

GLOUCESTER CITY COUNCIL MEETING**Tuesday, February 14, 2017 – 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 (entered the meeting at 7:01 p.m.); Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.

Absent: None.

Also Present: Mayor Sefatia Theken; Joanne Senos; Jim Destino; Kenny Costa; Chip Payson; John Dunn; Fire Chief Eric Smith; Grace Poirier

The City Council meeting was called to order at 7:00 p.m. The Council President announced that the 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 all the women and men that have fallen prey to domestic violence and lost their lives. He noted there was a rally today in City Hall to help to heighten public awareness of the issue.

Oral Communications:

Jerry McCarthy, 61 Grapevine Road, speaking to the coyote problem in the city, advised that his residential property abuts the Seine Fields and that in his opinion the coyote population is out of control, and the situation has gotten worse over the past few years. He said his family lost their cat and has had his dog almost attacked on four different occasions. He said his dog is about 60 pounds and the most incident was very frightening. He expressed his concern for small children, noting his children are 12 and 8 years old. He said three or four coyotes are in his yard every day which he indicated is extremely concerning to him. He added that the coyotes appear to be bolder now, and mentioned a witnessed incident with a female jogger on Grapevine Road with coyotes. He said the coyote forum several weeks ago was helpful but that the suggestions offered were not. He said the situation needs to be taken more seriously and addressed.

Carol Berkman, 8 Centennial Avenue, said she came to the city thirty five years ago with her two children, seeking sanctuary for family. She mentioned she has met many immigrants in the city and said she would like to see the city step forward, if not to declare the city a sanctuary city, to then at least make a statement of commitment to people of all different religions, countries and sexual orientations. She expressed concern for the current politically charged atmosphere that in her opinion was creating a negative environment for all. She urged the city to take some kind of stand and take the situation seriously -- to have a public conversation to come to some statement about who they are as citizens. She said youth should know the city supports them, and that people of color and religion support them; as well as teachers.

Presentations: None.

Confirmation of New Appointments:

Community Preservation Committee (Gloucester Housing Auth. Rep) Karen L. Carter TTE 02/14/20

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 appoint Karen L. Carter to the Community Preservation Committee (Gloucester Housing Authority Rep.), TTE 02/14/20.

DISCUSSION:

Councilor LeBlanc said Ms. Carter (who was present) hasn’t served on a committee and had conveyed to O&A this is how she’d like to serve the city. He said the Committee agreed Ms. Carter would be an asset to the Community Preservation Committee.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 9 in favor, 0 opposed, to appoint Karen L. Carter to the Community Preservation Committee (Gloucester Housing Authority Rep.), TTE 02/14/20.

Presentations/Commendations: None.**Consent Agenda:**• ***CONFIRMATION OF REAPPOINTMENTS***

Archives Committee	Sarah Dunlap	TTE 02/14/20
Board of Health	Claudia Schweitzer	TTE 02/14/20
Board of Registrars	Lucia Sheehan	TTE 02/14/20
Clean Energy Commission	Linda Brayton	TTE 02/14/19
Committee for the Arts	Robert Haverkamp	TTE 02/14/21
Community Preservation Committee	Henry McCarl	TTE 02/14/20
Council on Aging	Susan Goodall	TTE 02/14/20
Downtown Development Commission	Katherine Cuddyer	TTE 02/14/20
Historical Commission	David Rhinelander, Mary Ellen Lepionka	TTE 02/14/20
Historic District Commission	David Porper, Nancy Goodick, Charles Nazarian	TTE 02/14/20
Open Space & Recreation Committee	Jerome Goulart, Jr.	TTE 02/14/20
Traffic Commission	Larry Ingersoll	TTE 02/14/20
Zoning Board of Appeals	Francis S. Wright	TTE 02/14/20

• ***MAYOR'S REPORT***

- New Appointments:

Waterways Board	(TTE 02/14/20)	Russell Sherman, Peter Yung	
Capital Improvement Advisory Board	(TTE 02/14/20)	Leonard A. Gyllenhaal	(Refer O&A)
- Supplemental Appropriation- Budgetary Request (2017-SA-19) from the Department of Public Works (Refer B&F)
- Supplemental Appropriation- Budgetary Request (2017-SA-20) from the Department of Public Works (Refer B&F)
- Supplemental Appropriation- Budgetary Request (2017-SA-21) from the Department of Public Works (Refer B&F)
- Memo from Public Health Director re: acceptance of \$10,000 "Working on Wellness" grant (Refer B&F)
- Memo from Fire Chief re: acceptance of two grants: FY17 S.A.F.E. grant in the amount of \$4,540, and Senior S.A.F.E. grant in the amount of \$2,796 (Refer B&F)
- Memo from the Fire Chief re: payment voucher from MIIA for vehicle repairs with a \$1,000 deductible (Refer B&F)
- Memo from Interim Police Chief re: request permission to pay FY15 invoices with FY17 funds without a P.O. in place (Refer B&F)
- Memo from Senior Project Manager re: request permission to accept donations from the Cape Ann Women's Softball for improvements to Mattos Field (Refer B&F)
- Memo from CFO re: request to repurpose funds in Loan Authorization 2013-003 for six capital projects (Refer B&F)
- Informational flyer regarding coyotes from the Suburban Living with Coyotes Informal Forum of February 2, 2017 (Info Only)
- COMMUNICATIONS/INVITATIONS***
 - Proposed amendments to City Council Rules of Procedure (FCV 2/28/17)
 - INFORMATION ONLY***
 - APPLICATIONS/PETITIONS***
 - PP2017-001: Petition by Comcast to install a 17" x 30" flush mount vault over existing Comcast plant and underground conduit in sidewalk to provide service to Middle Street #86 (Refer P&D)
- COUNCILORS ORDERS***
 - CC2017-007 (Cox): Amend GCO Sec. 22-265 re: no right hand or left hand turn onto Eastern Avenue at its intersection with Rt. 128 for trucks 2 ½ tons or greater (Refer O&A and TC)
- APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS***
 - City Council Meeting: 01/24/17 (Approve/File)
 - Standing Committee Meetings: B&F 02/13/17 (under separate cover), O&A 02/06/17, P&D 02/08/17 (under separate cover) (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor LeBlanc asked to remove under Approval of Minutes the City Council meeting minutes of 01/24/17. He explained that the Council minutes contain a typographical error in the motion to accept MGL c.148, §26I. The Committee recommendation and final Council motion show MGL c. 148, Section 2-6-1 I which is incorrect and should be stricken from both motions and MGL c. 148, Section 2-6-I inserted in its place.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted unanimously to correct a typographical error on page 10 in the COMMITTEE RECOMMENDATION and the COUNCIL MOTION page 11 of the January 24, 2017 City Council minutes pursuant to the adoption of a Massachusetts General Law be corrected by striking the phrase, "MGL c. 148, Section 261 I to be replaced with, "MGL c. 148, Section 26 I.

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

Committee Reports:

Budget & Finance: February 13, 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-14 in the amount of \$4,000 from Account #0121151-513001, Police Uniform, Overtime Training, to Account #0121152-530025, Police Uniform, In-Service Training OM, for the purpose of funding Officer training courses.

DISCUSSION:

Councilor Memhard explained that 2017-SBT-14 is presented for \$4,000 because other funds were used in the Police Department's budget for other priorities, and the department wasn't able to do as much training as required. This transfer will fund on-line training for officers instead of paying overtime to send them off-site for training, 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-14 in the amount of \$4,000 from Account #0121151-513001, Police Uniform, Overtime Training, to Account #0121152-530025, Police Uniform, In-Service Training OM, for the purpose of funding Officer training courses.

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-15 in the amount of \$3,500 from Account #0121151-519027, Police Uniform, Specialty Position Stipends, to Account #0121152-542005, Police Uniform, Office Equipment Not Capitalized, for the purpose of purchasing second copier for the Police Department.

DISCUSSION:

Councilor Memhard said that this transfer will fund a second copier for the Police Department from lag funds and from Superior Officers who took compensatory time instead of stipends for certain work. It was confirmed to the B&F Committee that this will be a purchased copier, and not leased.

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-15 in the amount of \$3,500 from Account #0121151-519027, Police Uniform, Specialty Position Stipends, to Account #0121152-542005, Police Uniform, Office Equipment Not Capitalized, for the purpose of purchasing second copier for the Police Department.

Councilor Memhard then described two recurring grants before the Council for acceptance as follows: The Title III B Older American's Grant in the amount of \$8,190.30 supplements salary for the COA outreach coordinator. The second the FY17 COA Formula Grant Allocation is also funds personnel expenses. He noted that the funding formula has been raised per senior residing in the city to \$10 by the Mass. Executive Office of Elder Affairs.

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 accept under M.G.L. c. 44, §53A a federal grant passed through the Mass. Executive Office of Elder Affairs through SeniorCare, Inc., for a Title III-B Older Americans Act Grant for \$8,190.30 for FFY2016. Funds are to be used to supplement the hours and part-time salary for an Outreach Community Education Worker at the Rose Baker Senior Center.

DISCUSSION: None.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under M.G.L. c. 44, §53A a federal grant passed through the Mass. Executive Office of Elder Affairs through SeniorCare, Inc., for a Title III-B Older Americans Act Grant for \$8,190.30 for FFY2016. Funds are to be used to supplement the hours and part-time salary for an Outreach Community Education Worker at the Rose Baker Senior Center.

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, a Massachusetts State FY2017 Council on Aging Formula Grant Allocation from the Mass. Executive Office of Elder Affairs for a total of \$74,040.

DISCUSSION: None.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 favor, 0 opposed, to accept under MGL c. 44, §53A, a Massachusetts State FY2017 Council on Aging Formula Grant Allocation from the Mass. Executive Office of Elder Affairs for a total of \$74,040.

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 accept under MGL c. 44, §53A, a federal grant from the United States Department of Agriculture Rural Business Cooperative Services grant for FY2017 in the amount of \$20,000 for the purpose of supporting the Gloucester Fresh seafood marketing plan and promotion initiative under the Rural Business Development Grant Program.

DISCUSSION:

Councilor Memhard said the city is in receipt of a \$20,000 Rural Business Cooperative Services (RBCS) grant. This grant is a continuation of the city's marketing program, Gloucester Fresh, with the ultimate goal of opening a seafood kitchen. This \$20,000 is the first step towards undertaking an analysis of underutilized fish species, develop a program and recipes around them with the Gloucester Fishermen's Wives Association and SnapChef. He noted that there is no match for this grant.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A, a federal grant from the United States Department of Agriculture Rural Business Cooperative Services grant for FY2017 in the amount of \$20,000 for the purpose of supporting the Gloucester Fresh seafood marketing plan and promotion initiative under the Rural Business Development Grant Program.

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 a Bond Counsel Order as follows:

Ordered: That the City Council votes to supplement each prior order of this City Council that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, §20 of the General Laws, the premium received by the City upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

DISCUSSION:

John Dunn, CFO, explained the following: As part of the Municipal Modernization Act ("the Act") that became effective in early November 2016 it amended a section of the law (MGL c. 44, §20) that allows cities and towns flexibility to treat Bond Premium revenue and its application. This particular order allows the city to go back in time for any loan authorization that was approved prior to November 2016 by taking bond premium over and above issuance costs that are charged to it and use the bond premium to reduce the cost associated with particular capital projects. The advantage is that the city isn't issuing debt in the future. As an example, the city issued some debt in early February 2017, about \$800,000. That will be taken and applied in large portion to the West Parish School Building Project. The money the city got from investors will now be put against the capital project and the city won't have to issue debt on that capital project for that amount. This proposed action makes an adjustment for everything approved by this and past Councils prior to November 2016.

Council President Ciolino said this action speaks to the efforts of the Budget & Finance Committee, the Council and the Administration's efforts to streamline municipal functions which he indicated will be the

catchphrase for the next year, “streamlining.” Prior to this vote of the Council all such redistribution of such funds had to be brought to the Council for approval, he pointed out. **Mr. Dunn** said this was something that was a contentious issue for some time by city and town treasurers that they get this premium coming in and it really is associated with the capital projects for which they are issuing debt and that they should be able to take that extra to the capital projects so they don’t have to issue the full amount of debt in the future. At **Council President Ciolino**’s request, **Mr. Dunn** expanded upon the matters falling under the Act, and explained that the Chief Administrative Officer may now raise allowable expenditures to Snow & Ice deficit at his discretion (the only city account allowed by the Department of Revenue to go into a deficit) rather than come to Council to take the same action which is a faster decision process when dealing with winter storms as they occur.

Council President Ciolino advised his fellow Councilors that he is always fighting for the rights of the Council, but that streamlining these financial processes is a good thing, and the Governor is trying to make it simpler for local government functions.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve a Bond Counsel Order as follows:

Ordered: That the City Council votes to supplement each prior order of this City Council that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, §20 of the General Laws, the premium received by the City upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

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 accept under MGL c. 44, §53A, to accept a private grant from the National Grid 2017 Community Initiative Grant for up to \$41,169.03 for the purpose of public outreach and education for the MassSave program.

DISCUSSION:

Councilor Memhard reported that the city has been accepted into National Grid’s 2017 Community Initiative Program. This grant partners the city with National Grid (NG) in an annual grant program to conduct public outreach campaigns to promote MassSave, a program that offers free energy audits as well as rebates and funding incentives aimed to save residents money by making their homes more energy efficient. NG supports the community throughout the year-long initiative, providing marketing materials, database tracking and staffing for community events. The initial seed money is about \$5,300, and Matt Coogan, Senior Planner is the lead on this grant. Dependent on how many residents take advantage of this program, the city can receive up to \$41,000 of funding if all goals are met in the outreach. Just like the Aggregation Program passed by the Council recently, this is worthwhile cost saving measure the city’s residents and businesses.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A, to accept a private grant from the National Grid 2017 Community Initiative Grant for up to \$41,169.03 for the purpose of public outreach and education for the MassSave program.

Upon the completion of the B&F Committee Report, **Chairman Memhard** ceded the floor to his Vice Chair, **Councilor Orlando** through the Council President.

Councilor Orlando moved to request that the city conduct an internal audit in order to determine whether the consolidation of the following City and School Departments would achieve benefits/cost savings to the City: City of Gloucester Human Resources and the School Human Resources Departments; the City of Gloucester Payroll and School Payroll Departments; and the City of Gloucester IT, School IT and Police IT Departments. The city should seek an internal audit first to learn if services and be improved and money can be saved by their consolidation. If the results of the internal audits are not satisfactory to the Council, the Council reserves the right to seek an outside audit. The motion was seconded by **Councilor Memhard**.

DISCUSSION:

Councilor Orlando said during the last budget season he had questioned the need for multiple departments doing similar work. While passing the budget as presented, he advised he promised his constituents he would pursue this matter. He said that over the last approximately nine months to no one's fault he had asked through a Request to the Mayor that this matter be looked into, and that since the return of Mr. Destino as CAO some progress had been made toward that end. He said he is seeking the support of the full Council in what amounts to a full Council Request to the Mayor with the results presented to the Council to see if there are any cost benefits or not through the internal audit.

Councilor Lundberg asked for clarification what the Council is dealing with. It was clarified by **Councilor Orlando** said this is from his Council Order (referred to both O&A and B&F Committees) for Council Vote. **Councilor Lundberg** expressed his appreciation for Councilor Orlando's request but expressed his concern in voting this as a full Council procedurally and noted there is a lack of background and analysis or recommendation from a Standing Committee. **Councilor Orlando** rejoined that as the Council did with its Civility Resolution under "For Council Vote," it is to support the concept of an audit, it is telling the Administration that this is what the Council supports but that the Council is making that expression of support together. It is then the purview of the Administration to undertake such an audit. He advised the B&F Committee had spoken to the CAO at their meeting the previous evening and that if the Council gets behind this voted request then the Administration would take it from that point and receive back that information through the Council's Consent Agenda. **Councilor Lundberg** reiterated that when the Council votes on a matter, they have no report from Committees or a formal resolution to point to, and until such time as there is that kind of documentation available, he said he could not vote on this. Both **Councilor Orlando** and **Council President Ciolino** reiterated the Council Order had been referred to O&A and to B&F at their Jan. 24 meeting. It was on both those Committees' agendas. **Councilor Lundberg** said that this matter be continued until the Council has better information.

Councilor Cox said she understood that this took place at Budget & Finance's meeting last evening but the Council only received the minutes a short while ago and have not had the changes to thoroughly review the discussion that took place at B&F. She said she agreed with Councilor Orlando but didn't agree with the way it is being presented. It is a Request to the Mayor, and if Councilor Orlando chose, the Council could sign onto his Request but reiterated this matter shouldn't be run through the City Council now in this manner.

Councilor Gilman asked who would conduct the internal audit(s). **Councilor Orlando** said the department head of each department in question would conduct a review and forward that information to Mr. Destino. **Councilor Gilman**, citing her six years as a School Committee member, said the Council doesn't have purview over the School Committee, the Mayor does. She expressed her concern for work rules. Unless the Mayor's office approves this how would transpire, she asked. **Council President Ciolino** said it is a request of the Mayor which would have the support of the Council.

Council Cox reiterated that while this Council Order appeared on the Jan. 24 City Council agenda, it is still a Councilors' Request to the Mayor.

Councilor LeBlanc mentioned that Councilor Orlando sent this through the Consent Agenda two weeks ago, and this is just adding weight to the Council Order by a vote of the Council. It was before the O&A Committee and was brought up at Budget & Finance, he recounted.

Jim Destino, CAO, noted that Councilor Orlando and he talked about this Council Order and they spoke about putting this in as an Order and suggested that procedurally this matter wasn't done as correctly as it could have. Orders can come back in two weeks for Council vote, he explained. He contended that the Council Order (CC2017-002) was referred to the School Committee for which the Council has no purview over, and it went to B&F and O&A. He reminded the Council that per the City Charter Budget & Finance only deals with expenditures, and there is no expenditure in this Council Order; therefore O&A was the only Standing Committee the Order should have been referred to that has the right to change the structure of city government in two areas only: Purchasing and Maintenance, and those two departments are already merged. He said this Order needed to come back to the Council in two weeks For Council Vote. He said at B&F the previous evening he had argued that there really wasn't a recommendation to be made by the Committee because there was no expenditure in front of B&F through the Council Order. This is, he reminded the Council, the second time the matter is in front of them and a motion is in order but if someone isn't completely clear or needs more information, a motion to continue or deny would be in order. He agreed that a proper motion was before the Council, they can vote it. He said the Administration understands the concept behind the ask because it is what they do every day, saving taxpayer dollars. He pointed out the Administration can undertake an internal audit and request the Schools do the same, if the Council felt this needed to be done. He said the Administration is "very" confident of the results.

Mayor Sefatia Theken added that an internal audit of this magnitude doesn't take overnight and advised that the Administration is already undertaking such an internal audit.

Councilor Orlando said this is not laying blame about the time it is taking to undertake his original Request to the Mayor. With the next budget season coming up, he recounted that he told his constituents he would look into this and is simply looking for the Council to support the concept.

Councilor Gilman said that the Charter requires the Council to do an audit every 10 years, and asked when the last audit was done for the Schools. **Mr. Destino** clarified that the Charter says that they will do a management audit every eight years. Consolidation of departments is also in the Charter, he noted. The last audit for the School Department was 10 years ago, he advised, and that Public Safety has been done recently along with other city departments. **Councilor Gilman** asked what body initiates such audits. **Mr. Destino** said it is up to the Council to initiate the management audit, budget for it and oversee it.

Councilor Lundberg said from a management perspective he fully supports the analysis of the various departments that cross over from school to city, but was not in favor of this Order tonight. He said he would like to support what Councilor Orlando is trying to do, but opined that he should come to the Councilors and ask that they support his Council Order as is customary and not bring it as this out of order Council Order. He asked that Councilor Orlando consider withdrawing this and rather start from the point engaging all Councilors in a discussion on the matter and to have them sign onto it.

Councilor Orlando said he thought he had reached out to the Council beforehand to seek out support for his Council Order well before this meeting. He advised he also spoke to the Clerk's Office who researched this matter on his behalf and thanked them for that effort. Under MGL c. 71, §37M, "The Consolidation of Administration of Administrative Functions by City or Town," he advised that the City Council in 2008 voted to give the Mayor's Office the authority to make such consolidations where necessary. He explained that if the School Department at the end of that review doesn't like that consolidation the School Committee can veto it, but the Council has the right to vote on such an Order. He said that the Administration has been helpful in guiding this procedure and been cooperative in his seeking this information and is procedurally correct. **Mayor Theken** reiterated her office already has the Request to the Mayor, and that her office has already taken it up and is working on the matter.

Councilor LeBlanc said this is just a vote to solidify what Councilor Orlando's Council Order supports, and shows the support for this Order to the Administration.

Councilor Cox said that on the agenda for the Jan. 24 this should have been shown For Council Vote. She contended this is a glorified Request to the Mayor, and while Councilor Orlando reached out to her, she would have added her name to the request to the Mayor had he asked. She said she agreed with the bottom line outcome and will vote in favor.

Council President Ciolino said this procedure is correct and would support this effort. Streamlining is the catchphrase currently and that this Order is pursuant to that, he noted.

Councilor Memhard added his support of this motion. The two years goes by quickly and that this will allow meaningful dialog on saving municipal tax dollars and while the process may not yield the hoped for savings, it may mean that regionalization would reap better benefits for the city. This effort is to try to reflect their custodianship of tax payers' dollars.

Councilor Gilman expressed she was conflicted having been on the school committee for six years and understood what their IT department does, and recalled when the Superintendent of Schools spoke to this issue. The Schools' IT department is short-staffed in terms of ratios of the industry. She said isn't a bad thing to look at cost savings although saying she didn't think they'd find any, she would vote to support the effort.

Councilor Nolan said he didn't see savings coming from this effort and that the IT Departments are working very hard, but it doesn't hurt to look at something to obtain more information.

MOTION: On a motion by Councilor Orlando, seconded by Councilor Memhard the City Council voted by ROLL CALL 8 in favor, 1 (Lundberg) opposed, to request that the Mayor and her Administration conduct an internal audit in order to determine whether the consolidation of the following City and School Departments would achieve benefits/cost savings to the City: City of Gloucester Human Resources and the School Human Resources Departments; the City of Gloucester Payroll and School Payroll Departments; and the City of Gloucester IT, School IT and Police IT Departments. The city should seek an internal audit first to learn if services and be improved and money can be saved by their consolidation. If the results of the internal audits are not satisfactory to the Council, the Council reserves the right to seek an outside audit.

MOTION PASSES.

Councilor Orlando then moved that the Council request through the Administration that on the city's website there is an implementation of an optional opt-in email registration by households for residents to receive city notifications not required to be mailed to achieve cost savings to the city. **Councilor Nolan** seconded.

DISCUSSION:

Councilor Orlando said that he spent time the city's IT Director, James Pope and Mr. Dunn on this matter who advised him that the city's new financial system that they are phasing in, MUNIS, which has some options available to get email addresses from residents in order to send some public notices that are required to be mailed such as tax bills. He gave an example of such an optional mailing from the Public Works Department about the trash schedule. The idea would be that the department budgets could see their postage accounts reduced and possibly eliminated. He suggested that nowadays many folks prefer receiving such things via email rather than U.S. Mail. He said this set up would be similar to what is already in place in the city's school system for the purpose of informing parents of events and other school information for their students.

Council President Ciolino said that the city does this on the school side by registering emails, and this would initiate it on the city side, and if they aren't at that point yet, the city side will be shortly. He said this is a great idea and would support it.

Councilor Gilman asked if there had been input from the Administration on this matter. **Councilor Orlando** said he received input from James Pope, IT Director for the city and that the City Clerk crafted the language and worked collaboratively to ensure the matter was presented appropriately.

Councilor Memhard said the intent is to take advantage of technology and modernize the city systems. Noting the reference to the city's MUNIS software, that software has some capabilities in terms of the technology to create a communications platform that dovetails with other parts of the city, similar to the YouSeeClick platform. He said he saw this as an opportunity to improve communication between city departments and the community. He added that the Council should endorse this Request to the Mayor to utilize this technology that brings them forward without leaving anyone behind.

Councilor Gilman suggested this could be connected to necessary changes in the city charter under the decennial review in 2020 as to the requirement to post something in newspapers which costs a significant amount of money such as notices of public hearings. She said she would support the motion.

MOTION: On a motion by Councilor Orlando, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to request through the Administration that on the city's website there is an implementation of an optional opt-in email registration by households for residents to receive city notifications not required to be mailed to achieve cost savings to the city.

MOTION PASSES.

Ordinances & Administration: February 6, 2017

Councilor LeBlanc reported that the Committee accepted the resignations of Scott Smith, member of the Community Preservation Committee, and Stephen Miller, member of the Historic District Commission. He extended his thanks to both gentlemen for their service to the city as dedicated volunteers. Mayor Theken said the Council doesn't have to vote on resignations. **Councilor LeBlanc** said they are now doing the same process as the P&D Committee does with Special Event Applications whereby the vote is taken at Committee and are not brought forward at a Council meeting.

There was a discussion with **Councilors** and **Mayor Theken** on this particular process and that it was determined that no vote of the Council was necessary moving forward, nor a vote by the O&A Committee to accept resignations as these dedicated volunteers are under the purview of the Mayor. A memo would be sent by the Mayor's office as advisory for the O&A Committee's files.

Planning & Development: February 8, 2017

Councilor Cox reported there were no matters for Council action from this meeting with only one item being taken up which will come forward for public hearing at another Council meeting..

Scheduled Public Hearings:

1. PH2017-006: Review of the “Open Air Parking Space Permit” issued to Antonio, Maria and Angela Procaccini pursuant to MGL c. 148, §56 and GCO Sec. 22-153

This public hearing is opened at 8:06 p.m.

Those speaking in favor:

Attorney Kevin Kiley, representing the Procaccini family for the renewal of the Open Air Parking Space Permit for 2 Long Beach Road, explained that the family has run this open air parking lot for four decades. He noted that Angela Procaccini, who was present, actively manages the parking lot herself. This is a simple renewal of the permit as required.

Michael Sasso, 24 Rockport Road, said he had nothing but good things to say about the applicant. They keep the parking lot clean, and are very professional in their management of the parking lot.

Those speaking in opposition: None.

Communications: Joanne M. Senos, City Clerk advised the Council was in receipt of two communications from: **Brad Pierce**, Innkeeper of the Cape Ann Motor Inn who advised that Ms. Procaccini maintains a well-run parking lot. She pays a token \$100 to the Cape Ann Motor Inn to help clean up the Gloucester end of Long Beach which he advised has always been adequate in the past that the Ms. Procaccini has been a good neighbor; and **John Airasian** of Watertown, MA, also a property owner at 17 Rockport Road, Gloucester across the street from 2 Long Beach Road who wrote in support of the Open Air Parking Lot license renewal by the Procaccini's.

Councilor Questions: None.

This public hearing is closed at 8:11 p.m.

COMMITTEE RECOMMENDATION: On motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council renews the License for Antonio, Maria and Angela Procaccini pursuant to MGL c. 148, §56 & GCO Sec. 22-153 for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this License shall be valid from April 30, 2017 to May 1, 2022 upon payment of appropriate fees to the City Clerk;
2. That prior to the issuance of the license by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
3. That the number of cars allowed to park on the lot at any one time is limited to 21.
4. That one space of the 21 spaces allowed is to be designated handicapped parking;
5. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated June 22, 2016 and on file in the City Clerk's office;
6. That the grass in the parking lot be kept short;
7. That an attendant shall be on duty at all times during hours of operation;
8. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo dated December 29, 2016 and email from Fire Chief dated January 4, 2017);
9. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
10. That the parking lot maintains a carry-in/carry-out trash policy and assures such a policy is adhered to by its paying patrons;
11. That four shrubs that were placed on the property abutting Cliff Road are maintained;
12. Signage: the following shall be posted on a sign to be erected by the applicant, The size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the permit
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
 - f. Parking lot trash policy of carry in/carry out;
13. That the Permit Fee is to be paid yearly to the City Clerk on April 30. The application is to be reviewed by the City Council in five years unless it deems there is a cause to review the Permit sooner due to any violations of conditions herein.
14. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;

15. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit.

DISCUSSION:

Councilor Lundberg said that the Procaccini family seasonal outdoor parking lot at 2 Long Beach Road should be renewed for another five years with the proposed conditions which the applicant has agreed to. They are improving the bathroom facility. The Procaccini's are hands-on managers and runs a good operation.

Councilor Memhard observed Angela Procaccini and her family operate an asset for Ward 1 and the beach communities around both Long Beach and Good Harbor Beach. He mentioned Councilor O'Hara's Beach Traffic Ad Hoc Committee Report referenced the community service this Open Air Parking Lot and one other provides. He said he's only heard good things and congratulated the Procaccini's in maintaining this service to the community.

Council President Ciolino recalled he first came in contact with the Procaccini family when he was a Ward 1 Councilor. The family is first class operators; the neighbors love them; they provide a good service and will support the renewal of the license.

MOTION: On motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed to renew the License for Antonio, Maria and Angela Procaccini pursuant to MGL c. 148, §56 & GCO Sec. 22-153 for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this License shall be valid from April 30, 2017 to May 1, 2022 upon payment of appropriate fees to the City Clerk;
 2. That prior to the issuance of the license by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
 3. That the number of cars allowed to park on the lot at any one time is limited to 21.
 4. That one space of the 21 spaces allowed is to be designated handicapped parking;
 5. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated June 22, 2016 and on file in the City Clerk's office;
 6. That the grass in the parking lot be kept short;
 7. That an attendant shall be on duty at all times during hours of operation;
 8. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo dated December 29, 2016 and email from Fire Chief dated January 4, 2017);
 9. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
 10. That the parking lot maintains a carry-in/carry-out trash policy and assures such a policy is adhered to by its paying patrons;
 11. That four shrubs that were placed on the property abutting Cliff Road are maintained;
 12. Signage: the following shall be posted on a sign to be erected by the applicant, The size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the permit
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
 - f. Parking lot trash policy of carry in/carry out;
 13. That the Permit Fee is to be paid yearly to the City Clerk on April 30. The application is to be reviewed by the City Council in five years unless it deems there is a cause to review the Permit sooner due to any violations of conditions herein.
 14. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
 15. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit.
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2. PH2017-007: Amend GCO c. 2, Article VII "Civil Defense," and c. 8 "Fire Prevention and Protection"

This public hearing is opened at 8:13 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:13 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 accept Fire Chief Eric Smith's suggested revisions to GCO Chapter 2, Article VII, and Chapter 8 as presented in a memorandum dated December 27, 2016 and incorporated herein.

DISCUSSION:

Councilor LeBlanc said that this is to bring the city up to date with fire prevention current standards. The O&A Committee unanimously supports these changes.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to accept Fire Chief Eric Smith's suggested revisions to GCO Chapter 2, Article VII, and Chapter 8 as presented in a memorandum dated December 27, 2016 and incorporated herein.

- 3. PH2017-008: Amend GCO c. 4, Animals, Art. 2, "Dogs," Sec. 1-16a "Dogs allowed on public beaches at certain times" by ADDING after, "Plum Cove Beach on consecutive days in the off season," the following phrase, "and Cressy Beach on consecutive days in the off season."**

This public hearing is opened at 8:14 p.m.

Those speaking in favor:

Cindy Dunn, 7 Rose Lane, as a former member of two Ad Hoc Dog Committees, said that the most recent Ad Hoc Dog Committee met with experts, attended Stage Fort Park Advisory Committee and Waterways Board meetings and noted that Cressy Beach kept coming up as an option for use by dog owners to let their dogs run off leash in the off season. She described the beaches now available in the off season to dogs off leash, and said that Cressy Beach will add yet another area for off leash dogs in the city. She asked the Council to favor this change.

Sheryl Reed, 12 Middle Street, member of the Ad Hoc Dog Committee, a Ward 3 resident, spoke to walking her dog at Stage Fort Park and also that she is a Mutt Mitt steward for the park. She noted that there are few places in her ward to take her dog out to exercise off leash. She asked that the Council to approve the change in ordinance to improve the dog owners and their dogs lives in Ward 3 (written statement placed on file).

Linda Brayton, 527 Washington Street, said she is one of two people who administer the Dog Friendly Dog Group on line, with 986 members. They work to bridge relationships between dog owners and non-dog owners. She noted she, too, is a Mutt Mitt volunteer. She suggested that if the Council takes a look, things are much better in the city now.

Jennifer Holmgren, 385 Magnolia Avenue, a member of the former Ad Hoc Dog Committee, and as the first member of the Animal Advisory Committee, she noted the areas of city property dogs are still not allowed on--city parks, public landings and beaches in the summer. She expressed her understanding of the concerns of those residents that there are people who do not enjoy dogs. She said this is a matter of what is equitable for all the city's residents. Most of the city's many acres of green spaces are still inaccessible to dog owners and asked that the Councilors keep this in mind when considering their vote to open Cressy Beach to dogs off leash in the off season (written statement placed on file).

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Council President Ciolino asked if the Stage Fort Park advisory Committee signed off on this amendment.

Councilor Nolan said they did.

This public hearing is closed at 8:21 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 (Nolan) absent, to recommend that the City Council Amend GCO Sec. 4-16a "Dogs allowed on public beaches at certain times" by ADDING after "Plum Cove

Beach on consecutive days in the off season,” the following phrase, “and Cressy Beach on consecutive days in the off season.”

DISCUSSION:

Councilor LeBlanc said that this has been going on for a few years since the first Ad Hoc Dog Committee. This is trying to open up pockets in the city where residents can take their dogs off leash. It started with Good Harbor and Wingaersheek Beaches, then Plum Cove Beach, and now Cressy Beach. This will go under the same rules as the other beaches allowed. He said he was indifferent to this at the start but in the off season there are few people on Cressy Beach and that it will be good for Magnolia residents and the downtown residents to run their dogs off leash will be a good fit.

Councilor Nolan said he supported this action, seeing so many people work hard on this, and thanked Councilor O’Hara for his work on it as well. He said Cressy Beach is underutilized in the off season.

Councilor Orlando said he would support the amendment as it the location is good because it is isolated from the rest of Stage Fort Park, and allows dogs to run free but keeps them away from other users of the park.

Councilor Cox expressed her support saying it was a good use of space. She thanked Councilor O’Hara and the Ad Hoc Dog Committee that went well beyond and their efforts were appreciated.

Councilor Gilman noted accessibility is important, and by adding Cressy Beach it balances what has already been offered for Wards 1, 4 and 5 as a fair way to allow dogs to be off leash in Ward 3. She offered her support of the amendment.

Councilor O’Hara thanked the Ad Hoc Dog Committee once again, noting a happy dog is a tired dog and would support the amendment.

Councilor Lundberg said the Council was fortunate to have the Ad Hoc Dog Committee and that Cressy Beach is an underutilized asset.

Councilor LeBlanc said that Councilor O’Hara and the Ad Hoc Dog Committee worked tirelessly to offer suggestions for off leash areas of the city, and weren’t daunted to keep making recommendation and working to find the right fit for the city, for all its residents and dog owners. He offered his thanks to them for working with the O&A Committee, other city departments, and city committees and boards to make these initiatives happen.

Council President Ciolino said he was initially against opening Cressy Beach to dogs off leash in the off season the first time around because he perceived a conflict with the Dog Park. Noting concerns about coyotes, he said it has changed the way people exercise their dogs and limits dog owners from using open spaces such as the Pines. He said he’s now changed his mind and sees Cressy Beach as a safe place to run dogs.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 4-16a “Dogs allowed on public beaches at certain times” by ADDING after “Plum Cove Beach on consecutive days in the off season,” the following phrase, “and Cressy Beach on consecutive days in the off season.”

4. PH2017-009: Amend GCO Sec. 22-284 “Service and Loading Zones” re: 199-201 Main St.

This public hearing is opened at 8:30 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:31 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. 22-284 “Service or Loading Zones by DELETING: “Two (2) spaces at 199-201 Main Street, southerly side, 17 feet wide each, from a point beginning on the easterly side of the existing crosswalk.” and ADDING: “Veteran Clinic Loading Zone Only, Mon.-Fri. 7:00 a.m. to 5:00 p.m., two (2) spaces at 199-201 Main Street, southerly side, 17 feet wide each from a point beginning on the easterly side of the existing side of the existing sidewalk.”

DISCUSSION:

Councilor Cox explained that this is a loading zone in front of the Veteran's Administration Clinic. When the VA first moved in they tried to just institute a loading zone but she advised that it was then being abused, and so this is now changed to the VA Clinic exclusively during the hours the clinic is open and then it will be available to the area for parking when the clinic is closed. She said that it is a good compromise.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-284 "Service or Loading Zones by DELETING: "Two (2) spaces at 199-201 Main Street, southerly side, 17 feet wide each, from a point beginning on the easterly side of the existing crosswalk."

and ADDING: "Veteran Clinic Loading Zone Only, Mon.-Fri. 7:00 a.m. to 5:00 p.m., two (2) spaces at 199-201 Main Street, southerly side, 17 feet wide each from a point beginning on the easterly side of the existing side of the existing sidewalk."

For Council Vote: None.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:

Update on the Fisheries Commission by City Council Representative, Councilor Scott Memhard who related the following information:

He invited the Council to join the Fisheries Commission at the Boston Seafood Expo coming up in March. The city has a double corner booth that Economic Development Director, Sal DiStefano; Fisheries Executive Director, Al Cottone; Fisheries Commission Chair, Mark Ring; Mayor Theken and SnapChef are involved in. He advised there has been good publicity in the international seafood press about the city's use of underutilized species of fish. This effort showcases the prominent role the city has in the industry. For tickets, he advised the Council can go through the Mayor's office.

Councilor LeBlanc left the meeting at 8:33 p.m.

Councilors' Requests to the Mayor:

Councilor Memhard said he has been dealing with his elderly ailing father and expressed his appreciation for the Council's support during that time. He advised that his father has returned home and that he wanted to let everyone know that a great resource book, "Care of the Ancient Ones," is available about gentle elder care, dealing with insurance companies and other important topics, that was written by a local nurse practitioner, Judith Murphy Millar who is involved in the Cape Ann Medical Center.

Councilor Gilman requested that the Mayor work with the DPW to come up with a one-way sign on the corner of Bridgewater and Leonard Streets. She suggested to the Council, pursuant to a Special Council Permit application for an art gallery located at 8 Lindberg Drive, to drive by it to see the nature of the neighborhood where the gallery is intended to be located. She advised that on Tuesday, Feb. 21, from 6:00 p.m. to 8:30 p.m. there will be a Ward 4-2 at the Lanesville Community Center. Interim Police Chief McCarthy will talk about lessons learned last summer for parking and an update from Mike Hale, Public Works Director on the FEMA grant for the Lane's Cove Seawall. She mentioned a special thanks to the Administration and DPW during the past two snow storms. Each time a constituent had an issue she advised that the response from DPW was very positive and that they were quick to remedy the situations. She said people called to thank the DPW for being so service oriented.

Councilor O'Hara said he echoed the sentiments of Councilor Gilman about the DPW. He renewed his request that Mr. Hale discuss with the Council how he goes about fighting winter storms, plowing, sanding and salting.

Councilor Nolan reported that he's working with the Administration on private roads for public access and things are moving forward smoothly.

Councilor Orlando also thanked Mr. Hale for assisting him in handling a constituent request on the water main break recently on Essex Avenue. He said Mr. Hale was very responsive to his inquiry. He noted that he lives on the end of a narrow road and that the DPW did a fine job in clearing the snow.

Councilor Cox said the first joint meeting of the Planning Board & P&D is this Thurs., Feb. 16 at 6:00 p.m. in Kyrouz Auditorium to hear about the rezoning of the Fuller School property. Cape Ann Animal Aid is having its 14th annual winter ball at the Double Tree North Shore starting at 6:00 p.m. this Saturday, Feb. 18. Pride Stride is April 30, she advised, and this is the 30th year. She said as Pride Stride President she was extending an invitation to all the Councilors to join in.

Councilor Lundberg sent a “shout-out” to the DPW, saying that he heard from private citizens that they called the DPW and got assistance without Councilor intervention to their satisfaction during the recent snow storms.

Council President Ciolino noted he has asked Councilor Gilman to put together a Rules of Procedure for dealing with Social Media for the Council in order to provide guidelines. He said if any Councilors have suggestions to forward them to her and that Chris Sicuranza, the Director of Constituent Services will also offer some assistance to that end. He also thanked the DPW, noting he received no complaints either.

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 statements by the following Gloucester residents filed with the Council under PH2017-008:**
Sheryl Reed, 12 Middle Street
Jennifer A. Holmgren, 385 Magnolia Avenue