

**GLOUCESTER CITY COUNCIL MEETING**

Monday, November 7, 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: Joanne Senos; Kenny Costa; Chip Payson; John Dunn; Sal DiStefano; Chris Sicuranza; Amit Chhayani; Gary Johnstone**

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

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

**Richard M. Clark, Jr.**, 4 Duck Pond Road, #213, Beverly, MA, advised he used SeeClickFix on Aug. 3 on the city's website asking that signs be erected at Clarke Cemetery (a part of the First Parish Cemetery at 122 Centennial Avenue). He received a response, he reported, but nothing else. The current posted sign is the same as found at several other city-owned cemeteries about no pets, no firearms, no hurting of animals. He noted he had been to Clarke Cemetery that day and found dumping going on, with the cemetery now quite open and visible with the heavy work completed there. He mentioned a scheduled clean-up of Clarke Cemetery on Saturday, Nov. 12, inviting the public to voluntarily participate.

**Presentations/Commendations: None.****Consent Agenda:**

- **MAYOR'S REPORT**

1. Memorandum from CFO re: allocation of General Fund Free Cash (Refer B&F)
2. Supplemental Appropriation (2017-SA-4) re: reserve funds applied to FY15 Snow & Ice deficits (Refer B&F)
3. Supplemental Appropriation (2017-SA-5) re: transfer of funds to Capital Project Stabilization Funds from General Fund Free Cash (Refer B&F)
4. Supplemental Appropriation (2017-SA-6) re: transfer of funds to Building Maintenance Stabilization Fund from G.F. Free Cash (Refer B&F)
5. Supplemental Appropriation (2017-SA-7) re: transfer of funds to General Stabilization Funds from General Fund Free Cash (Refer B&F)
6. Memorandum from CFO re: allocation of August 2016 General Fund Bond Premium (Refer B&F)
7. Supplemental Appropriation (2017-SA-8) re: transfer of funds to new Capital Fund from General Fund Bond Premium (Refer B&F)
8. Supplemental Appropriation (2017-SA-9) re: transfer of funds related to the West Parish School Construction Project (Refer B&F)
9. Memorandum from Purchasing Dept. re: acceptance of real estate property located at 8 Washington St. (Refer P&D)
10. Memorandum from Water Compliance Officer re: acceptance of funds for federal grant for water supply systems (Refer B&F)
11. Memorandum from Planning Director re: proposed conservations at 952R, 966, 966R Washington St. & 8 Sanderson Ct. (Refer P&D)
12. Special Budgetary Transfer Request (2017-SBT-8) re: transfer of funds for the purpose of funding the Gloucester High School Resource Officer to the Gloucester Police Dept. for FY17 (Refer B&F)
13. Memorandum from Interim Police Chief re: request for permission to pay FY17 invoices without a purchase order in place (Refer B&F)
14. Supplemental Appropriation (2017-SA-10) from DPW to purchase water general supplies (Refer B&F)

- **COMMUNICATIONS/INVITATIONS**

- **APPLICATIONS/PETITIONS**
1. Special Events Application: Request to hold the 2016 Christmas Parade (Kent Circle Tree Lighting on November 27, 2016 (Refer P&D)
  2. Special Events Application: Request to hold the Lobster Trap Tree Lighting on December 10, 2016 (Refer P&D)

- **COUNCILORS ORDERS**

- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. Special City Council Meeting: 10/18/2016 (Approve/File)
  2. City Council Meeting: 10/25/16 (Approve/File)
  2. Joint Meeting-City Council & School Committee: 10/18/16 (under separate cover) (Approve/File)
  3. Standing Committee Meetings: B&F 11/03/16 (under separate cover), O&A 10/31/16, P&D 11/02/16 (no meeting) (Approve/File)

**Unanimous Consent Calendar:**

1. Memorandum from School Director of Public Finance re: permission to pay FY16 invoices with FY17 funds (Refer B&F)
2. Memorandum from Mayor re: request to accept schematic design for the Sawyer Free Library building (Refer P&D)

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

**Councilor Memhard** asked to remove Item #10, Memorandum from Water Compliance Officer re: acceptance of funds for federal grant for water supply systems under the Mayor's Report. He said that this housekeeping matter was inadvertently forwarded through the Mayor's Report. He said it should be removed from the Consent Agenda altogether and not be referred to the Budget & Finance Committee as it requires no Council action. By unanimous assent of the Council the matter was removed from the Mayor's Report.

**Council President Ciolino** removed #2, Special Joint Meeting Minutes of the Council, and acknowledged that the minutes, while drafted, are not yet available to the Council for approval as the School Committee must vote to accept the draft minutes first. He said these minutes will be available for Council approval at the Nov. 22 Council meeting.

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

### **Committee Reports:**

#### **Budget & Finance: November 3, 2016**

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 accept under MGL c. 44, §53A from the Massachusetts Executive Office of Public Safety and Security, a FY17 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for \$106,656.22. The grant period of this grant is from October 14, 2016 through June 30, 2017.

**Councilor Memhard** advised the city is in receipt of this annual State 911 Training & EMD/Regulatory Compliance Grant totaling \$106,656. This grant supports the emergency medical dispatch and 911 training, he noted, and that the grant is a bit lower than in the past, as a bit of the quality assurance hours have been cut back slightly and that Acting Chief McCarthy said that if the volume of calls moves up the department can reapply. There is no match, he said.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A from the Massachusetts Executive Office of Public Safety and Security, a FY17 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for \$106,656.22. The grant period of this grant is from October 14, 2016 through June 30, 2017.**

COMMITTEE RECOMMENDATION: On motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council approve Special Budgetary Transfer 2017-SBT-6 in the amount of \$1,184.00 from Account #0121051-511000, Police Administration, Salaries to Account #0121052-520000, Police Administration, Purchase of Services for the purpose of funding the services of a temporary employee through a temporary agency at a rate of approximately \$32.00 per hour inclusive.

**Councilor Memhard** reviewed that funds are needed to pay a temporary agency, Accountemps for coverage of a staff member out on worker's comp. The rate is \$32/hour all inclusive. He said the Committee was assured that this should be the last bill to be paid.

**MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed to approve Special Budgetary Transfer 2017-SBT-6 in the amount of \$1,184.00 from Account #0121051-511000, Police Administration, Salaries to Account #0121052-520000, Police Administration, Purchase of Services for the purpose of funding the services of a temporary employee through a temporary agency at a rate of approximately \$32.00 per hour inclusive.**

COMMITTEE RECOMMENDATION: On motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council approve Special Budgetary Transfer 2017-SBT-7 in the amount of \$150,000.00 from Account #640052-524009, Sewer Enterprise Fund, R&M Sewer & Water Pump Stations, to Account #640058-585000, Sewer Enterprise Fund, Capital

Equipment, for the purpose of funding the down payment of leasing to own for two Vacuum Pump Trucks for use by the Sewer Division.

**Councilor Memhard** reviewed that the DPW Sewer Division must replace the current Vactor truck and Vacuum Pump truck as both have reached the end of their useful lives and barely work. These trucks are essential to the DPW as the city is required to clean storm drains per the EPA. Public Works Director, Mike Hale has a quote on the Vactor Truck (on file) of \$419,145 and one on the Vacuum Pump truck of \$166,773 for a total of \$565,918. Both quotes are from Minuteman Trucks, Inc., under a statewide Cooperative Procurement Program. In conjunction with the vehicle quotes, the DPW has a three-year lease proposal that is structured with a \$150,000 down payment followed by three annual payments of \$154,941. The underlying interest rate on the lease is 3.29 percent. This is a competitive rate in the current credit market. In order for the lease to move forward, the department must transfer the down payment amount from an ordinary account line within the Sewer Enterprise Fund to a capital account line. While these are leases, it's essentially installment loans, or lease to buy, he said. There are warranties that come with the vehicles, he noted. The truck chassis' are warrantied as are the truck bodies. These trucks have a life expectancy of 10 to 15 years, he noted.

**MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed to approve Special Budgetary Transfer 2017-SBT-7 in the amount of \$150,000.00 from Account #640052-524009, Sewer Enterprise Fund, R&M Sewer & Water Pump Stations, to Account #640058-585000, Sewer Enterprise Fund, Capital Equipment, for the purpose of funding the down payment of leasing to own for two Vacuum Pump Trucks for use by the Sewer Division.**

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 accept under MGL c. 44, §53A a federal grant from the U.S. Department of Health and Human Services passed through the Massachusetts Department of Public Health Office of Preparedness & Emergency Management and the International Institute of Greater Lawrence, Inc. in the amount of \$6,000 for the purpose of supporting the public health emergency preparedness and response activities throughout the North Shore and Cape Ann Coalition for FY2017 and supporting a portion of the Grant Accounting Specialist's salary to ensure continuity in the maintenance of the communications accounts.

**Councilor Memhard** conveyed that this Public Health Emergency Preparedness (PHEP) Grant has been awarded to the city for \$6,000. This grant is for the purpose of supporting the public health emergency preparedness and response activities throughout the North Shore and Cape Ann for FY17 and supporting a portion of the Grant Accounting Specialist's salary (five hours a week) to ensure continuity in the maintenance of the communications accounts, he explained, and that there is no match. He added that Gloucester continues to provide the communication function for the entire region involved.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to recommend to accept under MGL c. 44, §53A a federal grant from the U.S. Department of Health and Human Services passed through the Massachusetts Department of Public Health Office of Preparedness & Emergency Management and the International Institute of Greater Lawrence, Inc. in the amount of \$6,000 for the purpose of supporting the public health emergency preparedness and response activities throughout the North Shore and Cape Ann Coalition for FY2017 and supporting a portion of the Grant Accounting Specialist's salary to ensure continuity in the maintenance of the communications accounts.**

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 permit the Gloucester Historical Commission to apply for Survey & Planning Funds Grant through the National Park Service through the Massachusetts Historical Commission in order to Preserve Dogtown as a National Register District for a total of \$20,000. This grant requires the City Of Gloucester to provide a 50 percent match of \$10,000. The local match funds are to be provided through private donations and a Community Preservation Act application.

**DISCUSSION:**

**Councilor Memhard** said that the Historical Commission is asking to apply for a grant with a 50 percent match. This grant match is well on its way to being funded which after conducting its due diligence, the Committee was in favor of this grant application moving forward as a good step towards preserving Dogtown Common as a National Register parcel.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to permit the Gloucester Historical Commission to apply for Survey & Planning Funds Grant through the National Park Service through the Massachusetts Historical Commission in order to Preserve Dogtown as a National Register District for a total of \$20,000. This grant requires the City Of Gloucester to provide a 50 percent match of \$10,000. The local match funds are to be provided through private donations and a Community Preservation Act application.**

*Appointment of Assistant City Auditor*

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 appoint Amit Chhayani as Assistant City Auditor, TTE 04/30/18.

**DISCUSSION:**

**Kenny Costa**, City Auditor, introduced the new Assistant Auditor, Amit Chhayani, and reviewed briefly his qualifications saying that Mr. Chhayani holds a Bachelor's Degree from Suffolk University in Accounting, worked a year with a consulting firm and most recently was employed as a municipal auditor with the firm of Roselli & Clarke, the City of Gloucester's outside auditing firm. He came highly recommended by Tony Roselli, he said.

**Amit Chhayani**, Appointee for Assistant City Auditor, expanded on his employment history briefly for the Council, and said that his experience as a municipal auditor will be an asset in his new position and that he was enthusiastic to start his new position. He mentioned he looked forward to working with Mr. Costa whom he said will be a great mentor to him.

**Councilor LeBlanc** noted he sat on the Interview Committee and expressed that he was impressed with Mr. Chhayani's professional manner and responses during the interview process. He recounted that after Mr. Chhayani's interview was over he turned to Mr. Costa and said they had to hire him. He said he fully supported Mr. Chhayani's appointment.

**Council President Ciolino** said that he supported Mr. Chhayani's appointment, having also sat in on the interview process and was struck by Mr. Chhayani's professional demeanor and understanding of the city's auditing process, and understands the MUNIS software, new to the city, a great plus.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to appoint Amit Chhayani as Assistant City Auditor, TTE 04/30/18.**

**Councilor Memhard** noting that Mr. Chhayani needs to start in his new position the following day, he asked that the Council reconsider their vote which would waive the 24 hour reconsideration period should the motion fail.

**MOTION: ON a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote on the appointment of Amit Chhayani as Assistant City Auditor.**

**MOTION FAILS.**

**Ordinances & Administration: October 31, 2016**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-037 (LeBlanc) Request Traffic Commission conduct traffic & speed study of Beach Court & make written recommendation as to whether to amend GCO for safe traffic flow patterns & parking without prejudice.

**DISCUSSION:**

**Councilor LeBlanc** conveyed that a traffic study by the Traffic Commission revealed that over a seven-day period 1,568 vehicles passed over Beach Court with the average speed for all vehicles at 11 mph. As a result, the Commission voted to make no recommendation as there didn't seem to the Commission to be any speeding issues on that street, he said. He indicated he was in complete agreement with the Commission's assessment and asked that his Council Order be withdrawn.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to permit the withdrawal of CC2016-037 (LeBlanc) Request Traffic Commission conduct traffic & speed study of Beach Court & make written recommendation as to whether to amend GCO for safe traffic flow patterns & parking without prejudice.**

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 permit the withdrawal of CC2016-045 (Cox) Amend GCO Sec. 22-269 "Stop intersections" & Sec. 22-267 "One-way streets-Generally" re: Center Street without prejudice.

**DISCUSSION:**

**Councilor LeBlanc** explained that with the Fire Chief's strong objection to make Center Street one way due to access issues for his apparatus to and from Central Station to the lower Main Street/downtown area, and the Traffic Commission's agreement with the Fire Chief, Councilor Cox requested her Council Order be withdrawn.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to permit the withdrawal of CC2016-045 (Cox) Amend GCO Sec. 22-269 "Stop intersections" & Sec. 22-267 "One-way streets-Generally" re: Center Street without prejudice.**

**Planning & Development: November 2, 2016 (no meeting)**

**Scheduled Public Hearings:**

1. **PH2016-054: SCP2016-005: Great Republic Drive #41, Map 263, Lot 58, GZO Sec. 1.5.3 (c), Sec. 2.3.2, Sec. 5.7 "Major Project" & Sec. 5.27 "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities" (TBC 11/22/16)**

**This public hearing is opened at 7:22 p.m.**

**Council President Ciolino** reported that this matter with the assent of the Applicant is continued to Nov. 22.

**This public hearing is continued at 7:22 p.m. to November 22, 2016.**

2. **PH2016-055: Tax Increment Financing Agreement By and Between the City of Gloucester and National Fish & Seafood, Inc., 159 East Main Street**

**This public hearing is opened at 7:23 p.m.**

**Those speaking in favor:**

**Sal DiStefano**, Director of Economic Development, noting that the Mayor and her Administration are "passionate" about economic development for the city, he conveyed the following information for the Council:

The proposed Tax Incentive Financing ("TIF") is a unique opportunity to support a company that has been in the city since 1979, National Fish & Seafood, Inc. ("National Fish"). This company is best known for their seafood products marketed under the Matlaw's label, one of the oldest seafood labels in the country, made in Gloucester, shipped nationwide and internationally. National Fish has 65 full-time up employees and up to 250 employees hired on a seasonal basis. He noted that he and several others have toured the National Fish facility over time and met several employees. National Fish is considered one of the city's top employers. A unique opportunity was presented to National Fish to purchase their building that they had previously leased for years, or they would have to seek another location. To pick up and move a manufacturing plant is difficult at best, but if that should that transpire

it would be a loss of jobs to the city. The property is in the Designated Port Area (“DPA”) and the Marine Industrial (“MI”) district about which many people are passionate in their support. The company supports employment on their packing lines to sales, accounting, finance; National Fish each year has a big presence at the International Seafood Exposition in Boston.

National Fish’s executives reached out to the Mayor in June to ask for assistance due to the unexpected situation they are facing in the quick purchase of their manufacturing facility at 159 East Main Street. They are seeking TIF from the city to parlay the local TIF with the state’s Economic Development Incentive Program (“EDIP”). National Fish will purchase the building and improve the facility totaling upwards of \$8 million. It is difficult to lease a facility and want or need to make improvements which can be challenging under a lease and determining whether to make such an investment under a leasing situation, but this is supporting a project to an owner and to support jobs that are in the city already with the potential to add 15 more full-time jobs. The city’s TIF Committee reviewed the TIF request by National Fish, discussed the matter, toured the facility, vetted the proposal and drafted and supported unanimously a TIF plan that offered a seven-year term with 50% off the incremental tax value over that term.

A TIF was described as, “A local real estate property exemption negotiated and executed between a host municipality and an expanding or relocating company. The business must be making a significant private investment that increases the base assessed value of the property as the tax abatement is only given on the incremental increase of the property value.” Any temporary break National Fish receives is only on the significant investment in the property and if jobs are added. There are checks and balances inherent in this process -- the local TIF has to be vetted and approved at the state level by the Economic Assistance Coordinating Council (“EACC”), and then each year there is a reporting requirement. This process is not new to the city. The TIF is proposed in support of a company here now, rather than the city trying to keep them here after they’ve made the decision to leave. There have been concerns expressed about National Fish and their being a good neighbor -- some of those concerns were addressed at B&F.

Representatives are present from National Fish, **Mr. DiStefano** pointed out, and he said that they are willing to take steps to be good neighbors and understand the concerns of the East Gloucester neighborhood. This is about the TIF, not whether National Fish is a good neighbor, he noted.

**Todd Provost**, President, National Fish & Seafood, Inc., said this is an opportunity for National Fish to participate in ownership of a property to secure the company’s future and will affect their decision-making process differently than it had in the past. He expressed his assurance that National Fish will work to be a better neighbor and work with the community. **Mr. DiStefano** added that most of the value today is not in the local TIF which is small, but with that local TIF, National Fish can then turn to the state incentives for manufacturers who expand through the EDIP. A requirement to access state funds which are a pool available for companies applying for a state TIF requires a local TIF first, he reiterated. There is very little value to the company for a local TIF--the value is in the allocated state incentives each quarter, to support a company that is here now.

**Those speaking in opposition:**

**Loren French**, 183 East Main Street, requested that the Council deny or delay the TIF proposal presented by National Fish until a professional impact study can be made regarding several issues affecting East Gloucester residents (full remarks submitted and on file). He said he has no opinion on the company but expressed the opinion that National Fish has not reached out to the community in any way either through supporting local charities, youth sports or through volunteer work, nor does it purchase fish from Gloucester fishermen or employ more than a handful of the city’s residents. **Mr. French** then highlighted the aforementioned issues:

- **Air Quality:** National Fish has said that it has spent money to control waste smoke odor from their fryers, in Mr. French opinion little or no noticeable change has taken place, and described the smoke as a dense fog spreading in different directions based on wind direction, and at times is driven down by the wind into adjacent streets and the immediate neighborhood homes. It fills neighboring homes with odors and smoke when windows are open.
- **Sound Quality:** Immediate neighbors find the machinery sound level overwhelming which penetrates homes making it difficult for neighbors to sleep at night, enjoy their homes. A general hum can be heard all the way to Rocky Neck, he said. Noting the Zoning Ordinance Sec. 4.4.2 on noise, and sound, he expressed the opinion that increasing production at the plant will only increase existing noise levels which will require an engineering plan to address the control of sound levels.
- **Infrastructure & Traffic:** With expanding operations by National Fish, it will increase truck traffic to and from its plant at 159 East Main Street. He noted the large size of tractor trailers that are too wide for the streets of East Gloucester and conditions throughout East Main Street. During the summer exiting East Gloucester is difficult at best, and more truck traffic will exacerbate the situation, he surmised.

- **Public Safety:** With the current flow of trucks coming to the plant, he expressed the opinion that 30 percent of trucks miss the entrance to 159 East Main Street and become lost, try to turn and cause traffic jams and unsafe situations or have difficulty even making the entrance to the property. Noting there is no longer a fire station in East Gloucester; the city's emergency services rely on East Main Street as its primary passage into East Gloucester and spoke to residents' concerns for access by emergency services vehicles especially in the high summer traffic. He mentioned concern for the potential hazard is safety for school children who cross over East Main Street to Chapel Street to walk to East Gloucester Elementary School noting an added safety concern of the School Committee proposal that could option a use of the old Espresso restaurant building property as a possible entry point for a new combined elementary school.

He said there is no professional impact study to address current and projected problems he outlined, and asked that this be made a condition of the TIF, as well as written agreements regarding promises to make changes for better air and sound quality from the plant.

**Neil Costa**, 134 East Main Street, expressing his agreement with Mr. French's statement, he noted his residence's close proximity to the National Fish property. He voiced his concern for tractor trailer trucks accessing the plant at all hours of the day and night and his safety concerns for his young children who he walks to school crossing East Main Street each day. He noted a variety of issues with tractor trailer trucks in an 'unregulated' area. He pointed out that 18-wheeled vehicles come through their neighborhood at all hours which have issues negotiating the narrow roadway having been caught up on a guardrail, and a sidewalk to name two incidents that back traffic up for an hour at a time, or those trucks that overshoot the entrance to the facility and then must turn around to get back to the facility in an unsafe manner. He recounted one recent morning walking his children to school finding an 18-wheeled truck parked in the middle of East Main Street in the early morning, and cars trying to get around it while he was trying to cross with his children to Chapel Street which he said is very dangerous. He advised he personally documented on Oct. 17 there was a tractor trailer at 2:16 a.m.; Oct. 24 at 12:51 a.m. and Oct. 24 at 5:22 a.m. He said the company is not participating as a good neighbor now. Should National Fish expand their operations, two or three times the size it is now, it is of great concern to him, he said. He conveyed he is a small business owner in the city, and understands the need to be take advantage of such opportunities, expressing his appreciation that buying the property is a unique opportunity for National Fish, but said he didn't understand the return on the TIF to the city -- a multi-million dollar tax break for 15 more jobs. He asked for the percentage of workers that actually live in Gloucester out of the 250 that work for National Fish. If there was a path to an economic return to the jobs, he said, he saw no baseline, adding that there needs to be more analysis.

**Marion Sibley**, Mt. Pleasant Avenue, expressed her understanding of a TIF's but asked what the nature of the planned improvements to National Fish's facility, and asked if sound insulation and odor mitigation was part of that plan.

**Rev. Richard Emmanuel**, 149/153 East Main Street, said this plant should never have been built in East Gloucester as it was part of a failed urban renewal and built in 1960's. He noted he has lived at 149/153 East Main Street since 1968. He recalled a lawsuit to prevent expansion in previous years of that particular plant. He asked the Council to vote to investigate protective measures to ensure public safety, access, and to secure the coastal environment based on the decrepitude of the aging manufacturing facility. He expressed his opinion that there has been a history of operational negligence by a succession of owners. He said the request for the TIF by National Fish said brings into question whether the new owners have the finances or inclination to decommission parts of the facility deemed unfixable. He asked the Council to enact protective measures in the public interest with regard to FEMA coastal flood zones on the property in question. He reiterated his concern for the very poor state of the National Fish facility, and based on that alone should be a reason to reject the TIF. He called for the Council to open a review process of the impact of new TIF grants for coastal properties which would allow the Council to process information to safeguard community needs. He asked the Council to reject the TIF proposal (written statement and back-up documentation submitted for the record).

**Alan Bates**, 10 Davis Street, said he has lived there since 1997 and that National Fish has been an issue for his family with odors and noise emanating from the plant.

**Rebuttal:**

**Mr. DiStefano** said with respect to the East Gloucester residents, he looked into these issues and found no open complaints with the Building Inspector's Office. The concerns expressed by neighbors of National Fish this evening were brought up in B&F and representatives from the company addressed those concerns there. This is not a change of use, not an expansion in front of the Council, but specifically a hearing on approval the TIF. He reiterated that this is to support a company that has a right to do what they need to for their business on the property. They said owning their building helps them not to have to seek permission from a landlord to make improvements, and that if

National Fish can make necessary facility improvements they won't have to leave the city. This incentivizes a company to stay in a community with checks and balances in place

**Rebuttal of the Rebuttal:**

**Mr. French** conveyed the following: If National Fish had the direction and the interest in making this TIF work ahead of time they would have contacted the Ward Councilor to arrange a meeting with the ward residents to discuss what the company would do to improve conditions rather than do this now, and ask for a TIF from the Council without any agreement that can be used to enforce any kind of guarantees or promises with making the neighborhood better. He suggested this was misleading--that if National Fish gets the TIF, the relationship with the neighborhood will be adversarial and not work. Promises are going to be made and the neighborhood will be left with a worsening situation, he suggested and that the neighborhood already tolerates too much. He asked there be a meeting with the Councilors and the neighborhood before the TIF is approved instead of a continuing adverse relationship.

**Communications:** **Joanne M. Senos**, City Clerk, informed the Council that they are in receipt by email the following communications from: **Geno & Frances Mondello**, 140 East Main Street expressing great concern for the conditions experienced by them as abutters to 159 East Main Street; and a **petition of 30 East Gloucester residents** asking that the Council either deny or continue the matter of the TIF for National Fish until further examination can be made regarding its potential disposition; **Gordon Baird**, 27 Fort Hill Avenue, expressing concern for increased truck traffic on East Main Street to National Fish and that proper signage be posted for trucks to know they are about to approach National Fish to prevent problems traffic problems; Neil Costa expressing his objections.

**Councilor Questions:**

**John Dunn**, CFO, explained that the city is exempting for a period of time the incremental value increase because of investment in a property. The city gives up nothing, he said. A TIF says that order to give incentive to a property owner to expand and bring economic development, the city will give that property owner a break for a period of time on some of the property value increase that happens as a result of the investment in the property. Noting a previous comment indicating the TIF is possibly worth millions of dollars, he said that it is hard to say what it is worth, but some of the projections that the city did based on the value increase into the real property, the total exemption for the seven-year period is range of \$60,000 to \$80,000 or \$10,000 to \$12,000 per year over the life of the TIF.

**Councilor Orlando** said assuming National Fish purchases the property, he asked if there's any incentive if the new owners do nothing to the property. **Mr. Dunn** confirmed there is none under that scenario. Councilor Orlando indicated that the incentive is based on the improvements if any to the property. **Mr. Dunn** explained that this is going to be driven just as new growth is driven by pulling a building permit and doing something to increase value of the property. Responding to a further inquiry by **Councilor Orlando**, **Mr. Dunn** said from the city's point of view, it is just the investment in the property and the taxes be raised on the additional investment on the property and then the increased property value. If no investment is made, there is no increased value and then no increase other tax increase than general assets, therefore leaving nothing to exempt, he added.

**Councilor Cox** asked that based on the TIF parameters, what the minimum amount of investment is. **Mr. Dunn** said National Fish is representing they will invest over \$3.5 million in value to the real property and personal property. As a manufacturer, as it is statewide, they are exempt from all personal property taxes, but whatever they invest in real property would presumably increase the real property value, and in turn that would be the increased assessed value that would be rolled into the tax rate and the calculation for each year. **Councilor Cox** said the TIF is only for that which is over what the investment is to the building and the property itself --it can't be measured on the equipment purchased and on supplies for the business -- it is strictly on the building and job growth. **Mr. Dunn** said, "Yes," and added that generally it is not inventory or supplies. Because they are a manufacturer, the manufacturing equipment is exempt, although there may be some categories of other equipment that is personal property that isn't used in manufacturing that could be taxed. The investment of \$3.5 million is most likely being within the building itself, **Councilor Cox** indicated. **Mr. Dunn** said it is the city's understanding from the information forwarded by National Fish, the investment would be split half and half.

**Councilor Gilman** asked for elaboration on the checklist for accountability, and what the city would expect to see the progress via local jobs and financial growth. **Mr. Dunn** said there is a report that goes to the state every year that the city gets a copy which goes to the employment increase. The city knows by way of the company pulling a building permit that the assessors would examine that for assessed value year to year. He reiterated that information on labor issues would come back from the state, and National Fish would file that information with the state every year. **Councilor Gilman** asked for a description in the past where a TIF was ended and why the city opted to end a TIF originally granted. **Mr. Dunn** said he can't speak to that in Gloucester. When something doesn't work for a

business; the economy changes, would be why a TIF could fail. With economic uncertainty, if there had been a plan to install another manufacturing line and a market went away from a company they could decide not to install it. **Councilor Ciolino** mentioned he knew of three TIF's that were unsuccessful and terminated – Good Harbor Filet; Gloucester Crossing had their TIF adjusted; a dehydration plant in the Fort owned by PMF had a TIF removed because the job increases didn't take place. **Mr. Dunn** said the city has done about 20 TIF's since the mid-1990's, and some don't work, adding that if three out of 20 didn't work, that isn't bad. **Councilor Gilman** asked if possible there was a rubric to look at showing all criteria for TIF's to analyze what comes forward to the Council. **Mr. Dunn** said in contemplating this particular TIF, this came forward quickly as the company had a sudden opportunity to purchase their building, and there was a possibility that the program run by the state could change its methodology in January so getting this TIF for National Fish to the state in December was important and why there is a timeframe issue to move this TIF forward at such a rapid pace.

**Councilor O'Hara** said the Council was given much information this afternoon and referenced a memo dated Oct. 7, which he said notes, on behalf of the TIF Committee, that they recommend a consideration of a TIF to National Fish for a period of seven years for 50 percent. He asked how that equates to \$10,000 to \$12,000 a year with a current property value of approximately \$8.4 million with a mention of an agreement to purchase the property for \$4.3 million approximately. The present city commercial tax rate is \$14.52 per thousand dollars. Presently the city is getting taxes from National Fish of about \$122,000 annually. He said he assumed if the new owners pay half they will go for abatement, and so he said he assumed the city will lose a lot in tax revenue.

**Gary Johnstone**, City Assessor, explained the existing taxes may be adjusted if the property is purchased, with an estimated value of \$8.23 million. If National Fish pays \$4.3 million for the property, or more, the assessors will have to review the purchase price versus the assessed value to see where they are off on their assessment or if National Fish is getting a deal on it because their an existing tenant with a seller that wants to get out of a property. He advised the Assessors will address that for FY18 which will be the base year valuation for the TIF, although the TIF will actually start in FY19. Any benefit from any work done on the property such as renovations, repairs, additions, the incremental increase in value against what the base year valuation was is realized. If \$8.2 million turns out to be a good value, and they add \$1.15 million in real property value, which results in about a \$17,606 increase in taxes that wouldn't have been available had there been no renovations or repairs done to the property. The taxes that were in place prior to those changes remain in effect because the TIF only affects the increasing value as a result of the repairs and renovations to the real property. If the renovations are particular to their type of manufactory, those renovations may not result in a significant increase in valuation. He pointed out that even if National Fish added a significant amount of money into the property, it may not result in any large increase in valuation aside from the company seeking abatement -- then the Assessors would have to reduce the value of the property appropriately to where it should be. He said that would happen regardless of a TIF. **Councilor O'Hara** asked for clarification on the statement in the Oct. 7 memo. **Mr. Johnstone** expanded his explanation by saying that if National Fish makes \$1.15 million in renovations and the property goes up in value that would raise approximately \$17,606 in new tax dollars the first year of the TIF in FY19. Fifty percent of it would be exempted, or about \$8,803 to the city that wouldn't have been there before, and the discount to the company equates to the same. At the end of seven years the city now realizes the full property value in perpetuity, he added.

**Councilor Orlando** gave an example that if a business has a building worth \$100 and puts \$10 into the building, the owner is paying 50% of only the extra value (\$10) added on the building. He said assuming it increases the value of the property; the owner is paying whatever he would have paid on the property plus 50 percent of the new tax value added. He added that whatever the National Fish property is worth, say \$8 million, and with a \$1 million investment in real property, if that \$1 million investment increases the real property value, the assessment is whatever they would have normally paid plus half of whatever is new – and that is where the \$10,000 to \$12,000 per year in new taxes comes from over seven years which **Mr. Johnstone** confirmed.

**Councilor Cox** said there are about 250 jobs all told at National Seafood. **Mr. DiStefano** said that number is a seasonal high. He confirmed there are 63 full-time permanent jobs according to paperwork he received (from National Fish), and then increases for seasonal work which is common in the industry. **Councilor Cox** indicated that National Fish is proposing that after the seven year term of the TIF, they will have increased their permanent full-time staff by 15 jobs to the original 63 full-time staff not on the 250 seasonal staff increase. **Mr. DiStefano** responding to Councilor Cox's further inquiry on the subject, he confirmed it is estimated, and a majority of the jobs are anticipated to be added in the first two years of the TIF. The TIF goes to the state for approval and companies are encouraged to underestimate job growth, he pointed out. **Councilor Cox** noted there is no requirement or condition the Council can put on the TIF that they have to hire local people. He indicated he wasn't is not qualified to answer that question, but said that the more the city restricts where a company can draw their employees from, the more they hinder that businesses ability to seek qualified skilled workers. He said he has not seen a restriction

placed like that on a company before and expressed concern for such restriction. **Councilor Cox** said it is not a viable condition to place on a business within a TIF that she has seen in her years on the Council participating in TIF's due to the reasons **Mr. DiStefano** enumerated.

**Council President Ciolino** reviewed that the TIF process is a state process that the city participates in. **Mr. DiStefano** said local approval is needed first, and there is an application process and vote on the state level. **Council President Ciolino** said the company doesn't retain much tax benefit locally but rather the benefit is from the state which **Mr. DiStefano** confirmed. On inquiry by the **Council President, Mr. DiStefano** reviewed why the timeline was taken up so quickly explaining that the process is set by the state through its EDIP process that have a set of deadlines that have to be met which he briefly described for the Council. He advised that on January 1 there are anticipated EDIP changes in the process that could impact the applicant in a possible negative way which is why they are trying to meet the December EDIP deadline and the submission deadline for December is this Wednesday.

**Council President Ciolino** asked about what the percentage of National Fish permanent workers are from Gloucester. **Mr. Provost** suggested 50 percent of the staff is likely Gloucester/Cape Ann residents. **Council President Ciolino** asked about plans for improving the property. **Mr. Provost** said that in looking to be permanent in Gloucester, there are three interior elevators that are essential to their manufacturing process, and one there is an is needing replacement at \$100,000. He noted there is equipment there over 20 years old that needs replacement, and infrastructure improvements throughout the building will need to be made-- the outside roofs, the parking lot, the dumpster area--all are in poor condition. Now that they would be building owners they will be able to make these investments confidently versus being a tenant, he pointed out. **Council President Ciolino** asked about noise abatement. **Mr. Provost** said in his walk around today of the building, they agree there is the potential to reduce the noise emanating from the building, and they need to listen to the neighbors about that and the odor mitigation. He added they will try to find the best options to remedy those situations.

**Councilor Gilman** mentioned what would be done about public safety, air and noise quality and general partnership with the neighbors and asked how **Mr. Provost** would address the objections of the neighbors. They are trying to mutually share space with residential and business with the goal to be a good partner. She indicated with an investment of \$1.8 million she suggested that the tax gain for the city would be \$107,000 over the course of the seven year TIF term. **Mr. Provost** cautioned that it is only if the \$1.8 million actually improves the value of the real property. Pointing out a gentleman who spoke earlier mentioned a meeting with the Ward Councilor and the neighbors he suggested that perhaps it was something they should have done earlier but is something they need to do moving forward and listen to the residents. He said that they will look at the building with their staff and outside staff as needed to assess the situation, adding that they have an opportunity to do something with this building, not only improving it for National Fish's benefit but improve the parcel for the future. He said he couldn't list a series of things yet as they would need to study the situation with professionals after listening to the neighbors.

**Councilor Memhard** noted it is important to recognize that National Fish is an established fish processor in the city which is good for the company and the city. To the extent possible, the city wants National Fish and their brands to be a part of the city's waterfront going forward the same way as is Gorton's of Gloucester. He outlined that the problems that the Council heard from abutters and neighbors in East Gloucester doesn't relate to who National Fish is, but has to do with where the company is located and issues that they have inherited. The cost to improve and modernize the property is more viable option than it would have been in building a new facility. He asked that as new owners with a new eye, what areas of investment will be made to the roof, wharf and refrigeration system. **Mr. Provost** said the wharf needs attention; the roof is important and has leaks throughout the building and needs addressing as soon as possible. There is an industrial ammonia refrigeration system in a DPA area but a dense residential area, **Councilor Memhard** pointed out. **Mr. Provost** explained that with the refrigeration system, it goes back to the engineers and the studies. It is not an area of the building they have access to until they own it, and he advised that they are starting studies this week and will look into those areas to make the correct and safe improvements. He assured that it is National Fish's intent to move forward on it safely. **Councilor Memhard** said as new owners they have the same concerns as the neighbors that the property is in reasonably good condition and the cost of deferred maintenance left by their predecessor isn't leaving National Fish in a position that they are coming from behind because the former owners have not kept up with the maintenance. **Mr. Provost** said the neighbors should be excited about a new, responsible owner coming in with a different perspective and different appreciation of the property with a better vision of the parcel as they move forward.

**Councilor O'Hara** noting National Fish has been at 159 East Main Street since 1979, the questions the neighbors have are simple and long-term. He said he empathized with the neighbors, and asked for **Mr. Provost's** word to mitigate the noise, signage for trucks; parking issues will all be addressed. **Mr. Provost** said they will start to listen and do their best. **Councilor O'Hara** said he is a small business owner and knows that they can't ignore

what the neighbors say. This is an opportunity for the company to move forward and make it theirs and make it better for the neighborhood, **Mr. Provost** said.

**Councilor Nolan** said some of the complaints the Council has heard can be worked on, but he pointed out that National Fish has not owned the property in the last 37 years and it has been for the most part out of their control as to what they can and can't do to the property. As an owner it will be different to be a member of the community, he suggested. He said National Fish appears to address these issues which may be easier to mitigate as owners. **Mr. Provost** expressed his agreement.

**Councilor Orlando** noted this property is in the DPA and MI District, and asked how much success has the city had in replacing owners of waterfront properties as they become vacant. **Mr. DiStefano** said it is challenging. In Boston where he previously worked he recounted it was tough to find MI businesses that need an exact building that they can take over and hit the ground running. The city's experience with I4-C2 is telling, he noted, and said it is difficult. **Councilor Orlando** noted this is a seamless transition, and that the new owners do not intend to change the manufacturing any time soon which **Mr. DiStefano** confirmed.

**This public hearing is closed at 8:48 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:

- 1) Adopt the Tax Increment Financing (TIF) Plan and Agreement between the City of Gloucester and National Fish and Seafood, Inc., for a duration of seven (7) years for property located at 159 East Main Street, as shown on Assessors Map 63, Lot 26;
- 2) Approve the project application and find that it meets the requirements of MGL c. 23A, §3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Plan; and,
- 3) Authorize the Mayor to execute the TIF Agreement and submit the TIF Plan and Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.

#### **DISCUSSION:**

**Councilor Memhard** explained that as a small business person working on the city's waterfront, there is an understanding that the waterfront has been and can be an economic engine but is under pressure. He cited the question asked about vacant buildings on the waterfront saying that when a business is lost there it is hard to replace, and he named several that are lost. The appeal of keeping an existing fish manufacturing business in the city to reinvest in their facility is very appealing. He said they do need to assure the neighborhood that because of their requirement for the Council's approval of the local TIF, that there is an opportunity to work with National Fish to come to a more clear agreement between the business which is in a DPA/MI area but also in a dense residential neighborhood, and that they must schedule a meeting with the neighborhood to hold the company accountable, suggesting that it be done before the TIF is approved by vote of the Council.

**Councilor Orlando** expressed support for the TIF. Saying he was sensitive to the issues of the neighborhood and not something to be taken lightly, but it is an unfortunate reality that this is an old city, and the harbor is what it is. He said they have to work around some of these issues and some that can be addressed--but this is about whether or not to approve the TIF. He pointed out that if they are going to say the city is business friendly they need to approve the TIF. He noted that 159 East Main Street is a property in the DPA, and highlighted it was important to note that I4-C2 has been empty for 70 years. He said if they are going to have an economic engine in the harbor, they have to make difficult decisions like this. The alternative is if National Seafood can't buy the property and improve it and subsequently lose it, then what happens to that property next. He urged that the applicant put an emphasis on local hiring, although they can't condition it.

**Councilor Cox** expressed her support as stated by Councilor Orlando, but noted that more than 90 percent of the issues stated could be solved with communication with their Ward Councilor. She pointed out that her ward is in a similar situation in that industrial businesses are very close to residential areas with the same issues of odors and noise, truck traffic. She attested that the dumpster issue is 100 percent fixable through their Ward Councilor as there is an ordinance in place that she wrote that says that dumpsters can't be emptied outside of the hours outside of the current noise ordinance, which she pointed out she had worked with the Board of Health on that very issue. She

mentioned several consequences as a result of flouting the ordinance. Many of these issues can be fixed with better communications, she assured. There was only one complaint filed with the Building Inspector's office and she added that she can't warrant not voting for the TIF based on what was brought forward by the email communications. She urged there be meetings coordinated by the Ward Councilor between the neighbors and National Fish.

**Councilor Lundberg** said he will support the TIF for reasons already mentioned. Speaking to the National Fish neighbors present, he said the complaints raised, that their valid and should be addressed, are ones that are already covered by city ordinances -- noise, odors and traffic. He said that as highlighted by Councilor Cox, working with the Ward Councilor, there are avenues to address these voiced concerns. He recalled the dehydration plant on the State Fish Pier and its issues, noting that there is a difference of compliance and the spirit of the ordinance. He said he is hopeful that National Fish will comply with both the ordinances and its spirit. This facility of many years is in the MI district but is no longer water dependent, and doesn't need to be in the city, he said, and pointed out it could just as well be in Danvers. He proffered that the city is lucky to have National Fish here, and it behoves them to do what they can to keep the company here which is consistent with being a good neighbor.

**Councilor LeBlanc** also expressed his support of the TIF, pointing out that the city needs to invest in the MI and DPA areas. The city will still collect taxes on the property, he noted, and that the TIF discount is only on the investment in the company's improvements to its property. He also pointed out the city's lost annual income lost through annual write-offs of uncollectable ambulance service payments for over \$300,000 a year; the school lunch program at about \$68,000 a year to name just two. This TIF, he said, is a good investment.

**Councilor Gilman** said it was difficult wanting to support the TIF, but that until an impact study is completed she wouldn't support the TIF as she indicated she felt there was more due diligence necessary before a TIF for National Fish could go forward.

**Councilor O'Hara** said he also would not support the TIF as National Fish's request moved rapidly through the city process with outstanding questions and issues still needing answers. He said he is in favor of maintaining businesses in the city, but that he couldn't support this particular TIF.

**Council President Ciolino** said when there is an executed Purchase & Sale Agreement, he advised Councilor Memhard, the Ward 211 Councilor, to have a Ward meeting with the new owners and review the community issues raised this evening. He also suggested Inspectional Services should be involved to get a baseline on the noise level and abatement of it. He highlighted that it is premature to talk of the repairs since National Fish doesn't own the property yet. He said that the city should work with the owners to make it all work. He recounted that when Beauport Hotel was permitted there was a liaison named within the hotel's staff to deal with neighborhood complaints, and he urged the Ward Councilor to set up a similar situation with National Fish. He further pointed out that no one said anything about Americold sending a letter to National Fish just recently that they have until this December to either buy the property or get out. He said that moving a manufacturing plant of that size is nearly impossible in that timeframe. He suggested that National Fish needs help and the Council needs to encourage that. He mentioned the Birdseye building and the property laying fallow for years and years, and the property's decrepitude as well as the Fuller School referencing that the city doesn't want another situation such as that if it can be avoided. If this company went to any other community they would get many offers and deals to move, he suggested. It is difficult to get a business into the waterfront, he noted. He said National Fish has to be a good neighbor and he suggested it was the current building's owner who neglected the building's maintenance and upkeep bringing it to the level of disrepair it is in now, and not the potential new owners. He reminded the Council that the state will review the TIF each year, and the neighbors will be vocal. He added that there will be opportunities for the neighbors to work with their Ward Councilor to seek remedies. He said he would support the TIF.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 6 in favor, 3 (Gilman, O'Hara, Memhard) opposed, to approve the following:**

**1) Adopt the Tax Increment Financing (TIF) Plan and Agreement between the City of Gloucester and National Fish and Seafood, Inc., for a duration of seven (7) years for property located at 159 East Main Street, as shown on Assessors Map 63, Lot 26;**

**2) Approve the project application and find that it meets the requirements of MGL c. 23A, §3F in that it provides a reasonable opportunity to create jobs within the City of Gloucester as indicated in the TIF Plan; and,**

3) **Authorize the Mayor to execute the TIF Agreement and submit the TIF Plan and Agreement and the Certified Project Application and all other necessary documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts (EACC), and take any other actions as necessary and appropriate to implement the provisions of those documents.**

3. **PH2016-2016-056: Amend GCO Sec. 22-191 “Established” (Off Street Parking Areas) by deleting “eight” and adding “nine,” and Sec. 22-288 “Off Street Parking Areas” by adding “Proctor Street Parking Lot at #7 Proctor Street, Map 15, Lot 109**

**This public hearing is opened at 9:08 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 9:08 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 Sec. 22-191 “Established” (Off Street Parking Areas) by DELETING “eight” and adding “nine.”

#### **DISCUSSION:**

**Councilor LeBlanc** reviewed that the Proctor Street Parking Lot was purchased by the city some years ago but due to an oversight, the parking lot had never been added officially into the Code of Ordinances. He noted that the matter was taken up at a Traffic Commission meeting at which the Commission recommended that for a lot of 20 parking spaces two spaces should be reserved for handicapped parking. He said that these proposed two actions by the Council will rectify the situation.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-191 “Established” (Off Street Parking Areas) by DELETING “eight” and adding “nine.”**

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 Sec. 22-288 “Off Street Parking Areas” by ADDING “Proctor Street Parking Lot at #7 Proctor Street,” Map 15, Lot 109, and a description of the lot as 18 parking spaces and 2 handicapped parking spaces for a total of 20 parking spaces.

#### **DISCUSSION:**

**Councilor Cox** thanked the Council for their support of her Council Order to amend the Code of Ordinances.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-288 “Off Street Parking Areas” by ADDING “Proctor Street Parking Lot at #7 Proctor Street,” Map 15, Lot 109, and a description of the lot as 18 parking spaces and 2 handicapped parking spaces for a total of 20 parking spaces.**

**For Council Vote: None.**

**Unfinished Business: None.**

#### **Individual Councilor’s Discussion including Reports by Appointed Councilors to Committees:**

**Update of the Fisheries Commission by City Council Representative, Councilor Scott Memhard:**

**Councilor Memhard** conveyed the highlights of the activities of the Fisheries Commission as follows:

- The Commission meets monthly; Al Cottone is serving now as the part-time Executive Director of the Fisheries Commission as appointed by the Mayor, a position that has been funded for the first time in many years. Mark Ring is the Chair of the Commission and he, as the Council representative is Co-Chair. He advised that the Commission is striving to meet the needs of the city’s struggling fishing community.

**Councilors' Requests to the Mayor:**

**Councilor Orlando** announced on Nov. 12, Saturday, Clarke Cemetery Clean-up at 9:00 a.m., 122 Centennial either from the Oval or from Clark Cemetery. This is a burial ground for many veterans, he pointed out. Parking is at the High School. He thanked A.J. Orlando of Compass Rose Landscaping and Alex Sands of Annisquam Land Care for volunteering their expertise, equipment, time and crews, and to the Clarke family for bringing this issue to the Council's attention.

**Councilor Cox** reminded at Thursday, Nov. 10, at 5:30 p.m. the Police and Fire Departments will be swearing in their newest members in a ceremony here in Kyrouz Auditorium. She encouraged the public to attend the city's Veterans Day ceremonies on Friday, Nov. 11.

**Councilor Memhard** observed that he as the Councilor from Ward 1 received much advice this evening and looked forward to leaning on his fellow Councilors for assistance and experience in moving through his ward's issues with the National Fish & Seafood.

**Councilor Gilman** said that in her desire to jump on a situation occurring with barrel removal at Good Harbor and Wingersheek, that she would put through a Council Order to change the dog waste removal section of the dog ordinance. She said if they were reading about her plans on Dog Friendly Gloucester she admitted to her peers she should have started with the Council process first.

**Councilor O'Hara** asked if anyone in the city has a complaint they should feel free to contact their Ward Councilor or any of the Councilors At Large. He said with the cold weather coming, he encouraged residents to check smoke and carbon monoxide detectors and to consider having chimney cleanings and inspections. He asked people to also consider attending Veterans Day activities.

At the request of the Council Present, **Joanne M. Senos**, City Clerk advised the Council that 4,239 or 20 percent of all city registered voters cast their ballot during the two week Early Voting period, and 966 residents submitted Absentee Ballots, or about 5 percent of the city's registered voters. **Council President Ciolino** said these elections cost more than they used to and that there is no help from the state, especially in light of the new Early Voting program and the staffing it entails in addition to running voting on Election Day. He put forward that the Council will have to ensure that there is more money in the City Clerk's budget for the next fiscal year in order to fund these election activities.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:20 p.m.**

Respectfully submitted,

*Dana C. Jorgensson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Richard M. Clark** submittal of a photograph of "dumping" at Clark's Cemetery
- **Written remarks by Loren French** under the National Fish & Seafood, Inc., TIF public hearing
- **Written remarks by Rev. Richard Emmanuel** under the National Fish & Seafood, Inc., TIF public hearing and 2 page back-up documentation