

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, August 12, 2014 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

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

**Absent: Councilor McGeary**

**Also Present: Acting Mayor Paul McGeary; Salvatore DiStefano, Sr.; Linda T. Lowe; Kenny Costa; John Dunn; Kevin Corridan; Sargent Sean Connors; Joan Whitney; Sander Schultz; Dr. Richard Safier; Jonathan Pope; James Pope**

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

**Flag Salute & Moment of Silence.** Council Vice President Sefatia Theken dedicated the Moment of Silence to Tina Ketchopulos, a longtime community volunteer, employee of Addison Gilbert Hospital and loved by all.

**Councilor Hardy** said that Ms. Ketchopulos was a great friend from their days at Cape Ann Animal Aid but was also a friend of the community and those who served around her. She said she was an inspiration at the Addison Gilbert Hospital, encouraged people to seek out needed services. She wished her well.

**Oral Communications: None.**

**Presentations/Commendations:**

**1 of 1: Introduction of Deborah Kelsey – Sawyer Free Library Director**

**Councilor Fonvielle**, also a member of the Board of the Sawyer Free Library, introduced Deborah Kelsey to the Council, as the new Director of the Sawyer Free Public Library reviewing her qualifications as follows: Ms. Kelsey is a certified professional librarian by the MA Board of Library Commissions. She comes to the city from the Medfield Public Library where she was the Director for the past six years. She has also served in various senior library positions for 22 years in libraries in Natick, Framingham, Wayland and Needham. She holds a Master's Degree in Library Sciences with a specialty in Archives Management from Simmons College, and a Bachelor's Degree from the University of Connecticut. She is the immediate past president of the New England Library Association and has served as a board member of the MA Library System, Metro West Regional Library System and Literacy Unlimited.

**Ms. Kelsey** informed the Council that she is happy to be back home on Cape Ann, and every day is a new discovery at the Sawyer Free Library. She expressed she wished to spend some time with each of the Councilors to explore what their vision for the library's future might be and how they would like to see the library improve and expand its services for the community.

**New Appointments:**

**Acting Mayor Paul McGeary** said the Administration is pleased to present Salvatore DiStefano, Sr. to be nominated as the new Chief Administrative Officer. Mr. DiStefano comes to the city from the Boston Redevelopment Authority (BRA) where he spent the last 10 years being responsible for a number of industrial developments. He pointed out that Mr. Di Stefano helped to develop the Newmarket Industrial District, and was responsible for developing that city's industrial retention policy. He noted that Mr. DiStefano has a good deal of development experience which will come to good use in the city given the number of development efforts either immediately in the offing or in the not too distant future – I4-C2 (65 Rogers Street), the Fuller site, West Parish School. He said having someone on staff with Mr. DiStefano's particular expertise will be a real asset to the city and that the Administration recommends the approval of Mr. Di Stefano's nomination.

**Mr. Di Stefano**, appointee as Chief Administrative Officer related his personal and professional background as follows to the Council: He comes from many generations of Sicilian fishermen and grew up in his family's restaurant business. He was the industrial manager for the BRA for 10 years. Under his leadership and leadership of Mayors Menino and Walsh he was able to bring scores of companies and hundreds of jobs to the city, by working

with the companies one-on-one, helping create policy that was business friendly, and helping companies cut through red tape at city, state and federal levels, and shepherded companies through city permitting processes. During his time at the BRA he worked with just about every City of Boston agency or department to help these businesses. He said he had a passion for helping businesses through his own family's experience in trying to run a small business.

He was the first to go to college in his family, attending Cardinal Stritch University in Milwaukee, WI, where he learned Franciscan values through his college education and served time in India as a missionary in his senior year in college. He has a deep financial understanding having graduated with a degree in Accounting. He worked as an auditor with New England Financial/MetLife travelling around the country auditing brokerage houses and commercial real estate developments at a very young age and creating reports that would go all the way to the CEO of MetLife. During that time he found being involved in his community was really important in East Boston and through that work volunteering for the Main Streets program. It was though the Main Street program where he got work with Mayor Menino who then asked him to take on the position with the BRA heading up the industrial retention policy area. He said he has now spoken about that program's success throughout the country.

**Mr. Di Stefano** pointed out he has a background in building bridges and communicating with people, and that even if there is disagreement there is a way, he said, to move on be professionals. He noted he has helped run the seafood booth at the Seafood Show in Boston for the last 10 years. He said he is a hard-working, honest man and was excited to relocate to Cape Ann with his family. He added he gets out in the community to build relationships with an open door policy. He said he wants to continue to move the city forward working on getting developments off the ground, bring new business to Gloucester and is here to help and work with the Council.

**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 appoint Salvatore DiStefano as Chief Administrative Officer, TTE 02/14/2015 pursuant to City Charter Sections 2-10, 3-3 and 3-7.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted by 8 in favor, 0 opposed, 1 (McGeary) absent, to appoint Salvatore DiStefano as Chief Administrative Officer, TTE 02/14/2015 pursuant to City Charter Sections 2-10, 3-3 and 3-7.**

### Consent Agenda:

#### • **MAYOR'S REPORT**

1. Report & recommendation from the Gloucester Poet Laureate's Selection Panel for appointment of Peter Todd, Poet Laureate (Refer O&A)
2. Supplemental Appropriation-Budgetary Transfer Request (2015-SA-3) from the CFO/Auditor's Office (Refer B&F)
3. Memorandum from Fire Chief requesting permission for reimbursement from FY15 funds to Firefighter Theodore Bazdanes for Personal item damaged while performing his duties during FY15 (Refer B&F)
4. Memorandum, Grant Application & Checklist from Public Health Director re: acceptance of a Public Health Emergency Preparedness (PHEP) Grant in the amount of \$170,645 from MA Dept. of Public Health, Emergency Preparedness Bureau (Refer B&F)
5. Memorandum, Grant Application & Checklist from Public Health Director re: acceptance of a PHEP Grant in the amount of \$13,340 from MA Dept. of Public Health, Emergency Preparedness Bureau (Refer B&F)
6. Memorandum, Grant Application & Checklist from Harbormaster re: acceptance of a Dept. of Conservation & Recreation Grant In the amount of \$24,750 for security lighting at the Dun Fudgin Boat Ramp (Refer B&F)
7. Memorandum, Grant Application & Checklist from Harbormaster re: acceptance of a Clean Vessel Act Grant in the amount of \$9,500 from the MA Division of Marine Fisheries (Refer B&F)
8. Special Budgetary Transfer Request (2015-SBT-3) from the Community Development Department (Refer B&F)
9. Request for acceptance of a \$2,000 donation from Gloucester resident re: Department of Public Works Employees (Refer B&F)

#### • **COMMUNICATIONS/INVITATIONS**

#### • **INFORMATION ONLY**

1. Memorandum from Mayor re: Death in Family & Appointment of Salvatore DiStefano, Sr. – Chief Administrative Officer (Info Only)
2. Get Fit Gloucester! Mass in Motion 2013 Community Report (Info Only)
3. Invitation from the Downtown Development Commission for August 15, 2014 re: YMCA Clean Team Appreciation (Info Only)

#### • **APPLICATIONS/PETITIONS**

#### • **COUNCILORS ORDERS**

1. CC2014-032 (LeBlanc) Amend GCO Chapter 22 "Traffic" Sec. 22-270.1 "Resident Sticker Parking Only" by adding a Definition "resident parking sticker" and by adding the areas listed in Sec. 22-270.1 to Sec. 22-176(b) "Penalties for parking Violations-in beach district (Refer O&A & TC)
2. CC2014-033 (Cox) Amend GCO Chapter 22 "Traffic" Sec. 22-284 "Service or loading zones re: overnight Parking (Refer O&A & TC)
3. CC2014-034 (McGeary) Whether the City Council wishes to petition the state to lower the speed limit on Brightside Avenue to 20 miles per hour (Refer TC & FCV 08/26/14)

4. CC2014-035 (McGeary, Theken, Verga, Cox, Fonvielle, LeBlanc, Lundberg, Hardy) Amend the Gloucester Code of Ordinances Chapter 14 by adding Article III "Sex Offender Residency Ordinance" (Refer O&A)

#### • **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 07/22/14 (Approve/File)  
 2. Standing Committee Meetings: B&F (under separate cover) 08/07/14, O&A 08/04/14, P&D 08/06/14 (under separate cover) (Approve/File)

**Unanimous Consent Calendar:**

1. Special Events Application re: request to hold the Fishbox Derby on September 14, 2014 (Refer P&D)

**Items to be added/deleted from the Consent Agenda and Unanimous Consent Calendar:**

**By unanimous consent the Consent Agenda and Unanimous Consent Calendar was accepted as amended.**

**Committee Reports:**

**Budget & Finance: August 7, 2014**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to accept the Budget & Finance Committee Consent Agenda dated August 12, 2014 as follows:**

**1. *Special Budgetary Transfer Request (2015-SBT-1) from the Purchasing Department***

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to approve Special Budgetary Transfer 2015-SBT-1 for \$750.00 from Account #101000.10.138.53410.0000.00.000.00.052, Purchasing, Telephone Service to Account #101000.10.155.53410.0000.00.000.00.052, Management Information Systems, Telephone Service for the purpose of paying telephone expenses for the use by the Chief Administrative Officer.**

**2. *Special Budgetary Transfer Request (2015-SBT-2) from the Police Department***

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to approve Special Budgetary Transfer 2015-SBT-2 for \$57,953.00 from Account #101000.10.211.51100.0000.00.000.00.051, Police-Uniform, Salary/Wage Permanent Position, to Account #101000.10.212.5110.0000.00.000.00.051, Police-Investigation, Salary/Wage Permanent Position for funding the salary of a police officer who moved to the Police Department's Detective Division.**

**3. *Acceptance of a Green Community Grant for \$250,000***

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, under MGL c. 44, Sec. 53A to accept a Mass. Department of Energy Resources-Green Communities Competitive Grant for \$250,000 for the purpose of converting the O'Maley Innovation Middle School's oil heating and hot water system to a high-efficiency gas heating and hot water system.**

**\* \* \* End B&F Committee Consent Agenda \* \* \***

**Ordinances & Administration: August 4, 2014**

**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 permit the withdrawal of CC2014-030 to Amend GCO c. 22 Sec. 22-289 "Parking meter zones-On Street" and Sec. 22-216 "Hours of operation re: Washington Street in front of #8, without prejudice.**

**DISCUSSION:**

**Councilor Whynott** indicated that Councilor LeBlanc had filed an order that would allow people using the American Legion at 8 Washington Street to have more on-street parking with the installation of parking meters. In doing his due diligence, Councilor LeBlanc learned that the neighborhood was in need of those parking spaces for

those who live in that area and would be a hardship. Councilor LeBlanc asked the Committee to allow for this Council Order be withdrawn.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to permit the withdrawal of CC2014-030 to Amend GCO c. 22 Sec. 22-289 "Parking meter zones-On Street" and Sec. 22-216 "Hours of operation re: Washington Street in front of #8, without prejudice**

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 approve an amendment to the Gloucester Shellfish Management Plan as voted unanimously by the Shellfish Advisory Commission at its July 1, 2014 meeting and as put forward by the Shellfish Constable submitted in a memorandum dated July 8, 2014 related to the cove section of the High Flat within Shellfish Growing Area N9.7.

#### **DISCUSSION:**

**Councilor Whynott** explained that the Committee has voted to endorse the amending of the Gloucester Shellfish Management Plan by the Shellfish Constable as did the Shellfish Advisory Committee to open on a limited basis the cove section of the High Flat within Shellfish Growing Area N9.7. As this is a matter of accepting an amendment to an already accepted plan by ordinance, a public hearing is not necessary.

**Councilor LeBlanc** recused himself from this vote as he holds a city commercial clamming license to prevent any appearance of a conflict of interest under MGL c.268A.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted 7 in favor, 0 opposed, 1 (LeBlanc) recused, 1 (McGeary) absent, to approve an amendment to the Gloucester Shellfish Management Plan as voted unanimously by the Shellfish Advisory Commission at its July 1, 2014 meeting and as put forward by the Shellfish Constable submitted in a memorandum dated July 8, 2014 related to the cove section of the High Flat within Shellfish Growing Area N9.7.**

#### **Planning & Development: August 6, 2014**

There were no items for Council action from this meeting, **Councilor Verga** reported.

#### **Scheduled Public Hearings (Taken Out of Order):**

- 4. PH2014-058: Amend GCO Article 1, Chapter 14 "Offenses & Miscellaneous Provisions" by adding a new section and amend Chapter 1 General Provisions, Sec. 1-15 "Penalty for violation for certain specified sections of Code" re: Synthetic Drugs**

**This public hearing is opened at 7:19 p.m.**

#### **Those speaking in favor:**

**Acting Mayor Paul McGeary** said that as a Councilor he was one of the sponsors of this ordinance amendment regarding an insidious drug, synthetic cannabinoids that is marketed specifically to young people, tweens and teens, made to look like bubblegum or candy. It is green leafy matter treated with any number of chemicals, some of which are very dangerous. He introduced Joan Whitney, Healthy Gloucester Collaborative Director; Sander Schultz, EMS Coordinator for the Gloucester Fire Department; and Gloucester Police Sargent Sean Connors.

**Joan Whitney**, Director of the Healthy Gloucester Collaborative (HGC), said that synthetic cannabinoids pose a serious health risk to the city's youth. The HGC is the city coalition dedicated to substance use prevention for youth and supporting those struggling with the disease of addiction. This proposed ordinance is to get the word out, to prevent first use and prevent harm to young people to a drug that is marketed to be appealing to them. She pointed out this is a nationwide issue, so this local action speaks to the great partnership in the community.

She observed that in 2012 there were over 14,000 emergency department visits across the country in the age group of 12 years old to 25 years old. She lauded the work of Gloucester Police Sargent Sean Connors and Sander Schultz, EMS Coordinator for the Gloucester Fire Department as EMS Coordinator, each of whom faces and sees the effects of these synthetic drugs on the city's youth frequently in the street.

**Gloucester Police Sargent Sean Connors** showed the Council examples of packaging of “K2” and “Spice,” synthetic marijuana, and passed to the Councilors examples of the packaging used to market the “product” packaged with familiar cartoon characters making them familiar and enticing to youngsters. The examples before the Council, he said, were seized from stores in the city, which is synthetic marijuana, labeled K2 and Spice. It is against federal law as a Schedule 1 drug; however, a lot of states, cities and towns are developing their own bans for the substances because they are seeing how dangerous it is to youth. Packages say specifically, “not for human consumption.” But kids are smoking and ingesting this substance in foods. These substances have been around since 2008, he said and recalled that his first encounter with the substance in the city was when a school teacher brought a colorful packet to him found on the playground by one of her students and asked what it was. He said youths whom he deals with on a regular basis were telling the police that it is being sold behind the scenes in local establishments.

**Councilor Theken** pointed out that these packages are marketed as incense and potpourri with pictures of Disney-like characters showing Snow White and Scooby-Doo images. **Sgt. Connors** said there is no mistaking it, that youths purchase these packages for the sole purpose of smoking the substances and getting high. The packages shown to the Council go for \$15 to \$30 per package and have become a problem in many communities, including Gloucester.

**Sander Schultz**, EMS Coordinator for the Gloucester Fire Department, pointed out that these synthetic drugs have become commonly referred to as synthetic marijuana. He is, he said, very against it - this is known as K2 or Spice or some other street names. The problem, he said, by referring to it as synthetic marijuana, is there is a large portion of kids that he’s seen, heard and experienced personally, who think they can smoke this substance like pot. The point is that there is a perception that pot is not nearly as serious a drug problem as other, more potent drugs. He observed that middle school and high school kids are smoking this substance thinking they can pass drug tests and still get high. He pointed out that what they don’t understand is that this is not pot. Rather these are synthetic substances sprayed with chemicals, he said, and that no one knows what those chemicals are which get kids high and damage them. The chemicals change day-to-day, week-to-week, he pointed out, as the FDA bans them. Whereas with so many of the substance abuse problems faced in Emergency Services, they often have the ability to identify the substance ingested, be it alcohol, benzodiazepines, or narcotics so that they know how to treat the patient, he said. While EMS can identify the substances people use to get high most times, the problem with this synthetic substance, they don’t know what has been sprayed on it, he observed. He noted it could be sprayed with acetone, industrial chemicals of any sort to try to make it work and that chemical compounds are changed by those that manufacture these compounds as each new chemical is banned. He said this is pesticide, very nasty and dangerous. He expressed his approbation of the Council’s efforts to ban these substances in the community.

**Sgt. Connors** added that these substances are produced mostly outside of the U.S.A. and although the federal government tries to ban these substances, he too, reiterated Mr. Schultz contention that once a chemical is banned another chemical not banned is found to replace the banned chemical and so the content is now changed. He urged parents to Google K2 and Spice to learn how insidious these drugs are and what they look like and how they are marketed to their children.

He then presented a short video made by the family of Brandon Ryan Rice, a young teen that was in the hospital recuperating from a double lung transplant after ingesting synthetic marijuana. He said this is a video played to middle school and high school students as part of the Gloucester Police Department’s outreach drug prevention program. When the video had run, **Sgt. Connors** informed the Council Brandon Rice never came home. He urged support of the ordinance amendment.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Cox** asked if Sgt. Connors actively brings his prevention and education program to local schools and to the YMCA Teen Center. **Sgt. Connors** said they do go into the schools regularly and when on the street dealing with the city’s youth, educating them. He said he has yet to be involved in the YMCA Teen Leaders and Camp Spindrift, and **Councilor Cox** encouraged him to reach out to those programs which he assured her he would.

**Councilor Fonvielle** asked if the Police Department knows of any establishments on Cape Ann that sell these substances. **Sgt. Connors** said the examples of these packages were taken from establishments in the city. He said they have gone to a lot of the establishments and spoken to them. A lot of these packages are not sold from shelves but from behind the scenes making it difficult to know who is selling it. He reiterated it is against federal law, and the ones who they took the packages from voluntarily turned them over to the police, and they were educated as to what it was they were selling and what the law was related to it.

**Acting Mayor McGeary** said the burden of the ordinance is to penalize those who sell these substances not those who possess it. The ordinance says that, "it is illegal to offer, sell, provide, produce, manufacture, gift or publically display for sale," these substances, and the point is to attack the problem at the point of distribution.

**Councilor Verga** said that this ordinance will stop stores from selling this substance. If a kid in school is in possession of a package of this substance it is against federal law and is just beyond the ordinance ability. **Sgt. Connors** said when children are found with these substances it is taken away from them, and they spend a great deal of time educating the children on it. Most kids, he said, once they are educated tell the officers that they don't want to do this again. He said the goal is to get to the point where these substances aren't in the community and to work on prevention. **Councilor Verga** asked if it was illegal to possess this substance. **Sgt. Connors** said under federal law it is illegal to possess and sell them. He said the DEA deals with cases of thousands of packets targeting sellers, and is not looking to do prevention and seizure on a local level, they target the sellers. He reiterated that anyone who is possession of these substances will have them taken away and be educated on their dangers.

**Councilor Cox** pointed out on one of the packets shown as an example said "legal in 50 states". **Sgt. Connors** said substance compounds are simply changed and then the compound is banned federally and under the federal law are illegal. It happens each time the producers change the chemical compound they are spraying on the base matter.

**Councilor Theken** urged the School Department to send home educational pamphlets at the start of the school year in students' backpacks to help educate parents and their children as to what these packages look like and what they contain and why they are dangerous. **Dr. Richard Safier**, Superintendent of Schools, said that when e-cigarettes became something children were getting involved in, the district and the School Committee moved very quickly to establish policy and procedures to ensure that would not be the case in schools, and from the reports from what they saw on the video, this seems to be an insidious thing and as long as the law allows and the Council promotes it, they will do whatever is necessary to protect the children.

**This public hearing is closed at 7:41 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend the Gloucester Code of Ordinances, Chapter 14 "Offenses and Miscellaneous Provisions, In General" as follows:

Article I. In General

By ADDING the following new section:

Sec. 14-17 Synthetic Drugs (Synthetic Marijuana, Stimulants and Hallucinogens)

a) *Purpose.* The purpose of this section is to regulate the availability of synthetic marijuana/cannabinoids, stimulants and psychedelic/hallucinogens that have been linked to serious physical effects resulting in hospitalization and death when ingested, inhaled or otherwise introduced into the human body. These synthetic cannabinoids, stimulants and psychedelic hallucinogens pose health, safety, and welfare issues. This section is not intended to regulate or affect in any way the legal sale and distribution of medical marijuana pursuant to Chapter 369 of the Acts of 2012.

b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the following meanings ascribed to them:

1. *Synthetic drugs* mean any synthetic marijuana, cannabinoids, stimulants and/or psychedelic/hallucinogens which contain (i) any substance contained in 21 U.S.C. §812©, Schedule 1, subparts (c); or (ii) any substance listed as a Class C substance in subpart (e) of Section 31 of M.G.L. c. 94C; or (iii) any vegetable material that has been chemically treated and is possessed, sold or purchased with the intent that it will, despite any labeling to the contrary, be consumed by humans for the purpose of voluntary intoxication, which if consumed, may induce effects of intoxication similar to a controlled substance or imitation controlled substance such as elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, dulling of the senses or nervous system, or distortion of audio, visual or mental processes.

2. *Synthetic drug analogues* means any (i) substances with chemical structures which are substantially similar to the chemical structure of the synthetic marijuana/cannabinoids, stimulants and/or psychedelic/hallucinogens listed in 1), above; or (ii) substances which as stimulants, depressants or

hallucinogenic have effects on the central nervous system substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of synthetic marijuana/cannabinoids, stimulants and/or psychedelic/hallucinogens listed in 1) above.

c) *Prohibition.* No person shall sell, offer to sell, provide, produce, manufacture, distribute, gift, or publicly display for sale any synthetic drug or synthetic drug analogue as defined above. This ordinance shall apply regardless of whether the synthetic drug or analogue is described, advertised or packaged as tobacco, herbs, incense, spice, bath salts, plant food or any blend thereof, and regardless of whether the substance is marketed for the purpose of being smoked, ingested or injected.

No person shall sell, offer to sell, provide, produce, manufacture, distribute, gift, or publicly display for sale any product for human consumption when the product is labeled "not for human consumption" or contains similar warnings.

d) *Penalty for violation.* Violation of this regulation shall be punished by a fine of \$150.00 for a first offense. Any subsequent violation of this regulation shall be punishable by a fine of \$300.00.

e) *Enforcement.* Violations of this section shall be enforced in accordance with all other applicable laws governing municipal ordinances; however, at the option of the enforcing person, violation may be enforced noncriminally pursuant to M.G. L. c. 40, §21D and as provided in section 1-15, rather than by a criminal complaint in district court.

f) *Severability.* The provision of this section are severable; and, if any of the provisions of this section shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

#### **DISCUSSION:**

**Councilor Whynott** very briefly reviewed selected sections of the ordinance.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (McGeary) absent, to amend the Gloucester Code of Ordinances, Chapter 14 "Offenses and Miscellaneous Provisions, In General" as follows:**

#### **Article I. In General**

**By ADDING the following new section:**

#### **Sec. 14-17 Synthetic Drugs (Synthetic Marijuana, Stimulants and Hallucinogens)**

a) *Purpose.* The purpose of this section is to regulate the availability of synthetic marijuana/cannabinoids, stimulants and psychedelic/hallucinogens that have been linked to serious physical effects resulting in hospitalization and death when ingested, inhaled or otherwise introduced into the human body. These synthetic cannabinoids, stimulants and psychedelic hallucinogens pose health, safety, and welfare issues. This section is not intended to regulate or affect in any way the legal sale and distribution of medical marijuana pursuant to Chapter 369 of the Acts of 2012.

b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the following meanings ascribed to them:

1. *Synthetic drugs* mean any synthetic marijuana, cannabinoids, stimulants and/or psychedelic/hallucinogens which contain (i) any substance contained in 21 U.S.C. §812(c), Schedule 1, subparts (c); or (ii) any substance listed as a Class C substance in subpart (e) of Section 31 of M.G.L. c. 94C; or (iii) any vegetable material that has been chemically treated and is possessed, sold or purchased with the intent that it will, despite any labeling to the contrary, be consumed by humans for the purpose of voluntary intoxication, which if consumed, may induce effects of intoxication similar to a controlled

substance or imitation controlled substance such as elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, dulling of the senses or nervous system, or distortion of audio, visual or mental processes.

2. *Synthetic drug analogues* means any (i) substances with chemical structures which are substantially similar to the chemical structure of the synthetic marijuana/cannabinoids, stimulants and/or psychedelic/hallucinogens listed in 1), above; or (ii) substances which as stimulants, depressants or hallucinogenic have effects on the central nervous system substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of synthetic marijuana/cannabinoids, stimulants and/or psychedelic/hallucinogens listed in 1) above.

- c) *Prohibition.* No person shall sell, offer to sell, provide, produce, manufacture, distribute, gift, or publicly display for sale any synthetic drug or synthetic drug analogue as defined above. This ordinance shall apply regardless of whether the synthetic drug or analogue is described, advertised or packaged as tobacco, herbs, incense, spice, bath salts, plant food or any blend thereof, and regardless of whether the substance is marketed for the purpose of being smoked, ingested or injected.

No person shall sell, offer to sell, provide, produce, manufacture, distribute, gift, or publicly display for sale any product for human consumption when the product is labeled "not for human consumption" or contains similar warnings.

- d) *Penalty for violation.* Violation of this regulation shall be punished by a fine of \$150.00 for a first offense. Any subsequent violation of this regulation shall be punishable by a fine of \$300.00.
- e) *Enforcement.* Violations of this section shall be enforced in accordance with all other applicable laws governing municipal ordinances; however, at the option of the enforcing person, violation may be enforced noncriminally pursuant to M.G. L. c. 40, §21D and as provided in section 1-15, rather than by a criminal complaint in district court.
- f) *Severability.* The provision of this section are severable; and, if any of the provisions of this section shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Gloucester Code of Ordinances, Chapter 1 General Provisions, Sec. 1-15 (Penalty for violation of certain specified sections of Code) by ADDING penalties pursuant to Chapter 14, Section 14-17 as follows:

Chapter 14, Section 14-17, synthetic drugs (synthetic marijuana, stimulants and hallucinogens).

Penalty:

First Offense:	\$150.00
Subsequent Offenses(s):	\$300.00
Enforcing persons:	Police Officers

#### DISCUSSION:

**Councilor Whynott** pointed out this second motion amending the Code of Ordinances relates to enforcement of the previously voted ordinance amendment.

**MOTION:** On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted by **ROLL CALL 8** in favor, **0** opposed, **1** (McGeary) absent, to Amend the Gloucester Code of Ordinances, Chapter 1 General Provisions, Sec. 1-15 (Penalty for violation of certain specified sections of Code) by **ADDING** penalties pursuant to Chapter 14, Section 14-17 as follows:

**Chapter 14, Section 14-17, synthetic drugs (synthetic marijuana, stimulants and hallucinogens).****Penalty:**

**First Offense: \$150.00**  
**Subsequent Offenses(s): \$300.00**  
**Enforcing persons: Police Officers**

**Councilor Theken** extended her thanks to Councilor and Acting Mayor Paul McGeary, Ms. Whitney, the Gloucester Police Department and Sgt. Connors, Mr. Schultz and the other members of the Healthy Gloucester Collaborative partnership. She recommended that the School Committee send one of their members to their HGC meetings.

**Councilor Whynot** expressed that anyone caught selling these substances should receive education on them as well.

**5. PH2014-059: Loan Order #2014-009: Loan authorization in the amount of \$500,000 re: Annisquam Woods**

**This public hearing is opened at 7:48 p.m.**

**Those speaking in favor:**

**Gregg Cademartori**, Planning Director, and representing the Conservation Commission, referred to an on file document of an application filed with the state for a matching grant for part of the funding scenario for this land acquisition in North Gloucester. The partners in the project are the city, Essex Country Greenbelt Association (ECGA), the state if the city is successfully awarded a Local Acquisition for Natural Diversity (LAND) grant. It is a reimbursement grant, so part of the application requires that the city put in place the financial tool to be able to make the acquisition. There is a funding scenario that has been presented (on file) in the application. This is a situation where the city would be fronting a portion of the purchase price to then be reimbursed by the state. The reimbursement rate for Gloucester is 56 percent of the total project which is \$500,000. The city would receive a reimbursement of \$28,000. The total funding scenario consists of an \$850,000 purchase and sale agreement that the ECGA has entered into with the landowner. Between the ECGA's private fundraising, a potential CPA request and the state grant, other than the potential for the \$50,000 CPA funding request that will be before the Council shortly at B&F, the CPA funding would be the city's total commitment in the total purchase price.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Fonvielle** said that assuming the ECGA raises more than intended does that diminish the amount of funding the city would be called on to provide. **Mr. Cademartori** said it is a bit complicated as these are all separate funding requests at this point. The state will make their determination late October/early November. A representative from the state Department of Conservation Services will make a site visit to the project tomorrow and potentially award up to \$280,000. The CPA funding request will be processed by the Council. He pointed out that there are always situations that if funding is not utilized then it is just not exercised. At this point because there are so many moving parts, all funding avenues are being explored. He recounted that David Santomena, ECGA Director of Land Conservation, at the B&F Committee and at the Community Preservation Committee did represent that the ECGA's fundraising for this project has reached a greater level than expected. They had originally asked for \$300,000 from the CPA and made a recommendation for \$50,000 which is coincident with the greater expectation of private fundraising. There is a funding gap which could be filled by the state grant request. If the LAND grant doesn't come through it will be another decision by the partners as to how to fund the purchase.

**Councilor Theken** asked for a description of the parcel intended for acquisition. **Mr. Cademartori** explained that the parcel of land at the end Hutchins Court and Tufts Lane in North Gloucester about 27 acres that connects the Norton Tree Farm area, Chapter 61A forestry land, as well as parts of Dogtown further to the north. The ECGA followed the lead of the 2010 Open Space Plan that identified this parcel as a potential critical parcel in terms of its position of open space in North Gloucester for acquisition. The Open Space Committee was clear in identifying some opportunities that the city could take the lead on in terms of providing greater access and where potentially partners, like the non-profit ECGA and the Trustees of the Reservation might play a bigger role. Over the last three to four years the ECGA has worked diligently with the landowner to come up with a Purchase & Sale Agreement to acquire that property, he pointed out. He said the ECGA also intends, if successfully purchased, to provide a new parking area and access into the North Gloucester Woods. **Councilor Theken** reviewed that the city will do this loan, said this

property will have public access. **Mr. Cademartori** expanded that the way the state process works is that with the LAND grant the city is applying for with the Conservation Commission taking the lead because only municipalities are only eligible for eligible for such a grant, and a private entity like ECGA and the city may partner. The city would be purchasing a conservation easement over the property. The ECGA would hold the actual fee interest in the property which has worked out successfully in other areas of the community, he pointed out. The ECGA, he further explained, would take on the management and maintenance role for the parcel as well as providing additional public access similar to the Tompson Reservation.

**Councilor Theken** asked if this loan authorization would work against the city's credit rating. **Mr. Cademartori** explained that if the state does award the grant, all the funding necessary for the acquisition will be in place and it is really a timing mechanism where the acquisition will occur, and the reimbursements would come in shortly thereafter and would not be something carried for a significant term. **John Dunn**, CFO, added that if this all works out the city would have no city money in. To move the matter forward the Council would have to approve up to \$500,000. There may be a piece some city money goes in, but it will be reimbursed and happen likely within FY15. By the end of that fiscal year, if everything works out, except for the input of the CPA funds of \$50,000 there would be no other city money in there.

**Councilor Verga** asked if this was a parcel approved for a development of houses and asked what the final status of that potential project was. Additionally he asked if this sale of the parcel didn't go through was there a potential that several dozen houses could be built there. **Mr. Cademartori** said potentially the houses could be built if the sale fell through, and this is reflective of the purchase price and the appraisal of the property which is valued greater than \$1.3 million because of its development potential. He confirmed that the Planning Board did approve a cluster development special permit for 27 houses in the 2007, and because of the state's Permit Extension Act, that special permit is extended through December 2015. If this purchase doesn't go forward there is always the potential that the fully permitted development of 27 houses could move forward, he pointed out.

**Councilor Whynott** said after the loan order is secured and if the grant falls through what happens. **Mr. Cademartori** said an enhanced request could go to the CPA Fund or other financing sources but doesn't commit the city to the full amount of the loan order. He noted this is the same grant program the city approved last year for a different property where the state didn't approve the LAND grant and the loan order didn't go through.

**This public hearing is closed at 7:59 p.m.**

**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 appropriate up to \$500,000.00 for the purpose of financing the acquisition of a Conservation Restriction by means of a negotiated purchase or by eminent domain on parcels of land totaling approximately 27.45 +/- acres known as the Annisquam Woods owned by owner as described on Assessors Maps 125, Lot 71 and Map 115, Lot 30, to be managed and controlled by the Conservation Commission of the City of Gloucester in accordance with Chapter 40, Sec. 8C for conservation, passive recreation and/or environmental education purposes, and further to meet said appropriation with funds transferred and/or borrowed in accordance with M.G.L. Chapter 293, the Community Preservation Act and to authorize the Treasurer, with the approval of the City Council, to issue bonds or notes that may be necessary for that purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority, and further that the City Council or Mayor or both, as required be authorized to file on behalf of the City of Gloucester any and all applications deemed necessary under the Self-Help Act (M.G. L. Chapter 132A, Section 11) or any other applications for funds in any way connected with the scope of this acquisition, and further that the Mayor and the City Council and the Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance or acceptance of a perpetual conservation restriction in accordance with M.G.L. Chapter 184, as required by Section 12(a) of Chapter 44B or Chapter 293, Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the City of Gloucester to affect said purchase. Said conservation restriction may be granted to any other organization qualified and willing to hold such a restriction.

#### **DISCUSSION:**

**Councilor Cox** said that the city has the power to execute the loan order if all the other funding falls into place and if the funding does not, the city doesn't execute the loan.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to appropriate up to \$500,000.00 for the purpose of financing the acquisition of a Conservation Restriction by means of a negotiated purchase or by eminent domain on parcels of land

**totaling approximately 27.45 +/- acres known as the Annisquam Woods owned by owner as described on Assessors Maps 125, Lot 71 and Map 115, Lot 30, to be managed and controlled by the Conservation Commission of the City of Gloucester in accordance with Chapter 40, Sec. 8C for conservation, passive recreation and/or environmental education purposes, and further to meet said appropriation with funds transferred and/or borrowed in accordance with M.G.L. Chapter 293, the Community Preservation Act and to authorize the Treasurer, with the approval of the City Council, to issue bonds or notes that may be necessary for that purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority, and further that the City Council or Mayor or both, as required be authorized to file on behalf of the City of Gloucester any and all applications deemed necessary under the Self-Help Act (M.G. L. Chapter 132A, Section 11) or any other applications for funds in any way connected with the scope of this acquisition, and further that the Mayor and the City Council and the Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance or acceptance of a perpetual conservation restriction in accordance with M.G.L. Chapter 184, as required by Section 12(a) of Chapter 44B or Chapter 293, Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the City of Gloucester to affect said purchase. Said conservation restriction may be granted to any other organization qualified and willing to hold such a restriction.**

1. **PH2014-055: Amend GCO Chapter 22, Sec. 22-284 “Service or loading zones” and Sec. 22-291 “Tow-away zones” re: Pleasant Street #27**

**This public hearing is opened at 8:02 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:02 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to repeal the City Council votes of January 14, 2014 to Amend GCO c. 22, Sec. 22-284 “Service or loading zones” and Sec. 22-291 “Tow-away zones” by DELETING Pleasant Street #27.

#### **DISCUSSION:**

**Councilor Whynott** explained the deleted handicapped parking space in front of the Cape Ann Museum at 27 Pleasant Street is being reinstated in front of the Cape Ann Museum, and so the service and loading zone that had been in place during the museum’s renovations now needs to be removed. Since the original Council vote had yet to be codified from January 14, 2014, the Council is voting to repeal that vote. The return of the handicapped space is actionable by the Traffic Commission who has already voted to put the handicap space back.

**Councilor Cox** said that as promised she is before the Council to put back into place what was removed during the Cape Ann Museum renovations.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted by 8 in favor, 0 opposed, 1 (McGeary) absent, to repeal the City Council votes of January 14, 2014 to Amend GCO c. 22, Sec. 22-284 “Service or loading zones” and Sec. 22-291 “Tow-away zones” by DELETING Pleasant Street #27.**

2. **PH2014-0 56: Amend GCO Chapter 22, Sec. 22-270 “Parking prohibited at all times” re: Emerson Avenue**

**This public hearing is opened at 8:04 p.m.**

**Those speaking in favor:**

**Judy Lane**, 7 Liberty Street, questioned where on Emerson Avenue this matter referred and it was pointed out by **Councilor LeBlanc** that this public hearing related to #28 Emerson Avenue and was confirmed as advertised as such by City Clerk, **Linda T. Lowe**.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:04 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Hardy, seconded by Councilor Whycott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to Amend GCO c. 22, Sec. 22-270 "Parking Prohibited at all times" by DELETING the reference to "Emerson Avenue, northerly side from the easterly entrance of the City Home."

And by ADDING: "northerly side from westerly corner of the intersection of Griffin Court and Emerson Avenue;"

And by ADDING: "Emerson Avenue, from the westerly end of driveway at 28 Emerson Avenue, to the beginning of the way to the City Boat Ramp past 30 Emerson Avenue and including the end of Emerson Avenue."

**DISCUSSION:**

**Councilor LeBlanc** explained the following: The State Division of Marine Fisheries that has a building at the end of Emerson Avenue, and they approached him because they wanted to put up "No Parking" signs because people are parking on their property during business hours that don't work or have business there. He said legally there is parking on that side of the street. The Marine Fisheries have taken a piece of their land and made it a parking area during business hours, he said. Through the direction of the DPW Director, Mike Hale, he suggested it would be cleaner to put in an ordinance for no parking on that side from the end of the Food Pantry's property line going down to the boat ramp on that side. There would still be the ability to park in front of their parking area but there is no ordinance that doesn't state you can't park on that side. It is just the section in front of the Marine Fisheries building that will be no parking on Emerson Avenue. On the other side, the side where Pathways for Children is located, there is no parking on Emerson Avenue. The abutters will be allowed to use the Marine Fisheries property for parking after Marine Fisheries business hours only. He said that the Traffic Commission and O&A Committee supported the changes

**MOTION:** On a motion by Councilor Whycott, seconded by Councilor LeBlanc, the City Council voted by **ROLL CALL 8** in favor, **0** opposed, **1** (McGeary) absent, to Amend GCO c. 22, Sec. 22-270 "Parking Prohibited at all times" by DELETING the reference to "Emerson Avenue, northerly side from the easterly entrance of the City Home."

And by ADDING: "northerly side from westerly corner of the intersection of Griffin Court and Emerson Avenue;"

And by ADDING: "Emerson Avenue, from the westerly end of driveway at 28 Emerson Avenue, to the beginning of the way to the City Boat Ramp past 30 Emerson Avenue and including the end of Emerson Avenue."

3. **PH2014-057: Amend GCO Chapter 22, Sec. 22-265 "Turning movements-Generally," Sec. 22-159 "Same-Between certain hours & on certain days," Sec. 22-270 "Parking prohibited at all times," Sec. 22-283 "Bus stops & taxi stands" relative to plans for changing traffic patterns & parking in the area of St. Ann's School**

**This public hearing is opened at 8:12 p.m.**

**Those speaking in favor:**

**Dr. Richard Safier**, Superintendent of Schools, said that in planning both the drop off and dismissal of students there were three priorities: 1) child safety, 2) efficiency for seven buses shuttling between St. Ann's and O'Maley, and 3) seeking to minimize disruption and traffic congestion in the area. He touched briefly upon the process by which these amendments were vetted – through the Traffic Commission, a Ward 2 meeting with area residents, and the O&A Committee.

He then explained the following: buses will be dropping off and picking up students on the north side Smith Street across the street from St. Ann's which already has no parking. There is a close-by entrance to the basement of the church to congregate the students and bring them into the building. There is a need to ensure no left turns travelling north from Pleasant Street onto Smith Street between 8:30 a.m. and 9:15 .m. and 2:30 p.m. to 3:15 p.m. so as not to obstruct the buses in the morning and afternoon to make a left turn to make their way up to the O'Maley School. They also need space on Pleasant Street on the westerly (St. Ann's) side. They are encouraging parents as much as possible to bus their children, but to ensure there is an expedited and safe drop off of those students that

don't take the bus, they need some time between 8:30 and 9:15 and 2:30 to 3:15 on that westerly side. The proposed plan has been widely discussed. The School Administration sees this as a trial period and will come back to the table to adjust if needed to ensure that everything is moving smoothly and efficiently as possible. They need to also ensure that the rules that are on the books are enforced so that adequate swing space for the buses is made; to ensure that curbside 20 feet from each of the streets on the St. Ann's side, Smith and Pleasant Streets and in front of the driveway in front of the Yellow Sub Shop and past the pole as well they need to ensure those areas are clear and enforced so buses can make the left-hand turn.

**Dr. Safier** said he has spoken with Police Chief Campanello to ensure that there will be a police presence for at least the first two weeks of school, and possibly through the entire first month to make sure new habits are formed, and that parents and buses are making the transition smoothly and safely.

**Renee Nicastro**, owner of the Yellow Sub Shop on Pleasant Street, noted that Dr. Safier expressed concern about the enforcement of cars making room for buses for turning. She said she is concerned about teachers parking on her side of the street all day. She asked how it can be ensured that the teachers would not park on the street all day. She said she knew there was talk of one hour parking on the street but that needs to be enforced for businesses as well as for the buses.

**Councilor Theken** pointed out that Ward 2 Councilor, Melissa Cox is continuing to work on all the traffic issues in that immediate area.

**Those speaking in opposition:**

**Communications: None.**

**Councilor Questions:**

**Councilor Whynott** noted that it is not just keeping the teachers from parking on the street during business hours, but there are those who park all day long in that neighborhood street who work in the downtown area as well. He, too, expressed that Councilor Cox would seek answers to those issues as well.

**This public hearing is closed at 8:18 p.m.**

#### **DISCUSSION:**

**Councilor Cox** explained regarding enforcement on the Yellow Sub Shop side of the street, to find a way to ensure parking there is limited and there is turnover, the officer will be on site for two weeks to a month for the school side. She assured that if he does see violations on the other side of the street, he does have the ability to give tickets for illegal parking which should help to act as a detriment while making sure there is no parking the area during the specified times so that buses can make the turns they need to. She pointed out she will meet with the DPW Director this week to find out how quickly the lines can be painted and that appropriate signage is posted and how quickly the signs can be erected.

**Councilor Theken** brought up cars idling around a school zone, **Councilor Cox** said it is a federal that cars can't idle more than five minutes which supersedes local ordinance. It was agreed in several months the school department will get together with her and the Traffic Commission to review what is and isn't working well and tweak anything that is not working well if need be. It was noted by **Councilor Cox** that Smith Street has parking only on one side of the street so the side that has no parking will be where buses will line up. There was an ordinance in place on Pleasant Street from Prospect Street and Pleasant Street to the intersection of Liberty Street already limiting the time which is now extended all the way to Smith Street. There is the ability, she pointed out, to put up signs immediately because there was already an ordinance on the books affecting a portion of these street.

**Councilor Verga** said one of the concerns is should school staff park six or seven hours on street. If one of the solutions offered by the Traffic Commission is to make on-street parking only one or two hour parking for two and a half years, how long does that process take. **Ms. Lowe** confirmed it takes 31 days for an ordinance voted to be in place. He pointed out that if the Council wanted to change the parking limit to an hour, it wouldn't be in place until after school starts.. It was pointed out by **Councilor Cox** that none of these potential amendments will be in place for the first week of school except for the ordinance already on the books from Pleasant and Prospect Streets to Liberty Street. That is the extent to which it can be officially enforced until this evening's ordinance changes go into effect 31 days from now. She pointed out that having a police officer on site encouraging traffic to move along will prove very helpful. **Councilor Verga** added by the time the police officer's work during the first several weeks of school concludes, the ordinance changes will be in place.

**Councilor Whynott** suggested that an emergency preamble could be placed on the ordinance changes. **Councilor Cox** said it really isn't necessary because there will be a police officer in place, signs will be in place; with Councilor Theken interjecting that should an emergency preamble and emergency be declared that the Council would have to reenact the ordinances in 60 days. **Councilor Theken** expressed her agreement that with a police officer directing traffic for a while it will allow people to become used to the traffic changes. She pointed out there

is still a need to correct signage on the easterly side of the street and that is being worked on by Councilor Cox. **Councilor Verga** reminded that there will be follow up, and **Councilor Theken** expressed she was sure the Superintendent of Schools will inform the staff where they can and can't park for during the school day.

1) COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-265 "Turning movements-Generally" by ADDING as follows:

"Pleasant Street. While school is in session in a northerly direction, no left turn onto Smith Street between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m."

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (McGeary) absent, to Amend GCO Sec. 22-265 "Turning movements-Generally" by ADDING as follows:**

**"Pleasant Street. While school is in session in a northerly direction, no left turn onto Smith Street between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m."**

2) COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-159 "Same-Between certain hours and on school days" by ADDING:

"Pleasant Street. While school is in session, Pleasant Street from a point beginning at its intersection with Prospect Street, westerly side, in a northerly direction to Smith Street, no parking between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days."

**DISCUSSION:**

**Councilor Theken** noted that these amendments are only in effect while school is in session.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the Ordinances & Administration Committee voted by ROLL CALL 8 in favor, 0 opposed, 1 (McGeary) absent, to recommend that the City Council Amend GCO Sec. 22-159 "Same-Between certain hours and on school days" by ADDING:**

**"Pleasant Street. While school is in session, Pleasant Street from a point beginning at its intersection with Prospect Street, westerly side, in a northerly direction to Smith Street, no parking between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days."**

3) COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times" by DELETING as follows:

"Pleasant Street, westerly side from Smith Street in a southerly direction for a distance of 200 feet."

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (McGeary) absent, to Amend GCO Sec. 22-270 "Parking prohibited at all times" by DELETING as follows:**

**"Pleasant Street, westerly side from Smith Street in a southerly direction for a distance of 200 feet."**

4) **COMMITTEE RECOMMENDATION:** On a motion by Councilor Theken, seconded by Councilor , the Ordinances & Administration Committee voted in favor, opposed, to recommend that the City Council Amend GCO Sec. 22-283 “Bus stops and taxi stands” by DELETING as follows:

“Pleasant Street, westerly side, beginning at the point 50 feet north of its intersection with Prospect Street, for a distance of 120 feet in a northerly direction effective from 8:30 a.m. to 9:30 .m. and 2:30 p.m. to 3:15 p.m. weekdays, excluding the months of July and August.”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (McGeary) absent, to Amend GCO Sec. 22-283 “Bus stops and taxi stands” by DELETING as follows:**

“Pleasant Street, westerly side, beginning at the point 50 feet north of its intersection with Prospect Street, for a distance of 120 feet in a northerly direction effective from 8:30 a.m. to 9:30 a.m. and 2:30 p.m. to 3:30 p.m. weekdays, excluding the months of July and August.”

**For Council Vote:**

**1. Warrant for State Primary Election September 9, 2014**

**MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (McGeary) absent to adopt the warrant for the State Primary Election to be held September 9, 2014.**

**Unfinished Business: None.**

**Individual Councilor’s Discussion including Reports by Appointed Councilors to Committees: None.**  
**Councilors’ Requests to the Mayor:**

**Councilor LeBlanc** explained that the Council was wearing white hard hats because today the Open Door Food Pantry broke ground to add on to their building storage facility, a classroom under the storage facility, and add 1,000 square feet of space with 14 new parking spaces to the rear of the building. He said this is great for the community and the Open Door. He shared that Open Door Food Pantry raised \$1.1 million out of a \$1.25 million dollars. Donations are still being accepted by going to their website: [www.foodpantry.org](http://www.foodpantry.org).

**Councilor Whynott** asked that the DPW remove two dead trees from city property at 21½ Gee Avenue and to either finish paving the sidewalk of the easterly side of Springfield Street or mow it at the least.

**Councilor Fonvielle** said he is working to amend the Code of Ordinances to remove a list of confusing traffic signs in his ward and will take it up with the Traffic Commission.

**Councilor Hardy** said she requested at 7 Pine Street to have a handicapped sign to be removed which has yet to be removed since passage. She asked for signs to be checked at the O’Maley School because the exit signs need to be replaced. She would meet with Mr. Ryan of the Traffic Commission to that end.

**Councilor Theken** requested that the Councilors when sending lists of handicapped parking signs to be deleted to added to the Traffic Commission to please copy the Council so that they can keep abreast of the changes to avoid duplication of effort.

**Councilor LeBlanc** informed the Council he held a neighborhood meeting at the Palazola Playground known as the Oval off of Centennial Avenue. He thanked Stephen Winslow, Senior Project Manager with the Community Development Department for pursuing grants for \$170,000 to rehabilitate the playground and field. He said there was great neighborhood input, and noted the project should be completed by the end of November.

**Councilor Hardy** asked about rebuilding the lights at Mattos Field.

**Councilor Cox** noted the following city events on Saturday, August 16: Pancake breakfast in the morning; Cape Ann Museum reopening that evening; Fishermen’s memorial ceremony at 5:00 p.m. at the statue; Downtown Block Party both Saturday and Sunday. The AMVETS is having a suicide prevention cruise on Saturday, August 23 and she has tickets available for purchase which are reasonably priced, she noted. Two upcoming concerts were noted at Mile Marker 1: Friday, August 22 to benefit for the Open Door Food Pantry, and Friday August 29 a benefit for the YMCA kids.

**Councilor Theken** thanked the Annisquam Village Players for their musical presentation of Peter Pan noting that she and Councilor Lundberg were a part of the cast. She spoke about her friend Tina Ketchopulos who she said loved to volunteer in the community and urged people in her memory to volunteer and help those less fortunate and vulnerable in the community in her memory. She also mentioned the death of Robin Williams by suicide that struggled with depression and also asked people to reach out to bring awareness of the disease into the open.

**Councilor Whynott** mentioned former Councilor Gus Foote is home from the hospital.

**Councilor Fonvielle** announced Magnolia Road Race will take place on Saturday, August 23, with a kid's fun run at 8:30 a.m. and followed at 9:15 a.m. by an adult road race.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:45 p.m.**

**Respectfully submitted,**

**Dana C. Jorgensson  
Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**