

GLOUCESTER CITY COUNCIL MEETING

Tuesday, May 12, 2015 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul McGeary; Councilor Joseph Ciolino; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Paul Lundberg; Councilor William Fonvielle; Councilor Robert Stewart
Absent: Councilor Cox; Councilor Whynott
Also Present: Mayor Sefatia Theken; Linda T. Lowe; Kenny Costa; Jim Destino; Harbormaster Jim Caulkett; Tony Gross; Fire Chief Eric Smith; Max Schenk; Mark Cole; Salvatore Di Stefano; Tom Daniel; Bill Sanborn; Chip Payson; Noreen Burke

The meeting was called to order at 7:00 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.

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

Dr. Mario E. Motta, 19 Skipper Way, a former member of the Energy Committee under Mayor Bell, spoke to light pollution ordinances and that noted there has been a drop in light pollution in the city in the past few years. He said many communities are converting to LED bulbs in their street lights, and Gloucester is considering the same thing now. He said his goal is encourage the city to install 3,000K LED lights as opposed to 4,000K LED lights. He said an important consideration is the color quality of the LED bulbs in terms of the quality of light output and safety of the light to the environment that is emitted. He said that there is an intense blue light that can be emitted by certain types of LED lights that is hard on the eyes. He urged that 3,000K LED lights be installed as part of the city's LED light conversion project saying these types of bulbs are much more environmentally safe and better for human health.

Linda Brayton, 547 Washington St., and **Valerie Gilman**, 75 Revere St., said that they represented a group of enthusiastic volunteers called Dog Friendly Gloucester. They organize clean ups of dog waste and trash around the city, particularly at Good Harbor Beach, Goose Cove Reservoir, the Gloucester Dog Park, Wingersheek Beach and Stacy Boulevard. It was noted that Dog Friendly Gloucester has partnered with other volunteer groups to organize and volunteer for clean ups across the city.

Ms. Gilman said the Dog Friendly Gloucester Group is spearheading an effort to ensure that all Mutt Mitt stations located at Stacy Boulevard, Stage Fort Park and Goose Cove Reservoir are always filled. With the cooperation of the Department of Public Works which is committed to supplying the plastic Mutt Mitts, the Dog Friendly Gloucester volunteers will be responsible for keeping the bins filled. It was pointed out that Max Schenk of the city's Public Health Department is supervising this effort.

Dog Friendly Gloucester are looking for volunteers and are having a kick-off meeting on Friday, May 15, at 9 a.m. tentatively scheduled to take place at the Lanesville Community Center tentatively where more information will be given. For more information contact Val Gilman: VHGilman@comcast.net.

Presentations/Commendations:**EDIC's Mission, Activities and Plans**

Councilor Lundberg thanked the EDIC for before the Council to speak of their mission. He said he asked for this review because the EDIC has the responsibility of creating opportunities for job creation in the city. He pointed out that as the budget season progresses and the expense side of it is examined, it is also important to keep in mind there is a revenue side to the city's budget, and the EDIC is a direct link to improve the revenue side.

Rebecca Bernie, 4 Gerring Road, and Chair of the EDIC Board and **Tom Gillett**, Howard Road, Executive Director of the Economic Development Industrial Corporation (EDIC) for the City of Gloucester made a Power Point presentation to the Council (on file). Members of the EDIC Board in attendance were: Ron Ross; Bill Bramhall; and Mike DiLascio. Also present was Alan Hagstrom the EDIC's Director of Operations, and the EDIC's Legal Counsel, John Cunningham. **Ms. Bernie** reviewed the following information with the Council:

- The EDIC was formed in 1997 under MGL c.121C. Its goals are to increase employment, generate tax revenue and increase business activity.

- EDIC Resources – Board of Directors, Beckie Bernie, Chair; Ruth Pino, Treasurer; Barry Pett, Co-Chair; Ron Ross, Bill Bramhall; Mike DiLascio. Legal counsel, John Cunningham; Part-time Human Resources consist of: Tom Gillett, Executive Director and Alan Hagstrom the Director of Operations. The Gloucester EDIC office is located at the City Hall Annex.
- The EDIC's financial status was briefly reviewed. Funds are used specifically for investing in future projects that upon completion are turned over to the city. A small amount of money is kept back by the EDIC to fund future projects.
- State of the city's industrial parks: Blackburn Industrial Park is completely sold out. Ninety-eight percent of total property (24 parcels/132 acres) is in private hands. Four parcels are vacant and remaining two acres are cell towers. The Cape Ann Industrial Park is complete as well -- 86 percent of total property (24 parcels/60 acres) in private hands: 6 parcels (12 acres) vacant and 4 of the vacant (8 acres) are held by EDIC.
- Tax revenue from the city's industrial parks is about \$1.4 million.
- The future of the city's industrial development was discussed. There are 600 vacant and potentially developable parcels. A prime location is 450 acres north and south of Rte. 128 along the Manchester and Essex lines. The parcel has access issues. The Administration is seeking release of state funds for a study in order to solve the access issues—particularly funds have been allocated for study the feasibility of a new interchange on Route 128 to serve this area. The interchange is considered critical for the development of the parcel. **Mr. Gillett** added that the current Administration has met with the city's state legislators in the last two months to drive this study forward. He noted the parcel is twice the size of the Blackburn Industrial Park.

Mr. Gillett reviewed the following portion of the EDIC presentation:

- Current activities and projects: There is a maintenance procedure to maintain the industrial parks for road paving. EDIC works with the city DPW on maintenance. EDIC is also working on a second egress from Blackburn Industrial Park. The corporation is also working with real estate agents to show vacant properties.
- Despite existing city industrial parks being filled, the EDIC is still helping to create jobs in the city. The corporation worked with Jon Von Tetzchner to bring the Innovation House to the city, which it is hoped, will spearhead the Magnolia Innovation District. The EDIC is working with Bill Jacobson, founder and CEO of Coshare to help place a co-working space and maker space (Tech Shop) in the city. The Maker Space is being shepherded by Sal Di Stefano, Economic Development Director for the city, who is working with the CEO of TechShop, the largest maker space company in the U.S. It was suggested that perhaps in the future there could be an "Ocean Cluster" House founded in the city. A team is in place to consider that possibility with Endicott College.
- Ocean Cluster was further described as modeled on an effort by the Icelandic government. A project called "One Hundred Percent Cod" which raised the income from cod from 10 Euros to 30 Euros per pound, tripling its value. The EDIC is now looking at how to do the same for the fish that Gloucester's fishermen catch. Tom Daniel, Community Development Director; Sal Di Stefano; Rick Upton, a local entrepreneur are moving this project forward.
- A new website is being put together immediately. The new site is modeled after that of the EDIC in San Diego, Calif., and should be up and running by the middle of June and promotes Gloucester as a place to do business. Mr. Gillett acknowledged the encouragement of Councilor Fonvielle in helping to move the web site redesign forward.
- The EDIC is also for balanced development and encourages the support of the arts community. The EDIC is a partner in setting up a proposed Gloucester Cultural Development Council.
- Publications of the EDIC were noted, in particular the "Thoughts on How Best to Value the Full Value Potential from the Fuller School Site; the Gloucester Entrepreneur Ecosystem is a new publication about job creation from existing and new Gloucester businesses.
- Future of Gloucester -- looking to the city's past to inspire the future – to establish specific targets such as what do they want to see in the population mix and housing mix; school ranking; jobs, and keeping a balance between commercial, industrial, innovation and creativity.

Councilor Fonvielle asked for further information about maker space. **Mr. Gillett** said maker space is when someone invests in the installation high tech equipment that individuals can't normally afford, such as laser cutters, three dimensional printers, welding equipment, etc., and the equipment is then used on a shared basis. Such shared

spaces can be used to transition people into other industries and start-ups can use the space for prototyping products, for instance. **Councilor Fonvielle** added that he was gratified that the new EDIC website is almost ready to launch.

Councilor Ciolino said he appreciated the efforts of the EDIC but that there weren't a lot of places for new businesses to go. He said for seven years they've heard of expansion, getting an exit off of Rte. 128 and asked what they can do to make this happen through the Mayor and the city's legislative representatives. **Mr. Gillett** said that the legislative team has met with the Mayor and her team to make it happen and is moving forward quickly.

Confirmation of New Appointments:

Chief Administrative Officer

James Destino

TTE 02/14/16

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 James Destino be appointed as Chief Administrative Officer, TTE 02/14/16.

DISCUSSION:

Councilor Stewart said that the O&A Committee was very favorable for Mr. Destino's appointment as Chief Administrative Officer. He spoke of Mr. Destino's background in business and his Council tenure for many years as Council President, and B&F Committee Chair, and added that he strongly recommended his appointment as well.

Mayor Sefatia Theken said it was a pleasure to bring forward Mr. Destino's appointment for confirmation. When she became Mayor, she had in mind to bring Mr. Destino back into the fold noting he was a mentor to her when she was first elected to Council. She said her administration wants to keep Gloucester moving forward, and there is a need to take things that have been on the shelf to bring them back and make them work so the city can move forward together. She said Mr. Destino has a tremendous commitment to the city, and because of his efforts her administrative team is working very well. She asked that Mr. Destino's appointment be moved forward.

Councilor Ciolino expressed his support for Mr. Destino's appointment saying he is the right person for the job and hit the ground running. He added that the vote from the O&A Committee was unanimous, including Councilor Whynott who was absent this evening.

Councilor Verga voiced his support of Mr. Destino's appointment and said that Mr. Destino came in on a temporary 90-day appointment and has proved himself since.

Councilor LeBlanc said that in January the Mayor asked his support for Mr. Destino. He noted he met with Mr. Destino and came away with an appreciation for his managerial abilities. He said that Mr. Destino is open and honest, does what he says, and expressed his full support of his appointment.

Councilor Lundberg also supported Mr. Destino's appointment and said that he appreciated his willingness to serve the city again.

Councilor Fonvielle added his support for Mr. Destino's appointment as well.

MOTION: On a motion by Councilor Stewart, seconded by Councilor , the City Council voted 7 in favor, 0 opposed, to appoint James Destino, Chief Administrative Officer, TTE 02/14/16.

Historical Commission

Michelle Bader Mustone (Alternate Member)

TTE 02/14/18

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 appoint Michelle Bader Mustone to the Historical Commission (Alternate Member), TTE 02/14/18.

DISCUSSION:

Councilor Stewart said the O&A Committee was very impressed with Ms. Mustone's background and approved her appointment to the Historical Commission unanimously.

Ms. Mustone said that she has an extensive background as an educator at Endicott College as an Associate Professor, and as a lawyer. She said as a resident of Gloucester she has an abiding interest in the city's history and wished to serve on the Commission not only to preserve the city's history for her 10 year old daughter but to make historic areas accessible for businesses, residents and tourists alike.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to appoint Michelle Bader Mustone to the Historical Commission (Alternate Member), TTE 02/14/18.

Clean Energy Commission

Robert Myers

TTE 02/14/17

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 appoint Robert Myers to the Clean Energy Commission, TTE 02/14/17.

DISCUSSION:

Councilor Stewart said the O&A Committee was pleased to unanimously put forward Mr. Myers for appointment.

Mr. Myers pointed out that he has recently retired from the computer industry and that he has a great interest in the city's energy conservation interests and looked forward to serving on a vital and active Commission. The city has done a great deal to improve its energy consumption and is used as a case study in the state, he noted.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to appoint Robert Myers to the Clean Energy Commission, TTE 02/14/17.

Stage Fort Park Advisory Committee
02/14/18

Marie Demick (Gloucester Dog Park Rep.)

TTE

Donna Polizzia (representative. for gardening/landscaping) TTE 02/14/18

David Dow (At Large)

TTE 02/14/18

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 appoint Marie Demick to the Stage Fort Park Advisory Committee (Gloucester Dog Park Representative), TTE 02/14/18.

DISCUSSION:

Ms. Demick said that she has lived in the city for 30 years, noting she is a founding member of the Gloucester Dog Park and was willing to serve on the new Committee. Stage Fort Park needs a helping hand, and that this new committee will make sure the park will be maintained for generations to come, she said.

Councilor Verga said he was glad to see Ms. Demick step forward noting that there are high hopes for this committee. He encouraged the development of a long-term mission with an eye to the city's 400th anniversary in 2023.

Councilor Ciolino said should the new committee need help to kick start their efforts, the Council is available to them to help them navigate the process. He urged that they call a meeting as soon as possible to get started. He that the committee should think big and give the Councilors a list of what they want to see done.

Councilor Lundberg said it is about a vision, and to remember that the money will come later which the Council will have a hand in. He suggested that there could be a public/private partnership as was done for the renovation of the New Balance Track and Field at Newell Stadium and expressed his hope that something similar could be done for Stage Fort Park.

Councilor LeBlanc said he worked with Ms. Demick when she was a member of the Dog Ordinance Ad Hoc Committee and endorsed her appointment to the Stage Fort Park Advisory Committee.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to recommend that the City Council Gloucester Dog Park Representative), TTE 02/14/18.

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 appoint Donna Polizzia to the Stage Fort Park Advisory Committee (Gardening/Landscaping Representative), TTE 02/14/18.

DISCUSSION:

Ms. Polizzia said that she has an abiding interest in Stage Fort Park as a lifelong resident. She has been the president of the Civic Gardening Council which built and maintains the Elizabeth Gordon Smith Park at the beginning of the Lucy Davis Walkway at the park (also known as the “Rose Garden”). She said she would like to see the rest of Stage Fort Park maintained the way the Civic Gardening Council maintains the Rose Garden.

Councilor Fonvielle confirmed he has worked with Ms. Polizzia for many years on the Plan Implementation Review Committee and said that she will be a positive addition to the Stage Fort Park Advisory Committee.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to recommend that the City Council appoint Donna Polizzia to the Stage Fort Park Advisory Committee (Gardening/Landscaping Representative), TTE 02/14/18.

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 appoint David Dow to the Stage Fort Park Advisory Committee (At Large Representative), TTE 02/14/18.

DISCUSSION:

Mr. Dow said that he is a long-time resident of the city and was a proponent of the creation of the Stage Fort Park Advisory Committee. He said he was pleased to be able to participate on the newly formed Committee and looked forward to working towards the improvement and maintenance of the Park. He noted that it was he who brought to the attention along with several others of the Council of the damage being done to the park along with George Roark. He said the vision he has for the park that it reverts to its beauty of the 1930’s and 1940’s. He submitted several photos of the park during that timeframe (placed on file).

Councilor Verga said it was important to take a holistic approach to the renovation, preservation and maintenance of Stage Fort Park and that Mr. Dow is a great addition to the committee.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Verga, the City Council voted 7 in favor, 0 opposed, to appoint David Dow to the Stage Fort Park Advisory Committee (At Large Representative), TTE 02/14/18.

Mr. Destino, responding to an inquiry by **Councilor Verga**, said there is one remaining open spot on the committee but advised there was a quorum. He said the Council has yet to assign a City Councilor to the committee to which **Council President McGeary** added that position would be filled immediately by the appointment of Councilor Fonvielle. **Councilor Ciolino** also highlighted there is a revolving fund for the park available for its maintenance.

Consent Agenda:

- **CONFIRMATION OF REAPPOINTMENTS**

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|-----------------------------------|------------------|--------------|
| Council on Aging | Susan Goodall | TTE 02/14/17 |
| Downtown Development Commission | Suzanne Silveira | TTE 02/14/18 |
| Historic District Commission | Stephen Goodick | TTE 02/14/18 |
| Open Space & Recreation Committee | Patricia Amaral | TTE 02/14/18 |
| Traffic Commission | Robert Francis | TTE 02/14/18 |

- **MAYOR’S REPORT**

1. Memorandum from May re: two matters pertaining to the FY16 budget: (1) Administration’s Capital Plan Funding & Free Cash Distribution Policy; (2) Request from Administration to link approximately 30% of revenue received from Hotel/Motel excise tax To the Tourism Commission Budget (Refer B&F)
2. Special Budgetary Transfer 2015-SBT-43 from Auditor’s Office (Refer B&F)
3. Grant Application & Checklist from Council on Aging re: acceptance of FY15 Formula Grant from Executive Office of Elder Afrs.(Refer B&F)
4. Grant Application & Checklist from Community Development Dept. & DPW re: acceptance of DCR-Blynman Canal Repair Construction Seed Money from the DCR Division of Waterways (Refer B&F)
5. Memorandum from General Counsel re: Amendment to the Code of Ordinances, Sec. 5-19 (Refer O&A)
6. Memorandum from General Counsel re: a new Ordinance for Block Parties (Refer O&A)
7. Memorandum from Director of Public Works re: Acceptance of Unaccepted or Private Ways (Refer P&D)
8. Clean Energy Commission Annual Reports for the years 2012-2014 (Info Only)
9. New Appointments: Clean City Commission TTE 02/14/18 Patti Amaral, Charlotte Ohannessian, Amy Kerr, Donna Ardizzoni
Historic District Commission TTE 02/14/18 Jessica Mulcahy (Refer O&A)

- **COMMUNICATIONS/INVITATIONS**
 1. Invitation from the Office of Veterans' Services and the United States Veterans Council re: May 25, 2015 Memorial Day Parade And Ceremonies (Info Only)
 2. Request from St. Peter's Fiesta Committee to review & amend City Council vote of March 10, 2015 re: St. Peter's Fiesta 6/24-28/15(Refer P&D)
- **APPLICATIONS/PETITIONS**
 1. SCP2015-002: Eastern Avenue #210, Map 265, Lot 23, GZO Sec. 2.3.4 (7) Animal boarding, kennel – 24 hour operations (Refer P&D)
 2. Request from Planning Board re: 2014 Harbor Plan Implementation Marine Industrial District Zoning Amendments (Refer P&D)
- **COUNCILORS ORDERS**
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. City Council Meeting: April 28, 2015 (Approve/File)
 2. Joint Meeting City Council & Board of Health: May 2, 2015 (Approve/File)
 3. Special City Council Meeting: May 5, 2015 (Approve/File)
 4. Special City Council Meeting: May 7, 2015 (under separate cover) (Approve/File)
 5. Standing Committee Meetings: B&F 05/07/15 (under separate cover), O&A 05/04/15, P&D 05/06/15 (under separate cover) (Approve/File)

Items to be added/deleted from the Consent Agenda:

Council President McGeary removed Item #2 under Approval of Minutes, the Joint Meeting of the City Council and the Board of Health of May 2. He said the minutes were not yet ready and will be submitted for approval at the next City Council.

By unanimous consent the Consent Agenda was accepted as amended.

Committee Reports:

Budget & Finance: May 7, 2015

1. *Special Budgetary Transfer Request (2015-SBT-42) from Police Department*

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer 2015-SBT-42 in the amount of \$184.03 from Account #101000.10.292.51100.0000.00.000.00.051, Animal Control, Salary/Wages-Permanent Position, to Account #101000.10.218.51250.0000.00.000.00.051, Police-Parking, Salary/Wage-Part-Time Position, for the purpose of fully funding the Parking Salary/Wage Part-Time Position account for the remainder of Fiscal Year 2015.

Councilor Fonvielle said in order to fully fund the Parking Salary/Wage Part-Time Position account, funds that remain in the Animal Control Salary/Wages-Permanent Position account due to a delay in hiring a second Animal Control Officer are being used. The reason for the transfer is that a step increase was miscalculated creating this deficit. He noted there is only about \$1,000 remaining in the Animal Control Salary/Wages account.

MOTION: On motion by Councilor Fonvielle, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to approve Special Budgetary Transfer 2015-SBT-42 in the amount of \$184.03 from Account #101000.10.292.51100.0000.00.000.00.051, Animal Control, Salary/Wages-Permanent Position, to Account #101000.10.218.51250.0000.00.000.00.051, Police-Parking, Salary/Wage-Part-Time Position, for the purpose of fully funding the Parking Salary/Wage Part-Time Position account for the remainder of Fiscal Year 2015.

2. *Draft Lease Agreement #15142 between the City of Gloucester & Good Harbor Beach Inn Corp. for the Witham Street Parking Area (Good Harbor Beach)*

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the disposition by means of a lease as provided in Lease Agreement 15142 for the Witham Street Parking area at 99 Thatcher Road between the City of Gloucester and the Good Harbor Beach Inn Corp., pursuant to the terms and conditions stated therein. Said term is to be three years from May 1, 2015 to April 30, 2018.

DISCUSSION:

Councilor Verga said that Planning & Development had taken this matter up as did Budget & Finance. He said that P&D voted unanimously to approve the lease. There are no issues or changes in the lease, which has been in place for 9 years.

Councilor Stewart noted five-year permits were done for two of the city's outdoor parking lots. He asked if three-year terms were the norm. **Councilor Verga** clarified that the two permits the Councilor referred to are on private property. In the case of this particular lease, it is for the use of city-owned property.

The lease is \$6,500 for three years, a fee arrived at by the Board of Assessors who reviewed the property value based on the city's revenues from its parking lot at Good Harbor Beach, **Council President McGeary** noted.

MOTION: On a motion by Councilor Fonvielle, seconded by Councilor Verga, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to approve the disposition by means of a lease as provided in Lease Agreement 15142 for the Witham Street Parking area at 99 Thatcher Road between the City of Gloucester and the Good Harbor Beach Inn Corp., pursuant to the terms and conditions stated therein. Said term is to be three years from May 1, 2015 to April 30, 2018.

3. Memorandum from Principal Assessor re: Declaration of Overlay Surplus & Supplemental Appropriation-Budgetary Request (2015-SA-27)

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-27 in the amount of \$255,317.98 (Two Hundred Fifty-Five Thousand Three Hundred Seventeen Dollars and Ninety-Eight Cents) from Account #101000.10.000.32200.0000.00.000.00.000, General Fund – Fund Balance-Reserved Extra\Unforeseen (Overlay Surplus) to Account #101000.10.423.52970.0000.00.000.00.052, DPW-Snow/Ice Removal, Snow/Ice-Contract for the purpose of reducing the Snow and Ice deficit.

DISCUSSION:

Councilor Fonvielle said that as they do each year, the Gloucester Board of Assessors declared an Overlay Surplus of \$255,317.98 and that the funds are being applied for the purpose of reducing the city's Snow and Ice budget deficit. He said that Overlay Surplus can be released based on several considerations such as funds to cover cases that are still pending in appellate court, anticipation of possible coverage of outstanding receivables of property tax owed to the city, and abatements to be granted by the Board of Assessors.

Mr. Destino informed the Council at the request of the Council President, that as of today the city's Snow and Ice deficit is a moving target. The city is whittling away at the deficit, and said it is hoped the federal and state government will help the city out. He noted that the window for reimbursements for storm costs is opening a tiny bit. The government will reimburse the 48 hour window from the January storm that dropped over 30 inches of snow on the area, and for any extenuating circumstances such as damage to property or machinery that went down as a result of that storm. The Governor has sent a letter to the federal government to expand that window to 72 hours. The city is will be taking advantage of an offer by the Department of Revenue to allow cities and towns to amortize Snow and Ice debt from this winter over a three-year period. The Administration is sweeping city accounts for any left over funds and has had some success. There are funds that may be used from the city's Stabilization Fund also, he said. They are leaving free cash where it is and will try to manage as best they can in order to wait to see where the government reimbursements come in. He said the overall cost for this winter will come in at \$3.5 million. He said that the Administration is confident they can get this deficit managed.

MOTION: On a motion by Councilor Fonvielle, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to approve Supplemental Appropriation 2015-SA-27 in the amount of \$255,317.98 (Two Hundred Fifty-Five Thousand Three Hundred Seventeen Dollars and Ninety-Eight Cents) from Account #101000.10.000.32200.0000.00.000.00.000, General Fund – Fund Balance-Reserved Extra\Unforeseen (Overlay Surplus) to Account #101000.10.423.52970.0000.00.000.00.052, DPW-Snow/Ice Removal, Snow/Ice-Contract for the purpose of reducing the Snow and Ice deficit.

4. Request City Council acceptance of a \$2,000 donation to the City from David Putnam

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to accept under MGL Chapter 44, §53A-1/2 the donation of \$2,000 by David Putnam to the City of Gloucester to be used as a proper public municipal expenditure under the direction of the Mayor's Office.

DISCUSSION:

Councilor Fonvielle said that Mr. Putnam's donations are to be used at the discretion of the Mayor once accepted by the Council within Department of Revenue parameters. The Administration said that the Mayor would like to put these funds into the General Fund. If the funds are not used before the close of the fiscal year, the money will fall to the General Fund bottom line. The Mayor has already sent a thank you note. He noted he had forwarded a Councilors' Request to the Mayor suggesting that the Administration use the funds to create an innovation prize for a city employee for ideas submitted that are implemented or have great potential to benefit the community.

Council President McGeary thanked Mr. Putnam on behalf of the Council for his gift to the city.

MOTION: On a motion by Councilor Fonvielle, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to accept under MGL Chapter 44, §53A-1/2 the donation of \$2,000 by David Putnam to the City of Gloucester to be used as a proper public municipal expenditure under the direction of the Mayor's Office.

Ordinances & Administration: May 4, 2015

Conservation Commission

Michelle Cain

TTE 02/14/18

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor Stewart, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the withdrawal by the Mayor to appoint Michelle Cain to the Conservation Commission.

DISCUSSION:

Councilor Stewart said that the O&A Committee was in receipt of a memo from the Mayor informing them that Ms. Cain, due to work commitments, was unable to move forward with her appointment to the Conservation Commission at this time.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to accept the withdrawal by the Mayor of the appointment of Michelle Cain to the Conservation Commission.

Planning & Development: May 6, 2015

Councilor Verga advised the Council there were no further matters for Council action from the May 6, 2015 P&D Committee meeting.

Scheduled Public Hearings:

1. **PH2015-020: Amend Chapter 22, Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" by DELETING Kondelin Road, both sides from its intersection with Magnolia Avenue for its entire length from 10:00 p.m. to 4:00 a.m.; and amend Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" by ADDING Kondelin Road, from its intersection with Magnolia Avenue, for its entire length, on the westerly side (even numbered properties) from 10:00 p.m. to 4:00 a.m.**

Council President McGeary opened the public hearing and announced that it would be continued to May 26 as the O&A Committee had yet to finish its deliberations on the matter at hand.

This Public Hearing is continued to May 26, 2015.

2. PH2015-021: Amend Chapter 2, Division 10 “Committee for the Arts” by ADDING additional language to subsection (b)

Council President McGeary opened the public hearing and announced that this public hearing would also be continued to May 26 pending an O&A Committee recommendation as well. He noted there would be a meeting in the auditorium at City Hall on Thursday, May 14, at 7 p.m. for public input into the city’s arts policy.

This Public Hearing is continued to May 26, 2015.

3. Amend Chapter 22, Sec. 22-270 “Parking prohibited at all times” and Sec. 22-291 “Tow-away zones” by ADDING Herrick Court (Friend Street side) for a distance of 15 feet from the top of the stairs, in a northerly direction; and Sec. 22-292 “Fire lanes” by ADDING Herrick Court, both sides from its intersection with Main Street in a northerly direction from a distance of 100 feet (to the bottom of the stairs)

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

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:12 p.m.

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 to Amend GCO Sec. 22-270 “Parking prohibited at all times” by ADDING as follows:

Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs, in a northerly direction.”

DISCUSSION:

Councilor Stewart explained that these amendments are based on a Council Order by Councilor Cox. He said there was a constituent affected by vehicles blocking a stairway that impeding access to their home.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend GCO Sec. 22-270 “Parking prohibited at all times” by ADDING as follows:

Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs, in a northerly direction.”

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 to Amend GCO Sec. 22-291 “Tow-away zones” by ADDING as follows:

Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs, in a northerly direction.”

DISCUSSION: None.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend GCO Sec. 22-291 “Tow-away zones” by ADDING as follows:

Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs, in a northerly direction.”

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 to Amend GCO Sec. 22-292 "Fire Lane" by ADDING as follows:

"Herrick Court, both sides, from its intersection with Main Street in a northerly direction for a distance of 100 feet (to the bottom of the stairs)."

DISCUSSION: None.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynt) absent, to Amend GCO Sec. 22-292 "Fire Lane" by ADDING as follows:

"Herrick Court, both sides, from its intersection with Main Street in a northerly direction for a distance of 100 feet (to the bottom of the stairs)."

- 4. PH2015-023: Amend Chapter 22, 22-280 "Fifteen-minute parking" by DELETING Maplewood Avenue, easterly side in a northerly direction from a point 154' from Derby Street for a distance of 62' between the hours of 9:00 a.m. to 9:00 p.m. on Fridays and between 9:00 a.m. and 5:30 p.m. on other weekdays**

This public hearing is opened at 8:16 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

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

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 to Amend GCO Sec. 22-280 "Fifteen-minute parking" by DELETING as follows:

"Maplewood Avenue, easterly side in a northerly direction from a point 154' from Derby Street for a distance of 62' between the hours of 9:00 a.m. to 9:00 p.m. on Fridays and between 9:00 a.m. and 5:30 p.m. on other weekdays."

DISCUSSION:

Councilor Stewart said that this change in the ordinance is to remove a parking restriction in order that this same space may now become a handicapped parking space as created and approved by the Traffic Commission.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynt) absent, to Amend GCO Sec. 22-280 "Fifteen-minute parking" by DELETING as follows:

"Maplewood Avenue, easterly side in a northerly direction from a point 154' from Derby Street for a distance of 62' between the hours of 9:00 a.m. to 9:00 p.m. on Fridays and between 9:00 a.m. and 5:30 p.m. on other weekdays."

- 5. PH2015-024: Amend Chapter 2, Magnolia Woods Oversight & Advisory Committee, Sec. 2-556 "Tenure, composition, requirements by DELETING subsection (b) in its entirety and ADDING a new subsection (b)**

This public hearing is opened at 8:18 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

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

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 Chapter 2, Section 2-556 “Tenure, composition requirements” for the Magnolia Woods Oversight and Advisory Committee by DELETING Subsection (b) in its entirety and ADD a new Subsection (b) as follows:

“(b) The successors to these initial appointees shall serve for a term of three years. Five (5) appointed members shall be selected from the Magnolia community at large provided that these members shall be registered voters in Ward 5 of the city. One of these five (5) appointed members shall be from a neighborhood abutting the Magnolia Woods. For the remaining four members, preference shall be given to members of organizations that utilize the facilities of Magnolia Woods including, but not limited to, the Fisherman Youth Soccer Association, the Cape Ann Youth Lacrosse Association, the Cape Ann Model Airplane Flying Association, and the Magnolia Bike Club. In addition, a sixth member may be a representative from the city at large, provided that this member will be a registered voter of the city.”

DISCUSSION:

Councilor Stewart said that the Magnolia Woods Oversight & Advisory Committee hasn’t met in some time caused by an inability to obtain a quorum. The Ordinance as currently written is very specific as to who is represented on the committee. The idea is to loosen the requirement a bit in order for a larger pool of eligible residents is made available in order to fill open slots on the Committee, he noted.

Councilors Fonvielle added this will give the Committee the necessary flexibility to allow the Committee to move forward.

Councilor Verga endorsed the change to the ordinance. He said the creation of the committee was initiated by concerned residents of Magnolia and that he and former Councilor Tobey shepherded the ordinance through the Council four years ago.

Councilor Ciolino inquired whether the city had yet to receive the official notification closure of the landfill from the state. He asked how much longer it will take to close that landfill on which Magnolia Woods is situated, and asked that the DPW come before the Council for an update on the matter. He pointed out that the landfill can never be built on and is not an area for development. **Mr. Destino** said he would arrange a brief presentation to the Council on the issue. **Councilor Fonvielle** added that two years ago he was told by the DPW Director it was only a matter of some paperwork and would have the closure finalized in several weeks, and he, too noted, it has not happened to date.

MOTION: On a motion by Councilor Stewart seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 7** in favor, **0** opposed, **2** (Cox, Whynott) absent, to Amend Chapter 2, Section 2-556 “Tenure, composition requirements” for the Magnolia Woods Oversight and Advisory Committee by **DELETING** Subsection (b) in its entirety and **ADD** a new Subsection (b) as follows:

“(b) The successors to these initial appointees shall serve for a term of three years. Five (5) appointed members shall be selected from the Magnolia community at large provided that these members shall be registered voters in Ward 5 of the city. One of these five (5) appointed members shall be from a neighborhood abutting the Magnolia Woods. For the remaining four members, preference shall be given to members of organizations that utilize the facilities of Magnolia Woods including, but not limited to, the Fisherman Youth Soccer Association, the Cape Ann Youth Lacrosse Association, the Cape Ann Model Airplane Flying Association, and the Magnolia Bike Club. In addition, a sixth member may be a representative from the city at large, provided that this member will be a registered voter of the city.”

6. PH2015-025: Amend Chapter 10, “Waterways Administration” Sec. 10-51(e) “Fees” re: Season Pass

This public hearing is opened at 8:28 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:28 p.m.

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 Chapter 10, Section 10-51(e) Fees by ADDING the following after the last sentence:

“A Season Pass for permitted mooring holders within the boundaries of the Gloucester Harbor Launch with a limit of four people will cost One Hundred Dollars (\$100).”

DISCUSSION:

Councilor Stewart said that the O&A Committee as did the Budget & Finance Committee agreed with the Waterways Board, in an effort to up ridership on the city’s launch is endorsing a season’s pass for the launch, for a fee of \$100, and for the launch’s range. This would be a cost effective alternative for mooring holders, and encourage the utilization of the launch and act as a service to the mooring holders.

Councilors LeBlanc, the Council’s representative to the Waterways Board, expressed his endorsement of the ordinance amendment. He said the Board supports this amendment to the ordinance for a Gloucester launch seasonal pass unanimously. The pass is four adults per pass and children under 12 continue to be transported for free. This should generate more revenue for the launch, he said.

Councilor Fonvielle said that the B&F Committee also reviewed this amendment and endorsed it unanimously.

MOTION: On a motion by Councilor Stewart, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend GCO Chapter 10, Section 10-51(e) Fees by ADDING the following after the last sentence:

“A Season Pass for permitted mooring holders within the boundaries of the Gloucester Harbor Launch with a limit of four people will cost One Hundred Dollars (\$100).”

7. PH2015-026: Amend Chapter 11, “Hawkers, Peddlers, and Transient Vendors” by ADDING a new title and Amend Section 1 “Definitions” by ADDING a new Section 11-10(f)

This public hearing is opened at 8:29 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:29 p.m.

Councilor Stewart said that the following three motions to be put forward for Council consideration will result in adding the Special Events Advisory Committee to the Code of Ordinances which is composed of essential city staff. In doing so, the Planning & Development Committee will be the last stop for event permitting, not unlike Pole Petitions. Should there be an event that the P&D Committee feels is of particular concern, it has the option to forward that event to the Council under its Committee Report for the Council’s consideration, he noted.

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Advisory Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the title of GCO Chapter 11, “Hawkers, Peddlers, and Transient Vendors” by DELETING the entire title and ADDING a new title, “Hawkers, Peddlers, Transient Vendors and Special Events.”

DISCUSSION:

Councilor Verga said that the Special Events Advisory Committee (SEAC) initiated by Councilor Hardy, gets all the necessary essential city staff together to review events with the applicants, a process that has worked well. The P&D Committee rarely overrules the decision of the SEAC. If the event is of particular concern, P&D has the option to forward that event to the Council under its Committee Report for the Council’s consideration. This will

eliminate the step of all event permits having to come to the Council as well to help streamline the permitting process, he said.

There was a discussion on a possible appeal process if an applicant is denied a permit amongst the Councilors. **Council President McGeary** said as they move forward, the Council may want to consider adding an appeal process to the ordinance.

Linda T. Lowe, City Clerk, and a member of the SEAC, added that no applicant has ever been denied a permit but that conditions are sometimes applied to the permit. She said SEAC also works with the permit applicants on scheduling events, to avoid having multiple events going on in the city in a single weekend, which would tax city resources. In response to a query by **Council President McGeary**, she suggested that it would not be a good idea to add an appeal process to the ordinance as it relates to the city's event permitting.

MOTION: On a motion by Councilor Stewart, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend the title of GCO Chapter 11, "Hawkers, Peddlers, and Transient Vendors" by DELETING the entire title and ADDING a new title, "Hawkers, Peddlers, Transient Vendors and Special Events."

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 Chapter 11, Section 1 "Definitions" by ADDING a new definition as follows:

"Special Event means an event that is open to the general public which may be held on public or private property, including city streets and may feature entertainment, amusements, food and beverages. The event may be classified as a road race, bike ride, bike race, parade, walkathon or festival."

DISCUSSION: None.

MOTION: On a motion by Councilor Stewart, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend Chapter 11, Section 1 "Definitions" by ADDING a new definition as follows:

"Special Event means an event that is open to the general public which may be held on public or private property, including city streets and may feature entertainment, amusements, food and beverages. The event may be classified as a road race, bike ride, bike race, parade, walkathon or festival."

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 Chapter 11 by ADDING a new Section 11-10(f) as follows:

"Notwithstanding subsections (d) and (e) there shall be a Special Event Advisory Committee comprised of the following city staff: the City Clerk, the Building Inspector, the Assistant Department of Public Works Director, the Assistant Chief of Police, the Assistant Fire Chief, the Emergency Medical Services Director, the Health Department Food Inspector, the Harbormaster and the Community Development Tourism Manager. The Committee shall review all Special Events applications and shall assist applicants with any necessary approvals including approvals by the City Council as referenced in Section 11-10(a)(5). If City Council approval is needed, the application shall be referred directly to the Planning & Development Committee who shall have the authority to approve the Special Event permit. The Special Event Advisory Committee shall meet monthly and shall post notices of its meetings.

DISCUSSION: None.

MOTION: On a motion by Councilor Stewart, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Whynott) absent, to Amend Chapter 11 by ADDING a new Section 11-10(f) as follows:

"Notwithstanding subsections (d) and (e) there shall be a Special Event Advisory Committee comprised of the following city staff: the City Clerk, the Building Inspector, the Assistant Department of Public Works

Director, the Assistant Chief of Police, the Assistant Fire Chief, the Emergency Medical Services Director, the Health Department Food Inspector, the Harbormaster and the Community Development Tourism Manager. The Committee shall review all Special Events applications and shall assist applicants with any necessary approvals including approvals by the City Council as referenced in Section 11-10(a)(5). If City Council approval is needed, the application shall be referred directly to the Planning & Development Committee who shall have the authority to approve the Special Event permit. The Special Event Advisory Committee shall meet monthly and shall post notices of its meetings.

For Council Vote: None.

Unfinished Business: None.

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

Councilors' Requests to the Mayor:

Councilor Verga said the Empty Bowl fundraiser for The Open Door would be held Thursday, May 14 from 4 to 7 p.m. at Cruiseport.

Councilor Fonvielle announced he would be travelling to Reykjavik, Iceland, the week of May 18 representing the Mayor and the city at an event being held at that city's Innovation House. He will be speaking at that event attended by the U.S. Ambassador to Iceland as well as government ministers of Iceland. He said he will also be promoting the city's further relationship with the Icelandic Ocean Cluster. He noted that he was paying for the trip himself.

Councilor Ciolino said the Christmas banners are down throughout the city finally and the city is sprucing up for the summer season.

Councilor LeBlanc noted that the city is making some water distribution improvements on Washington Street from Exchange Street to Grant Circle. There will be road resurfacing and sidewalk replacement and tree replacement for those trees that are blocking the sidewalk as well as planting shade trees. He encouraged constituents to call him with their concerns at 978-283-3360.

Councilor Stewart said the 50th anniversary of Pathways for Children will be celebrated on Tues., May 20 from 5:00 p.m. to 8:00 p.m. at Endicott College. He said this wonderful organization that has worked with the city's school system to provide educational support to children 2 years to 4 years of age to help to develop cognitive skills.

Council President McGeary pointed out the artwork decorating the auditorium walls, the downtown, and the Cape Ann Museum's park by the children of the city's public schools.

On Thursday, May 21, at 7 p.m. in the Friend Room of the Sawyer Free Public Library there will be a presentation by the Climate Change Vulnerability Assessment Committee, of which the Council President noted he was a member. The committee has been looking at the city's infrastructure to assess what city properties are vulnerable to the effects of climate change. This presentation, he pointed out, will give residents a sense of the kinds of decisions the city has to make and they may have to consider as well.

On Sun., May 17, from 2 to 4 p.m. at the Cape Ann Museum, the Gloucester Historical Commission will present their 2015 preservation awards.

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:

- **Written Statement of Linda Brayton and Valerie Gilman under Oral Communications regarding Dog Friendly Gloucester**
- **EDIC – May 12, 2015: Update to Gloucester City Council submitted by Tom Gillett, Executive Director, EDIC**
- **Reproduction of select photographs of Stage Fort Park by David Dow**