

**GLOUCESTER CITY COUNCIL MEETING**  
**TUESDAY, March 2, 2010**  
**6:30 P.M.**  
**Kyrouz Auditorium – City Hall**  
**Council Meeting 2010-004**

**Present:** Council President Jacqueline Hardy; Council Vice President, Sefatia Theken; Councilor Steven Curcuru, Councilor Joe Ciolino, Councilor Robert Whynott, Councilor Paul McGeary, Councilor Ann Mulcahey, Councilor Bruce Tobey; Councilor Greg Verga

**Absent:** None

**Also present:** Jim Duggan, Linda L. Lowe; Fire Chief Phil Dench; Mike Hale; Larry Durkin; David Anderson; Dean Murray; Max Schenk; Joe Rosa; Francis Lewis; Phil Bouchie; Carol McMahan; Gregg Cademartori; John Whitten, Daley & Whitten; Capt. Tom LoGrande, Gloucester Fire Dept.; Phil Bouchie, President-Gloucester Firefighter’s Union; Sunny Robinson

**City Council Meeting 2010-004 was called to order at 6:30 p.m.**

**Flag Salute and Moment of Silence**

**Oral Communications:**

**Tom LoGrande**, New Way Lane, and Gloucester Fire Captain stated on Thursday, February 25<sup>th</sup> the B&F Committee reviewed the Fire Services Staffing Grant received and accepted in December 2009 for \$388,125.00 and wanted to bring forward facts he felt were relevant to that matter, not only in his role as a Gloucester firefighter but is a past president of the Local firefighters 762 I.A.F.F. He spoke of the Agreement between the City of Gloucester and the Gloucester Firefighters, Local 762, I.A.F.F., dated October 7, 2009 provides for staffing minimum level of 14 firefighters per shift. Mass. General Law, Chapter 150E, Section 7 (b) states, “The employer...shall submit to the appropriate legislative body within thirty days after the date on which the agreement is executed by the parties, a request for an appropriation necessary to fund the cost items continued therein...” The Administration was asked repeatedly if they would need an appropriation to fund the contract from the City Council. The Union was assured that the City had funds within the existing Fire Dept. budget to provide for contractual staffing levels through FY2010. Mayor Kirk at the City Council meeting of October 20, 2009, stated, “We (the City) are comfortable in the current appropriation we can cover the minimum manning clause at 14.” The Fire Dept. was notified on November 24, 2009, that the department was awarded a Fire Services Staffing Grant in the amount of \$388,125.00. Provisions of the grant included submitting a revised budget and a Letter Agreeing to Not Supplant Funds. According to the Executive Office of Public Safety and Security which is administering the aforementioned grant, “Cities and Towns may not request that departments reduce their budget or cut a department’s budget based on its having received this stimulus funding...that would be considered supplanting which is strictly prohibited.” On February 22, 2010, in a conversation with Fire Chief Dench, he was informed that a portion of the grant money was being used to hire on firefighter and the remainder of the grant money to be used to supplement overtime to maintain staffing. At the time they discussed the staffing level of 14. He then asked about the salary of Firefighter Clint Carroll. He was informed that the salary that had been “disencumbered” by the City. Removing an appropriated salary from the existing budget and replacing that with grant money is by definition supplanting funds. During negotiations, Good Faith Bargaining practices dictate that the City has a funding sources for any contractual provisions it agrees to. With the Mayor’s statement of October 20<sup>th</sup>, the City acknowledges such. Therefore, the grant money should be used to staff in addition to the minimum of 14 firefighters per shift which is stipulated in the contract and agreed to by the City. To use the grant money to fund an existing obligation, he believes, is tantamount to supplanting.

**Phil Bouchie**, President Gloucester Firefighter's Union, thanked the Budget & Finance Committee for their hard work in tough times. He considers the B&F Committee a quasi-fiduciary board. We are receiving federal grants through the state government, and it is up to the B&F through the full Council to make sure that those monies are expended correctly. They're an important part right now of Gloucester's revenues. As far as keeping outlying stations open, right now that's the only money available to keep them open. During the contract talks that past president LoGrande spoke about, the City agreed to fund through June 30<sup>th</sup> 14 people with already appropriated funding. They asked on February 11<sup>th</sup> of the B&F where did that money go. When Mr. Duggan attempted to answer that question, at the 11<sup>th</sup> meeting, he was told not to do so at that time. The meeting was continued until the 25<sup>th</sup> of February when the question was asked once again, "where did the money go", between October and December to keep fire stations maintained at the 14 man minimum level until June 30<sup>th</sup>. If that money was there, as indicated by the Mayor's memo to the Council of October 20<sup>th</sup>, it should have been there the last week of December. She tried to close the West Gloucester fire station the last week in December saying she didn't have funding for 13 [firefighters]. So they ask again to the Mayor's office, where did that money go. As far as the 25<sup>th</sup> meeting, they attended that meeting; as he pointed out earlier, it was the firefighter's union who found the mistake in the original plan to spend the grant monies. Their secretary/treasurer and vice president after getting the budget looked at it and saw that something was wrong. They found out that Mr. Duggan had misinterpreted what the hours of a shift meant. They actually identified \$150,000.00 in excess money. So they do have an interest in the budget. When the Fire Chief was asked how much was being rolled into March from February, and this was pre-storm, he said it was \$9,652.95, and the Council has a copy of that document. What was omitted was the \$23,380.86 that rolled from January to February. That means that had the storm not occurred, it is likely that somewhere in the neighborhood of \$33,000.00 would have rolled into March building a mound of money that just keeps increasing while the outlying stations remain closed. So he remains concerned about the omission of the \$23,000.00. Why did that happen? He believes the B&F Committee should keep an eye on the situation, on the growing mound. He wanted to point out that in addition to his presentation earlier, is that they have what is called a 'Service Zone Plan' with the Regional OEMS Council. This service zone plan states that the City of Gloucester will have firefighter/first responders in three of the outlying stations, West Gloucester, Bay View and Magnolia; and that those first responders will be on scene 90 percent of the time within 4 minutes. Obviously, with the stations closings that's not happening. That document was submitted to the Regional OEMS Council signed by the Mayor that is accurate under the pains and penalty of perjury. And we're not doing that with that money that can do that. He believes the City is jeopardizing grants in the future by not doing what we promised by the grant writers that we were going to do.

**Councilor Tobey** called a point of order that there were no members of the press in attendance and CATV had not arrived to put the meeting out live, or to tape it so that the public can see it. Serious allegations were made that the Council is unable to debate, which he understood, and that the Council never seemed to receive responses to the Oral Communications from the Mayor's Office in writing that he was aware of, and felt this was important. Further, there were important matters being taken up by the Council that evening. If they knew that CATV was expected at 7:00 p.m., he requested that the Council recess the meeting until then to allow the community to benefit from the viewing of the Council proceedings.

**On motion by Councilor Tobey, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed to recess at 6:45 to reconvene at 7:00 p.m. and begin at the point of Oral Communications.**

**The City Council reconvened at 7:00 p.m.**

**Councilor Hardy** again called for Oral Communications.

The statements under Oral Communications were repeated by Mr. LoGrande and Mr. Bouchie.

**Councilor's Requests to the Mayor: All Councilor requests have been received in writing and forwarded to the office of the Mayor.**

**Confirmation of Appointments:**

***Dean Murray, Open Space Committee, TTE 02/14/2013***

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Theken, the Ordinances and Administration Committee voted 2 in favor, 0 opposed to recommend to the City Council to appoint Dean Murray to the Open Space Committee, TTE 02/14/2013.

**MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to approve the appointment of Dean Murray to the Open Space Committee, TTE 02/14/2013.**

**Presentations:****1 of 4: *Introduction of Veteran's Agent – Jeffrey Williams***

**Mr. Duggan** introduced Jeffrey Williams the City's new Veteran's Agent, to the Council and noted Mr. Williams shone above all the candidates and is a veteran.

**Jeffrey Williams, Veteran's Agent** introduced himself to the Council. He spoke of his educational and military background (C.V. on file). He is an active reservist, 24 years in the U.S. Army. He is a Company 1<sup>st</sup> Sgt. He noted after work on Friday he will be donning his uniform to head out to visit one of the detachments of his company. He had one year of active duty service with Operation Iraqi Freedom in 2004 and 2005 and that he is proud to serve the Gloucester community with its rich military heritage and its long list of veterans. He is looking forward to seeing everyone at the Memorial Day activities. He asked that if anyone knew of a veteran who needs help or if you would like to volunteer, you are always welcome down at 12 Emerson Avenue.

**Councilors Hardy, Ciolino and Theken** welcomed Mr. Williams and thanked him for his presentation and patience in coming before the Council.

**Councilor Ciolino** welcomed Mr. Williams and noted the City wants to computerize the reporting to the State. He wanted to know his plans and felt the financial reporting to the State and Federal government was an important aspect of the position and to be done in a timely manner. He wished him well in his new position.

**Mr. Williams** said the State is a step ahead of the City on that. They have something called the Web (VSMIS) Veterans Services Management Information System, a new automated way for reporting Chapter 115 reimbursements for their expenditures for ordinary benefits, fuel and medical costs to our veterans in our community. Also, the Federal government also has a web services called Veterans On Line Application (VONAPP) which allows veterans to go on line and allow for them to apply for health benefits and service related disabilities and pension funds. They do have some things in place. The challenge for his office is getting some good computerized recordkeeping to supplement what the federal and state agencies have already asked them to do.

**Councilor Theken** also welcomed Mr. Williams and noted she will come to his office to speak with him about the new programs regarding medical premiums and the VA clinic as well as services for returning soldiers who after a year lose their Tri-Care coverage and how outreach can be done for these veterans. She also let him know that Lucia Amero, who has been in the Veteran's Office for 13 years, is a wonderful asset to the City.

Councilor Hardy welcomed Mr. Williams and thanked him for his patience in waiting to come before the Council due to the storm and other issues.

**2 of 4: *Presentation from Administration re: Drinking Water***

**Mike Hale, DPW Director** presented the update on the Drinking Water situation for the City (presentation documents on file). He introduced Larry Durkin, P.E., the City's Environmental

Engineer; Max Schenk and Joe Rosa, Gloucester Board of Health; Don Bunker, project manager for all this work and Project Engineer for Phase 2, of Fay, Spofford & Thorndike; Bill Ross, P.E., Project Engineer on Phase 1A and 1B, of New England Civil Engineering. Gloucester has two primary water filtration plants; the East System which is the Babson Treatment facility which is fed by the Babson and Goose Cove Reservoirs. The West System is the water filtration plant at the corner of Essex and Magnolia Avenues. The West System is fed by Dykes, Haskell, Wallace and Fernwood Reservoirs. The City has a supplemental water filtration plant, the Constantine Maletskos Water Treatment Plant (AKA Klondike) in North Gloucester which supplements water to North Gloucester residents during the summer months. There are 3 water storage tanks: Bond Hill, Plumb Cove Standpipe in Lanesville and Blackburn Tower. They have a pumping station that fills the Blackburn tank. The City has about 120 miles of water distribution mains, most of that being finished water. There is a small amount of raw water transfer, which is essentially the Goose Cove Reservoir to Babson. Relative to the Boil Water Order this summer, and the malfunction with the Babson facility, the City entered into an administrative consent order with penalty with Mass. DEP. They developed a systems upgrade report which detailed the improvements needed to Babson as well as to West Gloucester to make the City compliant and to make us less vulnerable going forward with our water system. Phase 1A entails improvements specifically to Babson which address the intake structures. . That was awarded to Weston & Sampson who were issued a notice to proceed on January 13, 2010. Their tentative completion date is May 13, 2010 which is on schedule as of right now. They are on site and are replacing valves and some of the piping from the reservoir to the Water Filtration Facility. Phase 1B is also relative to just Babson and that's improvements to the sedimentation collection as water is processed at the plant, they add chemicals to the raw water and which they settle out minerals and organics. That sedimentation was one of the failures by the plant this past summer; the automatic collection of sedimentation hasn't worked in years at Babson. The four large chains with scrapers essentially pull the sediment to one side of these very large tanks and dispose of them in very large lagoons. That failed allowing a very large blanket of sediment to go to the bottom of these tanks over the summer. As the raw water rushed into the facility, by no control on the intake structures, it stirred up a lot of the sediment carrying it into the filter room. They're also replacing the filters completely at Babson just has they had at the West Gloucester facility. They have sand filters, and they have automatic backwashing bridges that travel up and down the filters washing the sand as the water is put through them. Again, the contract was issued to Weston & Sampson. They were issued a notice to proceed on January 13, 2010. They are on schedule. They are just waiting for material for all the inside work. Materials are slated to be delivered later this month and everything is on schedule. The Phase 2, which was designed by Fay, Spofford & Thorndike, has been bid; has yet to be awarded. It will be open to award in the next day or so. That is the meat of the chemical optimization process. That's as they add chemicals for the drinking water to make sure they treat the water we use more efficiently, and reduce the number of chemicals they use more cost effectively. That has to be matched at both facilities. That also includes the conversion to chloramines. That's being done at West Gloucester, Babson and the Klondike facility. He went over the 2010 PWS Upgrade Construction Schedule. The finished water pumps at Babson ran two pumps to get the effectiveness of only one pump. Those pumps needed to be replaced. The new pumps are in place and should be ready to operate as soon as the whole facility is ready to operate. That was a project that the DPW forwarded a long time before the August 15<sup>th</sup> incident at Babson. The Babson Sedimentation and Filters and Inlet System (Phases 1A and 1B) are scheduled to be completed in mid-May and are on schedule right now. Phase 2, which is the chemical optimization at Babson, the target completion date is June 1, 2010. The DEP set a date of July 1, 2010 to have this ready. The date was driven by the DPW. They were concerned about our water levels in West Gloucester and to be able to supply the City with enough drinking water out of those reservoirs. That's why they chose that date, and the DEP agreed to it. They are on track for their own date they set which is earlier than the State's date. Klondike is also on schedule to be converted by June 1<sup>st</sup> as a supplemental water supply in the summer. It will be run in conjunction with Babson once it comes back on line. Between the work at Babson and West

Gloucester, they're going to let a few weeks go by to make sure the plants are running as they should. They don't want to disassemble anything at West Gloucester should they have any hiccups with the improvements to Babson. They'll wait two to three weeks and then transfer the contractors to begin the work on the West Gloucester facility. They're hoping to have that work done by mid-September. It has to be completed by November according to the ACOP, but they're shooting for a little bit earlier. They're looking to truly coordinate that work so that they don't have to take anything truly off line. They have the luxury to be able to switch over, which summer they didn't have because West Gloucester was filterless at the time. Because they're running out of the West Gloucester system longer than they typically do, they've developed a Water Emergency Contingency Plan to cover things like a dry spring or if the work's delayed; as with all construction projects they're not sure if something came up how long it would take to remedy. The Plan encompasses: Water conservation and outreach; mandatory watering restrictions (City Ordinance 23-60) all being driven by demand; abutting communities of Manchester-by-the-Sea, Rockport and Essex could be used for supplemental water; all communities above plus Salem-Beverly through Manchester-by-the-Sea, anticipating some by-pass piping; mobile drinking water treatment systems which is a contingency (in the case of a serious drought situation in the entire area) asked for by the DEP for the City to develop – 3 to 4 units to supply Gloucester with enough potable drinking water to take care of normal use, which is the smallest portion of water consumed, around 5% – most being for sanitary and fire protection purposes. They have been in contact with four vendors that supply these units. That's an avenue he believes the City won't need. He assured that there is an adequate supply currently in West Gloucester and the upgrade and repair work is going well so far. A Do Not Drink Order would be a last worst case situation and one which they hope never to have to get to. They could still pump chlorinated water but unfiltered water in the reservoir to the distribution system. That would supply sanitary needs as well as fire protection. It wouldn't be drinking water quality. To assist them in their conservation efforts, he made note of the conservation matrix (on file). It is based on demand, not just a percentage of capacity within the reservoirs. By the target dates of the work completion at Babson, they expect they'll be at 60% capacity and feels very comfortable the City will have an adequate water supply in the West Gloucester system. There is a major change in how they disinfect water as it leaves the treatment plant. Currently they use chlorine in our drinking water as the primary and secondary disinfectant. There are only two approved methods of disinfection – chlorine and chloramines. The problem they faced after the failure at Babson was coliform in the drinking water system. That is present because there is a lack of chlorine. Chlorine is unstable; the further it gets from the point of entering the system it starts to dissipate quickly to the outlying areas, far West Gloucester, Magnolia, Eastern Point, and North Gloucester. Whether out of the West or East Gloucester system, all those points are pretty much the furthest points in the system and all those points have had historically low chlorine residuals in the distribution system. Chloramines last much longer and the residual in the outlying areas will be substantial enough help prevent coliform in the future. This was mandated by the DEP. It is good practice. There are a number of communities around us that use it. All of the MWRA uses chloramines as their secondary disinfectant and have done so for the last 70-80 years. The town of Wilmington, the City of Danvers, recently transferred to the use of chloramines. It doesn't mean a lot to most users; but it is something that they need to notify the public. Max Schenk will address that issue. They have ample time to let their water users prepare for this. Most of us won't need much preparation for this. Also in the water bills this week was another notice on TTHM violation. It all stems from how TTHM's are aggregated. We had a high 3<sup>rd</sup> quarter which was during the Boil Water Order last summer where they had to add chlorine to the disinfection system to decrease the coliform. When you add chlorine to your water you are susceptible to disinfection by-products, in this case TTHM's. For the last two quarters we have been within the allowable level but because our 3<sup>rd</sup> quarter was higher, we exceeded our MCL's, so we had to notify our water users. The City is still in violation according to the drinking water regulations. Chloramines produce less disinfection byproducts such as Total Trihalomethanes (TTHMs). You get better chlorine residuals in the distribution system and

create less disinfection by-products. It is a win-win for the issues that have haunted the City for years as a historic issue in the outlying areas.

**Max Schenk** of the Gloucester Public Health Inspector spoke of Gloucester's situation not being unique and is helping to get the word out to the community regarding the drinking water issues. Many other communities have faced this same situation; there are a huge number that have faced the same situation. He noted there were a lot of prepared documents available to them. They crafted the brochure from these materials to fit the City's needs and printed them to notify Gloucester's citizens of the water situation which went with the water bills. He made the point to reiterate that there are no major health impacts. The only concerns here are in regard to folks on kidney dialysis who have to have a slight modification to their dialysis machines; and physicians were notified by 'blast fax' as well as with the National Kidney Foundation who notify their vendors who have in-house dialysis machines, of the facts. As mentioned by Mr. Hale, we have plenty of time to come up to speed on the modifications that they have to do. Secondly, folks with fish tanks need to check with the manufacturer see if the filtering system in their tanks utilize our public drinking water in any way in their tanks; they have to make sure their tank's filtering system is altered to accommodate the situation whether in their homes or for commercial tanks, and will hand distribute those notifications to local veterinarians as well, as they don't have a blast fax for pet shops.

**Councilor Theken** stated mention of faxing of notices to doctors offices, but what about the nursing homes, etc.

**Mr. Schenk** remarked they will be informing the facilities where kidney patients are treated and will be sure locally they're notified.

**Councilor Ciolino** wondered what date Babson will be done and about reservoir levels.

**Mr. Hale** stated it will be done by June 1<sup>st</sup> and we are on track. It is a well-managed project. They have weekly meetings with all the contractors and DEP. This is a compressed project, but they are on time. They gave themselves a one month window. He is sure they can finish in that limit. He noted the West Gloucester reservoir is 100% now Babson had a significant draining. The valve is now shut. It was less than 30% then but it is now at 70%. It is the smallest but the fastest charging.

**Councilor Ciolino** asked about the tunnel work under the Blynman Bridge.

**Mr. Hale** noted that 50% of the Essex Avenue portion is designed. Once the weather is better they will send a team down there to assess the situation.

**Councilor Mulcahey** wondered if there was a consideration to send notices to the hotels and motels.

**Mr. Schenk** answered they will do a double check in a month or so because it is off season. There is no impact on ice or drinking water. He feels it is risk adverse to put these brochures out in all places. He understands the Councilor's concern.

**Councilor Mulcahey** asked about tourists who come from out of town and their health issues.

**Mr. Schenk** noted only if they were doing dialysis treatment in town would there be an effect, and those facilities are up to speed. Water is used in the process of the dialysis not in oral consumption.

**Councilor McGeary** asked about the safety measures if things don't go as hoped.

**Mr. Hale** noted they're bundling the work. Babson is their primary focus. There is a delayed start on the work on West Gloucester so as to be sure there are no stumbling blocks. The work being done will not allow for disruption in the contract. They anticipate little disruption.

**Councilor Hardy** asked on behalf of some citizens about water filtration systems at their home.

**Mr. Hale** didn't believe that traditional filters remove chloramines.

**Mr. Durkin** stated the City can't know all the water filters and options in private homes. He suggested that they contact their filter manufacturers; and if they still had more questions, he was available to them.

**Councilor Hardy** asked Mr. Hale to keep the Council updated occasionally as to the status and thanked him for all he and his team have done.

**3 of 4: Recycling Coordinator – Rose LoPiccolo re: Update**

**Ms. LoPiccolo** gave the Councilors information on her update in writing (on file). Due to the storm this past weekend, the Director of Public Works has opened the compost facility Monday through Saturday this week from 8 a.m. to 5 p.m. so that residents may be able to bring debris which is not limited to brush. They are accepting large limbs and trees, etc. They felt the need was great for this type of service. She introduced the new small purple bag, the same as a regular, commercially available tall kitchen garbage bag. The availability of the smaller bags is not as great as the large bags. Both Shaw's' locations sell them, Store 24, Willow Rest, and the Building Center as well. A list was included in the Council packet (on file). The City does not order trash bags; the stores order them directly from Waste Zero, their vendor. If a particular store doesn't have the bags, it is not because the City didn't order them or pay their invoices; it is the particular store's issue; and they control their own ordering. Gloucester has greater availability than most communities that have the pay-as-you-go program, for retail outlets. There are 20 locations that sell the bags. All four major grocery stores in Gloucester carry the bags. Residents are now able to order rain barrels from New England Rain Barrels, as well as compost bins. A flyer is in the packet (information is on file and on line). Orders will be taken through April 23<sup>rd</sup> and will be delivered to the DPW on April 29<sup>th</sup>, and available from 4:00 p.m. to 7:00 p.m. The City has hosted two very successful drop-off days and will have two more this year, April 24<sup>th</sup> and in October. They've offered metal recycling, clothing and book drop-off; electronic recycling and also paper shredding. Last year they collected over 23.28 tons of metal, 2,600 TV's and computer monitors and a/c's; six 100 yard trailers full of other electronics and approximately 4 tons of books. Household hazardous waste disposal day was held in September giving residents an opportunity to dispose such things as paint, old gas, contaminated oil and other chemicals which were also very successful. This has been the first full calendar year of the pay-as-you-go program. The implementation of this program has already exceeded their expectations. It was projected in September 2008 the first year they would see a 15% decrease in solid waste tonnage. They have seen a 26% decrease in solid waste tonnage, which far exceeded their expectations. The City's recycling rate as increased by 14%. The City currently has a 31% recycling success rate and has rated Gloucester fifth out of 40 communities in the northeast region of Massachusetts. The other communities above Gloucester are much smaller.

**Councilor Curcuru** asked the cost of the smaller bags.

**Ms. LoPiccolo** noted the small bags are \$1.00. There are no discounts to seniors on the small bags. The larger bags carry a discount for seniors available at the Rose Baker Senior Center.

**Councilor Curcuru** asked about the enterprise account and how it stands after the first full year.

**Mr. Hale** noted he doesn't have the answer because while they have had a full year of the bag program, they haven't had a full year of the vendor. Going into the next budget cycle, they can discuss the solid waste, whether or not the solid waste can be a separate enterprise fund. He doesn't have those numbers with him today.

**Councilor Curcuru** asked also if this will be supplemented from the General Fund.

**Mr. Hale** felt they were a little bit low in their projections on bag sales and believes it's relative to the fact that there's been a decrease in tonnage. The bag sales were based on what they thought would be a 15% decrease in tonnage when in fact it is a 26% decrease. People are buying fewer bags and are recycling more. The thought was that they would be picking up a great deal dumped on the streets, but that hasn't been the case. People dump all over the City regardless of the program in place. They haven't seen an increase in dumping; most that they pick up are extra large items like stray TV monitors and even larger items.

**Councilor Theken** asked for an explanation on the tonnage numbers.

**Mr. Hale** explained the solid waste tonnage is down 26% and recycling is up 14%. The great increase is perhaps that there are lifestyle changes and a soft economy in the lifetime of this bag program. There are a lot of things to sort through to look at the success of the program. He thanked the citizens of Gloucester for the program's success to date.

**Councilor Ciolino** asked for the plans for the beaches and the big belly trash containers and what shape were they in.

**Ms. LoPiccolo** thought they would put two at Good Harbor and two at Wingaersheek. There are eight brand new big belly trash containers. Two that they had prior are in good shape, one just needing a battery.

**Councilor Ciolino** asked about the schedule for trash pick up on the weekends downtown and on the Boulevard in the summer.

**Mr. Hale** stated that's part of the Hiltz contract to include the Boulevard and Stage Fort Park. The City takes care of Main Street on the weekends.

**Councilor Hardy** stated Ms. LoPiccolo has done a wonderful job and appreciates her work.

#### **4 of 4: Community Development Coordinator – Sarah Garcia re: Facilities Report**

**Councilor Hardy** noted this is a brief overview this evening; and Ms. Garcia will be before the Planning and Development Committee shortly to go into greater detail into the Facilities Report and other members of the City Council will be able to join her there for more in-depth information and discussion. She understands that it is a working document and thanked her for her efforts.

**Ms. Garcia** reviewed the process of the Facilities Report, noting how all have become keenly aware of the need to invest in the City's infrastructure or the infrastructure stops serving the purpose for which it was created. That applies to City buildings as well. Phase 1 was the completion of the Report itself in a three-phase process. Next Tuesday they will be holding a listening post on the City's facilities, sending out emails notifying about it, in order to hear what the citizens of Gloucester feel is important to them on these matters (presentation on file and Facilities Report is available on file and on the City's website). She appreciates any help the Council can give in spreading the word of this event, Phase 2 being citizen input, likening it to the methods employed in the Harbor Plan. Phase 3 will be putting forward recommendations to the City Council for their deliberation and choices to be made. They took every building into consideration owned by the City, excluding the Waste Water Treatment plants. The Facilities Committee concluded that the Central Fire and Police Stations must be replaced as there is no possibility of rehabilitating them for the same purposes to serve their modern functions. The Report shows a lengthy discussion of the administrative needs of the City regarding customer service and efficiency of staff time that comes from having administration in one place instead of four places. They looked a central administrative construct noting that the option requires a great investment. They looked at the City Administration, the number of employees and the square footage used by them; and reviewed the buildings housing the City's administrative services. Fuller School is a candidate for transferring all City administrative services to one location. Fuller School is a serious candidate for transferring all City administrative services to one location as it has the square footage to accommodate all consolidation of the City's administrative employees and the physical needs of their offices. Fuller is a structurally sound building. However, there are upgrades needed on the 40-year old building, such as a new roof, all new HVAC system, and all new windows making it not move-in ready. The legal status of Fuller School was reviewed and found to be properly owned in fee simple by the City of Gloucester. They will work towards consensus on what to do with the building, whether to retain it or to dispose of it. The current Central Fire Station is positioned to be a possible renovation to become a City Hall Annex based on its proximity to City Hall and being connected across Dale Avenue by a pedestrian walkway running between the library and Central Grammar. While they realize that Central Station is obsolete for its current purpose, it seemed a natural for potential renovation for a City Hall Annex. City Hall has 12,000 sq. ft. and Central Station could give about 11,000 sq. ft. It may be possible to add another floor with a variance to it. They have had the Facilities Committee meeting for a year: Councilor Greg Verga; Val Gilman, School Committee Chair; Mark Cole, DPW Operations Manager; Bill Sanborn, Inspector of Buildings; Gregg Cademartori, Planning Director; Assistant Superintendent Brian Tarr; and three citizen participants, Dominick Verga, Vicky Van Ness and Sarah Dunlap (who also serves on the Archives Committee). They have done a lot of work compiling the information, editing it, making sure it was ready for the Council and ready for the community to look at. They will be looking for direction to know which way to go with regard to housing the

administrative services of the City in the future, as neither option for consolidation of administration of the City is inexpensive. There is the commercial value consideration on the Fuller School property, which is higher than City Hall downtown. There have been concerns about the need to retain temporary housing for the students of West Gloucester Elementary students should that school be reconstructed, and perhaps Beeman School beyond that. We need to know what becomes of the City Hall building we were to go to Fuller School as the centralized administrative location. Leaving City Hall empty would cost the City more than having it in use in some manner. Also, the Fuller School has public spaces that are important to the City. The auditorium at the school is an important consideration. There are many considerations involved in relocating the administrative services, and by relocating downtown all services there are some advantages not only to centralizing services but an economic boost to the downtown area as well. By being centralized downtown would serve all kinds of “smart growth”, being close to shops, transportation, restaurants, etc. The new Community Preservation Act funding can be used to rehabilitate City Hall. Those monies can’t be used for Fuller School. Annual maintenance costs for the facilities downtown would be greater, however.

**Councilor Ciolino** stated the Planning & Development Committee was awaiting this matter to come before the Council first before the Committee took the matter up and looks forward taking it up at P&D as an informational item only. They will take no action on it. He is hoping to have representatives of the School Department come before the Committee to tell them exactly what they feel their future plans are on the Fuller School. He invited his fellow Councilors to join the Committee, to roll up their sleeves and participate in the discussion to see if they can come up with some solutions.

**Councilor Whynott** thought it was an excellent presentation and asked about parking and its adequacy downtown and is a big consideration to bringing the current annex employees to a downtown locale.

**Ms. Garcia** realizes that parking is a challenge downtown. They haven’t found the solution to that yet. However, if there’s no problem with parking in a downtown area, then there is a problem that the downtown is not being used.

**Councilor Tobey** asked if there is a reason why the O’Maley School property wasn’t included in this report. He noted City Hall was in use and didn’t understand then why it was taken into consideration.

**Ms. Garcia** said it didn’t come up for consideration as it was currently being used as a fully-utilized middle school. The Fuller School is considered being vacant; and City Hall came up as it was already being used for administrative purposes, if there was a need for customer service and efficiency of running government, having everyone in one place seemed to consider having the seat of government as the center and having ancillary spaces close by made sense. They looked at other options like the post office, and Poplar Street on the DPW yard; but for reasons enumerated in the report, they weren’t considered viable. They didn’t look at O’Maley School, but they could.

**Councilor Tobey** asked if the School Department was asked if they had a preference as to which building it would prefer to have as a school, Fuller versus O’Maley.

**Councilor Verga** responded that the School Committee last term overrode the previous School Committee’s decision to relocate the middle school to Fuller and stay at O’Maley. It was an official vote of the Committee that O’Maley was the better choice for their needs and purposes.

**Councilor McGeary** asked if they built a new public safety headquarters on the Fuller School grounds and used the School for administrative offices how it would affect the ball fields.

**Ms. Garcia** said its 13 acres, and there is room.

**Councilor Verga** said that the Fire Station would be in the far corner. Yes, they would lose some fields. Somewhere along the line if they build the combined public safety headquarters, they would have to look at the alternatives for playing fields. He also made note that he appreciated the hard work of Ms. Garcia, Mr. Cademartori and former City Councilor Jason Grow who wasn’t mentioned previously as a contributor to the Committee and would stay on now as a private citizen. He is looking forward to the listening posts and the feedback that they get from the public.

**Councilor Hardy** thanked Ms. Garcia and Councilor Verga for his work on the Committee.

**Items to be removed from or added to the Consent Agenda:**

**Councilor Hardy** noted the email system issues this week and some items were received late.

**By unanimous consent, the City Council referred the following matters to the Standing Committees, which were received late to the Council as noted below:**

- Request by 2010 Series Downtown Block Party Committee referred to Planning & Development;
- Request by Farmers Market for 2010 referred to Planning & Development;
- Memo from Mr. Duggan dated March 1, 2010 on Stormwater Utility Fee referred to Budget & Finance and Ordinances & Administration.

**Items to be removed from the Consent Agenda:**

**Councilor Tobey** wanted under “Information Only” #2, Letter from Mayor Kirk to Representative Tierney re: FY2011 Appropriations Forms to be removed and referred to the Budget & Finance Committee.

**Councilor Theken** asked that under Mayor’s Report #3, Memo from Police Chief re: Amendment to Code of Ordinance increasing bus stop violation files be amended.

**Councilor Hardy** wished to remove Standing Committee Minutes for Joint Meeting of O&A and B&F of 02/18/2010 and P&D of 2/24/10.

**Councilor Tobey** noted the Mayor’s Letter to Congressman Tierney and quoted it. When you go to some of the pages there are items that he has ever heard of and that perhaps the Council has not reviewed. Dredge issues have been controversial over the years; the Green Path network. There are many issues that need to be reviewed. He asked this matter be referred to the Budget & Finance Committee.

**By unanimous consent the City Council referred the matter of the Mayor’s Letter to Congressman Tierney re: FY2011 Appropriations Forms to the Budget & Finance Committee.**

**Councilor Theken** stated under the Mayor’s Report, #3 she would like to expand the scope of the issue to look at all the fines given out by the Police Department.

**By unanimous consent the City Council amended under the Mayor’s Report, #3 to include ‘all fines given out by the Police Department’.**

The City Clerk was instructed to get comparisons of other local communities for the O&A Committee.

**Councilor Hardy** wished to remove the Joint O&A on Page 2 of 7 Mr. Duggan noted on the 8<sup>th</sup> line down, the system has no flaws or problems. It was posed in the form of a question. Strike the period and place a question mark.

**It was motioned, seconded and voted by the City Council 8 in favor, 0 opposed, 1 present to accept the amendment to the Joint O&A and B&F minutes of 02/18/2010.**

**Councilor Hardy** noted that P&D minutes on page 2 of 6 the last motion on the page reads that P&D move to delete “one abstention of Mr. Verga” be stricken from the record and on Page 3 of 6 after the letter C, delete the words “continued for public meeting”.

**By unanimous consent the City Council amended the P&D minutes of 02/24/2010 by deleting “one abstention of Mr. Verga on Page 2 of 6 and after the letter ‘C’ delete “continued for public meeting” on Page 3 of 6.**

**By unanimous consent the City Council accepted the amended Consent Agenda.**

**Councilor Curcuru** stated based on the information received by the City Council today in the form of a memorandum Mr. Jim Duggan, Chief Administrative Officer regarding the need to increase a previously approved City Council Loan Authorization believes an emergency is deemed to exist and introduced an emergency measure with the following preamble:

That according to Section 2-11(b) of the City Charter an emergency exists requiring a \$3.9 million increase to a previously approved City Council Loan Authorization for water infrastructure:

Since the City is bound by a Department of Environmental Protection Administrative Consent Order requiring the City to issue a Notice to Proceed by March 15, 2010, to the winning contractor for the Phase 2 contract for the Public Water Supply upgrades, and since it has now been determined that the existing loan authorization must be increased by \$3.9 million, it is deemed that an emergency exists which requires the City Council to advertise for a public hearing on the increased loan authorization.

**Councilor Theken** asked for further information regarding the reason for an emergency declaration.

**Mr. Hale** responded the initial request for the loan authorization was for \$6 million. As they went through Phases 1A and 1B, and into the engineer's estimate for Phase 2, the scope of work has grown significantly at Babson and West Gloucester. The bids that were opened last week indicate that there is a shortfall of \$3.9 million to complete the project. They need to get the project awarded by March 15<sup>th</sup> so they can maintain the schedule of coming back on line for June 1, 2010, and to comply with the DEP Administrative Consent Order deadline of July 1, 2010.

**Councilor Curcuru** assumed Mr. Hale would have a more detailed explanation at the Budget & Finance Committee's next meeting and Mr. Hale indicated he would.

**Councilor Tobey** noted section 2.11(a) of the City Charter defines special emergencies as, "...involving the peace, health or the safety of the people or their property...." Are you able to put this situation in that context.

**Mr. Hale** felt that the drinking water system for the City of Gloucester would indicate "health" should we not be able to fulfill this loan authorization and complete the work on Phase 2. It leaves the work at Babson in limbo. As he presented earlier, they do have enough water to get the City through that time, but any time after that is a gamble.

**Councilor Tobey** declared that begs the question do we have a situation here if we wait a week will we impair the "...peace, health and safety of the people or their property....".

**Mr. Hale** stated that delaying this project at all has the potential. Would a week matter; it is difficult to say. Any timeframe that delays the project leaves a lot of speculation.

**Councilor Hardy** asked are we under an Administrative Consent Order requiring the City to issue the notice to proceed by March 15<sup>th</sup> and what would happen if this doesn't go forward.

**Mr. Hale** responded the Administrative Consent Order is with penalty. We need to make sure we abide by the Consent Order. The biggest fear isn't the penalty but the DEP – not being able to operate Babson this summer when the demand for water is the highest.

**Councilor Hardy** stated the motion to follow this will add clarity to this.

**Councilor Theken** questioned Mr. Hale on the history of the process of the loan authorization under the Consent Order as a result of the Boil Water Emergency, and Mr. Hale clarified the matter for the Councilor by stating that they are short on money in order to complete Phase 2; and if they don't have funding for Phase 2, they are unable to authorize the award the contract to construct it, and therefore do not open Babson on time. Their engineers over-estimated the condition and compliance of Babson in October. The facility was grossly out of compliance, and these are measures to correct those actions.

#### **MOTION TO DECLARE AN EMERGENCY EXISTS:**

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed to declare the existence of an emergency under Section 2-11(b) of the City Charter.**

**Councilor Hardy** noted that if this was approved that evening, the advertisement will be placed in the paper will just make the deadline for March 11, 2010. They don't meet again before the decree needs to be passed. This is the timeframe the Council has to work with. Unfortunately this will need a call for a special meeting of the City Council and needs to be advertised properly for that. The Budget & Finance Committee will be convened hour prior to the special City Council meeting so that they can make a recommendation to the Council.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to refer to the Budget & Finance Standing Committee of the City**

**Council the DPW request for an increase of a loan authorization for water treatment plants related to the infrastructure improvements related to Department of Environmental Protection Administrative Consent Order #09-5D008 and TO ADVERTISE FOR PUBLIC HEARING before the City Council on March 11, 2010 at 7:00 p.m. at Kyrouz Auditorium.**

**For Council Vote:**

**1. SCP2010-013 Stacy Boulevard, Section 5.5.4 Lowlands**

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Theken, the City Council voted by roll call vote 9 in favor, 0 opposed to adopt the SCP decision for the Stacy Boulevard Improvement Project, pursuant to Section 5.5.4 Lowlands of the Gloucester Zoning Ordinance.**

**Scheduled Public Hearings:**

- 1. PH2010-008: SCP 2010-001: 79-99 Essex Avenue, Sec. 2.3.1 (12), Sec. 5.7.3 Major Project, Sec. 3.1.6(b) height excess 35 ft., lowlands Sec. 5.5, lot area per two guest special permit 3.2.6**

**Councilor Hardy** noted this public hearing is open and continued to April 13, 2010 meeting of the City Council.

- 2. PH2010-009: Planning Board Proposed Zoning Amendments under GZO Sec. 1.11.2(a) re: 43D Priority Development Site and Harbor Plan Zoning Amendments**

**This public hearing is open.**

**Speaking in Favor:**

**Gregg Cademartori** noted the amendments forwarded to the Council (and are file) and that the Planning Board has already reviewed and recommended their adoption. The Planning and Development Committee also reviewed the recommendations of the Planning Board's Proposed Zoning Amendments under GZO Sec. 1.11.2(a) re: 43D Priority Development Site and Harbor Plan Zoning Amendments who will be recommending them to the Council with some minor changes. He introduced John Whitten of Daley & Whitten, consultant to the Planning Board on this matter. He reviewed the history behind the recommendations and the highlights of the proposed changes. The bulk of the new text is contained within the Site Plan Review Ordinance to remove consideration of residential uses. He emphasized that there has been no change to the criteria or needs for any use. This does not replace the Special Permit process. This is an added step. It is something that will appear on a Planning Board agenda. This is in addition to what they already have. As part of the process of developing this ordinance they had some limited discussions with property owners and developers. They see the benefit of meeting with staff in one place as well. He asked that the Council support these proposed ordinance changes.

**Speaking in Opposition:**

**Sunny Robinson**, 20 Harvard Street who felt there is not enough public comment in the process. She is not opposing site plan review, but that there are issues on future harbor development and that public awareness and early input this process is important. Her request is in considering this proposal to look at public awareness when a project comes under review so that the public can sit in on the site plan reviews, not as a public hearing. It would be an opportunity to hear the discussion to have a mechanism for the public to submit their concerns. She felt this should be an open process and not one to be done behind closed doors. She asked that something of this nature be built into the site plan review process.

**Communications: None.**

**Rebuttals:**

**Mr. Cademartori** suggested that this be a submission process. Five days before a Planning Board meeting a submission can be made in writing and it is the discretion of the Chair of the Board to recognize a member of the public for comment. You're looking at a number of weeks for someone to comment in the process. If we are trying to make an electronic system, let's make a way for public awareness into it.

**Questions:**

**Councilor Ciolino** asked about writing into the ordinance to advertise the site review of a project to encourage transparency in the process and if there will be a filing fee attached for the site review.

**Mr. Cademartori** stated they post all of their meetings. Advertising would add a cost and a week to two weeks to the process and noted it is an unusual circumstance to notify for something other than a special permit.

**Mr. Cademartori** said any permits required by the City Council will still be required.

**Councilor Theken** noted her experience in being heard at a Planning Board meeting.

**Councilor Curcuru** asked for clarifications on the Use Table and noted I4-C2 and Farmer's Market.

**Mr. Cademartori** noted they would be allowed under temporary use.

**Councilor McGeary** wanted to know about Footnote #1, the waterborne vessels.

**Mr. Cademartori** said the water dependent use zone is very site dependent. It would depend on the character of the site. It's treated differently based on the fill.

**Councilor McGeary** asked if the site plan review can require that electronic copies be provided.

**Mr. Cademartori** said all Planning Board documentation is being submitted digitally. Hard copy is still required for the files. If an applicant doesn't have the means, most of the area companies can do the conversion.

**Councilor Tobey** expressed his concern of the Council losing it's authority in the lowlands permitting process.

**Mr. Cademartori** responded that there is a strong outreach and commitment in their meetings with DEP staff and have a willingness to meet early on with applicants to consider what can be done and how can we come to a viable project. They're looking at a commitment for the City to start learn about their process. The ordinance requires the other processes to take place first. They go through the process twice. In this area where there is constant upkeep and maintenance; of bulkheads, of pile support is a constant. This is an area where we want to encourage the upkeep.

**Councilor Tobey** thought there might be something more than maintenance issues. It is the only opportunity for an elected body to ensure the public interest.

**Mr. Cademartori** stated that all the other jurisdictions are in play with regard to health and safety that fall under it in a residential perspective. There will have to be flood plain compliance. He looks to the ordinance itself with the inner harbor, "no not here" but if you go back beyond 2000, there were not too many administered by this Council.

**Councilor Tobey** asked about site plan review waivers. For instance, when the project involves relatively simple development plans. Is there a clearer set of criteria of what "relatively simple" means? And he noted it is in our legal authority to post those site meeting plans.

**Mr. Whitten** stated it goes back to the Planning Board's discretionary process. If the purpose is to say no, then it should be a use special permit. This process is to tweak projects that are "by right" this is to give the Planning board discretion that it is noted to be the minimus. If this was a special permit he would be concerned with the language, also. Are you transforming what is by right into a more adjudicatory process? The scale of site plan review – should it be a two or a nine in complexity. But it tends to put more prominence by advertising for the meeting. If you wish it to be more permit like, then advertising it takes two consecutive weeks. But there is no meeting. You're importing more authority than was intended.

**Rick Noonan, Planning Board Chairman** was asked by Councilor Hardy about advertising and about leniency in allowing someone to speak to the Board. He felt that he would embrace comment. The important issue is the "by right" notion. Do we want to add another layer of complication or to help the applicant through the process? If I have a by right use, then I have it and should be able to exercise it, and move forward as a team, noting that they're simply adding a professional review for "by right" matters. The agendas are posted.

**Mr. Cademartori** stated that the public can call the department and look on the City website and can review the submitted files just as any permit on file is public record; and they have to track agendas. It is a question of newspaper advertisement. They always continue to a date certain. Just like with any permitting process, they're notified once and can follow the process. They have the ability to put more on the website. Agendas are changed up to two days prior to meetings. The papers they use, sometimes the Beacon, sometimes the Times which is costly and unpredictable. We use the Beacon and it adds time to notification. The Beacon requires almost a full week and a half to get it in there once. You're making a limited time frame as it was meant to be and lengthening it out by several more weeks. He understands the need for the public to see the information. The schedule is in the City Clerk's office and is at the Planning Board. This is intended to find the optimum use of the site and what is best for the City. This is a way to have a dialog earlier on.

**Mr. Whitten** knows of no community in the Commonwealth or in the country who do notification as is being suggested. That is always for special permits. However, he suggested language at the request of the Councilors and read the following: The Date and Time of the Planning Board's meeting reviewing said site plan shall be noticed in a newspaper of general circulation at least 7 days prior to the first Planning Board Meeting.

**Mr. Cademartori** asked for the Council to think carefully regarding the interactions with property owners in bringing this forward in its current form. He has concern of the opposition to the added layer. A fair amount of notification is already in place in the process. It is very atypical of a site plan administrative review. The use discussions remain. The process still has to be followed.

**Mr. Whitten** remarked the opportunity of the site plan review is never a subject of a public notice. The public notice is for elected bodies. That does not exist under open meeting laws. This doesn't apply to staff. It doesn't mean that the public sits in on meetings of staff's meeting with applicants. He suggests that this is a slippery slope that would drive the City process to a standstill.

**Councilor Theken** felt there was a similarity between a TAG being private and behind closed doors where people didn't get to come in and speak and the proposed site plan review and also reviewed the length of service of Planning Board appointees, expressing their concern that they're not elected officials.

**Mr. Cademartori** noted they can come to the Planning Board meeting when that item comes up before the Planning Board.

**Councilor Theken** expressed concern about how the Planning Board is appointed and the appointment length and not being elected officials.

**Councilor Hardy** looked over the motion from Planning and Development and felt that the motion was needed to be broken down and the language of the revised ordinance should be contained in the motion and asked if this should go back to the Planning and Development Committee.

**Councilor Ciolino** felt it could go back and agrees that they will address public awareness.

**Councilor Curcuru** felt that the matter of "public awareness" and attending an administrative staff meeting – there is a big difference and that it is not necessarily appropriate. He wanted the Council to realize they put a lot of time into this and felt this was being bogged down in semantics.

**MOTION:** On motion by Councilor Hardy, seconded by Councilor Ciolino, the City Council will vote to continue the public hearing to a date certain and to send the matter back to Committee for review and clarification and division of the motions.

**Councilor Ciolino** reminded the Council this was just about the Marine Industrial on the Zoning Amendments; we're not talking about the whole City. During the Harbor Plan and Charettes, it is all about public awareness and transparency. This is what we're trying to do here because the Harbor is so important. He agrees it should go back to the Planning and Development Committee.

**Councilor Theken** urged legal advice on whether Councilors are able to address the Boards that they appoint these members to.

**Councilor Hardy** noted in her four years as a City Councilor, no matter what Board or Committee meeting she has attended during her tenure, she has never been denied the opportunity to speak.

**Councilor Tobey** didn't know what would be accomplished by sending the matter back to Planning and Development. There is only one matter of concern whether or not that folks were satisfied with the notice provision on the site plan review process. He believes the matter is straightforward, and it has been addressed.

**MOTION: On motion by Councilor Hardy, seconded by Councilor Ciolino, the City Council voted by Roll Call 4 in favor, 5 opposed (McGeary, Tobey, Verga, Whynott, Curcuro) to continue the Public Hearing to March 30, 2010 and to send the matter back to the Planning and Development Committee to include explicit language of the ordinances to be incorporated into the motions and for legal advice.**

**Motion fails.**

**This Public Hearing is closed.**

**MOTION: On motion of Councilor Whynott, seconded by Councilor Verga, the Planning and Development Committee voted 3 in favor 0 opposed to recommend to the City Council to accept the Planning Board Report on Proposed Zoning Amendments to Sections 2.2.1, 2.3, 5.5, 5.8 and 5.18 relating to the 43D Priority Development Site and 2009 Harbor Plan Recommendations with the removal of Section 5.8.2 paragraphs D and E.**

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Tobey, the City Council will vote to amend the motion to include in Section 5.8, "The Date and Time of the Planning Board's meeting reviewing said site plan shall be noticed in a newspaper of general circulation at least 7 days prior to the first Planning Board Meeting."**

**Councilor Whynott** said he is opposed to this amendment. Transparency is important, but you can carry it too far. There is enough notification already. He will not support this.

**Mr. Cademartori** noted they advertise individual matters that require public notice. If there is a special permit there are noticing requirements in the paper. If there is A&R filed, there is no requirement for noticing in the paper; and that is the kind of model it's based on. The meetings are publicized, set a year before and are noticed appropriately.

**Councilor Curcuro** felt this is one other step that we don't need and are opening Pandora's Box. He won't support it.

**Councilor Tobey** stated sometimes it's a way things look that matters more and the perception of transparency here is important. Putting the extra piece of notice can't hurt, could help, builds trust and creates transparency.

**Councilor Theken** said that at least this gives seven days to find out what is going on. She will support this.

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Tobey, the City Council voted by Roll Call 5 in favor, 4 opposed (McGeary, Verga, Whynott, Curcuro) to amend the main motion to include in Section 5.8, "The Date and Time of the Planning Board's meeting reviewing said site plan shall be noticed in a newspaper of general circulation at least 7 days prior to the first Planning Board Meeting."**

**MOTION: On motion of Councilor Ciolino, seconded by Councilor Verga, the City Council voted by roll call vote 9 in favor 0 opposed to recommend to the City Council to accept the Planning Board Report on Proposed Zoning Amendments to Sections 2.2.1, 2.3, 5.5, 5.8 and 5.18 relating to the 43D Priority Development Site and 2009 Harbor Plan Recommendations with the removal of Section 5.8.2 paragraphs D and E and to insert in Section 5.8, "The Date and Time of**

**the Planning Board's meeting reviewing said site plan shall be noticed in a newspaper of general circulation at least 7 days prior to the first Planning Board Meeting."**

**3. PH2010-10: Loan Order #10-03: Loan Authorization in the Amount of \$13 million**

**This public hearing is open.**

**Those speaking in favor:**

**Mr. Hale** stated the loan order before Council is for the Phase 2 on the Waste Water Treatment Plant to make the mechanical improvements. The plant has not had a facelift like this since it was built.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions:**

**Councilor Theken** asked how this would be paid back.

**Mr. Hale** said this would be a rate payer funded project. It is being financed.

**This public hearing is closed.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following order:

Ordered that up to \$13,000,000.00 is appropriated for the purpose of making improvements to the City's George P. Riley Waste Water Treatment Plant 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 up to \$13,000,000.00 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 shall be general obligations of the City unless the Treasurer, with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan 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 or 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 any other action necessary to carry out the project.

**Councilor Curcuru** stated the City needs to do this. We're at the point now with discussion with Mr. Hale at B&F that we're going to be under a Consent Order.

**Mr. Hale** stated that residential, commercial, and industrial waste water all goes go to the Essex Avenue facility. It does not function well. If it doesn't function, if it fails, you can't shellfish, you can't flush your toilet, you can't swim at the beach. The primary treatment facility is a simple facility; and if it breaks, we are fined. The DEP fined us.

**Unanimous motion to extend the meeting a half an hour.**

**Councilor Tobey** said he agrees with Councilor Curcuru. This is the most important responsibility under the federal clean water act. It is a critical component. That equipment, if not maintained, will fall apart. It was built in the 1970's with a 30 year lifespan, which it has reached. His only regret is that the DEP said it was more important to do the CSO. This should have come first. He will vote yes for this and no on the CSO as he believed the City was "bullied" into that.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted by Roll Call 9 in favor, 0 opposed to recommend the following order:**

**Ordered that up to \$13,000,000.00 is appropriated for the purpose of making improvements to the City's George P. Riley Waste Water Treatment Plant 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 up to \$13,000,000.00 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 shall be general obligations of the City unless the Treasurer, with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan 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 or 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 any other action necessary to carry out the project.**

**4. PH2010-11: Loan Order #10-04: Loan Authorization in the amount of \$7.0 million**

**This public hearing is open.**

**Those speaking in favor:**

**Mr. Hale** said four or five years ago there was a \$27 million borrowing and they said at that time they'd be back to finish the job. During the negotiations for the modified consent decree they made plan to how they would go about the process. He went through that process. As they move forward they are moving their way around the inner harbor, the outfall of 004, 005 and 006 are next. The DEP and EPA discussions were had to shuffle the order. The outfall monitoring shows they can get more bang for the buck by doing 004 first. The loan order will cover the design of the 3 outfalls and the construction of 004. They are under a federal consent decree to do this work. He asks for the Council's support.

**Those speaking in opposition:**

**Joe Grace, 75 Holly Street** felt that the charge to sewer and water should be straightened out before voting on this. If there is any thought to charging this to sewer or water he declared he will do all he can to stop it.

**Communications: Memo from Legal Department dated 03/02/10 (on file); a copy of a letter to the editor of the Gloucester Daily Times by Joseph Grace.**

**Rebuttal:**

**Mr. Hale** spoke relative to Mr. grace's comments. They feel they have justification to the sewer enterprise fund through the enterprise. If they do decided to readjust how they fund the projects, then they could separate that out.

**Rebuttal:**

Mr. Grace felt it was not appropriate to keep doing something everybody knows is wrong. Legally probably wrong, and morally definitely wrong.

**Questions:**

**Councilor Curcuru** asked about time sensitivity in the matter.

**Mr. Hale** said the consent order lays out the timeframes. Because they had 80% 002 done by a date, they told them they could move forward. They're behind on the design aspect. They don't have time to look at the funding mechanisms, and this needs to be done now.

**Councilor Curcuru** asked about the shifting of funding.

**Mr. Hale** said this debt could be shifted to a different funding mechanism at a future date.

**This public hearing is closed.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following order:

Order that up to \$7,000,000 is appropriated for the purpose of funding the next phase of the CSO Long-term Control Plan 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 up to \$7,000,000 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 shall be general obligations of the City unless the Treasurer, with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan 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 or 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 any other action necessary to carry out the project.

**Discussion:**

**Councilor Curcuru** stated he has mixed feelings. It is federally mandated but not federally funded. Hopefully they will shift the funding in the future.

**Councilor Verga** believed the word is this is a mistake from years past; but the Council can't just look at the past and pass the blame. We have to do what we have to do. The most obvious way is what is proposed by the DPW Director; and he hopes we look at a CSO fee to deal with the debt.

**Councilor McGeary** noted you changed the order of the project. You hoped some other pieces might not have to be done.

**Mr. Hale** said the long-term control plan was anticipating where the most overflows occur; the plan was to eliminate the worst one first, which was 002. 004 after monitoring was the one that had more outflows than previously thought, which potentially may limit some of 005 and 006 work when they go back to negotiations with the DEP and EPA. There is no guarantee. But it is a much better solution.

**Councilor Hardy** stated there has been a question of legality of a vote on this matter and asked the City Clerk to read the memo from the City's Legal Counsel to the President and Members of the City Council entitled Loan Authorization Request for Combined Sewer Overflow Construction dated March 2, 2010 (on file) into the record:

"This memorandum is to clarify that the City and the City Council has the legal authority to approve the loan authorization in the amount of \$7 million dollars to fund the next phase of the combined sewer overflow (CSO) long term control plan. The City is authorized to construct and operate a system of main drains and common sewers in public and private ways throughout the City. Included in this authority are works for drainage which includes storm water facilities and storm water surcharge. (Massachusetts Practice Volume 1B section 24.18, MGL c. 83, section 1). The CSO project falls within

the City's authority to construct and maintain a sewer and main drain system and its related infrastructure. Accordingly, the City Council has the legal authority to vote to approve the request."

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted by Roll Call 8 in favor, 1 (Tobey) opposed to recommend the following order:**

**Order that up to \$7,000,000 is appropriated for the purpose of funding the next phase of the CSO Long-term Control Plan 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 up to \$7,000,000 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 shall be general obligations of the City unless the Treasurer, with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan 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 or 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 any other action necessary to carry out the project.**

#### **Committee Reports:**

##### **Joint Ordinances and Administration & Budget and Finance Meeting: 02/18/2010**

**Councilor Curcuru** noted it was a productive meeting and that the Public Hearing will be on the 27<sup>th</sup> of April.

**MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to advertise for public hearing on the matter of the Regional 911 Dispatch Center and to leave the language for the wording of the advertisement to General Counsel of the City.**

**MOTION: On motion Councilor Verga, seconded by Mulcahey, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to advertise for public hearing on the matter of the Regional 911 Dispatch Center and to leave the language for the wording of the advertisement to General Counsel of the City.**

##### **Ordinances and Administration Meeting: 02/22/2010**

**Councilor Theken** noted the Committee was informed the \$20,000.00 contribution to the Tourism Commission from a private individual was withdrawn. RFP's that had been distributed were recalled appropriately. The Commission still has their \$10,000.00 budget; and the Administration remains very supportive of tourism in the City.

##### **Planning and Development Meeting: 02/24/2010**

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee voted 3 in favor, 0 opposed, to recommend to the City Council to accept the amendments to the route and street closures for the Gloucester Fisherman's Athletic Association's**

(GFAA) Triathlon of August 8, 2010 as submitted to by the GFAA on its February 15, 2010 request as follows with all other terms and conditions remaining in force:

Riders proceed from transition area north on Washington Street, left onto Western Avenue for 3.5 miles; right onto Magnolia Avenue. At mile 5.75 riders make left onto Kondelin Road to end of Kondelin Road, make a U-turn; right back onto Magnolia Avenue; right onto Western Avenue; left onto Magnolia Avenue; left onto Norman Avenue, merging with Hesperus Avenue; right onto Western Avenue and make a right onto Washington Street back to transition area (St. Peter's Park).

**Discussion:**

**Councilor Ciolino** noted the Triathlon is becoming a large event in the City and is supportive of this.

**Councilor Mulcahey** stated that last year no one was allowed in the fort. She felt that was a bit excessive. We should speak with Chief Lane again about roping off areas so people won't be denied access to the Fort area.

**Councilor Hardy** responded the City Clerk had sent a letter to Chief Lane expressing these concerns.

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Hardy, the City Council voted 8 in favor 0 opposed, 1 abstention (Verga) to accept the amendments to the route and street closures for the Gloucester Fisherman's Athletic Association's (GFAA) Triathlon of August 8, 2010 as submitted to by the GFAA on its February 15, 2010 request as follows with all other terms and conditions remaining in force:**

**Riders proceed from transition area north on Washington Street, left onto Western Avenue for 3.5 miles; right onto Magnolia Avenue. At mile 5.75 riders make left onto Kondelin Road to end of Kondelin Road, make a U-turn; right back onto Magnolia Street; right onto Western Avenue; left onto Magnolia Avenue; left onto Norman Avenue, merging with Hesperus Avenue; right onto Western Avenue and make a right onto Washington Street back to transition area (St. Peter's Park).**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee recommended 3 in favor (Ciolino, Whynott, McGeary), 0 opposed, 1 abstention (Verga) to recommend to the City Council to accept the amendments to the route and street closures for the Gloucester Fisherman's Athletic Association's (GFAA) Run Gloucester 7-Mile Road Race (previously known as the Gloucester Classic 10k) of August 22, 2010 as submitted to by the GFAA on its February 15, 2010 request as follows with all other terms and conditions remaining in force:

8:00 a.m. start at the Fisherman's Memorial Statue on Stacey Boulevard to Rogers Street to East Main Street to Eastern Point Boulevard to Farrington Avenue to Atlantic Road to Bass Avenue to East Main Street to Main Street to Western Avenue to finish at the Fisherman's Memorial Statue with following additional condition;

1. That the Fisherman at the Wheel Statue be roped off so as to protect it from the crowds as in accordance with the written instructions to be provided by Lt. Joseph Aiello.

**Discussion:**

**Councilor Ciolino** noted the same organizers of the Boston Marathon are organizing this. We expect 5,000 people. Lt. Aiello communicated by email with a plan for the protection of the statue.

**MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the City Council voted 8 in favor, 0 opposed, 1 abstention (Verga) to accept the amendments to the route and street closures for the Gloucester Fisherman's Athletic Association's (GFAA) Run Gloucester 7-Mile Road Race (previously known as the Gloucester Classic 10k) of August 22, 2010 as submitted to by the GFAA on its February 15, 2010 request as follows with all other terms and conditions remaining in force:**

**8:00 a.m. start at the Fisherman's Memorial Statue on Stacey Boulevard to Rogers Street to East Main Street to Eastern Point Boulevard to Farrington Avenue to Atlantic Road to Bass Avenue to East Main Street to Main Street to Western Avenue to finish at the Fisherman's Memorial Statue with following additional condition;**

**1. That the Fisherman at the Wheel Statue be roped off so as to protect it from the crowds as in accordance with the written instructions to be provided by Lt. Joseph Aiello.**

*By unanimous consent, the City Council voted to extend the meeting by 30 minutes.*

**Budget and Finance Meeting: 02/25/2010**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance voted 3 in favor, 0 opposed to recommend to the City Council the payment of Invoice #4181920 in the amount of \$1,645.35 and Invoice #4194172 in the amount of \$784.95 for materials ordered and received in November 29, 2009 from Everett J. Prescott, Inc. totaling \$2,430.30 from Unifund Account #610000.10.450.54320.

**Discussion:**

**Councilor Curcuru** noted the former operations manager did the ordering on this and didn't know there wasn't enough money.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed to recommend the payment of Invoice #4181920 in the amount of \$1,645.35 and Invoice #4194172 in the amount of \$784.95 for materials ordered and received in November 29, 2009 from Everett J. Prescott, Inc. totaling \$2,430.30 from Unifund Account #610000.10.450.54320.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the approval for the Health Department to apply for the Drug Free Communities Support Program Grant in the amount of \$625,000.00 for a five year period.

**Motion: On Motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted unanimously to amend the motion by the Budget and Finance Committee on February 25, 2010 for the Health Department to apply for the Drug Free Communities Support Program Grant, to strike the words "to recommend to the City Council."**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3n favor, 0 opposed to recommend to the City Council to authorize payment of Invoice #2008-687 in the amount of \$1,732.82 and Invoice #2008-688 in the amount of \$3,043.67 from La Lama Electric for a total of \$4,776.49 from Public Properties Contract Services Unifund Account #101000.10.470.52000.0000.00.000.00.052.

**Discussion:**

**Councilor Curcuru** noted that the contract had run out in December, and there were problems with notification on both sides. This is corrected now at the DPW

**MOTION: On motion by Councilor Curcuru, seconded by Councilor McGeary, the City Council voted 9 in favor, 0 opposed to authorize payment of Invoice #2008-687 in the amount of \$1,732.82 and Invoice #2008-688 in the amount of \$3,043.67 from La Lama Electric for a total of \$4,776.49 from Public Properties Contract Services Unifund Account #101000.10.470.52000.0000.00.000.00.052.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to accept \$1,469.02 as reimbursement from the First Summer Jobs Program to be applied to the Public Service Seasonal Payroll Account Unifund #101000.10.470.51200.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to recommend to the City Council to accept \$1,469.02 as reimbursement from the First Summer Jobs Program to be applied to the Public Service Seasonal Payroll Account Unifund #101000.10.470.51200.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to authorize the Special Budgetary Transfer Request 10-21 from the Mayor-Contingency/Emergency account, Unifund Account #101000.10.121.57800.0000.00.000.00.057 to Mayor, Sal/Wage-Perm Pos., Unifund Account #101000.10.121.51100.0000.00.000.00.051 of \$20.63.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to authorize the Special Budgetary Transfer Request 10-21 from the Mayor-Contingency/Emergency account, Unifund Account #101000.10.121.57800.0000.00.000.00.057 to Mayor, Sal/Wage-Perm Pos., Unifund Account #101000.10.121.51100.0000.00.000.00.051 of \$20.63.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to authorize the Special Budget Transfer Request 2010-SA-03 Treasurer/Collector-Debt Service Interest/Temporary from Unifund Account #101000.10.145.59250.0000.00.000.00.059 to Transfer to Ordinary Expense Account Transfer to Special Revenue Funds, Unifund Account #101000.10.992.59600.0000.00.000.00.059 for a total of \$13,277.54 to cover the following eight account numbers in the following amounts:

Fund #291001	\$ 112.00
Fund #291040	99.09
Fund #291044	290.59
Fund #292026	4,212.89
Fund #295003	589.31
Fund #295009	42.63
Fund #295035	4,999.57
Fund #295018	2,931.46

**Discussion:**

**Mr. Towne** explained that this was to go over and try to clean up that which affects the free cash. It is through research they came to these funding sources so as to get rid of these deficits. They are tracking these with most going back several years. A group meets regularly which includes the Chair of B&F

and have met for about a month. They find funding sources within departments and within some debt service funding sources.

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted by Roll Call 9 in favor, 0 opposed to authorize the Special Budget Transfer Request 2010-SA-03 Treasurer/Collector-Debt Service Interest/Temporary from Unifund Account #101000.10.145.59250.0000.00.000.00.059 to Transfer to Ordinary Expense Account Transfer to Special Revenue Funds, Unifund Account #101000.10.992.59600.0000.00.000.00.059 for a total of \$13,277.54 to cover the following eight account numbers in the following amounts:**

<b>Fund #291001</b>	<b>\$ 112.00</b>
<b>Fund #291040</b>	<b>99.09</b>
<b>Fund #291044</b>	<b>290.59</b>
<b>Fund #292026</b>	<b>4,212.89</b>
<b>Fund #295003</b>	<b>589.31</b>
<b>Fund #295009</b>	<b>42.63</b>
<b>Fund #295035</b>	<b>4,999.57</b>
<b>Fund #295018</b>	<b>2,931.46</b>

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to authorize the Special Budget Transfer Request 2010-SA-04 Police-Investigation Sal/Wage-Overtime Unifund Account # 101000.10.212.51300.0000.00.000.00.051 to Transfer to Special Revenue Funds Unifund Account #101000.10.992.59600.0000.00.000.00.059 Transfer to special revenue funds for a total of \$7,420.39 to cover the following three accounts in the following amounts:

Fund #291076	\$ 4,057.89
Fund #291091	2,226.48
Fund #295017	1,136.02

**MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council by Roll Call voted 9 in favor, 0 opposed to authorize the Special Budget Transfer Request 2010-SA-04 Police-Investigation Sal/Wage-Overtime Unifund Account # 101000.10.212.51300.0000.00.000.00.051 to Transfer to Special Revenue Funds Unifund Account #101000.10.992.59600.0000.00.000.00.059 Transfer to special revenue funds for a total of \$7,420.39 to cover the following three accounts in the following amounts:**

<b>Fund #291076</b>	<b>\$ 4,057.89</b>
<b>Fund #291091</b>	<b>2,226.48</b>
<b>Fund #295017</b>	<b>1,136.02</b>

**Councilor Theken** asked that the Pay Grade motion on the CFO passed by Budget & Finance be reviewed for a possible error.

**Unfinished Business: None.**

**Councilor's Requests Other Than to the Mayor**

**MOTION: It was moved, seconded and voted UNANIMOUSLY to adjourn the City Council Meeting at 11:39 p.m.**

Respectfully submitted,  
Dana C. Jorgensson, Clerk of the Committees