2012-SA-11 from CFO (Refer B&F)
5. Supplemental Appropriation-Special Budgetary Request #2012-SA-12 from CFO (Refer B&F)
6. Supplemental Appropriation-Special Budgetary Request #2012-SA-13 from CFO
7. Memorandum from CFO re: appropriation request in the amount of \$500,000 for replacement of boiler At Gloucester High School (Refer B&F)
8. Special Budgetary Transfer Request (#2013-SBT-8) from Police Department (Refer B&F)
9. Supplemental Appropriation-Special Budgetary Request #2013-SA-7 from Community Development Dept. (Refer B&F)
10. Supplemental Appropriation-Special Budgetary Request #2013-SA-8 from Community Development Dept. (Refer B&F)
11. Memorandum from CFO re: permission to pay invoice for services procured and goods purchased by the IT Department without a purchase order (Refer B&F)
12. Memorandum from DPW re: permission to pay invoices for services procured and goods purchased without a purchase order (Refer B&F)
13. Memorandum from Acting Community Development Director re: an off-cycle recommendation for a Newell Stadium application from the Community Preservation Committee for Round 3, FY12 Funds (Refer B&F)
14. Memorandum from Police Chief re: proposed fees for Police Department Services (Refer B&F)
15. Memorandum, Grant Application and Checklist from Environmental Engineer re: Mass DEP Water Conservation Grant (Refer B&F)
16. Special Budgetary Transfer Request (#2013-SBT-9) from Legal Department (Refer B&F)
17. Special Budgetary Transfer Request (#2013-SBT-10) from Fire Department (Refer B&F)
18. Special Budgetary Transfer Request (#2013-SBT-11) from Planning Department (Refer B&F)
19. Memorandum from Police Chief re: permission to pay an invoice for services procured without a purchase order (Refer B&F)
20. New Appointment: Licensing Board (TTE 05/13/2018) Michael W. Lane (Refer O&A)
21. Letter from Mayor to Deputy Chief Miles Schlichte former City's Emergency Management Director (Info Only)
 - **COMMUNICATIONS/INVITATIONS**
 1. Memorandum from Chief of Police re: Hurricane Sandy Preparedness Update (File)
 2. Memorandum from Chief of Police re: Hurricane Sandy Update of After-storm Management (File)
 3. Communication from Council President to City Clerk & memorandum from City Clerk re: City Clerk's Office Reorganization Request (Refer O&A & B&F)
 4. Memorandum from Inspector of Buildings to City Clerk re: SCP2012-012: Kondelin Road #16 and SCP2010-013: Rogers Street (Refer P&D & IT Dept.)
 5. Letter from Antonio Procaccini, Mary Procaccini and Angela Procaccini re: Amendment to Open-Air Parking Permit located at 2 Long Beach Road (Refer P&D)
 - **INFORMATION ONLY**
 1. Communication from Department of Housing & Community Development re: 2012-2013 Fuel Assistance (Info Only)
 - **APPLICATIONS/PETITIONS**
 1. Petition for road repairs in accordance with GCO Article IV "Repair of Private Ways," Sec. 21-83 and Sec. 21-84 re: Norseman Avenue Extension (Refer Mayor, DPW & P&D)
 2. Petition for road repairs in accordance with GCO Article IV "Repair of Private Ways," Sec. 21-83 and Sec. 21-84 re: High Popples Road, Jacques Lane and Mayflower Lane (Refer Mayor, DPW & P&D)
 3. Petition for road repairs in accordance with GCO Article IV "Repair of Private Ways," Sec. 21-83 and Sec. 21-84 re: Stewart Avenue (Refer Mayor, DPW & P&D)
 - **COUNCILORS ORDERS**
 1. CC2012-062 (Verga) Review GCO Chapter 6, Sec. 6-21 through 6-24 "City-Owned Cemeteries Advisory Committee" to update And reactivate Committee (Refer O&A)
 2. CC2012-063 (Cox) Amend GCO Sec. 22-279 "Thirty Minute Parking" and Sec. 22-274 "Two-Hour Parking-Generally" re: 257 Commercial Street (Refer O&A & TC)
 3. CC2012-064 (Cox) Amend GCO Sec. 22-279 "Thirty Minute Parking" and Sec. 22-277 "One Hour Parking-Generally" re: 29 Commercial Street (Refer O&A & TC)
 4. CC2012-065 (Tobey) City Council seek approval of a Home Rule Petition re: authorizing issuance of additional All-Alcohol Year Round Licenses (Refer Licensing Board)
 5. CC2012-066 (Tobey) Request consideration of the issuance of a Mariner's medal to Coast Guard Rescue Personnel involved in the Heroic rescues from the H.M.S. Bounty (Refer to Mariner's Medal Committee)
 6. CC2012-067 (Cox) Amend GCO Chapter 22, Article I by adding new Sections 22-7 through Sec. 22-16 "Gloucester Bicycle Ordinance" and Amend GCO Chapter 22, Sec. 22-242 "Parking prohibitions: towing; immobilizations; signs" by adding new Subsection "(17)" (Refer O&A & TC)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. City Council Meeting: 10/23/12
 2. Standing Committee Meetings: B&F 11/08/12 (under separate cover), O&A 11/05/12; P&D 11/07/12 (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor Tobey asked to remove P&D Committee meeting minutes of 11/07/12.

Councilor Cox wished to remove Item #14 under the Mayor's Report Memorandum from Police Chief re: proposed fees for Police Department Services.

Councilor Tobey explained he was asking for a technical 'clean up' of the P&D minutes of 11/07/12. In the attendance roster it notes that the Chair, he, was present as were the other members. Because he was participating remotely, he was not allowed by law to act as Chair during that time, which Councilor Verga, Vice Chair noted at that time and proceeded to chair the meeting through its adjournment. He asked it be made clear in the record

during the period of his remote participation. **Council President Hardy** asked that they follow the procedure the Council set forth before under the City Council minutes, that there is a separate line for Remote Participants, after listing those present. Councilor Tobey's name would be shown as present on the "Remote Participant" line. The Clerk of Committees was instructed by the Council President to make the correction offered by Councilor Tobey to the P&D minutes of 11/07/12.

Councilor Cox stated she wished to see a comparison of neighboring communities for the administrative fees the Police Department is asking to institute prior to the matter being taken up by the B&F Committee at their Special Meeting of November 15th. The Clerk of Committees was instructed to contact the Administration to ask they provide this information for the Budget & Finance Committee prior to their Special meeting on November 15th.

By unanimous consent the Consent Agenda was accepted as amended.

Scheduled Public Hearings:

1. **PH2012-038: Modification to Special Council Permit granted to Cape Ann Brewing Company on December 7, 2010 re: Rogers Street #9-11 (TBC 01/08/2013)**

This public hearing is opened.

Linda T. Lowe, City Clerk stated that per an agreement with the applicant and his attorney is being continued to January 8, 2013. **Council President Hardy** announced this matter is continued this matter to January 8th.

This public hearing is continued to January 8, 2013.

2. **PH2012-084: GCO Article IV, Repair of Private Ways, Sec. 21-83 and 21-84 re: Petition for road repairs High Popples Road, Jacques Lane, Mayflower Lane (TBC)**

This public hearing is opened.

Ms. Lowe explained that this matter is being continued because it is still under review and awaiting a report from the DPW Director. **Council President Hardy** asked had the DPW Director given any indication as to how much more time he needs to complete his due diligence. **Ms. Lowe** responded that based on her last communication with Mr. Hale, she was of the belief it would be likely at the end of November and could update the Council at that time. **Council President Hardy**, indicating her preference to continue to a date certain to give the neighbors some sense of certainty as to when this matter would be taken up by the Council. She suggested a continuance to January 8, 2013; and **Councilor McGeary**, within whose ward this was a concern and who was assisting in shepherding the matter through the process, agreed.

This public hearing is continued to January 8, 2013.

Committee Reports:

Budget & Finance: November 8, 2012

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A to accept a grant from the United States Department of Justice Drug Enforcement Administration (DEA) FY13 Organized Crime Drug Enforcement Task Force for \$17,202.25 reimbursing the City Of Gloucester Police Department (GPD) for overtime by a GPD officer.

DISCUSSION:

Councilor McGeary explained this is a grant for a Police Department detective assigned with the DEA Task Force under an agreement which allows the detective to work in conjunction with the DEA Task Force that serves other communities as well as Gloucester. The DEA reimbursed the City this year \$17,202.25 of this detective's overtime expenses. This is accepting those funds for reimbursement for the officer's overtime.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed under MGL c. 44, §53A to accept a grant from the United States Department of Justice

Drug Enforcement Administration (DEA) FY13 Organized Crime Drug Enforcement Task Force for \$17,202.25 reimbursing the City Of Gloucester Police Department (GPD) for overtime by a GPD officer.

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to pay invoice #R 921048 dated 7/25/2012 by PASEK Corporation, Boston, Mass., for \$265.00 from the FY13 Police Department budget without a Purchase Order in place.

DISCUSSION:

Councilor McGeary stated this was an emergency situation, an outage which occurred during a thunderstorm in July. It was important to have the repairs made immediately. The department went ahead and ordered the needed repairs; and no purchase order was in place. The Committee did have a discussion with the Chief and confirmed he is familiar with the purchasing process moving forward and assured the Committee it will be adhered to whenever possible.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to pay invoice #R 921048 dated 7/25/2012 by PASEK Corporation, Boston, Mass., for \$265.00 from the FY13 Police Department budget without a Purchase Order in place.

Ordinances & Administration: November 5, 2012

There were no matters for Council action from this meeting.

Planning & Development: November 7, 2012

There were no matters for Council action from this meeting. However, **Councilor Tobey** informed the Council of a matter that no longer needs to be considered by the Council which is based on the review conducted by P&D in conjunction with the City Clerk and General Counsel which is the filing of a Home Rule legislation via petition to the General Court seeking to extend the environmental protections to the Babson Watershed under Article 97 of the amendments to the State constitution, the effect of which would be to put more rigorous approval processes on any changes in use of that site including extraordinary votes of the majorities of both the House and Senate of the Commonwealth convened in a single session. Because the City acquired the site for environmental purposes prior to enactment of Article 97 by referendum in the early 1970s, it retroactively applies to the Babson Watershed. Anyone who wants to come along in the future and try to build a road through it, they would have to get even more approvals. Not only is there a deed and strict trust constraints in place put there by the late Mr. Babson, but now there are "belt and suspenders" as a matter of State constitutional law protecting the Babson Watershed from a road being built through the property. He said the Babson Watershed is safer than they thought it was from unintended and undesirable development. **Council President Hardy** inquired what would be the Council's next course of action on the matter. **Councilor Tobey** informed her that nothing needs to be done because the protections are already in place.

The matter of Protection of Babson Watershed Land and Babson Bird Sanctuary pursuant to Article 97 of the Commonwealth of Massachusetts now falls off the City Council agenda and filed without further Council consideration.

Scheduled Public Hearings:

- 3. PH2012-085: Tax Classification in accordance with MGL c. 40, §56 and GCO Sec. 2-26 to determine the percentage of the local levy to be borne to each class of real and personal property**

This public hearing is opened.

Those speaking in favor:

Nancy Papows, Principal Assessor announced that values for FY13 were approved in October 18, 2012. She then reviewed the Tax Classification Information for Fiscal Year 2013 (on file) with the Council:

Page 4 – A Comparison of Fiscal 2013 Values by Class: The total valuation for properties within the city is \$5,113,775,160. The Residential class represents 88.92 percent (\$4,547,193,970) and Commercial/Industrial/Personal Property (CIP) class represents 11.08 percent (\$566,581,190). The total value of the property in the City is down slightly this year from last year. The residential class as a whole after analyzing sales saw a reduction of approximately 1 percent. The percentage change for different property types within that class vary. The single family and apartments saw about ½ percent decrease while two-family and condos were reduced in a range of 2.8 percent to 2.9 percent. The Commercial class decrease of approximately ½ percent while the Industrial class decreased at 1 percent.

Pages 5 and 5A – Fiscal Year Parcel Counts, Values, and percent of Total Taxable City Value: The table on these pages shows the parcel counts and the assessed values of each class from 1990 to present.

Page 6 and 6A – Previous Classification Factors and Resulting Tax Rate: The table shows the historic shift factors adopted over the years. On the bottom of 6A it shows the most recent shifts adopted; and the 1.06 shift factor has been adopted for the last seven years.

Page 7 – Calculating the Maximum Allowable Levy: The table shows the calculation of the maximum allowable levy for FY 2013. It starts with the levy limit from FY12 and added to that is the Prop 2-1/2 increase and new growth which results in the FY13 levy limit. The Pole's Hill debt exclusion is included which runs through 2019; and sewer debt shift which results in the maximum FY13 allowable levy at \$65,041,957.00. That figure divided by the total value of all parcels in the City results in the FY13 tax rate at a factor of 1.0, which is rounded to not exceed the maximum allowable levy, is a tax rate of \$12.71. The tax rate at a factor of 1.0, all properties would pay the same rate. At a factor above 1.0, a portion of the residential tax levy would shift to the CIP class.

Page 8 – FY13 Tax Rate at a Factor of One = \$12.71, Shift in Tax Rate: This shows approximate tax rates that would result from the various shifts. The maximum shift allowed by the State is 1.5.

Page 9 and 9A – Comparison of Levy by Class at Various Shift Factors: Pages 9 and 9A further shows the levy by class and approximate shift of the levy and also shows the approximate excess levy capacity that results which is approximate based on a rounding of the tax rates.

Page 10 – Change in Tax Dollars at Various Shifts: This shows the actual change in tax dollars for properties at different levels. For instance, a \$250,000 valued property at last year's 1.06, that property owner would see a savings of \$22.50 per year while the CIP taxpayer would pay an additional \$192.50 for a property valued at the same amount. For a property valued at \$1 million, the residential taxpayer would save \$90 while the CIP taxpayer would see an increase of \$770 annually. The extreme as shown at the bottom of the page is the \$1 million property at a 1.5 shift saving the residential taxpayer \$790 while the CIP taxpayer would see an increase of \$6,370.

Page 11 – Open Space Discount and Residential Exemptions. This page explains the open space discount. There are no parcels defined as open space in the City at this time.

Page 12 and 12A Residential Exemptions (Cont'd) and Page 13 – Small Commercial Exemption: The Mayor has not opted to grant the Residential or Small Commercial Exemptions.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Ciolino asked Ms. Papows to go over the numbers and that CIP will pay 6 percent more in real estate taxes than the residential class. **Ms. Papows** stated it is a residential factor that is being adopted. On page 9A she noted it is 1.06. The actual shift in the levy really is a 0.6 percent of the levy. It shows an approximate amount of tax dollars that are going to be moved from residential to commercial at that rate. It is not a shift of 6 percent of the whole levy (1.06). It equates to approximately a 0.6 shift of the levy of the other class. **Councilor Ciolino** asked if the Council moves to 1.03 what is the difference between that and at 1.06 on the average home. **Ms. Papows** informed the Councilor that the average single home value is \$450,000. On page 10 the closest to that is a \$500,000 valued home. For the residential taxpayer at 1.06 on a \$500,000 valued home they pay \$6,310 whereas at the 1.03 they pay \$6,335 annually. The savings to the resident is \$25 for the difference between the two shifts. **Councilor Ciolino** asked about commercial properties getting regular trash pick up. **Ms. Papows** expressed she did not believe that was the case, but she is not with the DPW. **Councilor Whynott** asked if 1.06 was the same this year as last year is there a change. **Ms. Papows** stated proportionately it is shifting the same amount as last year from residential to commercial. The levy itself changes each year slightly due to the calculation of the allowable levy because new growth is slightly different each year. Sometimes the debt shift is different. Proportionately the Council is indicating they want to shift the same amount in terms of a percentage. **Councilor Whynott** commented that to have things stay the exact same as it was the year before it didn't mean it was left at that same number and asked if that was true. **Ms. Papows** reiterated when the Council votes for a shift of 1.06 they are maintaining the proportionate change in where they are moving dollars in terms of the amount. The actual dollars that people pay

from one year to the next varies for a lot of different reasons: property values can go up in some cases within some classes, some up, some down; and different properties within a class react differently in the marketplace. Then there are buildings that are demolished, and those that are added onto. What people pay individually per year is always changing. **Councilor Whynott** asked about the increment that businesses would get as savings in the same example. **Ms. Papows** clarified when she was answering Councilor Ciolino's question, he was talking about what is the difference between 1.03 and 1.06 in terms of the difference of what taxpayers would see. She answered it with figures on the residential class. The difference for a CIP property, 1.03 versus the 1.06: for 1.03 the CIP taxpayer pays an additional \$195. At 1.06 they pay \$385 more. **Councilor Cox** stated the burden to businesses would be \$385 per year at 1.06; at 1.03 it would be at \$195 with a savings of \$180 per year for businesses with a cost of \$25 more per year for residential. **Ms. Papows** stated in viewing shifts, when shifting to CIP there is never a savings to that class. They are paying more in either case. The residential is saving less at the lower shift. **Councilor Cox** stated if they move to 1.03 versus 1.06, the savings is essentially \$180, which **Ms. Papows** confirmed. **Councilor McGeary** pointed out the converse is true, that the homeowner is paying more; if they went from 1.06 to 1.03, the homeowners would bear a larger proportion of the taxes and therefore would pay more. **Ms. Papows** stated if they are just looking at between those two shift factors, then, "Yes." **Councilor McGeary** stated the logic behind tax classification that a commercial or industrial property has the potential to render profit to the business owner; whereas a residence is more of a domicile. He said according to the figures Ms. Papows presented, those figures have been declining in value. So whatever value or profit a homeowner may have been declining over the last several years. **Ms. Papows** confirmed residential values have been declining. In terms of a rental potential for those types of homes, if it is a two-family or an apartment, they may receive some rental income. They could rent out a single family could be rented out, but it is uncommon in the City but some are. **Councilor McGeary** stated most single family residents are domiciles occupied by the owner and not in it for a profit, which **Ms. Papows** also confirmed that fact. **Councilor McGeary** noted the reason the commercial properties pay more when the shift is at a factor they have been using is that there are fewer CIP properties. So whatever the burden, it is shifted over fewer properties than if it were put back on the residential class. **Ms. Papows** stated the Councilor was correct; that the residential class is 90% and so they are taking something off of that broad base and putting it onto something that is much smaller base. **Councilor Theken** asked how they came to the 1.03 at B&F. For the past seven year was at 1.06. She noted that businesses can write that off and that single family homeowners can't. The difference may be small to the homeowner, but their sewer and water rates are going up. They have been united to keep it the same for the past seven years. It is \$10, a little savings, for a home worth \$250,000, and it adds up. Personal income has not increased. Insurance for homes is going up, sewer and water is going up, as are taxes. The \$250,000 business saves \$97. She expressed concern that they are changing the tax classification factor. She asked they leave it alone, and work together to see what else they can do. **Council President Hardy** clarified the Council had not voted on a tax classification factor of 1.03 yet, although that was the tax classification factor the B&F Committee was going to forward to the Council. **Councilor Tobey** thanked Councilor Theken for making the point that the current factor is 1.06 for FY12. It has been the factor for 7 years without a change with a good solid, long and stable run for the City. **Ms. Papows** confirmed that as the case. **Councilor McGeary** stated the past the factor has been as great as 1.37 which is six times greater than this shift being discussed.

This public hearing is closed.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council a TAX CLASSIFICATION FACTOR of 1.03 percent for Fiscal Year 2013.

Councilor McGeary moved and Councilor Ciolino seconded the motion for a Tax Classification Factor at 1.03 percent for Fiscal Year 2013.

DISCUSSION:

Councilor McGeary explained that in answer to Councilor Theken's question he voted to move this to the Council. The 1.03 was offered by Councilor Cox as a compromise between Councilor Ciolino who wanted 1.0, and himself who wanted it to stay at 1.06. In the interest of moving this discussion to Council, he voted to recommend the 1.03 to the Council.

Councilor McGeary moved and Councilor Cox seconded an amendment to the main motion to change the Tax Classification Factor of 1.03 to 1.06.

DISCUSSION ON MOTION TO AMEND:

Councilor Ciolino expressed that at B&F he initiated the move to parity at 1.00 reasoning that in looking at the economy, the Council has done business by giving tax incentives to Gloucester Crossing, Gloucester Engineering, Gorton's, etc., giving the appearance that they seem to take care of the "big guys" but it is the "small guys" being hurt which sends the wrong message. There is a need to be consistent, and now is not the time to make it harder on businesses. He expressed his belief that the tax classification is "a dinosaur of the 1970's." Now is the time to change. He stated his dislike of the statement that businesses are doing well; most are not, and so this is the fair thing to do. Businesses don't get trash collection, have children in the schools; they do not demand City services. The Council, he said, should wean themselves down from the .06 to .03 and then move to parity. This is to try to stimulate growth in the commercial sector, not to punish anyone. **Councilor Cox** said part of her argument for going to 1.03 was that a business could cease; and that the \$22.50 being saved by the residential taxpayer is now going to go towards gas. It could be unlikely that the business would be forced out on this shift, but it is possible. The business payroll tax credit has yet to be extended for 2013. That will be an extra 2 percent on employer's payroll taxes unlike the last two years. She couldn't see continuing at 1.06 and if a taxpayer owned five houses, each could be owned for rental income. There is a possibility to make money off of residential properties. She expressed she didn't see the 1.06 and 1.03 being a big difference and is a small break for both sides.

Councilor Theken stated as to TIF's, she noted Councilor Ciolino is on the TIF Committee and suggested he should have voted no to granting TIF's when they came forward. As to the difference of \$22.50, in their taxes years ago everything was included; school bus rides, trash pick up, even the beaches were free. There are fees for all these things. If it was a multi-family house, and the shift goes up for a \$500,000 saves \$45. One owner of a multi-family who rents those units can increase their rental. Instead of paying \$500 in rent, he could go to \$700 because water rates, sewer rates and taxes went up. Instead of a business ceasing to conduct business, they'll have people without places to live. A small business at \$250,000 is not a big difference. A \$500,000 home and business the difference of \$45 plus the CPA, and all other taxes is not just \$45. The landlord is putting it on their tenants. Some of the landlords who own the properties downtown add it on to their leases to businesses they rent to. The million dollar homes may afford it, and businesses of more than \$1 million may afford it. But seniors on fixed income have all their expenses going up. She reiterated her call to leave the Tax Classification Factor alone. **Councilor Tobey** stated there is no such thing as a taxation system that makes everyone happy. People don't like to pay. This highlights that Prop 2-1/2 is subject to manipulation where monies get shifted around. He also expressed agreement with Councilor Theken that they have found a level; made a community compact; and he urged his fellow Councilors to let it stay at 1.06 and maintain stability.

Councilor Ciolino clarified that he was on the TIF Committee about 8 years ago, but is not now. As to Gloucester Crossing, he stated he was one Councilor who voted against that TIF.

Councilor Verga expressed agreement with Councilor Tobey. A lot of businesses are locally based, but after 7 years there is an expectation and tacit agreement of where they should be. When the economy improves he might consider a change. He supported the amendment for 1.06.

Councilor LeBlanc agreed with the 1.06. As a small business owner he can pass his some of his debt over to his customer. As a homeowner and citizen that has a job where he is not getting a raise, with the cost of living, gas, and heat going up, the Council should keep what they have because it seems to be working.

Councilor McGearry stated TIF's are self regulating and expire. It would be a shame when a TIF comes off to not capture the differential they voted. Properties in seaside communities tend to be valued higher. A house may be valued at \$500,000 but the residents are living on Social Security and the \$25 is a substantial savings; that is the fairness. It is a modest differential, but it is helpful to those who need it the most. For those making a regular living, \$40 to \$50 isn't much; but for some people it is and is why he is supporting the retention of the 1.06 tax classification factor.

Councilor Cox stated at B&F their discussion was more of a compromise to get it to the Council. She didn't believe in some of the arguments of keeping the tax classification at 1.06 because if oil, trash services go up it goes up for everybody. **Council President Hardy** stated that for many years she has heard now is not the time to make a change, saying she would say that seven times for each year the tax classification factor has remained at 1.06; and she emphasized that, "now is not the time to make a change." She noted there was a Councilor who spoke in favor of businesses saying it is harder on them. But what about the homeowner who works in Gloucester and has a job; but if they don't have the gasoline to put in their car to get there how would they get there, she would not support the change in the tax classification factor, reiterating it was not the time to make a change.

MOTION: On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted BY ROLL CALL 7 in favor, 2 (Whynott, Ciolino) opposed to amend the main motion to read "...TAX CLASSIFICATION FACTOR of 1.06 percent..."

MOTION: On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to adopt a TAX CLASSIFICATION FACTOR of 1.06 percent for Fiscal Year 2013.

Councilor Verga left the dais.

Councilor McGeary called for a reconsideration of the vote taken on the Tax Classification Factor, and **Councilor Theken**, seconded. **Councilor McGeary** stated that in order to get the tax recap to the Department Of Revenue into Boston first thing in the morning, the vote should be final so the City Auditor could begin his work. **Council President Hardy** stated a no vote lets the vote stand that they just took.

Councilor Verga returned to the dais.

MOTION: On motion by Councilor McGeary, seconded by Councilor Theken, the City Council voted BY ROLL CALL 1 (Whynott) in favor, 8 opposed to reconsider the vote taken on the TAX CLASSIFICATION FACTOR of 1.06 percent for Fiscal Year 2013.

MOTION FAILS. Council President Hardy announced the Tax Classification Factor stands at 1.06 percent.

Councilor McGeary asked that the Council thank the Assessor's Office for their hard work pointing out an enormous amount of work goes into this process. **Council President Hardy** made note of the fact that the entire Assessor's Office staff was present at the meeting to answer any questions the Council may have had.

4. PH2012-086: Loan Authorization in the amount of \$1,000,000 (One Million Dollars) re: purchase of a fire rescue pumper and used fire ladder truck for the Fire Department

Those speaking in favor:

Fire Chief Eric Smith explained that the Fire Department has requested a loan order for \$1 million for the purchase of one used ladder truck for approximately \$350,000 and \$650,000 for one new pumper truck. **Jeff Towne**, CFO stated that they did present the capital plan to the CIAB in June. The Board has been reviewing it, and met with the Fire Chief and himself on several projects; and also with the DPW Director. It is back in their hands for final comment to the Mayor's Office. During their meeting they asked many questions of the Chief specific to where the equipment would be housed, what it replaces, the length of borrowing, will it fit in the station, will it reach the highest buildings. There is a five year capital plan before the CIAB for the CIAB for the General Fund related purchases. Their review of these projects was positive in nature. They're trying to schedule out capital improvements so that not a lot of pieces of equipment are scheduled all in same year in the future. That is why they are looking to purchase a used ladder truck. A new ladder truck was purchased and went into service in 2010. The pumper will add to the fleet replacing a vehicle that has been out of service for a number of years. It is essential for Fire Department manning. They do wish to do obtain a used ladder truck to be on a schedule so in 7 to 10 years they will be buying another ladder truck; and ten years after that another; so that capital expenditures for all departments are spread out. The goal is if they are going to replace debt with debt, then when debt falls off line, that they use new debt for replacement of capital items or purchasing of new equipment. He noted the first CIAB meeting was in early September, and have met a number of times since then. They are making more progress than ever before. Their goal is to get to a 10 year capital plan, suggesting they might go out 7 years as a next step. He pointed out it is hard to go out 10 years when they don't have a solid plan, having had previously only "wish lists" from department heads. The Capital Facilities Manager came on within the last year as did the HVAC Manager. Much of the capital improvements for the schools are coming forward in the next round for referral at the December 11th. He hoped to have a capital improvement plan then for the Council. **Council President Hardy** stated the Council need to see the "big picture," pointing out it is in the City Charter, and they should have the information. This had been discussed months before the new Chiefs were hired. **Mr. Towne** responded the CIAB is working on it; their Chair is doing a good job. The Council will see that report coming forward soon. He noted it is a good step towards putting together a comprehensive capital master plan with the water master plan being completed soon, and

the sewer master plan being started soon after that. The Council will see a City-wide 10 year plan coming out, maybe a 20 year plan for sewer and water.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Theken asked if the Council denies this loan what would happen. **Chief Smith** stated that would push them behind with where they should be on apparatus that they critically need now. That would be an additional hurdle they don't need and wished this had been done prior to his arrival. **Councilor Theken** inquired about the ladder truck borrowed from the City of Boston. **Chief Smith** stated he reached out to the City's neighbors and it took going to Boston to secure a reserve ladder truck at no cost to the City so that Ladder One could go out for maintenance because they deferred it and reported that Ladder One was back in service, and was only out for a week. **Councilor Theken** asked the City to send a letter of thanks to the City of Boston for their loan of the ladder truck.

Councilor Verga stated the 2010 ladder truck was the one that went out for service. **Chief Smith** confirmed that fact. He stated the trucks they're looking at now have a 10-12 year lifespan as front line ladder trucks, with perhaps 3-4 years in reserve service. The Administration is coming up with a solid capital plan; and that the reserve truck fits that plan so they are not stacking up two new trucks. The used ladder truck would go to reserve status. **Councilor Verga** asked about the Boston truck. **Chief Smith** stated that it was an older truck. There was a mechanical issue with it, and their mechanics fixed the issue working with Boston Fire Department mechanics, and it was quickly resolved. **Councilor Verga** expressed that he assumed the used truck would be certified. **Chief Smith** stated they would write a specification that would be "bulletproof" for the City. A third-party mechanic will make sure the vehicles meet the City's specifications to get the 7-10 years lifespan out of them. If the truck doesn't meet "muster," he assured they will walk away. **Councilor Verga** asked about the new pumper and when they expect to put it in service. **Chief Smith** stated it takes 6-8 months to produce the new pumper. They are a lot of money to build and buy. It will be nearly identical to the one they had. **Councilor Tobey** appreciated the Chief going forward with capital investments so have they have the equipment they need to do the job. He expressed his concern that they will receive from him soon recommendations on staffing to get the staff to run the equipment to provide the service the equipment is meant to provide. He raised this point because of the free cash situation that under previous Administrations was the "signature" event that triggered reinvestment in Fire Department staffing after down periods. He strongly encouraged the Chief to come before the Council, through the Administration, to provide a staffing plan now that resources are available so Magnolia and Bay View Fire Stations are opened "24/7."

Councilor Cox agreed with Councilor Tobey's sentiment but would also like to see the funds put into the Fire Stations to provide a safe working environment.

Councilor Ciolino commented that one of the areas they are falling down on is maintenance. For next year's budget they need to increase the maintenance budget once the vehicles are purchased.

Councilor LeBlanc agreed with Councilor Ciolino and asked if the Fire Department was equipped to maintain these vehicles properly. **Chief Smith** stated the preventive maintenance can be handled in house, but more funding is needed to do it. Maintenance is extremely expensive, and it catches up. It takes time for problems to surface. He is addressing this issue, and it will take additional funding and is working with the Administration to do that.

Councilor LeBlanc expressed would like to see the Administration step up to see maintenance is stepped up. If equipment is not maintained correctly then they're worth nothing to the City.

Council President Hardy asked where these vehicles are on the CIAB draft list. **Mr. Towne** stated they weren't categorized by priority but designated as what would be done for fiscal years going forward, for FY13, FY14, FY15 and so on. It is a priority listing by year so as to not pit one department's needs against another. These vehicles are included on that list. **Mr. Towne**, at Council President Hardy's request, noted that other priorities for FY13 were: a salt shed for the DPW paid partly by Chapter 90 money (\$100,000) and bond proceeds (\$350,000); various boilers including the American Legion and City Hall, finalizing the landfill closure plan; various improvements at the schools including O'Maley, doors, windows, HVAC improvements, asbestos removal, electrical improvements; a street sweeper for the DPW and municipal software. The rest are in FY2014 to FY17.

Councilor LeBlanc asked if the used ladder truck comes with a warranty. **Chief Smith** stated it would be a limited warranty, about 90 days.

This public hearing is closed.

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following loan order:

ORDERED: That up to \$1,000,000.00 (One Million Dollars) be appropriated for a fire rescue pumper and a used fire ladder truck for the Fire Department; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow up to \$1,000,000.00 (one million dollars) under G.L. c.44 §7(9) or any other enabling legislation; that the Mayor is authorized to contract for and expend any federal or state aid available for the project; and that the Mayor is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for those purposes.

DISCUSSION:

Council President Hardy moved to amend the main motion to insert before the end of the first paragraph the following language: "...and that the Mayor, **with the approval of the City Council**, is authorized to take any other action to carry out this project. The motion to amend was seconded by **Councilor Ciolino**. **Council President Hardy** stated she believed that this language was to have been made standard for City loan orders and asked it be done moving forward for all loan orders. **The motion to amend the loan language passed 9 in favor, 0 opposed.**

Councilor McGeary stated that this is a good step forward to come up with a feasible capital plan for the City and put the Fire Department into a rotation scheme to replace equipment as it wears out.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 9 in favor, 0 opposed the following loan order:

ORDERED: That up to \$1,000,000.00 (One Million Dollars) be appropriated for a fire rescue pumper and a used fire ladder truck for the Fire Department; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow up to \$1,000,000.00 (one million dollars) under G.L. c.44 §7(9) or any other enabling legislation; that the Mayor is authorized to contract for and expend any federal or state aid available for the project; and that the Mayor, with the approval of the City Council, is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for those purposes.

5. PH2012-087: Resolution adoption under MGL c. 10, §58A re: Downtown Gloucester Cultural District

This public hearing is opened.

Jim Duggan, CAO stated the Administration supports the proposed the partnership between the City and the Downtown Gloucester Cultural District Committee. That partnership will establish a Downtown Gloucester Cultural District (DGCD). It will benefit the City by: building on the cultural, historical and artistic directions that already exist. It will promote the downtown and the harborfront as an important cultural venue. It will serve as a destination for entrepreneurs wanting to start their own businesses. Tourists will support area businesses such as restaurants, lodging, retail entertainment. It will enhance property values and profitability of surrounding businesses. It will expand the tax base and provide employment opportunities. It will attract a diverse and well-educated workforce which is a key incentive for new and relocating businesses, all of which contribute to enhancing the quality of life for the City of Gloucester.

Judith Hoglander, Co-Chair Downtown Gloucester Cultural District Committee and member of the Committee for the Arts thanked Mr. Duggan and the Mayor's office for their assistance. She introduced the DGCD Committee, Co-Chair, Bob Whitmarsh, Catherine Ryan, Lise Breen, Maggie Rosa, Ann Robinson, Rhonda Faloon, David Rhineland, and Henry Allen. This group has spent many hours over two years putting this together because they believe that a designated DGCD would be another layer to a vibrant downtown. There are so many wonderful initiatives already in place, and this will enhance them. They have reached out to the community for partners and are impressed by the response. They have five umbrella organizations that are partners and over 17 individual businesses and organizations that have joined and anticipate this number will grow. They will continue to talk to the community and more are poised to join them. She noted there are many letters of support (on file) given to the Council.

Robert Whitmarsh, Co-Chair Downtown Gloucester Cultural District Committee and member of Historical Commission pointed reviewed the map of the DGCD (on file) with the Council. He noted that the physical parameters of the DGCD are guaranteed. The Mass. Cultural Council (MCC) could cut this down. The DGCD Committee is hoping the City's logical connectivity as they have outlined in their application will stand.

At the request of **Council President Hardy**, the Clerk of Committees counted a show of hands of those in the audience to speak of the DGCD which was noted as a total of 11 people.

Maggie Rosa, 26 Fort Hill Avenue stated a tangible benefit of this cultural district is that if a municipal building is in a cultural district under eligibility criteria up until a recent bill forwarded by Rep. Ann Margaret Ferrante and Sen. Bruce Tarr, that the building had to be 50,000 sq. ft. of which 50 percent was used for cultural purposes. This excluded City Hall. This bill amending the criteria is winding its way through the legislature and has received approval from the House Ways & Means Committee. The amended criterion is that a building needs to be 135 years old or more as long as it is in cultural district; it did not have to be a particular size. The MCC funds are generous. They would apply for funding for as much as up to \$250,000. It has to be a one-to-one match, but it is a significant source of funds for the continuing restoration of City Hall. She asked the Council to consider the financial benefits for City Hall but also for the Legion building. **Roger Salisbury**, 45 Eastern Point Road member of the North Shore Arts Association stated that organization is 100 percent behind the DGCD. They wish to do all they can to partner with this application. **Henry Allen**, 100 Main Street, DGCD Committee noted several questions raised: why is the Fort neighborhood not included in the DGCD, and what is being done to address the amount of trash around downtown Gloucester. He noted the designated district area doesn't diminish other spaces and sites and monuments important culturally to the City. The plan is to point to other important areas outside the district. This is to highlight a central hub of cultural activity to reach out and access other important spaces. The priority is that it be compact and walkable which is a requirement of the MCC. As to the trash, a cultural district will contribute to the continuing beautification of the downtown. **Christina Rafter**, 6 Beachmont Avenue board member of the Sargent House stated they are supporting the cultural district as it will encourage foot traffic to other historic properties on Middle Street and beyond. They see the possibility of funds coming forward for the refurbishment of historic properties of utmost importance to them to maintain their 1782 house. The Sargent House has established goals to increase cultural program and increase their cultural programming, to work with local businesses and collaborate with artists. The MCC initiatives in the cultural district framework can help them implement these plans. **Peter Van Ness**, 11 Magnolia Avenue expressed he didn't see a "down side." This promotes the creative economy. These are good paying jobs. He endorsed the cultural district. **Karen Ristuben**, 4 Bickford Way stated from 6 months experience from having a cultural district in place on Rocky Neck, as artists and producers of art, it has broadened their view of what artists can do for the City; what Gloucester's cultural essence is, and in terms of the maritime partners on Rocky Neck. Had it not happened, they wouldn't have thought to partner with the Gloucester Marine Railways, Ocean Alliance, and Schooner Adventure. It broadened their perceptions of what they can do as partners and strengthened their cultural district. It helps with marketing, outreach and awareness to have a cultural district. **Ann Robinson**, 8 Haddow Road, Rockport and SEArts Board member stated SeaArts supports the cultural districts on Cape Ann. There are three districts on Cape Ann, and the DGCD be the fourth. A key goal is to develop economic impact of resources in a community. In 2013 the MCC will present the State legislature with a request of economic tools targeted at cultural districts. It is critical the DGCD be positioned to take advantage of this. **David Rhineland**, 16 Pine Street, Historical Commission member commented this is a good program, and the Commission is for preserving these assets of the City. The MCC asks for the preservation and reuse of buildings. This will help make the history of the City more available. This fits also into the ability to show the City positively. **Joanne Castano**, 6 old Bray Street stated she has been a member of the founding of the SeaArts expressed her total support and represented many artists. What comes forward is potential funding that will help supporting the arts. She is representing artists organizing. She wished to see a voice and understanding about cultural tourism and general tourism difference. Many times general tourism will affect how artists as manufacturers. They feel they are being taken advantage of when people don't understand how tourism can affect their businesses. She expressed in the future they hope to have a forum where they can open up a dialog to discuss those issues that concern them. She thanked the Committee for their hard work. **Andrew Burgreen** Gloucester Stage Company, member of the Rocky Neck Cultural District expressed that organization's support of the DGCD. **Catherine Ryan**, Committee for the Arts member noted that the website for the cultural district is: culturaldistrict@zapd.net.

Those speaking in opposition: None.

Communications:

Ms. Lowe read, at the request of Ms. Hoglander and the assent of Council President Hardy, the letters of support received by the Council from the North Shore Art Association (on file); Cape Ann Chamber of Commerce (on file);

and Maritime Gloucester (on file). **Ms. Hoglander** made note of a letter she had received that evening from Gorton's, Inc. also (submitted at the meeting and placed on file).

In favor of DGCD: Peter C. Webber, Senior Vice President, Cape Ann Chamber of Commerce; J.J. Bell, Bob Ritchie, Dogtown Bookshop, 132 Main Street; Thomas Balf, Director, Maritime Gloucester; Judith Hoglander on behalf of the Committee for the Arts; Martin Ray on behalf of the Gloucester Cultural Council; Karen Sena Berger, Chair, Town Art Committee & Chair, Rockport Cultural District Steering Committee; David Brooks, Founder/President Cape Ann Art Haven; Greg Bach, Assistant Superintendent, Gloucester Public Schools (Founding Partners); Ken Knowles, President Elect, North Shore Art Association; Carol Gray, Gloucester Lyceum & Sawyer Free Public Library; Karen Ristuben, President, Rocky Neck Art Colony; Loren Doucette, 6 Sargent Street; Annie Thomas and Henry Ferrini, Gloucester National Writers Center; all provided electronically to the Council.

Councilor Tobey left the meeting at 9:04 p.m.

Questions:

Councilor McGeary asked as this cultural district structured there was normally a lead partner who is first among equals among the district partners and was one identified. **Ms. Hoglander** stated the City is the lead partner for the first two years. The Committee will continue on during the transition period as the partners organize and elect their officers. The partners will determine a lead partner after that two year period. **Council President Hardy** asked with the designation of the cultural district would it prohibit property owners from making changing to their buildings; would be hindered in any way. **Ms. Hoglander** stated there is none.

This public hearing is closed.

MOTION: On motion by Councilor Ciolino, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to adopt a RESOLUTION by the City of Gloucester, Massachusetts to create a state-authorized cultural district as shown on the map presented and incorporated by reference, for at least (5) years, to be named:

Downtown Gloucester Cultural District

WHEREAS, the City wishes to pursue a state-authorized cultural district through the enabling legislation Massachusetts General Laws, Chapter 10, Section 58A.

WHEREAS, the City has a mixed-use geographical area that has a concentration of cultural facilities and assets.

WHEREAS, the City has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district.

WHEREAS, the City has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district.

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gloucester that the City of Gloucester:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district.

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a city official to represent the city within the district partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

DISCUSSION:

Councilor Verga expressed his agreement there is no downside to the cultural district. **Councilor Cox** thanked the Committee for bringing this forward. It was a long process and she appreciated their work. **Councilor McGeary** would support the DGCD. He commended the Committee members as well as Councilor Cox for their hard work. He said not only does this raise the awareness of the downtown but also of the City to its assets in the downtown. The Rocky Neck Cultural District has been up and running for six months. It is an even more vibrant community there now. He expressed the hope that this would have a similar impact to the downtown. **Councilor Ciolino** expressed his support and extended a “good job” to the Committee, noting this was a larger more diverse group for this cultural district. He clarified that zoning is not changing. Everything will remain the same. It is a designation that will enhance the visitor economy to promote Gloucester, and commented they now need a cultural district for Lanesville and Magnolia as well. **Councilor Theken** would also support the initiative. She lauded the creation of the Rocky Neck Cultural District. She couldn’t wait to see the co-existence of the two districts and how it will enhance tourism for the City saying there are beautiful assets in the City that are so worthwhile, and this district will highlight them further.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to adopt a RESOLUTION by the City of Gloucester, Massachusetts to create a state-authorized cultural district as shown on the map presented and incorporated by reference, for at least (5) years, to be named:

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Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

For Council Vote: None.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Verga commented on the lower Essex Avenue sewer update. The Council was assured the DPW would report in early November and wished to make sure the DPW reports on the status of the project at the November 27th City Council meeting. He also wanted to keep in mind the condition of the Magnolia Fire House and wished for a report and action plan on the condition of the station. He did not feel a consultant needed to be hired. He also requested through B&F when they start the process for the distribution for free cash that he would like to see the departmental "wish list" which shows what was left behind "on the cutting room floor" for the FY14 budget process. He suggested they need to look at a possibility of suspending or reducing fees that have been put in place that have helped result in "excessive" free cash.

Councilor Cox announced the Open Door is having a food drive this Saturday from 9 a.m. to 3 p.m. at Market Basket, Stop and Shop, Shaw's at Eastern Avenue, and wished everyone a Happy Thanksgiving.

Councilor Ciolino noted in Kyrouz Auditorium at 11 a.m. on Saturday, November 17th the Purple Heart Highway will be dedicated. They are looking for Purple Heart families and veterans to come to the ceremony. The Veteran's Office was looking for Purple Heart recipients so they can pay proper respect due them at the City Hall ceremony. He asked folks to contact Lucia Amero at: lamero@gloucester-ma.gov. Through the efforts of this Council, the Mayor, Sen. Tarr and Rep. Ferrante, the designation was moved through to the Governor signing it. After the ceremony, they will walk to the Gloucester house for refreshments. Another special day is coming the Sunday after Thanksgiving, the 32nd annual Gloucester Christmas Parade. They are forming at the State Fish Pier at 2 p.m. Anyone who wishes to put in a float or music event, the only requirement is it is a Children's Parade and must have a Christmas theme. They kick off at 3 p.m. down Main Street to the Boulevard to McKinnon Triangle at Kent Circle for the lighting of the Christmas tree. Ringo Tarr has come back with a beautiful tree from Nova Scotia.

Councilor LeBlanc addressed the residents in Governor's Hill area thanking them for their patience during the water project. They will try to get everything wrapped up around Thanksgiving. He apologized for any inconvenience experienced. The project has gone smoothly.

Councilor Theken wished everyone a Happy Thanksgiving. She thanked the Council for voting to keep the Tax Classification at 1.06. She also informed the public that the Action Shelter is in need of 100 percent wool blankets. The Action shelter has to turn people away when they are full, and when they do they want to give those turned away a warm blanket. Blankets can be brought to her office at the AGH or at the Senior Center or to the shelter. Also, open enrollment ends December 7th. She noted that some name brand drugs are no longer covered. This is the only state has donut hole coverage. Assets are not looked at, just the interest counts as income. She then covered some of the in's and outs of Medicare issues. She encouraged people about to retire to speak with her as well. On Thanksgiving Eve, the Holy Family Parish will be serving Thanksgiving dinner to all.

Council President Hardy announced there is a grassroots organization that will be having a clothing drive to benefit Connecticut, New York and New Jersey area victims of Hurricane Sandy. This will be done the whole week after Thanksgiving from Monday, November 26th, 27th, 28th, 29th and 30th. They will collect clothing at the GHS Field House from 10 a.m. to 2 p.m. on those days. For those who work, she noted convenient hours on those same days from 6 p.m. to 9 p.m. There will be a specific list of winter clothing needed. They are also looking for volunteers to assist in any way possible. She encouraged those interested to email her at: jackieahardy@verizon.net. She pointed out they did a clothing drive when the Lorraine Apartments burned down which was very successful and hoped that this would be just as successful. GHS students will assist and get community volunteer credits for this, thanks to Superintendent Safier.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:38 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Letter of support for the DGCD from Christina Rafter on behalf of the Sargent House Museum for the DGCD**

- **Email of support for the DGCD from Holly Tanguay, Chair of the Board of Managers, the Gloucester Unitarian Universalist Church**