

GLOUCESTER CITY COUNCIL MEETING

Tuesday, July 12, 2016 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Joseph Ciolino; Vice Chair, Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Paul Lundberg; Councilor Valerie Gilman; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.

Absent: None.

Also Present: Kenny Costa; Dan Smith; Chip Payson; John Dunn; Mike Hale

The meeting was called to order at 7:02 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. Council President Ciolino dedicated the Moment of Silence to Charlie Currier, a pillar of the community, recently passed away. He pointed out that Mr. Currier was always stepping forward as a volunteer to work on committees. He was a past president of the Cape Ann Chamber of Commerce and the Gloucester Rotary Club, and a past Grand Master of the Gloucester Masonic Temple. He said he was a role model in the way he lived his life.

Oral Communications:

Rob Russell, 40 Rockport Road, recounted he had attended an Ordinances & Administration Committee meeting to speak about beach traffic in February. He said he espoused a kiosk system for payment at beach parking lots so that the wait time would be in the parking lot and not on Thatcher Road or Atlantic Road at Wingaersheek Beach. He said he had suggested the following year the city could move to a reservation accessible from iPads and iPhones and pay on line in advance and charge a premium for this service. He further suggested that businesses could sign a waiver with the Chamber of Commerce and move to the reservations system to obtain alerts as well as ways in which alerts could be forwarded to beachgoers. He pointed out that on July 3 a beachgoer became ill in the Long Beach parking lot at about 10:30 a.m. which he said he witnessed and saw the Fire Department respond and first responders on the opposite side of the road which he videotaped. Having obtained the police report on July 6, spoke to the dispatcher who had been on duty whom he asked if it had been difficult for the police to reach Long Beach on July 3. The dispatcher said they had to drive on the wrong side of the road. This has become a safety issue, he said, and expressed concern that should he have a true emergency at his home it would be in doubt whether first responders would be able to reach him in a timely manner. As important, he noted, is the concern for the first responders’ safety in such situations. He added that the (electronic) signs are working well on the highway and are an improvement over last year’s beach season.

Debbie Liacos, 41 Woodward Avenue, Unit B, said she came before the Council on July 14, 2015 for a similar issue Mr. Russell spoke of, but in particular, the summer beach traffic in and around Good Harbor Beach. She highlighted incidents of trucks blocking Witham Street for five hours at a time without being ticketed and towed. She suggested that parking enforcement in that particular area is sporadic at best. She pointed out where signs are posted, “Resident Sticker Parking Only,” finds out-of-town cars parked in those restricted areas not ticketed and/or towed. She said she had asked last July for better monitoring of the poor parking habits of beachgoers which cause great inconveniences to the neighborhood and in some cases completely block residential driveways. She also pointed out she didn’t receive an answer from her July 15 Oral Communication from the Mayor’s office in the two-week timeframe. She noted she had spoken with former Ward 1 Councilor McGeary and the Mayor and has still heard nothing to date. She mentioned she has spoken to Councilors Memhard, Nolan and O’Hara about her concerns for the safety of the residents in the beach area. She said new signage went up on Salt Island Road and has improved that section but it is a drop-off spot and highlighted concerns for the condition of that entrance to Good Harbor Street. She said she has sent emails to the DPW Director and Assistant DPW Director and visited the office, but to date has had no response from that department. She also expressed concern for excessive noise and public drinking issues. If people want to come to city beaches they need to park safely and respectfully, she said. She concluded her remarks by suggesting that out-of-town beach patrons are allowed to park in resident parking in the beach parking lot which she said is not a tolerable situation either, and that there needs to be on-going vigilance and enforcement of parking regulations and more ticketing and towing of illegally parked cars in and around the city’s beaches.

Presentations/Commendations: None.

Consent Agenda:• **MAYOR'S REPORT**

1. Memorandum from Director of Public Works re: request to close PH2016-061 Acceptance of Roadways as public ways in accordance with MGL c. 85 & GCO Sec. 21-1 through 21-35 and Sec. 21-43 (Refer P&D)
2. Memorandum from Chief Financial Officer re: request for loan order in the amount of \$80,000 for a road betterment project on Starknought Road (Refer B&F)
3. Memorandum, Grant Application & Checklist from Harbormaster re: Clean Vessel Act Grant (Refer B&F)
4. Memorandum, Grant Application & Checklist from Interim Health Director re: 2-year extension of MA Opiate Abuse Prevention Grant (Refer B&F)
5. Reappointments: EDIC TTE 07/01/19 Ruth Pino, Michael DeLascio (Refer O&A)
6. New Appointments: Zoning Board of Appeals TTE 02/14/18 Kristopher Howard (Alternate Member)
TTE 02/14/18 Joseph Parisi III (Alternate Member to Full Member to fill unexpired term of board mbr.) (Refer O&A)

• **COMMUNICATIONS/INVITATIONS**

1. City Council Vote of June 23, 2015 regarding renewal of Rogers Street Parking Lot at #65 Rogers Street (Refer P&D)

• **APPLICATIONS/PETITIONS**• **COUNCILORS ORDERS**• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 06/28/16 (Approve/File)
2. Standing Committee Meetings: B&F 07/07/16 (under separate cover), O&A 07/04/16 (No meeting), P&D 07/06/16 (Approve/File)

Unanimous Consent Calendar:

1. Addendum to Mayor's Report: MSBA voted to invite city into Accelerated Repair Program (Program) to determine eligibility for MSBA funding of repairs to the Gloucester High School roof. The Program requires the city to take certain actions within specified time frames, thus the city must showcase a certified Council vote of an initial appropriation of \$115,000 via the Capital Project Stabilization Fund (#7600) which has a current balance of \$867,619 as seen attached in the Council Order form to gain proper approval to appropriate the required funds. (Refer B&F)

Items to be added/deleted from the Consent Agenda:

Councilor Lundberg asked to remove Item #1 under the Mayor's Report, Memorandum from Director of Public Works re: request to close PH2015-061 Acceptance of Roadways as public ways in accordance with MGL c. 85 & GCO Sec. 21-1 through 21-35 and Sec. 21-43. He pointed out that the matter had already been concluded at the P&D level on May 20, 2015, and there is nothing further that the P&D Committee needs to consider. He said that he is asking that this matter not be referred to the Planning & Development Committee and that when the Public Hearing is opened this evening that the Council should vote to withdraw the matter of the request of the DPW Director to accept certain roads as public ways without prejudice and then close the public hearing. **By a unanimous vote of the Council the matter was pulled from the Council's Consent Agenda.**

By unanimous vote of the Council, the Consent Agenda was accepted as amended, and the Unanimous Consent Calendar was accepted by a unanimous vote as presented.

Committee Reports:**Budget & Finance: July 7**

Memorandum, Grant Application & Checklist from Police Chief re: Council acceptance of a FY17 E911 Support & Incentive Grant in the amount of \$61,795 from the Executive Office of Public Safety & Security

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Budget & Finance Committee voted in favor, 0 opposed, to recommend that the City Council to accept under MGL c. 44, §53A from the Massachusetts State 911 Department a FY17 Support and Incentive Grant in the amount of \$61,795 to provide funding for Police Department E911 salaries, overtime and equipment.

DISCUSSION:

Councilor Memhard explained that the Police Department is asking the Council to accept the FY17 E911 Support & Incentive Grant in the amount of \$61,795. This is an annual grant from the state which has no match that provides funding for the department's E911 salaries, overtime and equipment.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to recommend that the City Council to accept under MGL c. 44, §53A from the Massachusetts State 911 Department a FY17 Support and Incentive Grant in the amount of \$61,795 to provide funding for Police Department E911 salaries, overtime and equipment.

Councilor Memhard advised that in order for the Council to take up a Budget & Finance Unanimous Consent Agenda for the Council's consideration they would have to vote to suspend its own Rules of Procedure so that the Council may consider and vote upon a series of FY16 year-end transfers to ensure there are no account deficits remaining. He advised there are nine Special Budgetary Transfers and five Supplemental Appropriations. These transfers did not come through the Council's Consent Agenda.

By unanimous voice vote the Council suspended its Rules of Procedure in order to consider from the July 7, 2016 Budget & Finance Committee meeting contained in two Budget & Finance Unanimous Consent Agenda, the first consisting of nine Special Budgetary Transfers and the second with five Supplemental Appropriations, all related to FY16 year-end issues.

Councilor Orlando declared under MGL c. 268A that under Unanimous Consent Agenda "A" that given his profession as a lawyer representing clients in Worker's Compensation cases with the firm of Orlando & Associates, there may be an appearance of a conflict of interest, but that was not the case and doesn't, in his judgement, impact his ability to participate in any discussion or vote on the transfers for the Personnel Department's Worker Compensation Settlements account.

Councilor Memhard recounted for the Council that at the end of each fiscal year there are usually some department budget accounts that need to be made whole to close the books on the ending fiscal year. This year there are a total of 14 transfers which is a modest amount in comparison to a \$103.5 million FY16 budget overall. He asked if any Councilor wished to pull a transfer off of the first B&F Unanimous Consent Agenda related to nine Special Budgetary Transfers.

Hearing no Councilor wishing to pull anything off of the B&F Committee's Unanimous Consent Agenda "A", **Council President Ciolino** called for a voice vote as follows:

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve the following matters on the Unanimous Consent Agenda "A" of the Budget & Finance Committee dated July 12, 2016 as follows:

#1: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-38 in the amount of \$10,000.00 from Account #101000.10.220.51450.0000.00.000.00.051, Fire Department-Holiday Pay to Account #101000.10.220.53190.0000.00.000.00.052, Fire Department-Bill Collection Services for the purpose of covering anticipated shortfalls in the account.

#2: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-39 in the amount of \$2,000.00 from Account #101000.10.163.54220.0000.00.000.00.054, Registration-Print Forms (Not Computer) to Account #101000.10.161.51100.0000.00.000.00.051, City Clerk-Salary/Wages Permanent Positions, for the purpose of covering anticipated shortfalls in the account.

#3: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-40 in the amount of \$15,000.00 from Account #101000.10.141.57840.0000.00.000.00.057, Assessors-Revaluation Program to Account #101000.10.145.59150.0000.00.000.00.059, Treasurer/Collector-Debt Service-Long-Term Interest for the purpose of covering anticipated shortfalls in the account.

#4: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-41 in the amount of \$24,600.00 from Account #101000.10.155.52000.0000.00.000.00.052, Information Services-Contractual Services to Account #101000.10.152.51710.0000.00.000.00.051, Personnel-Workers Compensation Settlements, for the purpose of covering anticipated shortfalls in the account.

#5: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-42 in the amount of \$10,000.00 from Account #101000.10.181.57000.0000.00.000.00.057, Community Development-Other Charges/Expenditures to Account #101000.10.152.51710.00000.00.000.00.051, Personnel-Workers Compensation Settlements, for the purpose of covering anticipated shortfalls in the account.

#6: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-43 in the amount of \$30,000.00 from Account #101000.10.150.51100.0000.00.000.00.051, Health Department-Salary/Wages Permanent Positions to Account #101000.10.152.51710.00000.00.000.00.051, Personnel-Workers Compensation, for the purpose of covering anticipated shortfalls in the account.

#7: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-44 in the amount of \$21,000.00 from Account #101000.10.610.51100.0000.00.000.00.051, Library-Salary/Wages Permanent Position to Account #101000.10.152.51840.0000.00.000.00.051, Personnel-Medicare Employer, for the purpose of covering anticipated shortfalls in the account.

#8: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-45 in the amount of \$34,000.00 from Account #101000.10.472.54000.0000.00.000.00.054, DPW Facilities-General Supplies to Account #101000.10.152.51840.0000.00.000.00.051, Personnel-Medicare Employer, for the purpose of covering anticipated shortfalls in the account.

#9: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-46 in the amount of \$35,000.00 from Account #101000.10.499.54110.0000.00.000.00.054, DPW Other-Gasoline to Account #101000.10.152.51840.0000.00.000.00.051, Personnel-Medicare Employer, for the purpose of covering anticipated shortfalls in the account.

Councilor Memhard then asked if any Councilor wished to pull off any of the five Supplemental Appropriations transfers from the B&F Unanimous Consent Agenda "B". Hearing none, **Council President Ciolino** called for a ROLL CALL VOTE.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve the following matters on the Unanimous Consent Agenda "B" of the Budget & Finance Committee dated July 12, 2016 as follows:

#1: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2016-SA-29 in the amount of \$11,708.11 from Account #101000.10.000.35900.0000.00.000.00.000, General Fund, Fund Balance Undesignated ("Free Cash") to Account #291123.10.991.49700.0000.00.000.00.040, FY12 State 911 Training Grant for the purpose of funding a permanent deficit in the grant fund.

#2: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2016-SA-30 in the amount of \$16,951.21 from Account #101000.10.000.35900.0000.00.000.00.000, General Fund, Fund Balance Undesignated ("Free Cash") to Account #291133.10.991.49700.0000.00.000.00.040, FY13 State 911 Training and EMD Grant for the purpose of funding a permanent deficit in the grant fund.

#3: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2016-SA-31 in the amount of \$8,666.68 from Account #101000.10.000.35900.0000.00.000.00.000, General Fund, Fund Balance Undesignated ("Free Cash") to Account #291136.10.991.49700.0000.00.000.00.040, FY14 State 911 Support and Incentive Grant for the purpose of funding a permanent deficit in the grant fund.

#4: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SA-32 in the amount of \$4,236.75 from Account #101000.10.000.35900.0000.00.000.00.000, General Fund, Fund Balance Undesignated ("Free Cash") to Account #291138.10.991.49700.0000.00.000.00.040, FY14 State 911 Training and EMD Grant for the purpose of funding a permanent deficit in the grant fund.

#5: MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2016-SA-33 in the amount of \$170,000.00 from Account #610000.10.000.35900.0000.00.000.00.000, Water Enterprise Fund, Fund Balance Undesignated ("Retained Earnings") to Account #610000.10.450.59450.0000.00.000.00.059 Water Enterprise, Debt Service, Bond Issuance Costs for the purpose of covering unanticipated Clean Water Trust Bond Issuance costs related to the bond debt.

Ordinances & Administration: July 4 – No Meeting - Holiday

Planning & Development: July 6

All matters taken up at the P&D Committee meeting are for Council action under public hearings, **Councilor Lundberg** advised.

Scheduled Public Hearings:

- 1. PH2015-061: Acceptance of roadways as public ways in accordance with MGL c. 85 and GCO Sec. 21-1, and Sec. 21-43**

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

Councilor Lundberg announced that the Council is in receipt of a memorandum from the DPW Director asking that this matter be withdrawn. Since the matter had been previously closed by the P&D Committee in May of 2015, it will not be referred to that Committee again. He asked for a motion to permit the withdrawal of the matter of the Acceptance of roadways as public ways in accordance with MGL c. 85 and GCO Sec. 21-1, and Sec. 21-43 without prejudice. **Councilor Lundberg** moved and **Councilor Cox** seconded.

By a ROLL CALL vote of 9 in favor, 0 opposed, the City Council permitted the matter of the Acceptance of roadways as public ways in accordance with MGL c. 85 and GCO Sec. 21-1, and Sec. 21-43 of certain roadways to be withdrawn without prejudice.

This public hearing is closed at 7:20 p.m.

- 2. PH2016-030: SCP2016-003: Pleasant Street #19, GZO Sec. 2.3.6(4) Other Principal Uses for purpose of an art gallery**

This public hearing is opened at 7:21 p.m.

Those speaking in favor:

Jane Deering, 18 Arlington Street, art gallery owner at Pleasant Street #19, Map 8, Lot 73, zoned CCS, said she was before the Council seeking a Special Council Permit under GZO Sec. 2.3.6 Other Principal Uses subsection 4 "Arts, crafts and sale of arts or crafts if made on the premises, in order that she be permitted to continue to operate her art gallery at that address for the sale of art.

Those speaking in opposition: None.

Communications: Nine emails in favor of the application under GZO Sec. 2.3.6(4) for an art gallery from:

Coco Berkman, 8 Centennial Avenue; **Paul Gary Goldberg**, 3 Woodward Avenue; **Shaun McNiff**, 54 Leonard Street; **Robert M. Russell, MD**, 52 Leonard Street; **Celia F. Eldridge**, 33 Maplewood Avenue; **Peter Lawrence**, 11 Planters Neck Road; **Esther & Christopher Pullman**, Annisquam; **Bert & Marylyn Mason**, no address given; and **Christina Russo**, 10 Arlington Street.

Councilor Questions: None.

This public hearing is closed at 7:22 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant Jane Deering a Special Council Permit (SCP2016-003) under GZO Sec. 2.3.6(4) Other Principal Uses for the purpose of an art gallery at Pleasant Street #19, Map 8, Lot 73, zoned CCD, and as shown on an undated plan submitted with the Special Council Permit application entitled, "First Floor Plan, Jane Deering Gal, 17-19 Pleasant Street, Gloucester MA 01930." The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

DISCUSSION:

Councilor Lundberg said that Ms. Deering's Special Council Permit for an art gallery meets the six criteria under GZO Sec. 1.8.3, and has the unanimous support from the P&D Committee, and as attested to this evening, with emails of support from the community at large.

Councilor Memhard asked for clarification as to why Ms. Deering needed to apply for a Special Council Permit given the nature of the neighborhood and having to take time to make this application. **Councilor Lundberg** said this is what the Zoning Ordinance requires. **Ms. Deering** added that there was some initial confusion -- when she signed a lease for the property she said she thought she was in the Commercial District and that the gallery would be allowed (by right) but, in fact, the gallery is located in the Civic Center District, and GZO 2.3.6 subsection 4 says that art, crafts and the sale of art or crafts if made on the premises must have a Special Council Permit. The Building Inspector said it was taking the conservative approach to put the application forward even though no art is being created on the premises. She said seemed there were an unnecessary hurdles to jump but that this is a gallery does help to support the vitality of the city's arts. She pointed out there are four other galleries in and around the intersection of Main Street and Pleasant Street. It is trying to develop an area that is notable for its art, she noted. She said she was pleased to have her application to be considered, and be approved to help strengthen the arts in Gloucester.

Councilor Cox said this is a Zoning Ordinance that is currently in place when the Special Council Permit application was submitted by Ms. Deering. She said she is looking at the Zoning Ordinance with the Building Inspector. Any change to the Zoning Ordinance would have to go through the process of being vetted by the Planning Board and the P&D Committee and through the Council to make a change. While this was an eye-opening situation, there is nothing that can be done at this time but to follow the Ordinance in place, and use this example as a stimulus to review the Zoning Ordinance under Sec. 2.3.6(4), she added.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by **ROLL CALL 9** in favor, **0** opposed, to grant Jane Deering a Special Council Permit (SCP2016-003) under GZO Sec. 2.3.6(4) Other Principal Uses for the purpose of an art gallery at Pleasant Street #19, Map 8, Lot 73, zoned CCD, and as shown on an undated plan submitted with the Special Council Permit application entitled, "First Floor Plan, Jane Deering Gal, 17-19 Pleasant Street, Gloucester MA 01930." The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

3. PH2016-031: Loan Order 2016-002: Loan Order authorization in the amount of \$1.3 million regarding improvements for the Gloucester Avenue and Breezy Point Sewer Pump Stations

This public hearing is opened at 7:28 p.m.

Those speaking in favor:

Councilor Orlando noted under MGL c. 268A that while he lives on Breezy Point Road and as it may give the appearance of a conflict of interest, he has no financial interest in this matter and will participate in the discussion and vote as there is no conflict of interest.

Mike Hale, Public Works Director, said he is speaking in support for a loan authorization of \$1.3 million for the upgrades to two waste water pumping stations: Breezy Point pump station on Wheeler's Point, and the Gloucester Avenue pump station directly across from the Gloucester Bowling Alley. He said his engineering staff has determined that these two pump stations are the two most critical stations in the second phase of pump station improvements. He noted that the first phase of improvements is ongoing at the Blackburn Industrial Park.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:30 p.m.

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

Ordered: That the City of Gloucester appropriates One Million Three Hundred Thousand Dollars (\$1,300,000) to pay costs of improvements to the Gloucester Avenue and Breezy Point Sewer Pump Stations, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and any other appropriate official of the City are authorized to apply for, accept and expend any and all grants or gifts that may be available to the City to pay costs of the projects.

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

DISCUSSION:

Councilor Memhard explained that the B&F Committee agreed with Public Works Director, Mike Hale that this loan order was timely and appropriate in order to make capital repairs to the Gloucester Avenue and Breezy Point sewer pump stations and voted unanimously to move forward with it.

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

Ordered: That the City of Gloucester appropriates One Million Three Hundred Thousand Dollars (\$1,300,000) to pay costs of improvements to the Gloucester Avenue and Breezy Point Sewer Pump Stations, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and any other appropriate official of the City are authorized to apply for, accept and expend any and all grants or gifts that may be available to the City to pay costs of the projects.

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

4. PH2016-032: Public hearing on the draft City of Gloucester Municipal Aggregation Plan
(<http://gloucester-ma.gov/DocumentCenter/View/3834>)

This public hearing is opened at 7:32 p.m.

Those speaking in favor:

Candace Wheeler, Chair of the Clean Energy Commission (CEC), 8 Rockland Road, said that this is an exciting opportunity to do a competitive purchase of electricity on behalf of the city's residents and businesses in a process that has been tried and proven throughout the state. She submitted a full written statement of her remarks (placed on file). She said a tremendous advantage is pricing of electricity when buying through a competitive bidding process on behalf of an entire community than they could buy directly from National Grid or from competitive suppliers. Additionally the residents can receive a better quality of electricity -- the proportion of clean, renewable energy which would be part of the city's Municipal Aggregation Plan ("Plan"). In the state there is a minimum amount of renewable energy that is required for any supplier, and totals about 21% of the electricity supply. If they can do better than that in terms of the percentage in the overall energy supply, it means the municipality can also do better in contributing to a solution to climate change which is something Gloucester is feeling already and is an issue of all coastal communities.

Introduced by **Ms. Wheeler** were members of the CEC: Linda Brayton, Robert Myers, Paul McGeary, and Linda Saunders. The city's consultant, Stefano Loretto of Good Energy, who has helped to draft the Municipal Aggregation Plan, and Patrick Roche from the Massachusetts Area Planning Council were also introduced.

Ms. Wheeler then read in full a memo dated March 16, 2016 to Mayor Sefatia Theken and the Gloucester City Council which defined Municipal Aggregation Plans, the legislative authorization of such an undertaking, the development of a Plan through the use of an MAPC recommended energy consultant, the state approval process and the role the CEC would play, and touched briefly on the educational outreach to the community prior to implementation to such a Plan. An opt-out option was also described as available if residents choose to go back to National Grid as their primary electricity provider. The memo noted that the city's own wind turbines will help to provide extra percentage of renewable energy that will be incorporated into the Plan. She pointed out that the P&D Committee was in receipt of the draft plan and reviewed it. The CEC reviewed the draft Plan at its June meeting, she advised and was in full support of it, she said, and that it is hoped the Council will approve the Plan so that it can be submitted to the Department of Public Utilities.

Paul McGeary, 31 Eastern Avenue, CEC member, made the following statement:

"I speak tonight in support of the proposed Gloucester Municipal Aggregation plan.

It's not often that one genuinely has a chance to do good by doing well. The plan to consolidate purchase of electric power and incorporate additional clean power sources of that power has worked well in 24 other municipalities in Massachusetts, with average savings well below the National Grid generation rate. In Melrose, a city of comparable size to Gloucester, residents in the first 10 months of the program have saved on average about 2 cents per kilowatt-hour on electric generation costs. That amounts to around \$80 per year for the average ratepayer. That savings is after allowing for the somewhat more expensive cost of green energy. By adopting municipal aggregation, we are helping to ensure that the utilities move more aggressively to purchase and generate more power from environmentally friendly sources. In addition to the 21 percent of green energy that the state mandates, we will be purchasing an additional five percent -- helping to raise the market demand for clean power. In Gloucester we will have the added benefit in that the green energy to be added to our mix will be derived from our own city-owned turbines in Blackburn Industrial Park. Even if there were no savings, this would still be worth doing. By increasing the amount of our energy usage that must be derived from "clean" sources, we do our part to help slow the effects of rapid climate change, sea level rise and ocean acidification. As a coastal community and one whose economic health has always depended on the bounty of the sea, this is in our particular interest. For these reasons, Mr. President, I encourage you and your fellow councilors to pass the motion before you and accept the Gloucester Municipal Aggregation Plan for submission to the state for approval."

Robert Myers, 716 Washington Street, spoke to the 5% renewable energy option. He said that it could be viewed as 500 Gloucester homes running solely on clean energy at 100% by making use of that 5%.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Orlando thanked both the CEC and the P&D Committee for all their hard work on the Plan. He noted the additional cost of purchasing green energy and suggested that was due to supply and demand. **Mr. McGeary** said it costs more which is more expensive than a coal-fired generation of electricity. He said because the city is aggregating as a large group, the cost savings that comes with a large group purchase of electricity offsets the additional cost of the 5% renewable energy. **Councilor Orlando** pointed out the cost would be offset to the point where residents would be saving more money by buying this type of energy. **Mr. McGeary** said that while hard to predict the future, the experience in all the 24 cities and towns that have done this so far is that compared to what a resident would pay to National Grid they are saving money. The city of Melrose, used as an example earlier, seems to have had good savings, **Councilor Orlando** said. He also mentioned that there is a group of cities and towns on the South Shore that have worked together to purchase electricity. **Mr. McGeary** said that city's savings were significant, in fact. He said 18 cities and towns have grouped together to create a larger pool to gain better pricing as a larger aggregation. **Councilor Orlando** asked if there have been any efforts to reach out to other surrounding communities to form a group such as this for an increase in purchasing power. **Mr. McGeary** indicated he was unaware of such efforts at this time. **Robert Myers**, CEC member, noted that someone from another city in the area has been sitting in all the CEC meetings and this matter was discussed at the CEC, but that that the decision is to go ahead and implement the city's own version first but will make sure other communities know the city is open to that consideration. He said there were concerns that the timing with different communities' legislative process could hold up the city's approval of its Plan, but that there are some possibilities moving forward. **Councilor Orlando** pointed out that some procedural issues with other communities could have held this Plan up for submittal in a timely manner which **Mr. Myers** indicated his agreement. **Councilor Orlando** said while there are no guarantees

as to the rates, asked once the city is locked into a contract with an electricity supplier, does the city lock it in with Good Energy by setting the price. **Mr. McGeary** said Good Energy is not a provider but a consultant that will assist the city in seeking bids from all electricity providers. Any National Grid customer in the city will automatically be signed up and added he believed that the city is a National Grid customer and so the city would get the benefits of the Plan as would any individual rate payer. **Councilor Orlando** asked whatever benefits were derived would be for a set period of time. **Mr. McGeary** said that it is typically a one-year contract, but the CEC is looking at different term lengths. **Stefano Lorretto**, Good Energy, Norwalk, CT, said that the contract term is the city's decision. Good Energy will provide a matrix that will show 12-, 18-, and 24-months and potentially longer terms, and will advise what the costs are with each term. It will be the city's decision as to what the term of the contract will be. He advised that the only accounts that can enroll in the Plan are those on National Grid's basic service. He explained that if a ratepayer made a choice for electricity with another supplier, those ratepayers would not be initially eligible and would have to wait until their contract with that supplier expired before they could opt into the Plan. Anyone can get into the program at any time and leave at any time, he pointed out. At the end of the contract could the city revert to National Grid if they didn't think worked out well, **Councilor Orlando** asked? **Mr. McGeary** said if the city is not a National Grid customer, then they would have to wait until their contract expires.

Councilor Cox said during the P&D meetings, the consultant had said they can enter into an agreement with other towns and cities not on the North Shore necessarily and doesn't have to be a direct neighbor to Gloucester if that community is entering into a contract (term) at the same time Gloucester could partner with them. **Mr. Lorretto** said as part of the MAPC procurement, there are several communities that have joined the procurement -- Sudbury, Somerville, Woburn, Winchester, Arlington, Stoneham, and many more that are reviewing it. He noted that at the time of purchase they could explore for the communities if there is a value add to have the purchase for the different cities and towns to combine. He advised that the state is divided up into load zones and when load zones are crossed it could be a zero-sum situation. **Councilor Cox** asked what the (KW hr.) rate Melrose is paying. **Mr. Lorretto** said the rate for Melrose including the 5% renewable energy it is 9.6 cents per KW hr. The standard default price is 8 cents per KW hr. and 13 cents per KW hr. over the winter period which runs from November through the end of April. The 9.6 cents was the rate to Melrose for the entire contracted year. Part of the value is eliminating some of the volatility, he pointed out.

Councilor Memhard asked how this might or might not impact commercial businesses/industrial concerns in the city that use great amounts of electricity to run their operations. He noted his business on average annually their electricity costs represents 15% of their expenses. He said they use a broker for various terms and mentioned the name of a few of the brokers. He said not only is this true for his business but for Americold, Mazzetta, the Addison Gilbert Hospital, Gorton's of Gloucester. He said he liked the idea to encourage Gloucester businesses and to strengthen the businesses in the city and asked when those businesses would have an opportunity to opt into the Plan, and assumed it is when their existing contract runs off with their third-party supplier. **Mr. Lorretto** said most businesses are already participating in deregulation and are well served in deregulation by it. This Plan is viewed more for residential ratepayers. Technically they'd be eligible for the Plan, but those businesses are already participating in deregulation so at the start of the program those businesses would not be able to opt into the Plan automatically. When their contracts with their current suppliers expire, at that time it will be another option that businesses can weight. This Plan would start in the winter, he explained, and said that there will be extensive outreach to the community that is tailored to the city making them aware of the program. **Councilor Memhard** said by participating in a program like this and the value added, he asked if this would help to qualify the city as a green community for other grants to ease the pain of electricity costs. **Ms. Wheeler** said Gloucester is already certified as Green Community with the state and is not something necessary to get in or stay in that program. It is not specifically a trigger for eligibility for other grant programs. The benefit is inherent in its own program and with its predictability in pricing throughout the winter. She added that it can't hurt the city taking on this program as proof of its track record as a green community.

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

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the, "City of Gloucester Municipal Aggregation Plan" as presented by the City of Gloucester Senior Planner in a memo dated June 7, 2016.

DISCUSSION:

Councilor Lundberg explained that there was a great deal of discussion of the details of the Plan at the most recent P&D Committee meeting and got into the weeds with the city's Senior Planner and the Good Energy Consultant who were very articulate in enumerating the benefits of the Municipal Aggregation Plan. He said the Committee did a great deal of vetting, and now by Council vote the Plan can be submitted to the state and the Council had voted to develop this Plan so that it could be submitted to the state's Department of Public Utilities for its approval.

Councilor Orlando commented he would support this Plan because it could help to reduce the burden on city businesses that rely heavily on the electrical grid, and anything that can reduce the burden on city businesses to make more money and provide jobs for Gloucester residents is a good thing. He added that the same can be said for the city's residents who have just as heavy a financial burden, and if this saves \$50 or \$70 a year to ratepayers, it is a good thing as well.

Councilor Memhard stated that there is another benefit that by the city is opting in, residents may get fewer calls from telemarketers hawking their electrical services.

Councilor Gilman thanked the CEC, Matt Coogan, Senior Planner for their good work and help in vetting the Plan and Mr. Lorretto for his partnership with the city. She noted the many P&D meetings where the Committee vetted the Plan and answered the Committee's questions. She urged the public to review the P&D minutes available on the city's website to learn more about the program and the thoughtful questions that were asked that brought the Council to this point of a vote. She expressed her pride in seeing so many young people in the audience because a Plan like this is all about their future. She said this is about clean energy and reducing the city's carbon footprint and to see the city in a leadership role with 24 other cities and towns in the Commonwealth. She said she would support the motion.

Councilor LeBlanc said he would support the Plan. Saving the residents of Gloucester any amount of money is a plus, and this is progress for Gloucester as a green city, he added.

Council President Ciolino expressed his appreciation for the work done by the P&D Committee and the CEC who took so much time on this matter.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to accept the, "City of Gloucester Municipal Aggregation Plan" as presented by the City of Gloucester Senior Planner in a memo dated June 7, 2016.

5. **PH2016-033: Amend GZO to amend the Zoning Map to match Sec. 2.1.1 "Enumeration of Zoning Districts" and the definitions contained therein specifically that of the BP (Business Park) as it is defined as "districts located off Blackburn Circle and Kondelin Road"**

This public hearing is opened at 8:07 p.m.

Those speaking in favor: None.

Those speaking in opposition:

Vito Ferrara, 220 Magnolia Avenue, stood with his four children at the podium and said that anytime anyone drives up Kondelin Road they will see children playing, with permission of the owner, at 1 Kondelin Road. He expressed his concern for people driving through residential neighborhoods to and from possible Medical Marijuana Treatment Centers (MMTC) and Medical Marijuana Cultivation Facilities (MMCF). He noted incidents of violence surrounding such facilities and that he said he didn't think the city would benefit from such facilities sited on Kondelin Road adjacent to residential neighborhoods. He said this is a safety issue more than anything else.

Timothy Kozma, 308 Western Avenue, said that his family lives nearby and that his children also play with the Ferrara children. He said he and his family are not in support of the zoning change.

Graziella Paone, 4 Cedarwood Road, said they've worked so hard to put Gloucester on the map with a new school, a new hotel. The city doesn't need two dispensaries, she said, and to keep the zoning law the way it is. This isn't where they want to be, she said. As a mom of two children she fought for the new West Parish School and the proposal puts the new school squarely in this district. She said opposed to the zoning change.

Jamie Ciamartaro, 234 Magnolia Avenue, expressed his opposition to the zoning change.

Tom Testaverde, 222 Magnolia Avenue said he was opposed to the zoning change. He said the proposal suggested 30 to 40 vehicles a day travelling to and from a dispensary, but didn't talk about people travelling there by bus and train from other towns. He pointed out there are no sidewalks there for foot traffic, and that it is the wrong place for a dispensary.

Communications: None.

Councilor Questions: None.

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

Councilor Lundberg recounted the Council sat through a confusing debate when they passed the Medical Marijuana Zoning Ordinance. That had to do with where such facilities could be sited. The Zoning Ordinance says it can be located in a Business Park. The Zoning Map shows only one Business Park and that is Blackburn Circle. But if one looks at the Zoning definition, it also references Kondelin Road. The Council referred this matter back to the P&D Committee and to the Planning Board to rectify that anomaly. The Planning Board took this up and had a public hearing. Their recommendation was that the Zoning Ordinance was meant to have only one Business Park and that was Blackburn Circle. The Board recommended that rather than change the Zoning Map to change the definition.

COMMITTEE RECOMMENDATION: On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend GZO Sec. 2.1.1 "Enumeration of Zoning Districts" by DELETING the definition of BP Business Park (minimum lot area: 40,000 sf) and ADD a new definition as follows:

"BP Business Park (minimum lot area: 40,000 sf)

The Business Park district is located off Blackburn Circle, and accommodates offices, warehousing, limited service uses and light industrial uses in a business-park setting. It has ready accessibility and utility capacity to accommodate the demands of business park development. Residential uses are generally not allowed."

DISCUSSION:

Councilor Lundberg said that this action takes the anomaly of Kondelin Road out of the definition and now the Business Park is clearly and only Blackburn Circle.

Councilor Orlando commented that if the Council votes affirmatively they are voting in favor of the recommendation of the Planning Board and the P&D Committee and are not including Kondelin Road and are only voting to have Blackburn Circle as the only recognized Business Park in the city which **Councilor Lundberg** confirmed.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to amend GZO Sec. 2.1.1 "Enumeration of Zoning Districts" by DELETING the definition of BP Business Park (minimum lot area: 40,000 sf) and ADD a new definition as follows:

"BP Business Park (minimum lot area: 40,000 sf)

The Business Park district is located off Blackburn Circle, and accommodates offices, warehousing, limited service uses and light industrial uses in a business-park setting. It has ready accessibility and utility capacity to accommodate the demands of business park development. Residential uses are generally not allowed."

6. PH2016-034: Amend GZO Use Table Section 2.3.2 "Community Service Uses," Use Numbers 15 and 16 (Cont'd from 06/28/16)

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

Those speaking in favor: None.

Those speaking in opposition: None.

Communications:

In favor: Alana Home, 163 Magnolia Avenue by email dated June 19, 2016.

In opposition: Dean Salah, 8 Rockland Street, by email dated June 20, 2016.

Councilor Questions: None.

This public hearing is closed at 8:17 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 0 in favor, 3 opposed, to recommend that the City Council amend GZO Sec. Use Table Sec. 2.3.2 Community Service Uses, footnote #4 by adding the following second sentence: "Such use allowance in the General Industrial District shall be limited to the Kondelin Road GI District."

DISCUSSION:

Councilor Lundberg said this is to clear up the notion that the city should expand the ability of Medical Marijuana Treatment and Cultivation Facilities to General Industrial which includes Kondelin Road but also includes other places in the city. It was the recommendation of the P&D Committee that they not expand that definition.

Councilor Orlando confirmed that if the Council votes no on this motion that it is not to change the Zoning Ordinance which **Councilor Lundberg** confirmed it would stop the expansion to the GI district for Medical Marijuana Treatment and Cultivation Facilities. **Councilor Orlando** also expressed his thanks to the member of the public who came out to the meeting Councilor Nolan organized which took place at the Magnolia Library to hear their opinions on this matter which in turn helps the City Councilors to understand their constituents' needs and said he appreciated all who attended that meeting and the Council meeting this evening.

Council President Ciolino said he was involved when this came before when the Medical Marijuana Ordinance came to the Council originally and it was the intention that the siting of these facilities would only be at Blackburn Circle.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to amend GZO Sec. Use Table Sec. 2.3.2 Community Service Uses, footnote #4 by adding the following second sentence: "Such use allowance in the General Industrial District shall be limited to the Kondelin Road GI District."

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 0 in favor, 3 opposed, to recommend that the City Council amend GZO Sec. Use Table Sec. 2.3.2 Community Service Uses, Use #15 and #16 by ADDING the allowance of the GI (General Industrial) to CCS.

DISCUSSION:

Councilor Lundberg said the same discussion applies. A no vote means that the Council doesn't want to see Medical Marijuana Treatment Centers and Facilities located in the areas zoned as General Industrial.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to amend GZO Sec. Use Table Sec. 2.3.2 Community Service Uses, Use #15 and #16 by ADDING the allowance of the GI (General Industrial) to CCS.

7. PH2016-035: Amend GCO c. 4, Art. II "Dogs" by adding a new section entitled, "Dogs prohibited from all city-owned flower beds at all times," and amend GCO Sec. 1-15 "Penalty for violation of certain specified section of Code"

This public hearing is opened at 8:22 p.m.

Those speaking in favor: None.

Those speaking in opposition:

Kimberly Voltero, Starknought Heights, questioned the further amending of the ordinance, and suggested a change in perspective and post signs that says there are detrimental chemicals to warn dog owners to take their dogs away from those areas. She said it seemed wasteful to continually update the same ordinance, and that there may be another approach.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:23 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 4, Art. II "Dogs" by ADDING a new Section 4-16(e) entitled, as follows:

"Sec. 4-16(e) Dogs prohibited from all city-owned flower beds at all times.

Dogs shall be prohibited from all city-owned flower beds at all times. The animal control officer shall issue to the owner or keeper of any such dog a citation for the violation of this article a fine of \$50.00 for each offense."

DISCUSSION:

Councilor Lundberg said that Generous Gardeners had approached several Councilors about dog owners who allow their pets to foul city gardens that they maintain. He recounted that the Animal Control Officers told Generous Gardeners' volunteers that there wasn't much they could do because the ordinance has specific places where dogs are prohibited – cemeteries, playgrounds, athletic fields. This will allow signs to be posted that say dogs are prohibited in all city-owned flower beds at all times and cite the ordinance. He pointed out that Generous Gardeners give so much to the city, it seemed appropriate to help them out with this ordinance amendment.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 4, Art. II "Dogs" by ADDING a new Section 4-16(e) entitled, as follows:

"Sec. 4-16(e) Dogs prohibited from all city-owned flower beds at all times.

Dogs shall be prohibited from all city-owned flower beds at all times. The animal control officer shall issue to the owner or keeper of any such dog a citation for the violation of this article a fine of \$50.00 for each offense."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c.1, Sec. 1-15 "Penalty for violation of certain specified sections of Code" by ADDING as follows:

"Chapter 4, Sec. 4-16(e) "Dogs prohibited from all city-owned flower beds.

Penalty:

Each offense: \$50.00"

DISCUSSION:

Councilor LeBlanc explained this amendment will allow for ticketing of dog owners who let their dogs foul any city-owned gardens and is the enforcement portion of the ordinance that is in conjunction with the amendment just passed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO c.1, Sec. 1-15 "Penalty for violation of certain specified sections of Code" by ADDING as follows:

"Chapter 4, Sec. 4-16(e) "Dogs prohibited from all city-owned flower beds.

Penalty:

Each offense: \$50.00"

8. PH2016-036: Amend GCO, The Personnel Ordinances, Appendix C, Compensation; Appendix B to change the Pay Grade for the position of City Clerk from Pay Grade M10 to M9; and to amend the job description of the City Clerk

This public hearing is opened at 8:27 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:27 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Gloucester Code of Ordinances, The Personnel Ordinances, Appendix C, Compensation, Appendix B to change the pay grade for the position of City Clerk from Pay Grade M10 to M9.

DISCUSSION:

Councilor LeBlanc said that with the recent retirement of the former City Clerk, the O&A Committee undertook a review of the pay grade for the City Clerk's position which the Council felt was a timely opportunity having been almost eight years since the last review. With the Council's input and with the assistance of Personnel Director, Donna Leete, who provided the Council with comparables to other similar North Shore communities, the pay grade of the City Clerk reconsidered. It is the recommendation of the O&A Committee that the pay grade for the City Clerk is moved from a pay grade compensation level of M10 to be returned to the pay grade compensation level of M9. He noted that the salary range for an M9 position starts at \$80,000 and upward of \$94,000. Compensation for a new City Clerk will be commiserate with experience and educational background, he pointed out, adding that the Committee felt this was a good place to start. He said that this is where the pay level for the City Clerk's position should be, and was the Committee's recommendation.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend the Gloucester Code of Ordinances, The Personnel Ordinances, Appendix C, Compensation, Appendix B to change the pay grade for the position of City Clerk from Pay Grade M10 to M9.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the job description of the City Clerk as submitted to the City Council on June 17, 2013 as part of the City Clerk's Department reorganization plan and as presented to the City Council on June 20, 2016 through the Ordinances & Administration Committee.

DISCUSSION:

Councilor LeBlanc explained that as with the Council's reconsideration of the pay grade for the City Clerk's position, the Council also felt it was a timely opportunity to review the City Clerk's job description as well. With the Council's input and again with the assistance of Personnel Director, Donna Leete, who provided the Council with comparables to other similar North Shore communities, the City Clerk's job description was amended to be more up to date. It is the recommendation of the O&A Committee that the City Council accept the City Clerk's job description as presented.

Councilor Lundberg said the city is fortunate that Donna Leete has returned to work for the city in the position of Personnel Director, as she brings a certain level of professionalism that allows her to do this kind of work in an efficient way and give the Council good advice.

Councilor LeBlanc added that the O&A Committee did their job on this matter, that they researched other communities comparable to Gloucester to review their job description. He noted the city of Beverly had a great job description and offered their assistance to the Committee. The O&A Committee did a good job, he said.

Councilor Orlando expressed his thanks to the O&A Committee for doing such a good job of reviewing both aspects of the City Clerk's position in seeking out background information. By this action, he said that the City Clerk's position will still have a competitive salary. He added that not only will the Council see good candidates apply for the position but this action is saving taxpayers' money.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to recommend that the City Council Amend the job description of the

City Clerk as submitted to the City Council on June 17, 2013 as part of the City Clerk's Department reorganization plan and as presented to the City Council on June 20, 2016 through the Ordinances & Administration Committee.

For Council Vote:

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: Update of the Waterways Board by the City Council Representative, Councilor Steven LeBlanc:

Councilor LeBlanc recounted the following information: There are several new members, Capt. Philip Cusumano, Robert Alves and Liam O'Connell. There has been a recent, revitalized forward-thinking membership of the Board and their actions match that enthusiasm. There was an audit of the Harbormaster's office recently and a reorganization of the Harbormaster's Department. Jim Caulkett recently resigned as Harbormaster and the city has just appointed a new Harbormaster, Thomas "T.J." Ciamartaro, and Chad Johnson as Deputy Harbormaster, both local residents. The Board did a review several months ago of an on-line reservation system for transient mooring availability. While this program wasn't implemented this year, it is hoped it will be for next year, and is a work in progress.

The Waterways Board controls the city's mooring fields, the city's launch service, and the fees charged for floats, moorings, boat ramps and docks. He noted he's been on the Board for three and a half years, and over the past several months the Board has come a long way, making substantial progress working hand in hand with the Administration to bring the city's waterfront and waterways to the forefront of the North Shore and the northeast seaboard.

Councilor LeBlanc advised he had spent several hours yesterday morning at the Harbormaster's office to see where they are. He said it is exciting to see the direction these two young, dynamic city residents, the Harbormaster and Deputy Harbormaster, are pointing the city's waterways. He lauded the efforts of the work of the Waterways Board and the new appointees to the Harbormaster's Department. He said that he expects that there are more exciting initiatives yet to come for the city's waterfront and waterways.

Councilors' Requests to the Mayor:

Councilor Gilman said there are questions from constituents concerning parking issues at Willow Rest and then requested through the Mayor that the Traffic Commission conduct a site visit in order to make recommendations for safe traffic flow patterns and parking at the intersection of Holly Street and Washington Street.

She added that in light of matters that transpired very recently in Dallas, she commended the Police Department for helping in recent issues in Ward 4 and highlighted the work of Chief Campanello and Assistant Chief John McCarthy and extended her thanks to them and their department. She said between the Wheeler Street construction issues, the Willow Rest and Lanesville parking issues, and the quarries, and the "boat" section of Wingsaersheek Beach, they have been supportive partners to her as the Ward 4 Councilor.

Councilor Cox requested that the Mayor and her Administration work with the Council regarding the possible monies forthcoming from Essex and Rockport's Intermunicipal agreement regarding sewers totaling upwards of \$600,000 in order to find a way to keep these gained funds within the Sewer Enterprise accounts for the purpose of paying down any debt. She said these monies should offer some relief to the city's taxpayers and should not fall to the General Fund but stay in the Sewer Enterprise Fund. The debt needs to be paid down and with the debt shift, it is only right the newfound monies through the agreement be kept in the Enterprise Fund.

She announced that on Mon., July 18 there will be a meeting of the Grace Center Board at 7:00 p.m. at the Unitarian Universalist Church, and a Downtown Development Commission meeting on Wed., July 27 at 5:00 p.m. at the Harborview Inn on Stacy Boulevard. She added that the Unitarian Universalist Church Music on the Meetinghouse Green takes place this summer every Friday night starting at 6:00 p.m. Each Friday sees a different entertainer and benefits different non-profit organizations each week. She gave a "shout out" to the Harbormaster's Office and to everyone rowing in the Blackburn Challenge this coming Saturday. She asked that people please boat safely.

Councilor LeBlanc announced that the Mon., July 18 the O&A Committee is moving its start time to 5:30 p.m. for that one meeting.

Councilor Memhard said in follow up to the community meeting about Niles Beach precipitated by a child stuck with a needle over the July 4 weekend, he commended the Mayor and city staff for their efforts that evening and follow up. He said that some constituents in Ward 1 have reported that Niles Beach is in an unprecedented

clean condition, that there is a police presence and lifeguards. Beachgoers and constituents that he spoke with were very happy with the immediate, substantive response, he said.

He added his commendation to the Acting Clerk of the Council and Clerk of Committees for juggling those two roles for the evening in the absence of the Interim City Clerk.

Councilor O'Hara thanked those who took part and spoke in the public hearings which he said is a representation of Gloucester and the Council. He said that it is important that people come forward with their concerns to the Council to let the Council know what is on their minds.

Council President Ciolino said that this Saturday (July 16) is the first Block Party which starts at 6:00 p.m. and he encouraged everyone to come downtown and enjoy the many activities, entertainment and food.

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 by Candace Wheeler, Chair of the Clean Energy Commission and that of Paul McGeary, member, of the CEC relative to PH2016-032 re: City of Gloucester Municipal Aggregation Plan**