

GLOUCESTER CITY COUNCIL MEETING

Tuesday, February 25, 2014 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul McGeary; Vice Chair, Councilor Sefatia Theken; Councilor Melissa Cox; Councilor Jacqueline Hardy; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Robert Whyntott; Councilor Paul Lundberg; Councilor William Fonvielle

Absent: None

Also Present: Mayor Carolyn Kirk; Linda T. Lowe; Jim Duggan; Kenny Costa; John Dunn; Mike Hale; Tom Daniel; Sandra Dahl-Ronan; Jim Hafey; Jonathan Pope; Dr. Richard Safier; Debbie Laurie; Anthony Gross

The meeting was called to order at 7:00 p.m.

Flag Salute & Moment of Silence.**Oral Communications:**

Phil Dench, 4 Harvey Place, asked that the Council obtain guidance of the Health Department concerning dog fecal matter on the city's beaches. He expressed his concern that dogs may be allowed on city beaches under some proposals to amend the city's animal control ordinances. He said that even when dog owners are diligent about removing their dog's fecal matter, the bacterial agents from it remain on the beach. Even in even small amounts, he said, bacteria can adversely affect human health. He urged that dogs not be allowed on city beaches. He asked that the health issues be examined closely before any changes are made for another off leash area for the city's dogs and their owners.

Presentations/Commendations: None.**Consent Agenda:**

- **MAYOR'S REPORT**

1. Memorandum, Grant Application & Checklist from the Community Development Department re: Commonwealth of Massachusetts "Our Common Backyard Grant Program" (Refer B&F)
2. Supplemental Appropriation Request (2014-SA-47) from the Department of Public Works (Refer B&F)
3. Memorandum from the Gloucester Committee for the Arts requesting City Council acceptance of a donation in the amount of \$15,000 From the Belinda Fund at the Boston Foundation to be used for restoration of the WPA Murals at City Hall (Refer B&F)
4. New Appointments:

Planning Board	(TTE 02/14/19)	Douglas Cook	(Refer O&A)
Cable TV Advisory Committee	(TTE 02/14/17)	Ryan Sawyer, Thomas Manning, Grant Harris	(Refer O&A)
- Reappointment:

Cable TV Advisory Committee	(TTE 02/14/17)	Robert McGillivray	(Refer O&A)
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- **COMMUNICATIONS/INVITATIONS**

- **APPLICATIONS/PETITIONS**

1. SCP2014-003: East Main Street #49, GZO Sec. 2.3.1(6) conversion to or new multi-family or apartment dwelling, three dwelling units (Refer P&D)
2. SCP2014-004: Commercial Street #47-61, Modification of Special Council Permit (SCP2012-010) under GZO Sec. 1.5.13 & Sec. 5.25 Hotel Overlay District (Refer P&D)
3. Special Events Application re: request from Cape Ann YMCA to hold Backshore 5 Mile Road Race on May 9, 2014 (Refer P&D)
4. Special Events Application re: request from Cape Ann YMCA to hold Run the Goose 7K Road Race on September 1, 2014 (Refer P&D)
5. Special Events Application re: request from Cape Ann YMCA to hold Around Cape Ann 25K Road Race on September 1, 2014 (Refer P&D)

- **COUNCILORS ORDERS**

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

1. City Council Meeting: 2/11/14 (Approve/File)
2. Special Joint Meeting of the City Council and School Committee: 2/18/14 (Approve/File)
3. Standing Committee Meetings: B&F 02/20/14 (under separate cover), O&A 02/17/14 (no meeting), P&D 02/19/14 (Approve/File)

Items to be added/deleted from the Consent Agenda:

A motion was made, seconded and voted unanimously to accept the Consent Agenda as presented.

Committee Reports:

Budget & Finance: February 25, 2014

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept the Budget & Finance Committee's Unanimous Consent Agenda "A" dated February 25, 2014 as follows:

Special Budgetary Transfers:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Budgetary Transfer 2014-SBT-16 for \$200 from Mayor, Contingency/Emergency, Account #101000.10.121.57800.0000.00.000.00.057 to Mayor, Sick Incentive Pay, Account #101000.10.121.51944.0000.00.000.00.051 for the purpose of funding the Sick Incentive Pay in the Mayor's Office.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2014-SBT-17 for \$3,500 from Veterans, Salary/Wages-Permanent Position Account #101000.10.543.51100.0000.00.000.00.051 to Veterans, Contractual Services, Account #101000.10.543.52000.0000.00.000.00.052 for the purpose of paying for consulting services by former Veterans Agent until new Veterans Agent is hired.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Special Budgetary Transfer 2014-SBT-18 for \$300 from Advertising, Account #101000.10.138.53480.0000.00.000.00.052 to Purchasing, Salary/Wages-Full Time, Account #101000.10.138.51100.0000.00.000.00.051 for the purpose of eliminating a projected deficit in the Salary account.

Permission to Apply for Grants:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to permit the City Hall Restoration Commission to apply for a Massachusetts Cultural Facilities Fund Grant in the amount of \$150,000.

Accept Provisions of MGL c. 44, §31D Snow and Ice Removal, Emergency Expenditures:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept the provisions of MGL c. 44, §31D Snow and Ice Removal, Emergency Expenditures not to exceed \$2,000,000. The increase of emergency expenditure authority is \$1,350,000 added to the current FY2014 Snow & Ice Removal appropriation budget of \$650,000.

END B&F UNANIMOUS CONSENT AGENDA "A"

It was noted by **Councilor Cox** that the free cash transfers under the B&F Unanimous Consent Agenda "B" consist of: \$466,100 for the Department of Public Works, all to cover reductions in the department's original FY14 budget proposal; \$383,053 for the School Department totaling to cover FY14 budget reductions and some new programs; and \$131,000 for the Police Department which included some FY14 budget reductions and to cover costs of a long-term injury replacement. On inquiry by **Councilor Verga**, **Councilor Cox** said that the total of the Supplemental Appropriations from free cash was \$980,153. **Jim Duggan**, Chief Administrative Officer, confirmed there was approximately \$3.2 million in free cash remaining from FY13.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept the Budget & Finance Committee's Unanimous Consent Agenda "B" dated February 25, 2014 as follows:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-15 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund- Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Solid Waste Disposal, Supplies, Account #101000.10.403.54000.0000.00.000.00.054 for the purpose of purchasing disposal supplies.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-16 in the amount of \$5,000 (Five Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Engineering, Office Equipment Maintenance, Account #101000.10.411.52620.0000.00.000.00.052 for the purpose of purchasing printer supplies.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-17 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Salary/Wages-Temporary Positions, Account #101000.10.470.51200.0000.00.000.00.051 for the purpose of hiring DPW spring season temporary help.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-18 in the amount of \$15,000 (Fifteen Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Paving, Account #101000.10.470.58415.0000.00.000.00.058 for the purpose of spring paving.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-19 in the amount of \$30,000 (Thirty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Paving, Account #101000.10.470.58415.0000.00.000.00.058 for the purpose of spring paving.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-20 in the amount of \$8,600 (Eight Thousand Six Hundred Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Contractual Services, Account #101000.10.470.52000.0000.00.000.00.052 for the purpose of the First Parish Cemetery lawn maintenance.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-21 in the amount of \$7,000 (Seven Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Site Improvements, Account #101000.10.470.58410.0000.00.000.00.058 for the purpose of improvements to the Bocce Court surface.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-22 in the amount of \$15,000 (Fifteen Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Office Equipment & Furniture, Account #101000.10.470.58504.0000.00.000.00.058 for the purpose of purchasing office furniture.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-23 in the amount of \$150,000 (One Hundred Fifty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Contractual Services, Account #101000.10.472.52000.0000.00.000.00.052 for the purpose of contract service work.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-24 in the amount of \$12,000 (Twelve Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Facilities, Contractual Services, Account

#101000.10.472.52150.0000.00.000.00.052 for the purpose of paying gas heating utility invoices for Fiscal Year 2014.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-25 in the amount of \$10,500 (Ten Thousand Five Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Facilities, Fuel Oil Heating, Account #101000.10.472.52170.0000.00.000.00.052 for the purpose of oil heating utility invoices for Fiscal Year 2014.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-26 in the amount of \$50,000 (Fifty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Facilities, Building Maintenance, Account #101000.10.472.52410.0000.00.000.00.052 for the purpose of building maintenance expenses.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-27 in the amount of \$45,000 (Forty Five Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Facilities, General Supplies, Account #101000.10.472.54000.0000.00.000.00.054 for the purpose of purchasing DPW general supplies.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-28 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Facilities, Janitorial Supplies, Account #101000.10.472.54510.0000.00.000.00.054 for the purpose of purchasing DPW janitorial supplies.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-29 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to DPW Other, Account #101000.10.499.54110.0000.00.000.00.054 for the purpose of purchasing gasoline.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-30 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to DPW Other, Tires and Tire Maintenance, Account #101000.10.499.54820.0000.00.000.00.054 for the purpose of purchasing tires and tire maintenance.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-31 in the amount of \$8,000 (Eight Thousand Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to DPW Other, Other Parts-Maintenance, Account #101000.10.499.54850.0000.00.000.00.054 for the purpose of purchasing other DPW parts and maintenance.

POLICE DEPARTMENT:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-36 in the amount of \$86,580 (Eight Six Thousand Five Hundred Eighty Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Salary/Wages Overtime Beach, Account #101000.10.211.513600.0000.00.000.00.051 for overtime coverage by duty officers due to long-term injuries.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Budget & Finance Committee voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-37

in the amount of \$20,950 (Twenty Thousand Nine Hundred Fifty Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Salary/Wages Overtime Beach, Account #101000.10.211.51360.0000.00.000.00.051 for increased Beach Patrols during Fiscal Year 2014.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-38 in the amount of \$3,425 (Three Thousand Four Hundred Twenty Five Dollars) from the General Fund-Fund Balance Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Temporary Upgrade, Account #101000.10.210.51170.0000.00.000.00.051 for the temporary upgrade pay for Executive Officer as Acting Chief.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-39 in the amount of \$13,795 (Thirteen Thousand Seven Hundred Ninety Five Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Capital Expenses, Account #101000.10.211.58720.0000.00.000.00.058 for the purchase of a new Radio Comparator.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-40 in the amount of \$2,955 (Two Thousand Nine Hundred Fifty Five Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Police Ammunition, Account #101000.10.211.55870.0000.00.000.00.054 for the purpose of purchasing ammunition supply.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-41 in the amount of \$1,450 (One Thousand Four Hundred Fifty Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police Uniform – Firearms Maintenance, Account #101000.10.211.55860.0000.00.000.00.054 for the purpose of service weapon cleaning.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-42 in the amount of \$1,845 (One Thousand Eight Hundred Forty Five Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Police – Harbors, Gasoline, Account #101000.10.216.54110.0000.00.000.00.054 for purchasing Police Boat fuel.

SCHOOL DEPARTMENT:

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-45 in the amount of \$383,053 (Three Hundred Eighty Three Thousand Fifty Three Dollars) from the General Fund-Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to School Department-MO Contingency, Account #101000.21.370.53800.2305.00.270.00.052 for the purpose of educational expenses for Fiscal Year 2014.

END B&F UNANIMOUS CONSENT AGENDA “B”

Ordinances & Administration: February 17, 2014 – No Meeting – President’s Day

Planning & Development: February 19, 2014

COMMITTEE RECOMMENDATION: On motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to allow the 2014 annual St. Peter’s Fiesta, commencing on Wednesday evening, June 25, 2014 through Sunday, June 29, 2014, the use and control of St. Peter’s Park on Rogers Street; the streets and sidewalks of Rogers Street from Mansfield Way to the entrance of Commercial Street; Commercial Street up to Fort Square to include the use of the Beauport Gloucester LLC

property if made available by written agreement with the owner; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 27th, Saturday, June 28th and Sunday, June 29th on only the water side of Stacy Boulevard from "The Tavern" to the Fishermen's Memorial (to the extent allowable by law) and the Ciaramitaro/Gemellaro Playground at Fort Square for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned herein. Further, vendors are not allowed on the southwesterly side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce (33 Commercial Street). In addition, all hawkers, peddlers, or vendors, who conduct their business on June 25th through June 29th in these areas, must have the express consent of the St. Peter's Fiesta Committee; and with the following conditions:

1. That the kiddie rides (those restricted to children of a height of 42 inches or under) be kept at the St. Peter's Square Park and not at the Beauport Gloucester LLC property, should that property be used;
2. That the footprint of the Fiesta be drawn out on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Clerk's office no later than 14 days in advance of the start of the 2014 St. Peter's Fiesta;
3. That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;
4. If the Beauport Gloucester LLC property is used, that a temporary fence be erected at the very back of the area known as the "Birdseye Parking Lot" to prohibit entrance to Pavilion Beach;
5. Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot should that property be used;
6. That Fiesta Shows, Inc. contribute \$3,000 for the added police coverage payable to the City of Gloucester c/o of the Police Chief to be paid 14 days in advance of the opening of the 2014 St. Peter's Fiesta.

DISCUSSION: None.

MOTION: On motion by Councilor Verga, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to allow the 2014 annual St. Peter's Fiesta, commencing on Wednesday evening, June 25, 2014 through Sunday, June 29, 2014, the use and control of St. Peter's Park on Rogers Street; the streets and sidewalks of Rogers Street from Mansfield Way to the entrance of Commercial Street; Commercial Street up to Fort Square to include the use of the Beauport Gloucester LLC property if made available by written agreement with the owner; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 27th, Saturday, June 28th and Sunday, June 29th on only the water side of Stacy Boulevard from "The Tavern" to the Fishermen's Memorial (to the extent allowable by law) and the Ciaramitaro/Gemellaro Playground at Fort Square for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned herein. Further, vendors are not allowed on the southwesterly side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce (33 Commercial Street). In addition, all hawkers, peddlers, or vendors, who conduct their business on June 25th through June 29th in these areas, must have the express consent of the St. Peter's Fiesta Committee; and with the following conditions:

1. That the kiddie rides (those restricted to children of a height of 42 inches or under) be kept at the St. Peter's Square Park and not at the Beauport Gloucester LLC property, should that property be used;
2. That the footprint of the Fiesta be drawn out on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Clerk's office no later than 14 days in advance of the start of the 2014 St. Peter's Fiesta;
3. That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;
4. If the Beauport Gloucester LLC property is used, that a temporary fence be erected at the very back of the area known as the "Birdseye Parking Lot" to prohibit entrance to Pavilion Beach;
5. Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot should that property be used;
6. That Fiesta Shows, Inc. contribute \$3,000 for the added police coverage payable to the City of Gloucester c/o of the Police Chief to be paid 14 days in advance of the opening of the 2014 St. Peter's Fiesta.

Scheduled Public Hearings:**1. PH2014-010: Recommendation of the Community Preservation Committee re: \$122,000 from CPA funds to Burnham's Field Phase I Improvements Project**

This public hearing is opened at 7:15 p.m.

Those speaking in favor:

Sandra Dahl-Ronan, Co-Chair of the Community Preservation Committee, said the CPC recommends that the City Council appropriate \$122,000 to the Community Development Department working with the Friends of Burnham's Field for the purpose of the restoration of Burnham's Field, a recreational facility occupying about seven acres in the heart of the city. This is a time-sensitive request, she noted. The work is intended to start this spring to be completed by this August. The Friends of Burnham's Field reported they have raised about \$350,000 from other sources including Community Development Block Grant funds and would continue to seek additional funds, she said. She noted this project has tremendous community support and will benefit a diverse group of people – seniors, children, students to be temporarily housed at St. Ann's school, as well as providing green space for downtown residents. She noted this will be the first major rehabilitation of Burnham's Field in 30 years, and that the CPC voted unanimously to support this project.

John McElhenny, 19 Allen St., a member of the Open Space and Recreation Committee and a neighbor of Burnham's Field and a founding member of the Burnham's Field Community Garden and Friends of Burnham's Field, pointed out there has been an improvement in the attitude of the local community toward Burnham's Field. He said having lived next to the field for the last 10 years he has seen the field go from a place where play structures and buildings were covered in graffiti and an area people were afraid to go become a place of great activity. He noted the many sports activities that take place on the field, and that the field is the largest open space in the heart of the downtown. He said it was an invaluable asset to those in the neighborhood who do not have yards. He urged the Council's approval for the funding of the Burnham's Field Restoration Project.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:19 p.m.

Both **Councilor Hardy** and **Council President McGeary** lauded and congratulated the efforts of Councilor Cox in spearheading the Burnham's Field restoration.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council appropriate \$122,000 (One Hundred Twenty Two Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for the purpose of the City of Gloucester Burnham's Field Phase 1 Improvements Project to fund new play equipment and refurbish playing surfaces, installation of new pathways and lighting that meet Americans with Disabilities Act (ADA) standards including an ADA-compliant restroom and appropriate landscaping as part of the overall Burnham's Field Phase 1 Improvement Project. The appropriation will be allocated to the Open Space category and funded by \$25,120 from Unreserved Fund Balance in Fund #270000 and \$96,880 from Open Space Reserve Fund #270100. The project will be tracked in the Community Preservation Fund Capital Projects – Open Space Projects Fund #340009.

DISCUSSION:

Councilor Cox explained that the Budget & Finance Committee unanimously supported the Community Preservation Committee recommendation. She pointed out this project is in her ward and was one which she and the residents of her ward have a strong interest in seeing that the project is completed. She added that in light of the fact that the West Parish student will be housed at St. Ann's Parish starting this fall, a rehabilitated Burnham's Field will not only enhance the neighborhood surrounding the field, but also give the elementary students a safe and clean open space to use for outdoor exercise. She also noted that the Burnham's Field Community Gardens group is offering an area of the garden for the West Parish students' use next spring. She said this is a wonderful use of Community Preservation Act funding in support of a valuable community open space. She thanked the Council for their support but added that if she had not had the community support the project wouldn't have moved forward, and expressed her thanks to residents of Ward 2 for helping to make Burnham's Field a great city open space.

MOTION: On motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to appropriate \$122,000 (One Hundred Twenty-Two Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for the purpose of the City of Gloucester Burnham's Field Phase 1 Improvements Project to fund new play equipment and refurbish playing surfaces, installation of new pathways and lighting that meet ADA standards including an ADA restroom and appropriate landscaping as part of the overall Burnham's Field Phase 1 Improvement Project. The appropriation will be allocated to the Open Space category and funded by \$25,120 from Unreserved Fund Balance in Fund #270000 and \$96,880 from Open Space Reserve Fund #270100. The project will be tracked in the Community Preservation Fund Capital Projects – Open Space Projects Fund #340009.

2. PH2014-011: Loan Order #2014-002: Loan Authorization in the amount of \$39,774,111 re: West Parish School

This public hearing is opened at 7:25 p.m.

Those speaking in favor:

Mayor Carolyn Kirk expressed her support of the West Parish School loan authorization. She recognized the presence of members of the School Committee: Chair Jonathan Pope, Anthony Gross and Kathy Clancy; Superintendent of Schools Dr. Richard Safier; Telena Immel, principal of the West Parish School; the owner's project manager, Kevin Buckley; Brad Dore, the designer from Dore & Whittier, and the construction manager from W.T. Rich, John Rich.

Mayor Kirk spoke of the excitement building in the community for the city's public schools. The district, she said, has actively engaged the city's Parent Teacher Organizations (PTO's) to produce the vision now coming together for the city's public schools. She also said that the Administration's job and that of the Council is to provide the resources and learning environments for the city's educational programs. She added that the School Committee's job is to straddle both worlds. She then recognized School Committee Chair Jonathan Pope for his quiet and persistent leadership over the past decade to get to this point. A positive vote by the Council sets a standard for excellence and a path for the city's elementary schools for the next 50 years, **Mayor Kirk** said. She said she was proud to serve with the members of the Council and the School Committee. She remarked that this is a momentous decision that is good for Gloucester's children.

Carlotta Patten, 16 St. Joseph's Lane, a mother of 2nd and 4th grade students at West Parish School, described the process as "quite a journey" over two years. She noted the journey had begun two years earlier when the Council voted to approve a feasibility study for replacing West Parish. She said that while it is a lot of money for a new school, it is a sign of great things to come for the district and the city. She said the Council was making an investment in the community's children who are the city's future.

Joel Favazza, 25 Acacia St., spoke in favor of the loan request because he said he perceived he had no choice. This is a loan that doesn't help staff or students in other school facilities dealing with health and maintenance issues, he said, and then listed some of those issues he said he saw as ongoing problems that had yet to be addressed. He spoke to what he said was a lack of maintenance at the Fuller building and other city school facilities. He expressed concern that this is the first of many schools that will need to be replaced in the district. He urged there be a comprehensive school plan to make this the last time taxpayers incur a great cost for the lack of preventative maintenance for the city's school building assets.

Jonathan Pope, Chair of the School Committee, 16 Marble St., said that right after World War II, the city started building new schools, from West Parish, to East Gloucester, and up to Plum Cove which opened in 1966. West Parish is 65 years old, he pointed out, and that the Massachusetts School Building Authority expects new schools to have a 50-year lifespan. He pointed out there is an active study being undertaken of all the school facilities at this time. He assured that by the time West Parish is started there will be a plan on how to replace or upgrade the city's elementary schools, all of which are beyond their life expectancy. He urged there be a vision, as there was in his parents; time, for the city's schools. He spoke of the disparities in income and said that the only thing that will narrow that gap is education. He asked the Council to vote in favor of the loan order.

Those speaking in opposition: None.

Communications: Peter Dolan, 150 Mt. Pleasant Avenue. in favor (submitted by email on file); **Melissa Teixeira**, School Committee Vice Chair, submitted an email of support which was read by **Linda T. Lowe**, City Clerk to the Council (on file); and former Superintendent of Schools Christopher Farmer via email in favor.

Councilor Questions:

Councilor Whynott asked who was to be the Clerk of the Works is for the project as it was his recollection that the most cost effective and successful city building projects had local Clerk of the Works overseeing the projects. **Kevin Buckley of the firm KBA**, the owner's project manager for the West Parish School Project, responded that the clerk will be on site at all times when the contractors are on site supervising the project from his own trailer, and that in his position as owner's project manager it falls under his contract responsibilities to hire the clerk.

Councilor Hardy expressed concern that future maintenance plans be in place for the new West Parish School. She asked if this would be the full-time responsibility of the present Facilities Manager or whether a new Assistant Facilities Manager might be required to oversee the maintenance of the new school, as well as those schools planned for the future. She also encouraged all school parents that, if there was a pervasive school maintenance issue, they bring their concerns to the Council under oral communications. **Mr. Duggan** pointed out that the Facilities Manager, Jim Hafey, is part of the West Parish Building Committee and has been a clear voice during the process on maintenance issues and expectations going forward. Maintenance of the new school, he said, will be included in the budget, he said. He added that the city is sensitive to maintaining this important investment and going forward there will be appropriate personnel to provide maintenance. **Councilor Hardy** asked whether, if it meant increasing the number of personnel, **Mr. Duggan** was agreeing to add them, which he said that he was.

Council President McGeary asked that the construction manager speak to the methodology of the so-called Construction Manager at Risk process. **John Rich**, chief executive officer of W.T. Rich Company and project executive of the West Parish School project, said his company had been selected as the Construction Manager at Risk for the school project. He pointed out he lives in Wenham; the project manager lives in Rowley and, Bill Aubrey, an assistant construction superintendent, is an alumnus of West Parish Elementary and lives one mile away on Concord Street assuring locally based personnel.

As to the Construction Manager at Risk process, **Mr. Rich** explained the system and process as follows: The old process was that a general contractor submitted a bid on a lump sum price after the design was 100 percent complete. This process had inherent problems especially when the price was established in advance, and general contractors and subcontractors were always looking to make cut costs, which didn't always serve the owner's interests. The Construction Manager at Risk is more of a partnership with the owner (the city). There is greater incentive to produce quality work in order to win the favor of the owner for future work, and there is more accountability than with a low-bidder practice. The construction manager joins the project during the design phase, doing reviews of design documents being developed by the architects to find any issues. The manager also looks at the designs from a "constructability" view and expresses concerns when the designs might lead to problems for the contractor. The quality of the estimates is better which helps the city to get the right price for the right design in order to get as much into the building as possible. The Construction Manager at Risk sets a guaranteed maximum price. Once construction starts, it becomes more of a collaborative process to get the quality the project deserves, and ensure that schedules are met.

On inquiry by **Council President McGeary**, **Mr. Rich** said this is the fourteenth project that his company has acted as a Construction Manager at Risk under MGL Chapter 149A Public Construction Manager at Risk. He said his team is responsible for the probate and family court expansion and renovation in Salem, a community college in Lawrence; projects in Cambridge, Newton and Worcester and several municipal projects, including schools in Leominster and Norton, and a technical school in Easton. W.T. Rich, he noted, is based in Newton, and that the firm generally takes on projects in the Route 495 area.

Councilor Hardy noted the final loan order total of \$39,774,111 and asked what the reimbursement rate from the Mass. School Building Authority (MSBA) was. **Mr. Duggan** said the reimbursement rate started at 48.27 percent and with the addition of various green features and other educational enhancements, the MSBA will now reimburse the city up to 58 percent on eligible expenses, but not on the loan total loan amount. This, he said, comes to about \$17 million* that should come back to the city. **Councilor Hardy** thanked Mr. Duggan for the hard work it took to get to that point. He noted it was a team effort.

*** Clarification received on 02/26/14 from CAO Jim Duggan by email as follows:**
"City Council President McGeary and Members of the City Council,

First, I would like to thank you for the support of the West Parish Project. As the Mayor stated last night, "A positive vote by the Council sets a standard for excellence casing a future path for the city's elementary schools for the next 50 years."

I also want to take this opportunity to be more specific on the amount the city will be reimbursed from the MSBA for the West Parish School Building Project. At last night's city council meeting, I expressed the city would be reimbursed approximately \$17 million from the MSBA. The specific amount the city will be reimbursed at 59.73% IS \$15,173,834 of eligible expenses. I apologize for not being more specific."

Councilor Theken declared that under MGL c. 268A she was eligible to discuss and vote on the loan authorization although she is involved in the St. Ann's Church Family Parish Council. She pointed out that the total of the loan covers the swing space and the St. Ann school upgrade, and other costs associated with the new school. She also noted the fifth graders would be going to the O'Maley School. **Mr. Duggan** said that this loan covers everything including the fifth graders being housed at the O'Maley Middle School and kindergarten through fourth grades housed at St. Ann's. It is all combined into one package, he said. **Councilor Theken**, noting that all the city's schools in terms of replacement or upgrades are being studied at this time by the School Committee, asked if St. Ann's would be used as a temporary space in the future should other schools need to be replaced. **Mr. Duggan** said the city would consider the St. Ann's school for the purpose of temporary school space as the city invests in its school facilities moving forward. He said he couldn't guarantee it but did point out the city has a good relationship with the Archdiocese and the Parish. **Councilor Theken** said there are 15 parking spaces next to Burnham's Field which were used by St. Ann's teachers and could be used by the West Parish teachers. She said she would forward documentation to that effect to Mr. Duggan.

Council President McGeary asked what this loan authorization does to the city's borrowing capacity, noting there was a theoretical limit versus a comfort level. **John Dunn**, CFO, said the theoretical limit as set by Proposition 2 ½ will not be reached. In terms of the comfort limit, that is how much the city can afford out of the budget each year to pay down the debt, he said while difficult to estimate, if the city issued about \$22 million to \$24 million in debt at the current range of interest rates over 30 years it would cost between \$1.3 million to \$1.5 million annually in debt service. He said it was difficult to be more specific because of the length of the project and the fact that the debt will be issued in stages – probably \$10 million, \$10 million and the. He pointed out that there will be a number of years where the debt service will be in the range of \$1.3 million to \$1.5 million annually, but will be a bit lower on the front and back end of the loan. As existing debt comes off line, that increased capacity will be offset by the debt for this school. Bond debt, he said, won't hit for another two or three fiscal years. **Council President McGeary** noted the debt starts to come off line in Fiscal Year 2017. **Mr. Dunn** said debt is rolling off in FY15, FY16 and FY17, although some current funding from the old School Building Authority goes away as well, which will decrease city revenue at the same time as the city's debt service costs start to decline. The projection is that most of the debt service as it falls off in FY17, FY18 and FY19 should be sufficient to cover the debt service on West Parish, making the cost of financing fairly level. The borrowing will cost a little more because it is 30-year level debt, he noted, and it is anticipated that the interest rate will be in the 4 ¾-to-5 percent range. **Council President McGeary** said if there was another large capital investment to be made by the city such as a Secondary Waste Water Treatment Plant at about \$60 million, would the city have the debt capacity or would the city be facing a debt exclusion to finance it. **Mr. Dunn** responded a capital investment of that level would necessitate some type of a Proposition 2 ½ override.

This public hearing is closed at 7:55 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following loan order:

Ordered: That the City appropriate the amount of Thirty Nine Million Seven Hundred Seventy Four Thousand One Hundred Eleven Dollars (\$39,774,111 Dollars) for the purpose of paying costs of construction and furnishing and equipping a new West Parish Elementary School located at 10 Concord Street in Gloucester, Massachusetts, including paying the costs of engineering and architectural plans and specifications, an owner's project manager, demolition of the existing building, acquisition or securing of space associated with housing students at a different, non-city owned location (including renovation costs as necessary to retro-fit the space to suit its needs) and purchasing modular classrooms for the transition, and including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Treasurer with the approval of the Mayor, is authorized to borrow said amount under M.G.L., Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that City may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-nine and seventy-three one hundredths percent (59.73%) of eligible, approved project costs as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and

that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

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

DISCUSSION:

Councilor Cox explained that while the Administration has expressed to the B&F Committee that it has reached its comfort level with municipal borrowing between the loan authorization and the one to follow for the below-ground infrastructure project for Commercial Street, the City has not reached its borrowing limit. She said that the project is an important step in modernizing the city's above-ground infrastructure, and one which the B&F Committee, after careful deliberation, unanimously endorsed. **Councilor Cox** clarified for the Council that the actual MSBA reimbursement rate is 59.37% for eligible expenses.

Councilor Fonvielle said that as Ward Councilor, a former West Parish parent and now grandparent, he commended the Mayor, Superintendent, the School Committee and the West Parish community for their leadership. He said when looking back ten years from now, this loan authorization will be seen as a great bargain to raise up quality education in the city. He expressed his support for the loan authorization.

Councilor Verga stated that this is a long overdue construction project. He noted he is a neighbor to the school and was one of the parents who helped build the addition to West Parish. He said that the city has to start somewhere to get to the end point of modernizing its schools, and the school study in progress will bring the city forward with a plan for its school buildings. He, too, expressed his support for the loan authorization.

Councilor LeBlanc expressed his appreciation that the city will be reimbursed for the costs of the school at such a high rate. He also extended his thanks to the Mayor, School Committee and West Parish community for their efforts to get to this point.

Councilor Theken added her support for the loan authorization, thanking the West Parish PTO for their hard work. She pointed out that there are new roofs on the schools (also reimbursed by the MSBA); there are good people taking care of the school buildings and slowly the schools are having their systems replaced, fixing many problems with the school buildings. She said a project like this will help reverse the cycle of school choosing out of the school district. She added that this is a step forward and that she would support the loan order.

Councilor Lundberg spoke to the comment earlier whether the city does have an option on this project. He said there was, and that option has been chosen - a convergence of excellence between the School Committee, the parents and Council to provide funds for this asset which is a great option and a great choice, he said.

Council President McGeary thanked the members of the West Parish Building Committee, all volunteers, and acknowledging those who were present by asking them to stand to receive their due recognition. The resulting product, he said, shows their effort. He said agreed with Mr. Pope that the question is not how can we afford to do this, but how can we not. He pointed out that those who benefited from free public education, particularly of his generation, know how important this building project is the city and its future. He said this is a good beginning and added his support of the loan order.

MOTION: On a motion by Councilor Cox, seconded by Councilor Verga, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve the following loan order:

ORDERED: That the City appropriate the amount of Thirty Nine Million Seven Hundred Seventy Four Thousand One Hundred Eleven Dollars (\$39,774,111 Dollars) for the purpose of paying costs of construction and furnishing and equipping a new West Parish Elementary School located at 10 Concord Street in Gloucester, Massachusetts, including paying the costs of engineering and architectural plans and specifications, an owner's project manager, demolition of the existing building, acquisition or securing of space associated with housing students at a different, non-city owned location (including renovation costs as necessary to retro-fit the space to suit its needs) and purchasing modular classrooms for the transition, and including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this

appropriation the Treasurer with the approval of the Mayor, is authorized to borrow said amount under M.G.L., Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that City may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-nine and seventy-three one hundredths percent (59.73%) of eligible, approved project costs as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

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

The City Council recessed at 8:05 p.m. and reconvened at 8:15 p.m.

3. PH2014-012: Loan Order #2014-004: Loan Authorizations in the amount of A. \$3,075,000 from the General Fund; B. \$1,225,000 from the Water Enterprise Fund; and C. \$2,200,000 from the Sewer Enterprise Fund

This Public Hearing is opened at 8:15 p.m.

Those speaking in favor:

Mayor Carolyn Kirk pointed out that while the Council is voting loan authorization for the entire cost of the project there are two important reimbursements coming back – a \$3 million MassWorks grant and \$1.4 million contribution in place from Beauport Gloucester LLC for the project. She reemphasized the importance of the infrastructure project; however, the construction of the hotel in this area demands that the City coordinate this project, prioritizing it to support the businesses there now. Whether it is done now or five years from now, she said, it is prudent to coordinate the timing of the construction to minimize the impact on the neighborhood and to take advantage of the MassWorks grant which is coming to the city because the hotel is creating jobs—a condition of the grant. She asked for the Council's support.

Patti Page, 3 Tidal Cove Way, said that she represented the Commercial Street seafood processing businesses located in the Harbor Cove Marine/Industrial (M/I) district. Pointing out that the seafood processors located in Harbor Cove are the anchors of the seafood industry. She pointed out Harbor Cove provides 19 percent of the vessel dockage in the harbor, as well as ice, storage and other services to the industry. She said the investment and support of this industry is important. She said the infrastructure project must be done properly, and that in order for the seafood industry to expand, it is essential that the city include wastewater pretreatment as part of the project. She suggested an amendment to the loan authorization. This project, she said, qualifies for other types of funding, not just the MassWorks grants, but through the Economic Development Administration (EDA), U.S. Dept. of Agriculture (USDA) or Mass. Department of Environmental Protection (DEP). She cited the Port Recovery and Revitalization Plan, the City's Harbor Plan and the Mass. Development Report as the City's guiding documents, all of which, she said, recommend lowering processing costs, making infrastructure investments and encouraging advanced seafood product development. She also cited a study by Urban Harbors Institute which recommended that the city explore mechanisms that would enable public investment in the repair of upgrade water infrastructure in support of the commercial fishing fleet on private property. She said the city has made loose commitments for space requirements, and the seafood processors need assurances that the city will make a commitment to secure adequate funding to address the wastewater pretreatment needs and incorporate it into the infrastructure design. She quoted the newly released Port Recovery Plan, Item No. 6 as follows: "Identify the water quality issues related to fish processing wastewater and explore alternatives to solving it; invest in fish processing wastewater pretreatment and explore surface water disposal. This is essential to processing at its current levels and to encourage expansion and diversification of processing other seasonally available species."

Anne Molloy, Neptune's Harvest and Ocean Crest Seafood on Commercial Street, said she believed that this project is mostly done for the benefit of the hotel proposed by Beauport Gloucester LLC. While the road is being ripped up she said it doesn't make sense not to put in wastewater pretreatment. She said this is the time to deal with pretreatment if the city wants to encourage M/I businesses. She said that even if the private processing companies

have to bear the financial burden there must be a way the city can help. Existing businesses need help, not just new processors coming to the city, she pointed out. Ms. Molloy said that any help with water rates, or some kind of tax credits should be discussed and made part of this deal so these companies in the Fort can continue to grow.

Valerie Nelson, 7 Sunset Hill Road, requested that the Council through amendment or other language state a commitment that the city will seriously explore the wastewater pretreatment option before construction begins on the infrastructure project. She said that wastewater pretreatment has been identified in all kinds of plans concerning the harbor. She pointed out that Gloucester used to have 25 processors along the waterfront, and there only a handful now. When the requirement came along that they could no longer push their effluent into the city's sewer system, it became a burden on each individual owner and many folded, she said. **Ms. Nelson** asserted that one of the most important matters in the harbor's revitalization is pretreatment in order to move forward to increase, upgrade and innovate seafood processor's product lines. She commented that Mr. Hale has talked internally with engineers and with the city's water and sewer contract operator, Veolia Water North America, about pretreatment for the Fort, but said there are many sources for information beyond a narrow scope. She noted that one option is generating energy from waste. She suggested these issues have not been adequately explored and reiterated her request that a condition be made on the loan authorization for pretreatment.

Mayor Kirk suggested that the time to explore a permanent solution for pretreatment in this particular area would be when the city has to take up the issue of secondary wastewater treatment. The city is talking to the Environmental Protection Agency in order to come up with alternative solutions, knowing there is likely to be a federal mandate for secondary treatment at some time in the future. As the system's limits are reached, the need for secondary treatment will become more urgent, which will require a comprehensive solution, she said. **Mayor Kirk** said that would be the time to seriously tackle the pretreatment problem that was never addressed 25 years ago when pretreatment needs changed and were not accommodated. She said this is not a one-neighborhood or one-business issue, and the city's wastewater capacity needs to be looked at as a whole. **Mike Hale**, Public Works Director, said that during his reappointment before the Council recently, he recounted for the Council that he had asked Veolia, as one of the largest contracted wastewater operators in the country, and as the city's contract waste water operator, to forward any examples where there is industrial pretreatment with a city or public entity managing pretreatment for private businesses. He said it was found that generally such an arrangement is not shared by all the ratepayers in a city. Pre-treatment is generally established on a limited basis in industrial parks and does not include municipal participation, he said. The city has advanced primary pretreatment and cannot accept secondary pretreatment due to capacity limits at this time, he said. With individual businesses needing different forms of pretreatment that may or may not change over time, each needs an individually designed system, he said, and the businesses must discuss among themselves what their business needs are. He said understood that people are passionate about the pretreatment issue. **Mr. Hale** said this is not just an industrial issue but residential issue, and it is an issue for the entire city, not just the Fort. There is an opportunity to produce a good plan accommodate the needs of the industry with land and infrastructure. He pointed out that streets can be opened up again to lay pipes or further infrastructure and that there is a lot of permitting involved where pretreatment is concerned. He said a discussion on pretreatment will take some time and include discussion on how the city might facilitate pretreatment.

Ms. Nelson expressed her appreciation for the statements of Mr. Hale and the Mayor, but said that there are concerns to be immediately addressed. For example, she said, there are some questions of where a pump station might go in the Fort, noting there is a publicly owned property at the end of Commercial Street. Whatever gets designed can be opened to be able to be designed for pretreatment moving forward, she pointed out.

Ms. Molloy said that the money for the infrastructure project has some funding coming from the Water and Sewer Enterprise Funds retained earnings (free cash). She pointed out that this is taxpayer's money being used for an infrastructure project, which she said is to help a hotel and expressed her concern about the use of the public money for that purpose.

Mayor Kirk responded that the approach was to tackle the entire neighborhood, not just the hotel's needs. If it was just for the hotel, it would be a much smaller project, she said. In terms of helping businesses if there is an opportunity to use city land, the administration will look at it, she added. She said that the city must also deal with its high water rate, which is very costly to businesses. Her administration has tasked Mr. Hale to recommend ways to gain relief on the water rate in order to attract and retain businesses in the city, she said, and added that she wouldn't rule out rate relief for relief to existing businesses, not just those new to the city. The Mayor concluded her remarks by saying that all possible tools to help the city's businesses are being looked at.

Communications: None.

Councilor Questions:

Councilor Cox asked if it is possible to move the pump station to 110 Commercial St., to leave the current pump station where it is in order to help with traffic issues. **Mr. Hale** said the 110 Commercial St. property owned by the

city has some soil contamination, and there is an issue to setting the pump station to an elevation that is above the velocity zone, at least by the FEMA flood maps. The station, where it is proposed now, will need to be raised higher out of the ground. He questioned how much space would be freed up, but surmised that it would likely be very little, adding that a trailer truck can't be turned around there, and it remains unclear of potential traffic benefits. He said if there was pretreatment in the future in that area, the pump station would be close enough. He said he was not sure the effluent would reach gravity for everyone. He said elevation-wise, retaining that lot for the future would be wise.

Councilor Cox noted that a Brownfield study was done on 110 Commercial Street and asked about the results as to what was the level and kinds of contamination on the property. **Tom Daniel**, Community Development Director, said the assessment has been done in terms of contamination identification. Developing a plan for a cleanup is underway now, he said.

This Public Hearing is closed at 8:45 p.m.

A. General Fund Loan Authorization

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following General Fund Loan Authorization:

Ordered: That \$3,075,000 (Three Million Seventy-Five Thousand Dollars) is appropriated for improving roads, drainage, sidewalks, seawall replacement and streetscapes, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$3,075,000 under Chapter 44 of the Massachusetts General Laws or any other enabling legislation; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes.

DISCUSSION:

Councilor Hardy questioned the amount of the Water Fund loan. **Councilor Cox** pointed out that the Water Fund loan authorization was increased from \$1,225,000 by \$150,000 to \$1,375,000 because the Water Enterprise Fund Retained Earnings (free cash) did not have enough funds available for the original intended amount the supplemental appropriation of \$500,000. This was discussed and voted on at the Feb. 20th B&F Committee meeting and is reflected in the Water Loan order before the Council. The loan order advertisement had a different loan order figure of \$1,225,000, **Council President McGeary** pointed out.

Councilor Theken thanked the Mayor, the DPW Director and those who spoke advocating pretreatment for the Fort processors. She said a dialog has been opened and needs to be kept moving forward on pretreatment. Pretreatment would benefit not just the Fort but other Gloucester seafood processors as well. She said she would support these loan authorizations and the transfers from the Water and Sewer Enterprise Funds retained earnings.

Councilor Cox also pointed out that in discussions with Mr. Hale regarding Enterprise Fund retained earnings (free cash) being used on this project, there are other infrastructure projects in the city that have used free cash in other neighborhoods, most recently in Annisquam last year. Use of free cash for this purpose is not setting a precedent, she said.

MOTION: On a motion by Councilor Cox, seconded by Councilor Whynott, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve the following General Fund Loan Authorization:

ORDERED: That \$3,075,000 (Three Million Seventy-Five Thousand Dollars) is appropriated for improving roads, drainage, sidewalks, seawall replacement and streetscapes, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$3,075,000 under Chapter 44 of the Massachusetts General Laws or any other enabling legislation; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes.

B. Water Fund Loan Authorization:

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following Water Fund Loan Authorization:

Ordered: That up to \$1,375,000 (One Million Three Hundred Seventy-Five Thousand Dollars) is appropriated for the purpose of financing the construction of the following water pollution abatement facilities: water system improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$1,375,000 and issue bonds or notes therefor under Chapter 44 of the Massachusetts General Laws, or any other enabling legislation and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes.

MOTION: On a motion by Councilor Cox, seconded by Councilor Whynott, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve the following Water Fund Loan Authorization:

ORDERED: That up to \$1,375,000 (One Million Three Hundred Seventy-Five Thousand Dollars) is appropriated for the purpose of financing the construction of the following water pollution abatement facilities: water system improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$1,375,000 and issue bonds or notes therefor under Chapter 44 of the Massachusetts General Laws, or any other enabling legislation and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes

C. Sewer Fund Loan Authorization:

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following Sewer Fund Loan Authorization:

Ordered: That \$2,200,000 (Two Million Two Hundred Thousand Dollars) is appropriated for the purpose of financing the construction of the following sewer pollution abatement facilities: sewer system improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$2,200,000 and issue bonds or notes therefor under Chapter 44 of the Massachusetts General Laws, or any other enabling legislation and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes.

MOTION: On motion by Councilor Cox, seconded by Councilor Whynott, the City Council voted by **ROLL CALL 9** in favor, 0 opposed, to approve the following Sewer Fund Loan Authorization:

ORDERED: That \$2,200,000 (Two Million Two Hundred Thousand Dollars) is appropriated for the purpose of financing the construction of the following sewer pollution abatement facilities: sewer system improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$2,200,000 and issue bonds or notes therefor under Chapter 44 of the Massachusetts General Laws, or any other enabling legislation and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; and that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; that the Mayor is authorized to contract for and expend any federal, state or private aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such aid received prior to the issuance of bonds or notes under this order; 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 these purposes.

Supplemental Appropriation from Sewer Enterprise Fund Retained Earnings:

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-48 in the amount of \$500,000 (Five Hundred Thousand Dollars) from the

Sewer Enterprise Fund- Undesignated Fund Balance (“Retained Earnings”), Account #600000.10.000.35900.0000.00.000.00.000 to CIP Commercial Street Infrastructure Project – Sewer, Account # 310025.10.470.58760.0000.00.000.00.058 for the purpose of necessary Sewer infrastructure improvements for the Commercial Street Infrastructure Project.

MOTION: On a motion by Councilor Cox, seconded by Councilor Whynott, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-48 in the amount of \$500,000 (Five Hundred Thousand Dollars) from the Sewer Enterprise Fund- Undesignated Fund Balance (“Retained Earnings”), Account #600000.10.000.35900.0000.00.000.00.000 to CIP Commercial Street Infrastructure Project – Sewer, Account # 310025.10.470.58760.0000.00.000.00.058 for the purpose of necessary Sewer infrastructure improvements for the Commercial Street Infrastructure Project.

Supplemental Appropriation from Water Enterprise Fund Retained Earnings:

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-49 in the amount of \$350,000 (Three Hundred Fifty Thousand Dollars) from the Water Enterprise Fund- Undesignated Fund Balance (“Retained Earnings”), Account #610000.10.000.35900.0000.00.000.00.000 to CIP Commercial Street Infrastructure Project - Water, Account # 320022.10.470.58760.0000.00.000.00.058 for the purpose of necessary Water infrastructure improvements for the Commercial Street Infrastructure Project.

MOTION: On a motion by Councilor Cox, seconded by Councilor Whynott, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-49 in the amount of \$350,000 (Three Hundred Fifty Thousand Dollars) from the Water Enterprise Fund- Undesignated Fund Balance (“Retained Earnings”), Account #610000.10.000.35900.0000.00.000.00.000 to CIP Commercial Street Infrastructure Project - Water, Account # 320022.10.470.58760.0000.00.000.00.058 for the purpose of necessary Water infrastructure improvements for the Commercial Street Infrastructure Project.

4. **PH2014-013: Designation of 21-29 Great Republic Drive as an Economic Opportunity Area (EOA)**
5. **PH2014-014: TIF Agreement re: Mazzetta Company LLC, 21-29 Great Republic Drive**

These Public Hearings are opened at 9:01 p.m.

Those speaking in favor:

Mayor Kirk said she was in favor of the Tax Increment Financing (TIF) agreement for the Mazzetta Group LLC, which was modeled after the Gorton’s of Gloucester TIF for their plant expansion. The TIF, she explained, was a requirement to allow the company to participate in the State’s tax incentive program. This TIF, she pointed out, is similar. The cost to the city is about \$17,000 in taxes, but it brings a state of the art seafood processing facility with 125 permanent and 100 seasonal jobs to the city. She added that the city competed very hard for this business.

Mr. Duggan said that the city is a state Economic Target Area (ETA) and within the ETA are Economic Opportunity Areas (EOA) zones. The Blackburn Industrial Park was classified as an EOA zone about 15 years ago, he noted, and that blanket EOA will expire in September 2015. The request by the city on behalf of the Mazzetta Company is for a site-specific EOA to support a state level site-specific EOA for 21 Great Republic Drive.

Ms. Nelson added her support to the EOA and TIF for the Mazzetta Group LLC. She noted this entails a tax break for about \$700,000 on the state level. She commented that large corporations who come to the city seem to know how to get tax breaks and what she deemed as favorable treatment. She commented that the city needs to support its own existing businesses so that they can continue to expand and grow to their potential.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Whynott said he thought that there were TIF’s given to smaller businesses in the city, and that there is information available to any business who wishes to inquire about TIF’s and EOA designations through city agencies and the EDIC.

Councilor Hardy said she had read that the Mazzetta Group LLC will do the best they can to hire local residents and asked what that meant and whether there were any percentages guaranteed. She discussed with **Mr. Duggan** her concern. He said it was a concern of the administration as well who advocated that the company hire Gloucester people. It was clearly the company's position it will provide preference for local hiring, but they said they would hire the best person for a position, he noted. **Councilor Hardy** said that there were stipulations made on TIF's previously to monitor hiring of local people, citing the example of the Market Basket supermarket at Gloucester Crossing. She said she understood the Mazzetta Company would grow their within the footprint of the property at 21 Great Republic Drive and added her support the EOA and TIF. **Mr. Duggan** agreed with Councilor Hardy, and said that the administration will continue to send a clear message to the company about hiring locally for jobs created by the project.

Councilor Theken said that when TIF's were first being utilized in the city, they were given out with a requirement that a percentage of hiring be local people. TIF's were taken away because that had not been the case, but that was some time ago. She spoke of the interaction between industries and the fisheries when catch limits are reached or when it is off season. She said she would be disappointed if there was not at least five percent of the Mazzetta Company's workforce was local. She also added that the City is lucky to have Gorton's remaining in the city as well.

Councilor Cox noted as someone in the human resources field, it is hard to mandate a company to hire from a certain area for a certain percentage of jobs. The Mazzetta Group is a successful international business and that shorter commute times make for better employees, she pointed out. One of the things the city can do, she suggested, is to offer the City Hall auditorium for the Mazzetta Group to hold a job fair and assist locals who need help in preparing résumés. She also asked when the Mazzetta Company is going to open their doors for business. **Mr. Duggan** said it is anticipated that the company will take ownership and do their building renovation this spring. When the facility will actually open is an internal corporate discussion. A recruiting company has been hired by Mazzetta and local people have already applied for jobs, he said.

Councilor LeBlanc said that hiring Gloucester people is great, but he also recommended a living wage for the Mazzetta Company's jobs will be important too.

Councilor Whynot said a TIF means Gloucester is growing, and money is coming into the city. Right off the bat the company will bring in managers who won't be local folks initially. As far as the pay, if a job is worth a certain amount of money that will be the pay; but a company will also need to make money; so it is about balance. He pointed out that minimum wage jobs are still jobs.

Councilor Fonvielle asked if the city knew what the pay scales are. **Mr. Duggan** said that information had not been provided to the administration.

Council President McGeary asked whether there was any provision in the TIF for prevailing wages. **Mr. Duggan** said there was not.

These Public Hearings are closed at 9:20 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend the Blackburn Industrial Park Economic Opportunity Area (EOA) to create site specific EOA to be located at 21 Great Republic Drive as shown on Assessors Map 263, Lot 56 for a term of 12 years ending in February 2026.

DISCUSSION:

Councilor Verga said that the key word in an EOA is Opportunity. He pointed out the P&D Committee did their due diligence. The tax rate for the property is will be paid at 100 percent of property value. For building improvements, the valuation for tax purposes is 90 percent. It is an opportunity to create jobs and generate municipal taxes and should be the first of many, he said.

Councilor Cox noted that the B&F Committee also voted on the EOA; and it, too, was unanimous in its vote of support for the 21 Great Republic Drive EOA designation. The \$17,000 over five years is very reasonable for the jobs that will come to the city, she said.

Councilor Theken said money that comes from the State is also taxpayer's money; however, this does bring economic development to the city. She commented that no representative from the Mazzetta Company was present. She asked that a representative from the company meet with the Council and introduce themselves.

Council President McGeary pointed out that an internal procedural step was not taken due to time constraints. He noted the administration should have come forward to ask permission to negotiate the TIF; but because of the time pressure, the administration and the Council skipped the first step. He said that in his view, the Council had

met the spirit of the TIF requirements. The EOA and TIF designations for the Mazzetta Company were forwarded to the Council and referred out to the B&F and P&D Committees, and now to the Council. General Council, Suzanne Egan, through a memo (on file) advised that city is not required to follow the procedure, he noted. He then asked that the Council vote its assent to the shortened EOA and TIF procedure.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Verga, the City Council voted 9 in favor, 0 opposed, to waive the City Council site-specific EOA and TIF procedures in the instance of the Mazzetta Group LLC request for same for 21 Great Republic Drive.

MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to amend the Blackburn Industrial Park Economic Opportunity Area (EOA) to create site specific EOA to be located at 21 Great Republic Drive as shown on Assessors Map 263, Lot 56 for a term of 12 years ending in February 2026.

MOTION: A motion was made and seconded for the City Council to reconsider its vote on the Blackburn Industrial Park EOA site specific to 21 Great Republic Drive. The Council voted by a ROLL CALL 1 (Whynott) in favor, 8 opposed.

MOTION FAILS.

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council:

- 1) adopt the Tax Increment Financing (TIF) Plan and Agreement between the City of Gloucester and 21 Great Republic, LLC, for property located at 21 Great Republic Drive, as shown on Assessors' Map 263 Lot 56 within the proposed 21 Great Republic Way Economic Opportunity Area;
- 2) approve the project application and find that it meets the requirements of Mass. General Law chapter 23A section 3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Plan; and
- 3) authorize the Mayor to execute the TIF Agreement and submit the TIF Plan and Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, that the City Council:

- 1) **adopt the Tax Increment Financing (TIF) Plan and Agreement between the City of Gloucester and 21 Great Republic, LLC, for property located at 21 Great Republic Drive, as shown on Assessors' Map 263 Lot 56 within the proposed 21 Great Republic Drive Economic Opportunity Area;**
- 2) **approve the project application and find that it meets the requirements of Mass. General Law chapter 23A section 3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Plan; and**
- 3) **authorize the Mayor to execute the TIF Agreement and submit the TIF Plan and Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.**

MOTION: A motion was made and seconded for the City Council to reconsider its vote on the Tax Increment Financing Plan Agreement between the City of Gloucester and 21 Great Republic Drive, LLC for

a site specific EOA to 21 Great Republic Drive. The Council voted by a ROLL CALL 1 (Whynott) in favor, 8 opposed.

MOTION FAILS.

6. PH2014-015: Amend GCO Sec. 22-287 “Disabled veteran, handicapped parking” re: Dale Avenue

This Public Hearing is opened at 9:30 p.m.

Those speaking in favor:

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing was closed at 9:31 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking by ADDING “Dale Avenue, westerly side from a point beginning 120 feet from its intersection with Warren Street for a distance of 24 feet in a northerly direction (the space between the crosswalk and 10 feet from fire hydrant).”

DISCUSSION:

Councilor Whynott said that the Traffic Commission at their January 30th meeting unanimously recommended that this particular handicap space currently on the easterly side of Dale Avenue be moved across the street in order that people in a handicapped van would be able to exit onto a sidewalk instead of into street traffic.

Councilor Cox said this is a space relocation and that once it is set up, another order will be put in to remove another handicap space.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking by ADDING “Dale Avenue, westerly side from a point beginning 120 feet from its intersection with Warren Street for a distance of 24 feet in a northerly direction (the space between the crosswalk and 10 feet from fire hydrant).”

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 Theken announced that anyone who has insurance through the old Commonwealth Care is extended until June 30th.

Councilor Cox said there is a ward meeting to discuss the infrastructure project for Commercial Street at the American Legion building from on Thursday, Feb. 27, from 5 p.m. to 6:30 p.m. The AMVETS Auxiliary is having a Relay for Life this Friday for a Chili Cook-off and Line Dance lessons. Tickets are \$10.

Councilor Whynott mentioned that Kyrouz Auditorium was still not warm enough for a cold night and asked the DPW for more heat for the length of the Council meeting, or any other meeting taking place there.

Councilor LeBlanc said he would hold another meeting of the Ad Hoc Committee on the city’s animal control ordinance on Wednesday, Feb. 26, at 5:30 p.m. in the 3rd floor conference room at City Hall. Also, speaking for himself and Councilor Fonvielle he said they were asked to explore the consolidation for the polling places in Ward 3 and 5 by the City Clerk’s office and each Councilor would hold separate ward meetings on the matter to gain public input.

Councilor Verga announced that the P&D Committee and the Planning Board will hold a joint meeting to hear the resubmitted plans for the Beauport Hotel on Thursday, March 6 at 7 p.m. in the Kyrouz Auditorium at City Hall.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:37 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Information on dogs and fecal matter on beaches from Phil Dench for Council information.**