

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, March 10, 2015 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present:** Chair, Councilor Paul McGeary; Councilor Joseph Ciolino; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Robert Whycott; Councilor Paul Lundberg; Councilor William Fonvielle

**Absent:** Councilor Stewart

**Also Present:** Mayor Sefatia Theken; Linda T. Lowe; Kenny Costa; Jim Destino; John Dunn; Gregg Cademartori; Charles Payson; John Dunn; Mike Hale; Gregg Cademartori; James Pope; Sal DiStefano

The meeting was called to order at 7:05 p.m.

**Flag Salute & Moment of Silence.**

**Oral Communications:** None.

**Presentations/Commendations:**

**1 of 2: Recognition of YMCA Teen Leaders and participants in the 24-Hour, “Sleepless Rockathon to Feed Cape Ann”**

**Council President McGeary** announced that the Council is honoring the YMCA Teen Leaders Club and their YMCA adult mentors for their extraordinary fundraising efforts and community volunteerism by holding a 24-Hour Rockathon to benefit the hungry on Cape Ann. He invited **Councilor Cox** to join him at the podium to recognize the teen leaders, and also invited Zachary White, President, and Michael Collins, Vice President, both of the YMCA Teen Leaders Club to join them. **Council President McGeary** then read the Council’s citation as offered by Councilor Cox honoring the YMCA teens who devoted their time and energy collecting the equivalent of 24,699 cans of food helping to support the Cape Ann Open Door Food Pantry to provide direct support to persons in need. The Council recognizes that the Rockathon is an integral part of what makes Gloucester work, it was noted. The many members of the Teen Leader’s Club seated in the audience were asked to stand and be recognized as well.

**Council President McGeary** added that it was always nice to recognize young people who contribute so importantly to the community and to those who need their assistance.

**2 of 2: Presentation of Gloucester Coastal Climate Change Vulnerability Assessment & Adaptation Plan Andre Martecchini, Kleinfelder Engineering, Cambridge, MA/Woods Hole Group**

**Gregg Cademartori**, Planning Director, said that last fall the city received a grant from the state’s Coastal Zone Management (CZM) to fund this Climate Change Vulnerability Assessment Study. He recounted that eight proposals through a Request for Quotation process were received, and Kleinfelder Engineering and their sub-consultant the Woods Hole Group were chosen to conduct the study and create an Adaptation Plan. This effort is expected to be completed by July 1. There have been some delays with data development that is supplying information to the assessment, but will serve as an introduction to the Council and the public. He advised that there will be public venues with more of the actual results of the assessment. He said it is anticipated that the project will conclude at a point after the budget season to wrap up with a presentation to the Council on the results of the study and determine what the city’s next steps will encompass. He noted that Kleinfelder is a leader in its field on these assessments as well as project design to deal with the potential impacts of climate change.

**Andre Martecchini**, Kleinfelder Engineering, Cambridge, Mass., made a Power Point presentation (on file) to the Council reviewing the city’s coastal climate change Vulnerability Assessment and Adaptation Plan in overview. He noted that the city steering committee was comprised of city staff, such as Mr. Cademartori, and private citizens who either were highly interested individuals or had some related professional expertise. Highlights from his presentation are:

- This is a project based on a grant from the state Office of Coastal Zone Management. The city received \$50,000 with the city providing a 25 percent match.
- The assessment project is to determine how sea level rise and storm surge affects the community. The focus is on municipally owned infrastructure as well as natural resources to understand the vulnerability of those resources. There will be a development of short-, mid- and long-term adaptation

strategies to protect and adapt areas which will flood. The results of this study will help to create a planning tool for the city moving forward.

- There will be production of high quality maps and graphics and Geographic Information System layers for city use.
- Public outreach with at least two meetings and an education program will be undertaken as part of this overall effort.
- This project **is not** related to the recent changes in Federal Emergency Management Agency flood maps or flood insurance rates.
- The planning will look at three scenarios: A “present” risk, based on data from the year 2013, when the model was originally started; risks projected in the year 2030 (15 years out or “near term”) and risks projected for the year 2070 (55 years out or “long-term”).
- The models the study is using are from Woods Hole Group, a leader in climate change prediction and oceanography in Falmouth, Mass. The models are based on hundreds of storms such as hurricanes and northeasters, tracking and calculating probabilities to look at risk.
- The model takes into account sea level rise based on historical data and current science.
- An example was given of a flood inundation map in the area of Stop & Shop on Thatcher Road showing a 100 year storm event and 500 year storm event.
- Adaptation strategies – recommendations for potential adaptation strategies with order-of-magnitude cost estimates; protection of natural resources (marshes, beaches) with potential zoning changes to steer development and construction in a way that is positive will be part of the plan for the city.
- Project milestones were briefly reviewed. A large public session is planned for the end of April and towards the end of May/June for adaptation strategies. The public was invited and encouraged to contribute their comments. Education and Outreach was also touched upon, to hold public information sessions, meeting with the Administration and Council, and to also encourage regional approach.

**Council President McGeary**, speaking as a member of the task force, said this project is important not just for existing city infrastructure, but for building new schools or public safety centers where climate change will have to be considered in buildings design and maintenance. He commended Mr. Cademartori and all the members of the steering committee working on this project.

#### **Confirmation of New Appointments:**

**Mayor Theken** stated her support for Charles J. “Chip” Payson as General Counsel saying she has known Mr. Payson for 18 years, having worked with him when he was with the Northeast Health Systems, noting his work for various state officials, and his work with unions. She pointed out Mr. Payson is a team player. She acknowledged the work of Linda T. Lowe, City Clerk, and Kathy Lane, the Legal Department’s paralegal, both of whom have been working closely with Mr. Payson. She pointed out that not everyone has hands-on municipal experience entering a City of Gloucester position, but that they can perform their job well, as Mr. Payson does.

**Mr. Payson** expressed his thanks and said that he will always be available to the Council, and that his job is 24/7 not 9 to 5.

*General Counsel*

*Charles J. Payson, Esq.*

*TTE 02/14/16*

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint Charles J. Payson, Esq. as General Council, TTE 02/14/16.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to appoint Charles J. Payson, Esq. as General Council, TTE 02/14/16**

*Capital Improvements Advisory Board (CIAB) Joel Favazza*

*TTE 02/14/18*

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint Joel Favazza to the Capital Improvements Advisory Board, TTE 02/14/18.

**DISCUSSION:**

**Councilor Verga** said that he was pleased to see Mr. Favazza again participating with the Capital Improvement Advisory Board (CIAB).

**Councilor Lundberg** said he hoped that the Mayor takes the CIAB seriously which he said the previous administration didn't and their talents should be utilized.

**Councilor Whynott** said that he too had been on the CIAB for a year some time ago and at that time he said he was disappointed not being able to accomplish much. Noting that he has met with Mr. Favazza, on many occasions he recommended him to be appointed to the CIAB.

**Mr. Favazza** said he was pleased to be back on the CIAB, a Board that has the potential to be a very useful municipal tool, as is the capital planning process for the longevity of the city. He indicated that there has been a lack of a capital plan, which he said he'd like to see developed and adhered to.

**Council President McGeary**, noting that capital is often ends up as whatever is left after the annual budget is crafted, asked how Mr. Favazza saw the CIAB's role in crafting or setting a plan. He noted that there needs to be a plan but that plan depends on the availability of funds of the moment. **Mr. Favazza** said a role of the CIAB is to provide citizen input into the city's capital planning. He suggested that one of the difficulties in setting money aside for capital investment is to convince the citizens that this is where the money should be going. He said as citizen members of the Board, they can help present the larger population that this is a setting aside of monies to do things like preventative maintenance which has the benefit that the community won't have to worry about schools falling down, a 100-year-old fire stations being unable to accommodate fire apparatus into its bays. He added that outreach to citizens by fellow citizens will help to make the capital issues a more personal issue.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to appoint Joel Favazza to the Capital Improvements Advisory Board, TTE 02/14/18**

*Community Preservation Committee*

*Catherine Schlichte*

*TTE 02/14/18*

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint Catherine Schlichte to the Community Preservation Committee, TTE 02/14/18.

**DISCUSSION:**

**Ms. Schlichte** said she will be pleased to serve on the Community Preservation Committee (CPC). She noted she is a local attorney, having served on city boards previously and looks forward to the important work of this Committee. On inquiry by **Councilor McGeary**, she said she is interested in economic development which is something she has concentrated on recently through the Cape Ann Chamber of Commerce as its President of the Board of Directors. She said all of the things that the CPC does helps to strengthen the city's economy and preserve its historical and unique resources.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to appoint Catherine Schlichte to the Community Preservation Committee, TTE 02/14/18.**

*Committee for the Arts*

*Rebecca Reynolds*

*TTE 02/14/19*

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, 1 (Stewart) absent, to recommend to the City Council to appoint Rebecca Reynolds to the Committee for the Arts, TTE 02/14/19.

**DISCUSSION:**

**Ms. Reynolds** explained that she is a former museum professional with the Museum of Fine Arts and is now a curator and art historian working as a private consultant. She said she was a volunteer, while not living in the city, but still with the Museum of Fine Arts, for the 375<sup>th</sup> Anniversary Exhibition that took place at Gloucester City Hall. She expressed that she has a strong commitment to sculpture, education, and public art. Now living in Gloucester, she said she looked forward to assisting in the development of a policy for the arts in the city, and is one of the reasons she was asked to become involved given her national experience in public arts as well as her network of fellow art colleagues.

**Council President McGeary** asked what kinds of considerations should be part of an arts policy and what should be weighed by the Committee for a proposal of an installation of a public sculpture. **Ms. Reynolds** said there should be public engagement. With a sculptural piece recently offered to the city, there was a lot not considered in advance of moving the project forward. The expense of maintaining a piece has to be considered also, she said.

**MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to appoint Rebecca Reynolds to the Committee for the Arts, TTE 02/14/19.**

### Consent Agenda:

- **CONFIRMATION OF REAPPOINTMENTS**

Affordable Housing Trust	Ruth Pino	TTE 02/14/17
Board of Health	Robert Harris	TTE 02/14/18
Board of Registrars	Mark Nestor	TTE 02/14/18
Clean Energy Commission	Linda Brayton, Samuel Cleaves	TTE 02/14/17
Committee for the Arts	Catherine Ryan	TTE 02/14/19
Community Preservation Committee	John Feener (ConCom Rep.) & David Rhinelander (Hist. Comm.)	TTE 02/14/18
Conservation Commission	John Feener, Barry Gradwohl	TTE 02/14/18
Historical Commission	Amanda Nash, Robert Whitmarsh	TTE 02/14/18
Magnolia Woods Oversight & Advisory Committee	Christine Rasmussen	TTE 02/14/18
Open Space & Recreation Committee	Heidi Wakeman	TTE 02/14/18
Planning Board	Mary Rudolph Black, Henry McCarl	TTE 02/14/20
Tourism Commission	Laura Dow, John Orlando, Peter Webber	TTE 02/14/18
Waterways Board	Karen Tibbetts (recreational), Ralph Pino (economic development)	TTE 02/14/18
- **MAYOR'S REPORT**
  1. Special Budgetary Transfer Request (2015-SBT-36) from Police Department (Refer B&F)
  2. Special Budgetary Transfer Request (2015-SBT-37) from Purchasing Department (Refer B&F)
  3. Special Budgetary Transfer Request (2015-SBT-38) from Community Development Department (Refer B&F)
  4. Special Budgetary Transfer Request (2015-SBT-39) from Police Department (Refer B&F)
  5. Special Budgetary Transfer Request (2015-SBT-40) from Licensing Board (Refer B&F)
  6. Grant Application & Checklist from Council on Aging re: City council acceptance of Title IIIB Older Americans Grant in the Amount of \$15,156.00 (Refer B&F)
  7. Memorandum from Community Development Director re: Off-cycle recommendation from the Community Preservation Committee for Preservation of the Annisquam Woods project (Refer B&F)
  8. Memorandum from General Counsel & recommendation of the Land Disposition Committee re: City Council acceptance of the Lobsta Land Request for Easement (Refer P&D)
  9. New Appointments:

Historical Commission	Leon Doucette	TTE 02/14/16
Conservation Commission	Linda Charpentier	TTE 02/14/18
  10. Reappointments:

Historic District Commission	Robert Chandler	TTE 02/14/18
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  11. Appointments to Ad Hoc Dogtown Committee: Mark Carlotto, Linzee Coolidge, Charles Crowley, Cindy Dunn, Matt Natti, Robert McKeon, Arnold Shore (Info Only)
- **COMMUNICATIONS/INVITATIONS**
- **APPLICATIONS/PETITIONS**
  1. SCP2015-001: Concord Street #250, Map 248, Lot 13, GZO Sec. 5.13 Personal Wireless Service Facility (Refer P&D)
- **COUNCILORS ORDERS**
- **INFORMATION ONLY**
  1. Gloucester Housing Authority 2014 Annual Report (Info Only)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
  1. City Council Meeting: February 24, 201 (Approve/File)
  2. Standing Committee Meetings: B&F 03/05/15 (under separate cover), O&A 03/02/15, P&D 03/04/15 (Approve/File)

### Items to be added/deleted from the Consent Agenda:

**By unanimous consent of the Council the Consent Agenda was accepted as presented.**

### For Council Vote:

- 1. Decision to Adopt: SCP2014-014: Pleasant Street #48, GZO Sec. 2.3.1(6) conversion to 3-unit multi-Family; 3.1.6(b) height in excess of 35 feet; 3.2.2 fn (a) decrease in minimum lot area per dwelling; 3.2.2 fn (a) decrease in minimum open space per dwelling unit**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to adopt the Special Council Permit (SCP2014-014) for Pleasant Street #48, pursuant to Sections 2.3.1(6), 3.1.6(b), 3.2.2 fn(a) and 3.2.2 fn(a) of the Gloucester Zoning Ordinance.**

**Scheduled Public Hearings:**

- 1. PH2015-006: SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 5.7.1 Major Projects**

**This public hearing is opened at 7:41 p.m. (38:00)**

**Those speaking in favor:**

**Joel Favazza**, Seaside Legal Solutions, Gloucester, Mass., was present to represent the applicant, 78 Thatcher Road LLC (owner), John Flaherty, Manager/Owner, and reviewed the Special Council Permit under GZO Sec. 2.3.1.7 for a new multi-family or apartment dwelling, four to six dwelling units, and Sec. 5.7.1 Major Projects. Before making a Power Point presentation, Mr. Favazza introduced Daniel Ricciarelli, R.A., Managing Partner with Seger Architects of Salem, Mass., and Scott Cameron, Civil Engineer, Partner with Morin-Cameron Group, Topsfield, Mass. **NOTE:** All information contained in Mr. Favazza's presentation was previously placed on file as part of the Special Council Permit application.

He then reviewed the following with the Council:

**OVERVIEW:**

**Site History:** The property has previously housed stables, a mini-golf course, then Amelia's and Olivia's by the Sea restaurants and is now now vacant.

**Project History:**

- Spring 2014 a neighborhood meeting was held on site to discuss rezoning;
- May 2014-Property was rezoned from Extensive business (EB) to Residential Medium/High Density (R-10)
- Fall 2014 a second neighborhood meeting was held on site to discuss the proposed design. At these meetings attended by 25 to 35 neighbors, they raised questions about guest parking and concerns on flood damage prevention and design minimizes impacts, all of which were addressed.
- The project went before the Zoning Board of Appeals (ZBA) also in the fall of 2014 for the need for a height exception and variances. In September 2014 ZBA relief was received;
- Late fall 2014 the third neighborhood meeting was held on site to review building design and site design;
- November 2014 the applicant filed for a Special Council Permit.

**Relief Requested:**

Special permit to construct a 6-unit multi-family dwelling under GZO Sec. 2.1.3.7

- Site was rezoned by the Council to R-10 in May 2015 in anticipation of this project;
- Proposed building has received necessary zoning relief from the ZBA;
- Project has received necessary authorization through an Order of Conditions from the Conservation Commission.
- Project has received a positive recommendation from the Planning Board;
- Project has received a positive recommendation from the City Council's Planning & Development Committee.

**Major Project Permit – GZO Sec. 5.7.1:**

- The project was determined to be a Major Project under the zoning ordinance because of an unrelated neighboring project across Witham Street known as Brier Neck Crossing having been approved within 36 months of this applicant filing for a Special Council Permit. Otherwise, the project would have been a straightforward Special Council Permit only.
- The project has been thoroughly vetted by city staff: the DPW Director, City Engineer, Building Inspector, Fire Chief, Conservation Agent and the Health Department's Environmental Services Manager. Plans were

revised to incorporate requested and required modifications due to the staff input. Revisions were submitted through the Council's Planning & Development Committee.

**Daniel Ricciarelli, RA**, Seger Architects, Inc., Salem, Mass., showed the project site as part of the digital presentation, sited at the corner of Witham Street and Thatcher Road as it exists currently, directly across from Good Harbor Beach. He reviewed the project as follows:

**Building Design:**

The main concern was to blend the new construction in with the community, to be low in scale and address the coastal/waterfront aesthetic in use of building materials and landscape design such as pitched roofs, and cedar cladding. The project was designed to reflect dockside structures, and photographic examples of the basis for the project's design were shown.

**Amenities:**

There will be roof decks, a plunge pool, a coastal dune-style landscaping to give a more residential feel; eight guest parking spaces will be provided to prevent on-street parking. There will be a full-sized elevator for the use of all six units.

**Units:**

The units will be between 2,150 and 2,400 square feet consisting of 2 bedrooms, 2 full baths, one half bath, large kitchen, study and private decks and with two private garage spaces per unit.

**Zoning Constraints:**

The site was described as triangular massing out towards Witham Street feathering down Thatcher Road. The configuration of the site created some issues because of the 35 foot setback which were pointed out on a site plan (on file). It became practical to design the building in a step-massing configuration.

The first living level is about nine feet above grade keeping it above flood level. At base level are garages for residents that will hold two cars per unit. There is a central elevator accessed through the garage and a central staircase also. The building has two separate pieces – east and west portions.

The first living level will have living rooms facing the water. The units are flats, or one-floor living not townhouses. All units have dedicated front entrances also. Another central staircase is mainly for roof deck access and egress.

The second living level has a deck on the front unit. The units were described as stacked and similar to each other. The roofs are a series of flat and pitched which helps also to hide mechanical equipment from view and creates opportunities for roof decks, but also adds visual interest from the street.

The landscaping plan was described as adding berming and undulations to the site. Two curb cuts already exist on the property and the design is to keep it as similar as possible. The site lighting will be low, with some path low lights, some discrete deck lighting and up lighting of selected trees. There will be no pole-mounted lighting. The lighting will simply provide an aid to pedestrian access to the building.

**Scott Cameron**, professional civil engineer with the Morin-Cameron Group, Topsfield, Mass., said Morin-Cameron are civil and survey consultants. He reviewed the site plans as follows:

**Existing Conditions Plan:**

The existing conditions survey plan between Witham Street and Thatcher Road was described noting vegetative wetland bordering the site, a wetland across Witham Street, and the rear of the property is wooded and wetland. There is a single residence on two sides of the property, it was pointed out. Otherwise the property is bounded by the two streets. The existing restaurant is on the corner of the property with a paved parking area to one side with two curb cuts – one on Thatcher Road and another off of Witham Street (used mainly for employees and service vehicles). The front of the property is landscaped and very flat. As the property was developed in the 1990's stormwater management policy was developed into the design of the current building. There is bituminous paving throughout the site, pavers also to promote groundwater infiltration.

**Site Layout Plan:**

The two curb cuts are maintained, widening the Witham Street curb cut to be a 24 foot width to help facilitate normal traffic flow as well as emergency vehicle access. There are snow storage areas, and general circulation on the property was shown. There will be a walkway for residents, useable open space in the rear of the property, a fenced enclosure for privacy at ground level. The planting plan proposes a green fence look with "vines" to break it up visually. The site meets all area zoning requirements -- frontage, setbacks, and density of the R-10 zoning district for the site. The design provides 12 garage spaces within the building and six guest spaces in one area of the property and two other guest spaces in another area of the property. The number of spaces exceeds the zoning requirement.

**Grading and Drainage Plan:**

The site grading and drainage plan was addressed regarding stormwater management. The property is encumbered by wetland buffer zones on all sides. The engineers worked with the city's DPW, Engineering and ConCom to develop a stormwater plan that will further improve the property. Some features included in the system will be to minimize pavement on the property using a mix pavers and asphalt, deck planks and gravel pea stone walkways. The goal was to reduce impervious surface and so the system is designed to manage small storm events, and will function on a regular basis. In a flood event the developers are not as concerned about runoff from the property. The design incorporated bio-retention and low-impact treatment measures so that all the runoff will go to these treatment measures before the water runs off into the drainage system located off the property either by the existing drainage connection on Witham Street or a bit off site to the wooded areas. The design fully complies with the stormwater standards as set by ConCom and the city's Engineering Department.

#### Utility Plan:

All utilities will be replaced on the property including new water and fire service and a new sanitary sewer. The drainage outfall will be inspected related to outfall, and if that needs work it will be addressed and repaired. There will be new electric, communications and gas services to ensure the service connections are all watertight.

The property is in a flood zone. It is a regular flood zone not a coastal velocity zone subject to wave action. The flood elevation on the site was raised recently from 8.5 to 14 on the new FEMA flood maps. The whole site was raised up so that the slab elevation is a 1 ½ foot higher than what the existing grade is on the property is now so that the garage is elevated above normal flooding. The habitable floor is nearly four feet above elevation 14. The project is designed to meet the FEMA Coastal Design Flood Standards.

#### Legal Standards:

**Mr. Favazza** then reviewed GZO Sec. 1.8.3 for Special Council Permit standards:

1. Social, economic and community needs: An economically unfeasible use is being replaced with a more compatible residential use.
2. Traffic Flow and Safety: There will be a decrease in traffic as there is no longer a 100 seat restaurant on the site.
3. Adequacy of Utilities: Most utilities will be removed and replaced and anything salvageable will be examined carefully and put into use if possible.
4. Neighborhood character: This is primarily residential neighborhood with single and several multi-family homes, and so the project is more appropriate to the neighborhood character than the previously zoned extensive business restaurant operation.
5. Qualities of the Natural Environment: The site plans were vetted by ConCom. The Conservation Agent, Ken Whittaker, provided comments as part of the Major Project Review. Green space is increased; there will be bio-retention swales utilized and upgrading of stormwater management.
6. Fiscal Impact: To redevelop the site, six units are what the applicant needs in order to recoup his investment.

**Mr. Favazza** also reviewed GZO Sections 5.7.3, 5.7.4 and 5.7.5 which are met. He said that the Departmental Review criteria have been met and those conversations resulted in a better project. There was a Planning Board review of the project, and that there is access from an arterial collector street, site plan shows access, drainage and utilities; parking area are screened, and so those criteria are met.

He concluded his remarks by saying that the project has been thoroughly vetted; that the applicant has sought neighborhood input at each step. The project is a less intense use of the property, more attractive and a greater tax generating use, he said. **Mr. Favazza** concluded that the project meets all requirements of sections 1.8.3 and 5.7 of the Gloucester Zoning Ordinance and asked that the Council grant the Special Council Permit.

#### **Those speaking in opposition: None.**

**Communications: Patrick Halloran**, 76 Witham Street, an abutter, wrote of having met the applicant and extended his support for the project. He indicated his expectation that there would be a replacement of the chain link fence between the two properties.

#### **Councilor Questions:**

**Councilor Lundberg** noted that the likelihood of a water event on the ground level is unlikely, and asked if the mechanicals of the elevator going all the way down to the ground level would present any issues because of that possibility. **Mr. Ricciarelli** said that all the elevator's machinery and electronics will be on the level above the garage level and elevated.

**Councilor Cox** asked for a description of a plunge pool. **Mr. Ricciarelli** said it is an approximately 6 foot deep pool, rather small, and is not intended for swimming laps. She then asked about the chain link fence indicated in the letter which **Mr. Ricciarelli** reiterated would be removed as part of the project.

**Councilor Verga**, noting that the tax benefit was touched on during the presentation, asked about the net gain to property value and what the current property assessment was for it. **Mr. Favazza** suggested that one of the units

would be about equal in value to what the property is valued at now without having the assessment in front of him. He said taxes will be noticeably higher on the property once the project is completed.

**Mr. Favazza** responding to a question from **Councilor Ciolino** said the existing building will be torn down for site prep and utility installation. He added the site is being prepared to meet the recently revised FEMA flood maps requirements. The flood plain went to elevation 14 from 8 1/2. The ground floor will be built to handle flood waters. All mechanicals will be outside of that area so the building will be able to function even in the event of a 100 year storm and remain safe, and structurally sound. **Councilor Ciolino** asked about the two homes on the far sides of the property. **Mr. Favazza** said both are owned by neighbors and not a part of 78 Thatcher Road. Speaking to the Brier Neck Crossing project, **Councilor Ciolino** noted when he was a ward Councilor he had worked to stop the project, because of neighborhood concerns, and asked what is different about the 78 Thatcher Road project. **Mr. Favazza** said that the history of that site is very different. The Brier Neck property was more recently filled and improperly done. 78 Thatcher Road was always filled uplands, and was an established developed site going back many, many years. **Mr. Cameron** added that the main difference is that Good Harbor Beach is in a velocity zone, and that the property is in a different velocity zone in terms of impacts. **Councilor Ciolino** asked if the applicant was assuring that in the event of a storm surge that rescue equipment will be able to get to the property whether from the Gloucester or Rockport side. **Mr. Cameron** indicated that while he can't speak for the Fire Department he related that in conversations with the Fire Department during the vetting process, that it was conveyed that during the "Mother's Day" storm rescue vehicles were able to drive through three to four feet of water and access properties in that area.

**This public hearing is closed at 8:16 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2014-012) to 78 Thatcher Road LLC for a Major Project for a six-unit condominium residential building located at 78 Thatcher Road, Gloucester, Massachusetts, Map 179, Lot 44, zoned Medium/High Density Residential (R-10) pursuant to GZO Sections 1.8.3 Special Permit Criteria; 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and 5.7. Major Projects, with the following conditions:

1. That the City Council adopt as its own the Planning Board's recommended conditions of its memorandum dated February 5, 2015 and specifically recognize that the entire site is located in a flood plain and that the project has, per the recommendation of the Planning Board, met the guidelines of Section 5.7.5 for Major Projects; and that the five (5) conditions required by the Planning Board memorandum of February 5, 2015 shall be specifically incorporated.
2. That the City Council adopt as its own the Gloucester Conservation Commission Order of Conditions dated February 23, 2015 including special conditions therein relating to planting, control of stormwater/melt water to prevent migration of sediments and contaminants into nearby wetlands, and provisions for removal of excessive snow and including Planting Plan dated January 21, 2015 prepared by "Site Creative, Landscape Architects.
3. That the City Council adopt as its own the Major Project report made by the City Engineer under Zoning Ordinance Sec. 5.7.3 dated February 12, 2015 and the conditions therein relating to: Drainage and Grading; Utilities; Street Opening Permits and Curb Cuts; and Final Plans and As Built Plans.
4. That the City Council adopt as its own the recommendations of the Public Health Department that there be a pet waste control plan to be enforced through the condominium association.
5. That the applicant is required to form a Condominium Association which shall have responsibility for the stormwater system, the pet waste control plan, and any other conditions imposed by the Conservation Commission or the Planning Board.
6. That the City Council adopt as its own the recommendations of the Fire Chief under GZO Sec. 5.7.3 and dated 2/5/15 with the exception of the requested elevator size by the Chief. The elevator should meet the NFPA minimum requirements.
7. That this grant of a Special Council Permit is based on plans entitled, "Thatcher Road Condominiums, Site Redevelopment Plans for 78 Thatcher Road by Morin-Cameron Group, Inc. dated 11/10/14 revised through 1/12/15.

**DISCUSSION:**

**Councilor Verga** said that the P&D Committee unanimously endorsed this application which is in keeping with the neighborhood. The project has been reviewed by the Planning Board and Conservation Commission and whose recommendations and all other necessary documentation is on file with the Council pursuant to GZO Sec. 5.7. This application also meets the six standards under GZO Sec. 1.8.3 which was illustrated in the presentation.

**Councilor Ciolino** added his endorsement of the Special Council Permit application. He noted that this project has a much different history than the property now under development on Witham Street and indicated he viewed the project as a clean project. He pointed out that there had always been a business concern on the property. An empty building only creates blight, he said, and that this project will create an aesthetically pleasing property. It will also, he said, give the city consistent tax revenue. He said it was the best use of the property.

**Council President McGeary**, in whose ward the project is being built, added his endorsement of the project saying he appreciated Mr. Flaherty's outreach to the community and addressing their concerns. Responding to an earlier query by Councilor Verga about the property's assessment, he noted that the property is currently assessed at \$804,000 and that some increment of that will be there after the project is completed.

**MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to grant a Special Council Permit (SCP2014-012) to 78 Thatcher Road LLC for a Major Project for a six-unit condominium residential building located at 78 Thatcher Road, Gloucester, Massachusetts, Map 179, Lot 44, zoned Medium/High Density Residential (R-10) pursuant to GZO Sections 1.8.3 Special Permit Criteria; 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and 5.7. Major Projects, with the following conditions:**

1. That the City Council adopt as its own the Planning Board's recommended conditions of its memorandum dated February 5, 2015 and specifically recognize that the entire site is located in a flood plain and that the project has, per the recommendation of the Planning Board, met the guidelines of Section 5.7.5 for Major Projects; and that the five (5) conditions required by the Planning Board memorandum of February 5, 2015 shall be specifically incorporated.
  2. That the City Council adopt as its own the Gloucester Conservation Commission Order of Conditions dated February 23, 2015 including special conditions therein relating to planting, control of stormwater/melt water to prevent migration of sediments and contaminants into nearby wetlands, and provisions for removal of excessive snow and including Planting Plan dated January 21, 2015 prepared by Site Creative, Landscape Architects.
  3. That the City Council adopt as its own the Major Project report made by the City Engineer under Zoning Ordinance Sec. 5.7.3 dated February 12, 2015 and the conditions therein relating to: Drainage and Grading; Utilities; Street Opening Permits and Curb Cuts; and Final Plans and As Built Plans.
  4. That the City Council adopt as its own the recommendations of the Public Health Department that there be a pet waste control plan to be enforced through the condominium association.
  5. That the applicant is required to form a Condominium Association which shall have responsibility for the stormwater system, the pet waste control plan, and any other conditions imposed by the Conservation Commission or the Planning Board.
  6. That the City Council adopt as its own the recommendations of the Fire Chief under GZO Sec. 5.7.3 and dated 2/5/15 with the exception of the requested elevator size by the Chief. The elevator should meet the NFPA minimum requirements.
  7. That this grant of a Special Council Permit is based on plans entitled, "Thatcher Road Condominiums, Site Redevelopment Plans for 78 Thatcher Road by Morin-Cameron Group, Inc. dated 11/10/14 revised through 1/12/15.
2. PH2014-012: Loan Order #2015-001: Loan Authorization in the amount of \$3,300,000 re: Upper CSO-006 Area

**This public hearing is opened at 8:24 p.m.**

**Those speaking in favor:**

**Mike Hale**, DPW Director said: The request is for two loan orders totaling \$3,823,018 for capital Combined Sewer Outflow (CSO) and water projects for the spring of 2015. The first loan authorization is for \$3.3 million for CSO work in the upper CSO-006 area which is the outfall at Parker Street which encompasses a catchment area of Webster and Friend Street. The drainage and combined sewer during heavy storm events discharges to the harbor at that point. The second piece within the \$3.3 million loan authorization is a relay of the interceptor sewer that runs

under Smith Cove. Rocky Neck sewer doesn't touch Main Street almost until the Beacon Marina pump station. It runs behind all the homes on East Main Street through the tidal flats before it comes up on East Main Street. It is original pipe that has had multiple iterations of repairs which takes in seawater and also releases effluent from within the pipe.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Ciolino** complimented the DPW's work in repaving the roads in East Gloucester and redoing the sidewalks and asked if the paving will be torn up in East Gloucester due to this project. **Mr. Hale** said pipes in the rear of the buildings will need to be bypassed from the Rocky Neck parking lot to the first gravity manhole within East Main Street. While the roadway has been resurfaced on East Main Street, the sidewalks on this part of the street have not been redone -- that work ended at the Richdale Store, he pointed out. There will be a section of sidewalk torn up in order to bury the bypass pipe which is anticipated to be in place for two to three weeks, and residents and businesses will still have access to their properties. When the project is done, the bypass pipe will be removed and the sidewalks will be repaved. There was no major sidewalk work prior to this project, he emphasized. This work will be done this spring if possible so as not to disrupt summer traffic. There are limited options, he pointed out, and because the backs of the properties abut the water the pipe would float at high tide. There are also numerous docks and piers that have been built over this pipe which creates a conflict to work within. Therefore the reasonable solution is to bring the pipe to the front of the properties which will be pumped through a sewer manhole on East Main Street to the first gravity manhole.

**Council President McGeary** asked whether when this project is done the pipe running through Smith Cove will be derelict and serve no purpose. **Mr. Hale** explained the DPW will re-lay the pipe within Smith Cove with a bypass running along East Main Street. The bypass pipe is temporary, he reiterated, and said that the permanent pipe will remain under Smith Cove.

**Councilor Ciolino** asked about the outfall on Parker Street which he confirmed with **Mr. Hale** that the outfall is located on the back side of the Gordon Thomas Park. Councilor Ciolino expressed concern that the ashes of Mr. Thomas were scattered in that park and by digging it up may cause distress to his family. **Mr. Hale** said there is no digging at that location, but is just the discharge point for everything from the intersection of Eastern Avenue at Webster Street up towards the top of Mt. Vernon Street which drains towards the head of the harbor. The digging will be on Friend and Webster streets, he said.

**Councilor Questions:**

**This public hearing is closed at 8:30 p.m.**

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

ORDERED: That up to Three Million Three Hundred Thousand Dollars (\$3,300,000) be appropriated for the purpose of funding additional sewer work in the Upper CSO-006 Area and in Smith Cove /Rocky Neck 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 Three Million Three Hundred Thousand Dollars (\$3,300,000) and to issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes will 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; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loans and for any federal and state aid available for the project or 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; and to take, with the approval of the City Council, any other action necessary to carry out the project.

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: None.**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to authorize the following loan order:**

**ORDERED: That up to Three Million Three Hundred Thousand Dollars (\$3,300,000) be appropriated for the purpose of funding additional sewer work in the Upper CSO-006 Area and in Smith Cove /Rocky Neck 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 Three Million Three Hundred Thousand Dollars (\$3,300,000) and to issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes will 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; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (“Trust”) established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loans and for any federal and state aid available for the project or 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; and to take, with the approval of the City Council, any other action necessary to carry out the project.**

**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.**

**3. PH2014-013: Loan Order #2015-002: Loan Authorization in the amount of \$700,000 re: City’s Public Water System**

**This public hearing is opened at 8:34 p.m.**

**Those speaking in favor:**

**Mr. Hale** described the work to be done for the City’s public water distribution system for \$700,000 as follows: this project will allow for the laying of a new main in Hartz Street to interconnect it to Bass Avenue. Currently the system dead ends on Hartz Street and gives the DPW no redundancy to the system. If there were a water main break on Bass Avenue, they would not be able to feed the rest of Bass Avenue through Hartz Street. He said the idea is to create redundancy within a network of distribution pipes. This will provide better water quality for the residents of Hartz Street as well as build in redundancy into the system for all the neighborhoods in East Gloucester, he concluded.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Cox** noted the \$700,000 will go to the water rate. **John Dunn**, CFO said without a vote to shift the debt it will be borne by the Waterways Enterprise Fund and so will be incorporated into the water rate. The life of the loan is projected to be 30 years, with the first years of repayment while in a short-term situation will be about \$50,000 per year and when the debt goes long-term the annual repayment will drop to about \$24,000 in year three.

**Council President McGeary** asked whether the water debt shift expired after one year and whether the Council will need to re-vote it for the FY16 budget. **Mr. Dunn** said the amount shifted was capped and is considered a “permanent shift.” He noted that the Council has the option at any time for any subsequent water debt would require a vote of the Council to be shifted. He confirmed that the shift of the debt remains in place until the debt is paid off.

**Councilor Cox** reconfirmed the \$2.85 million is shifted until the debt is paid. **Mr. Dunn** said it is not recommended that the shifted debt be put back on the water rate, although there is a way to reverse it. Saying that he would check with General Counsel, it was his understanding that if the Mayor were to propose that the debt shift

be removed and that the \$2.85 million go onto the water rate, and the Council votes affirmatively, it could be reversed under those circumstances, he said.

**Council President McGeary** said the water main would run from Jeff's Variety on Eastern Avenue to Bass Avenue and asked if it would run through the existing pipe. **Mr. Hale** said there is an existing, newer pipe that runs from Eastern Avenue for a few hundred feet down Hartz Street. They will tie onto that and run that and tie it all the down into Bass Avenue.

**This public hearing is closed at 8:38 p.m.**

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

**ORDERED:** That up to Seven Hundred Thousand Dollars (\$700,000) be appropriated for the purpose of making improvements to the City's Public Water System in the Hartz Street area 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 Seven Hundred Thousand Dollars (\$700,000) and to issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes will 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; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or 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 and state aid available for the project or 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; and to take, with the approval of the City Council, any other action necessary to carry out the project.

**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:**

**Council President McGeary** commended the Administration for continuing to chip away at improving the city's infrastructure and expressed his support for the loan authorization.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by **ROLL CALL 8** in favor, 0 opposed, 1 (Stewart), absent, to authorize the following loan order:

**ORDERED:** That up to Seven Hundred Thousand Dollars (\$700,000) be appropriated for the purpose of making improvements to the City's Public Water System in the Hartz Street area 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 Seven Hundred Thousand Dollars (\$700,000) and to issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes will 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; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or 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 and state aid available for the project or 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; and to take, with the approval of the City Council, any other action necessary to carry out the project.**

**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.**

- 4. PH2015-014: Amend GCO c. 22, Sec. 22-274, "Two-hour parking between certain hours-Generally," Sec. 22-273 "Parking prohibited between certain houses on certain days," Sec. 22-270 "Parking prohibited at all times," Sec. 22-291 Tow-away zones" re: Elm Street**

**This public hearing is opened at 8:42 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:42 p.m.**

**Councilor Whynott** advised that there are five motions in total for the amendments to the Code of Ordinances for Elm Street. Three of the motions deal with deleting portions of the current ordinance to remove redundancies in Sections 22-274 "Two Hour Parking between certain hours-Generally," 22-273 "Parking Prohibited between certain hours on certain days," and 22-270 "Parking Prohibited at all times."

He said that in order to make the GCO reflect the Traffic Commission recommendations who made them after a discussion with Councilor Cox who brought this matter forward, and a site visit to the area, there are two motions to amend the GCO Sections 22-270 "Parking Prohibited at all times," and 22-291 "Tow-away Zone."

They are:

- 1) **COMMITTEE RECOMMENDATION:** On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-274 "Two Hour Parking between certain hours-Generally," by DELETING "Elm Street, westerly side, from Main Street to Federal Street."

**Councilor Ciolino stepped away from the dais at 8:44 p.m.**

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Ciolino, Stewart) absent, to Amend GCO Sec. 22-274 "Two Hour Parking between certain hours-Generally," by DELETING "Elm Street, westerly side, from Main Street to Federal Street."**

- 2) **COMMITTEE RECOMMENDATION:** On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-273, "Parking Prohibited between certain hours on certain days," by DELETING, "Elm Street, easterly side, from Federal Street to Main Street."

**Councilor Ciolino returned to the dais at 8:45 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 (Stewart) absent, to Amend GCO Sec. 22-273, "Parking Prohibited between certain hours on certain days," by DELETING, "Elm Street, easterly side, from Federal Street to Main Street."**

3) COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, 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 "Elm Street easterly side, beginning at a point on the curbing 11 feet south of the boundary line of the properties numbered 17 and 19 Elm Street to a point on the curbing 78 feet north from such first mentioned point."

**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 (Stewart) absent, to Amend GCO Sec. 22-270, "Parking Prohibited at all times," by DELETING "Elm Street easterly side, beginning at a point on the curbing 11 feet south of the boundary line of the properties numbered 17 and 19 Elm Street to a point on the curbing 78 feet north from such first mentioned point."**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, 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 ADDING "Elm Street, easterly side, from a point beginning 260 feet in a northerly direction from its intersection with Main Street for a distance of 135 feet."

**DISCUSSION:**

**Councilor Cox** explained that the genesis for these changes to the Code of Ordinances regarding parking on Elm Street was when she was approached by concerned citizens who spoke to her about the lack of parking in downtown streets where there were no meters. She pointed out that in the past Verizon had its office on Elm Street and asked that parking be prohibited in front of the building so their trucks could make that corner. This location is no longer being used for extensive services, so the no parking area made no sense anymore either. The City Clerk's office found some of the redundancies that are being removed from the ordinance, and then the changes will add much needed parking for the downtown, she said.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to Amend GCO Sec. 22-270, "Parking Prohibited at all times," by ADDING "Elm Street, easterly side, from a point beginning 260 feet in a northerly direction from its intersection with Main Street for a distance of 135 feet."**

4) COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-291, "Tow Away Zone" by ADDING "Elm Street, easterly side from a point beginning 260 feet in a northerly direction from its intersection with Main Street for a distance of 135 feet."

**DISCUSSION:**

**Councilor Ciolino** said that speaking as a downtown businessman he offered his congratulations to Councilor Cox for untying all the knots and making the situation much more clear with everyone pleased with the results happy at that corner.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to Amend GCO Sec. 22-291, "Tow Away Zone" by ADDING "Elm Street, easterly side from a point beginning 260 feet in a northerly direction from its intersection with Main Street for a distance of 135 feet."**

### **Committee Reports:**

#### **Budget & Finance: March 5, 2015**

##### **1. Harbormaster's Department:**

## A) Memorandum from Harbormaster &amp; Supplemental Appropriation-Budgetary Request 2015-SA-20

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-20 in the amount of \$6,000 (Six Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Contractual Services, Account # 700000.10.492.52000.0000.00.000.00.052 for the purpose of completing the Spring 2015 City boating season set up, Public Landing lawn maintenance and buoy installation.

**DISCUSSION:**

**Councilor Cox** explained that this is an annual transfer from the Waterways Enterprise Funds Retained Earnings (known as free cash) to contractual services enabling the Harbormaster's Department to complete the coming boating season setup, install buoys, gangways and to keep the public landings maintained throughout the summer season. There is a shortfall necessitating the replacement of \$6,000 because in July of 2014 funds were transferred from the Contractual Services account which had to be used to pay for the completion of the engineering design for the float system and piers at Solomon Jacobs Park which was on a deadline and an unplanned for expense.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-20 in the amount of \$6,000 (Six Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Contractual Services, Account # 700000.10.492.52000.0000.00.000.00.052 for the purpose of completing the Spring 2015 City boating season set up, Public Landing lawn maintenance and buoy installation.**

## B) Memorandum from Harbormaster &amp; Supplemental Appropriation-Budgetary Request 2015-SA-21

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-21 in the amount of \$7,000 (Seven Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Salary/Wages-Temporary Positions, Account # 700000.10.492.51200.0000.00.000.00.051 for the purpose of funding additional harbor patrols and launch operators' office assistance.

**DISCUSSION:**

**Councilor Cox** conveyed that this transfer is to fund seasonal additional harbor patrols and launch operators' office assistance salaries. She briefly explained this is because the Harbormaster didn't factor into the budget the wages for longer launch hours and added river patrols. Additionally because there was a computer issue with the moorings program, he had to bring in an assistant to aid the department's Senior Clerk. Those items combined created a shortfall which needed to be replenished.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-21 in the amount of \$7,000 (Seven Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Salary/Wages-Temporary Positions, Account # 700000.10.492.51200.0000.00.000.00.051 for the purpose of funding additional harbor patrols and launch operators' office assistance.**

## C) Memorandum from Harbormaster &amp; Supplemental Appropriation-Budgetary Request 2015-SA-22

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council establish a new Stabilization Fund to be known as the "Waterways Enterprise - General Stabilization Fund" pursuant to

Massachusetts General Law c. 40, §5B for the purpose of reserving funds for unanticipated, emergency and extraordinary type of expenditures.

**DISCUSSION:**

**Councilor Cox** said that it has been recognized by the Waterways Board that if the Harbormaster and the department's Senior Clerk were to leave or simultaneously retire, the Waterways Board and the city would be obligated to pay out \$27,000 just for sick pay buy back. The Board agreed it was wise to plan for such an event, and that they would establish a Rainy Day Stabilization Fund to be built up over a three-year period for funds to be reserved for this payout. This is an excellent planning approach endorsed by the Committee. The motion that follows is to partially fund the new account. Sick leave buy back is capped at 180 days and after \$9,000 each year for three years it would be fully funded.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to establish a new Stabilization Fund to be known as the "Waterways Enterprise - General Stabilization Fund" pursuant to Massachusetts General Law c. 40, §5B for the purpose of reserving funds for unanticipated, emergency and extraordinary type of expenditures.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-22 in the amount of \$9,000 (Nine Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, General Stabilization Fund, Transfer In, Account # 760000.10.996.49700.0000.00.000.00.040 for the purpose of reserving funds for unanticipated, emergency and extraordinary type of expenditures.

**DISCUSSION:**

**Councilor Fonvielle** said this vote funds the newly established fund.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-22 in the amount of \$9,000 (Nine Thousand Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, General Stabilization Fund, Transfer In, Account # 760000.10.996.49700.0000.00.000.00.040 for the purpose of reserving funds for unanticipated, emergency and extraordinary type of expenditures.**

D) Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Request 2015-SA-23

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-23 in the amount of \$8,238 (Eight Thousand Two Hundred Thirty-Eight Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.00.000 to Reserve for Appropriations/Waterways Enterprise, Improvement & Maintenance, Transfer In, Account # 720000.10.996.49700.0000.00.000.00.040 for the purpose of reserving funds related to Chapter 91 Mitigation Fees for the waterways improvements and maintenance.

**DISCUSSION:**

**Councilor Cox** explained that this is an annual transfer by the Waterways Board through the Harbormaster. The \$8,238 is the amount of mitigation fees paid annual to the Waterways Board for Chapter 91 licenses and the money has to be put into a specific account for use for any public landing which is a requirement by law imposed by the state on individual property owners who do not provide public access through their property. The \$8,238 is all that was due this past year. The check is written by the property owner to the city and is also dictated by state law. This is reserving the funds and setting it aside; when the Waterways Board is ready to spend it the Board will come back for a transfer of the funds.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-23 in the amount of \$8,238 (Eight Thousand Two Hundred Thirty-Eight Dollars) from the Waterways Enterprise, Retained Earnings (“Free Cash”), Account #700000.10.000.35900.0000.00.000.00.000 to Reserve for Appropriations/Waterways Enterprise, Improvement & Maintenance, Transfer In, Account # 720000.10.996.49700.0000.00.000.00.040 for the purpose of reserving funds related to Chapter 91 Mitigation Fees for the waterways improvements and maintenance.**

E) Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Request 2015-SA-24

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-24 in the amount of \$1,000 (One Thousand Dollars) from the Waterways Enterprise Dun Fudgin Boat Ramp Waterways EF, Transfer out, Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Contractual Services, Account # 700000.10.492.52000.0000.00.000.00.052 for the purpose of emergency repairs to the Dun Fudgin Boat ramp due to winter storm damage.

**DISCUSSION:**

**Councilor Cox** said that due to the first winter storm that in turn created an extraordinary northwest storm surge there has been damage the north side of the Dun Fudgin Boat Ramp floats; and that in order for it to be used it will require some emergency repairs and so necessitates this transfer.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-24 in the amount of \$1,000 (One Thousand Dollars) from the Waterways Enterprise Dun Fudgin Boat Ramp Waterways EF, Transfer out, Account #700000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Contractual Services, Account # 700000.10.492.52000.0000.00.000.00.052 for the purpose of emergency repairs to the Dun Fudgin Boat ramp due to winter storm damage.**

**2. Supplemental Appropriation-Budgetary Request 2015-SA-25 from Mayor’s Office**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-25 in the amount of \$15,000 (Fifteen Thousand Dollars) from General Fund, F/B Undesignated, Account #101000.10.000.35900.0000.00.000.00.000 to Mayor, Contingency/Emergency, Account # 101000.10.121.57800.0000.00.000.00.057 for the purpose of paying for professional real estate consulting services related to the development of a Request for Proposal for the sale of the Fuller School Building.

**DISCUSSION:**

**Councilor Cox** said that the Administration conveyed that in order for the city to have a full picture of pricing for the possible sale of the Fuller School building, it is appropriate that the city retain a professional real estate consultant so that any Request for Proposal (RFP) reflects current market value. The appraisal may cost \$10,000 with \$5,000 for the consultant. There will be a plan for a Council workshop to bring the Council up to a baseline level of understanding. To make the workshop more productive the Administration plans to meet informally with Councilors prior to the workshop. If the full \$15,000 isn’t used, she advised, the money will fall to the city’s bottom line.

**Councilor Verga** said P&D is officially done with the Fuller School upon passing along its recommendation to accept the School Committee’s vote to surplus the building. He described the situation’s status as a reset by the new Administration, and that this is a great first step. He commented that a concern he had with I4-C2 was that no real estate professional was consulted to obtain the property’s value. He pointed out the situation with the Fuller property assessment needs someone who specializes in large commercial properties.

**Council President McGeary** asked the Chief Administrative Officer to present a timeline to the Council for the Request for Proposal (RFP) process. **Jim Destino**, CAO, said this is the first step. The Administration is engaging a commercial real estate professional to have an evaluation done. As soon as the consultant is hired, they will plan a workshop approximately in a month's time, and then write the RFP. **Council President McGeary** noted the intention is not to present an RFP at the workshop but a framework for it. **Mr. Destino** said the best way to do this is to have everyone understand what they can and cannot do as well as what the property is worth.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to approve Supplemental Appropriation 2015-SA-25 in the amount of \$15,000 (Fifteen Thousand Dollars) from General Fund, F/B Undesignated, Account #101000.10.000.35900.0000.00.000.00.000 to Mayor, Contingency/Emergency, Account # 101000.10.121.57800.0000.00.000.00.057 for the purpose of paying for professional real estate consulting services related to the development of a Request for Proposal for the sale of the Fuller School Building.**

### **3. Memo from City Auditor regarding accounts having expenditures which exceed their authorization**

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the provisions of MGL c. 44, §31D Snow and Ice Removal, Emergency Expenditures not to exceed \$2,500,000. The increase of emergency expenditure authority is \$1,850,000 added to the current FY2015 DPW Snow and Ice Removal appropriation budget of \$650,000.

### **DISCUSSION:**

**Councilor Cox** conveyed that the City Auditor has recommended after consulting with the DPW Director, that it is appropriate at this time that the Council votes to expand the ceiling for Snow and Ice Removal, Emergency Expenditures to not exceed \$2.5 million. The increase of the expenditure authority is \$1,850,000 added to the current appropriation budget of \$650,000. It is expected this new ceiling will be exceeded in the coming weeks and will have to be raised again once all billing from contractors is taken into account. She noted that one only needs to drive through Rockport, Beverly and Salem to see that hands down Gloucester is superior in its active snow removal plan.

**Councilor Verga** inquired about the possible MEMA (Mass. Emergency Management Agency) reimbursement to the city for snow and ice removal during the severe winter storms. **Mr. Destino** said there were two windows -- the first window was within the first 48 hours of the first big storm, and it appears that will be declared an emergency from FEMA (the Federal Emergency Management Agency) and the city should receive 75 percent reimbursement which the city submitted for around \$430,000. A second, long-duration window, a couple of weeks' worth of the storms that immediately followed the first big storm, has opened, and the city has submitted over \$1 million for reimbursement. That emergency declaration from FEMA is yet to happen, and the Administration is not sure it will happen, although **Mr. Destino** indicated the city remains hopeful for reimbursement.

**Councilor Ciolino** asked how much has been spent on snow and ice removal to date. **Mr. Destino** said it was over \$2 million.

**Councilor Cox** asked what is being done for snow removal at this point as some streets still have high snow banks. **Mr. Destino** said the previous night was the last for around-the-clock snow removal. He said now the DPW will deal with problems as they are pointed out to them. The 24 hour service is halted, he said.

**Council President McGeary** said Governor Baker had talked about extending the snow and ice deficit over 2 years. **Mr. Destino** said reimbursement will come in the same year fiscal year and advised that kicking that deficit down the road another year isn't helpful to the city. He said it would be better to cover the debt the best they can this year and would rather have the reimbursement to offset that debt. He indicated that if the reimbursements are forthcoming, it would be received in FY16.

**Councilor Cox** noted that there was an editorial in the local paper about only funding \$650,000 each year. She noted that if the snow and ice debt is carried over after the close of a fiscal year she asked if it was a free cash hit. **Kenny Costa**, City Auditor said the \$650,000 is a base budget. Any time the Snow and Ice base is increased; a new base would be \$700,000 and by state regulation can never be decreased. Carry over is not a free cash hit, he said, and is the only lawful deficit a city can have. He said that this action before the Council just authorizes expenditures. The deficit has to be funded at some point, and at some point that bill is due, he pointed out.

**Councilor Cox** said if the city's base is over what is spent during a snow season, as it happened several years ago when only \$324,000 was spent, what happens to that difference? **Mr. Costa** said it falls to the bottom line.

**Mr. Destino** added that over a five year period, not including this year, the average spent for snow and ice removal for the city is \$1.1 million, including the year the city spent only \$324,000.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to approve the provisions of MGL c. 44, §31D Snow and Ice Removal, Emergency Expenditures not to exceed \$2,500,000. The increase of emergency expenditure authority is \$1,850,000 added to the current FY2015 DPW Snow and Ice Removal appropriation budget of \$650,000.**

#### **Ordinances & Administration: March 2, 2015**

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council forward to the State Legislature a request for a Special Act to amend Section 8-1 of the City Charter in order to provide that municipal preliminary elections shall be held no later than the sixth Tuesday preceding a regular or special municipal election with the date to be fixed for each preliminary election by a vote of the City Council which shall be taken no later than the sixtieth day before the date so fixed.

#### **DISCUSSION:**

**Councilor Whynott** explained that this is something that has been talked about over the years. The City Charter says there should be five weeks between the preliminary election and full municipal election, but almost all other cities in the state have six weeks. He said this needs to be changed as there isn't necessarily time for military and out-of-state ballots to be received by the City Clerk's in time to be counted. He said it is also confusing to the voters when other municipalities have their preliminary elections earlier than Gloucester. This is something that has been broken for a long time, he said. He commended the City Clerk for bringing this to his attention and putting the matter forward.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Stewart) absent, to forward to the State Legislature a request for a Special Act to amend Section 8-1 of the City Charter in order to provide that municipal preliminary elections shall be held no later than the sixth Tuesday preceding a regular or special municipal election with the date to be fixed for each preliminary election by a vote of the City Council which shall be taken no later than the sixtieth day before the date so fixed.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council forward the draft language from the Fisheries Commission for updating the job description of the position of Executive Director of the Fisheries Commission to the Administration for its consideration.

#### **DISCUSSION:**

**Councilor Whynott** said that there is a need for the Fisheries Commission to be back to full force, and the Executive Director plays an important role. He added that an Executive Director would keep the fishing industry in the forefront of the city's state legislature's mindset.

**Councilor Verga**, whose order precipitated the review of the Executive Director of the Fisheries Commission job description, said that the Fisheries Commission has spoken for some time for a need for an Executive Director and since the position is under consideration by the Administration for funding at least for a part-time position, the updating of the job description was timely.

**Councilor Ciolino** asked about combining the Harbor Planning Director position, now vacant, and the Executive Director of the Fisheries Commission. **Mr. Destino** said they feel the Harbor Planning Director position should be wrapped up into the new Economic Development Director position, combining land and water and combining duties as well. The Fisheries Commission position of Executive Director is a stand-alone matter created by state legislation, he pointed out.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to forward the draft language from the Fisheries Commission for updating the job description of the position of Executive Director of the Fisheries Commission to the Administration for its consideration.**

**Planning & Development: March 4, 2015**

COMMITTEE RECOMMENDATION: On motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to allow the 2015 annual St. Peter's Fiesta, commencing on Wednesday evening, June 24, 2015 through Sunday, June 28, 2015, 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; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 26<sup>th</sup>, Saturday, June 27<sup>th</sup> and Sunday, June 28<sup>th</sup> 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 24<sup>th</sup> through June 28<sup>th</sup> 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;
2. That the footprint of the Fiesta be drawn on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Council by May 22, 2015;
3. That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;
4. Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot;
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 2015 St. Peter's Fiesta;
7. And that the Fiesta Committee and Fiesta Shows, Inc., comply with all regulations of the Licensing Commission.

**DISCUSSION:**

**Councilor Verga** expressed the unanimous endorsement of the P&D Committee for the 2015 St. Peter's Fiesta as well as wishing the St. Peter's Fiesta Committee good luck for a successful event this coming summer. He mentioned that Fiesta Shows is in negotiations to use some adjacent property to expand the Fiesta's rides footprint which will be handled outside of this special event permitting process.

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Stewart) absent, to allow the 2015 annual St. Peter's Fiesta, commencing on Wednesday evening, June 24, 2015 through Sunday, June 28, 2015, 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; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 26<sup>th</sup>, Saturday, June 27<sup>th</sup> and Sunday, June 28<sup>th</sup> 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 24<sup>th</sup> through June 28<sup>th</sup> 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;

2. **That the footprint of the Fiesta be drawn on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Council by May 22, 2015;**
3. **That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;**
4. **Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot;**
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 2015 St. Peter's Fiesta;**
7. **And that the Fiesta Committee and Fiesta Shows, Inc., comply with all regulations of the Licensing Commission.**

**Unfinished Business: None.**

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

**Councilors' Requests to the Mayor:**

**Councilor Ciolino** wished Gus Foote good health saying that he has been under the weather lately. He requested that the auditorium clock be adjusted to the correct time.

**Councilor Verga** said that the dog debris on Stacy Boulevard has become excessive. He said he hoped that dog owners will be more courteous. When the snow melts, the dog ordinance fine signs need to be changed to reflect the change of the penalty in the ordinance, he said.

**Councilor Cox** announced the following events: the annual Pride Stride is April 26. Pledge sheets are available at City Hall, the YMCA, and the Library and at other downtown locations. The Relay for Life is June 20 at Burnham's Field from 12 p.m. to 10 p.m. The Citizen's Emergency Response Team (CERT) is teaming up with the city's Emergency Operation Center and is requesting that the Council be present on April 13 at 4:30 p.m. for a tour of the Center and brief MEMA presentation.

**Councilor Lundberg** said earlier this week in the paper the Police Chief highlighted the increase in opiate overdoses in the city and on the North Shore. He indicated he would be crafting a Request to the Mayor that the Administration through the Public Health Agent to speak to the Council about the public health issue to gain perspective on the matter.

**Councilor Whynott** said that the Council is concerned about excessive dog waste on the Boulevard, and on city beaches too. Responding to **Councilor Whynott**, **Council President McGeary** advised that a new device, a tri-caster, will be delivered the following day to be installed that will allow the next Council meeting to be broadcast live. **Councilor Whynott** also mentioned he had driven through New York and Pennsylvania and said that potholes are not unique to Massachusetts or the city, but that the state and the city has done a better job repairing potholes than other out-of-state areas he's been to recently. He commended the Gloucester Department of Public Works for their efforts.

**Council President McGeary** agreed that the DPW has done a fine job. He called attention to the fact that the city will be represented at the International Boston Seafood Show & Seafood Processing America Expo from March 15 to 17. The city will have a booth and he noted that Mayor Theken will have a seafood throw down on that Sunday afternoon at the Expo with Angela Sanfilippo, President of the Fishermen's Wives Association and Fisheries Commission member. He said there will be a number international fisheries industry representatives coming to Gloucester on Monday to see the city which he pointed out was a great opportunity and commended the Mayor and her staff, Economic Development Director Sal DiStefano for putting this together. He added that it was a great opportunity for the city.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:35 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson**  
**Clerk of Committees**

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