

GLOUCESTER CITY COUNCIL MEETING

Tuesday, November 28, 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; Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.

Absent: None.

Also Present: Mayor Theken; Joanne Senos; Jim Destino; Kenny Costa; Chip Payson; John Dunn; Harbormaster T. J. Ciarmetaro; Nancy Papows; Bethann Brousseau; Gary Johnstone; Jonathan Pope; Tony Gross; Dr. Richard Safier; Grace Poirier

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: None.

Presentations/Commendations: None.

New Appointments: None.

Consent Agenda:

- **MAYOR’S REPORT**

1. New Appointments:

Planning Board	TTE 02/14/20	Jane Remsen (fulfilling Kenneth Hecht’s term)	(Refer O&A)
Animal Advisory Committee	TTE 02/14/20	Dianne Corliss, At Large Member	(Refer O&A)
		Beth Klinefelter (At Large Member to Ward 3)	(Refer O&A)
2. Review and Recommendations for the Disposition of Real Property re: Good Harbor & Wingaersheek Beach Concessions (Refer B&F)
3. Request from Co-Chair of the Gloucester Historical Commission to apply for a FY18 Survey & Planning Grant from the Mass. Historical Commission with a matching grant of \$30,000 (Refer B&F)
4. Memorandum from CFO re: request for a loan order in the amount of \$1,000,000 to fund feasibility study for East Gloucester/Veterans Memorial Elementary Schools Project (Refer B&F)
5. Memorandum from HR Director re: amendment to the Harbormaster’s Department Reorganization Plan (Refer O&A)
6. Memorandum from Planning Director re: Proposed Conservation Restriction at 288-292 Concord Street (Refer P&D)
 - **COMMUNICATIONS/INVITATIONS**
 - **APPLICATIONS/PETITIONS**
 - **COUNCILORS ORDERS**
1. CC2017-053 (Orlando, LeBlanc): request that the Administration amend the City Fee of \$100 per amusement, pursuant to MGL Ch. 140, Sec. 177, by deleting said fee & ADDING a fee of \$50 per amusement with a cap of \$1,000 per establishment (FCV 12/12/17)
2. CC2017-054 (Orlando, LeBlanc, O’Hara): request that the Administration establish a non-resident Walk-on Beach Fee for Good Harbor and Wingaersheek Beaches and that said fees be placed in a special revenue fund to be designated for the use of the Tourism Commission to promote tourism (FCV 12/12/17)
3. CC2017-055 (Orlando/Nolan) Amend GCO Ch. 9 “Trash, Recycling and Litter” re: Closed-topped recycling receptacles (Refer O&A)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 11/14/2017 (Approve/File)
2. Standing Committee Meetings: B&F 11/16/2017, O&A 11/20/2017, P&D 11/22/2017 (no meeting) (Approve/File)

Items to be added/deleted from the Consent Agenda:

By unanimous consent the Consent Agenda was accepted as presented.

Committee Reports:**Budget & Finance: November 16**

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Ciolino) absent, to recommend that the City Council approve Special Budgetary Transfer 2018-SBT-2 in the amount of \$60,000 from Account #S1102505-511101, GHS Salaries-Principal Professional to Account #0121151-513000, Police Uniform-Overtime, for the purpose of funding the Gloucester High School Resource Officer.

Councilor Memhard explained that this is an annual transfer by the School Department to the Police Department to fund the GHS School Resource Officer for \$60,000.

Councilor Gilman recognized the presence of Superintendent Dr. Richard Safier, Jonathan Pope, School Committee Chair and Tony Gross, School Committee member.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2018-SBT-2 in the amount of \$60,000 from Account #S1102505-511101, GHS Salaries-Principal Professional to Account #0121151-513000, Police Uniform-Overtime, for the purpose of funding the Gloucester High School Resource Officer.

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Ciolino) absent, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of a prior year invoices to be paid with FY2018 budgeted funds from the current FY2018 Gloucester Public Schools budget as follows:

<u>Vendor</u>	<u>Invoice #</u>	<u>Date</u>	<u>Amount</u>
Gloucester Police Department	17-233-DV	June 11, 2017	\$ 788.00

Councilor Memhard explained that this matter is to pay a FY17 invoice to be paid with FY18 funds for a police detail for the Gloucester High School prom.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year invoices to be paid with FY2018 budgeted funds from the current FY2018 Gloucester Public Schools budget as follows:

<u>Vendor</u>	<u>Invoice #</u>	<u>Date</u>	<u>Amount</u>
Gloucester Police Department	17-233-DV	June 11, 2017	\$ 788.00

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 favor, 0 opposed, 1 (absent) to recommend that the City Council accept under MGL c. 44, §53A, a Mass. State FY2018 Formula Grant Allocation from the Mass. Executive Office of Elder Affairs for a total of \$71,818.80.

Councilor Memhard said that it is a state grant for the FY18 Formula Grant allocation with no match totaling \$71,818.80 received annually. It pays the salaries the senior clerk and the partial salaries of other professional outreach staff members, and the video production coordinator at the senior center. The formula amount is based on per senior determined by the state legislature; this year at \$9.70 per senior; the total is based on those Gloucester residents 60 years old and above (7,404 in all).

Councilor Cox expressed concern for possible understaffing at the Senior Center if the Senior Center noting there previously had been a position of Assistant to the Executive Director and other staffing matters as possibly affecting services to the city's seniors. **Jim Destino**, CAO, explained that when **Mayor Theken** took office there was only an Acting Executive Director, Lucy Sheehan, who had been the assistant. The Mayor, he said, appointed Ms. Sheehan to the position of Executive Director as she'd been undertaking those job duties for some time, but the assistant's position is not filled for a number of years. **Mayor Theken** advised that the Senior Center has for years been understaffed. However, there are many dedicated volunteers which together with the limited staff create a great Senior Center that runs effective and diverse programs. Saying the Center wasn't of the staffing caliber of Salem or Beverly, she noted the city's Senior Center only just received its first van. She recounted how previously the Senior Center cobbled together its staffing and paying for it through grants funding. During that time there wasn't a licensed clinical social worker on staff, but there is now. The Mayor said she, also, volunteers her time at the Senior Center, and mentioned Juni Van Dyke having worked part time previously, but is now full time. She noted the Senior Able program through grant funding from the federal government which pays for seniors to work – seniors will answer the Center's phones, and like jobs. She recounted that Senior Care staffs the Center's kitchen; Open Door runs with their volunteers the soup and salad program; the Adult Care program at the Center is run by one staff member whose position is funded by the fees for the seniors who attend the program and additional staffing is provided by a dedicated group of volunteers. The Center's Social Worker is also a Director of the Topsfield Senior Center; a gentleman does the event coordination. The Mayor said the Center can always use more staff, but

the Center is already bursting at the seams yet its staff gets the job done and supports its entire senior constituency. Responding to a question by **Councilor Cox**, **Mayor Theken** advised that the Center's van is driving by a licensed volunteer, Lee Ann Kennedy who was trained through CATA, and the van is CATA's. She assured that no one but Ms. Kennedy drives the van.

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 Mass. State FY2018 Formula Grant Allocation from the Mass. Executive Office of Elder Affairs for a total of \$71,818.80.

COMMITTEE RECOMMENDATION: On motion by Councilor Orlando, seconded by Councilor Memhard, the Budget & Finance Committee voted 2 in favor, 0 opposed, 1 (Ciolino) absent, 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 \$8,190.00 for FY2018. 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:

Councilor Memhard explained this federal grant passed through Senior Care which pays for the outreach services of the senior center's social worker -- SeniorCare is billed \$682.53 a month for 12 months.

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 \$8,190.00 for FY2018. 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.

Mr. Destino explained the following information about the annual allocation of certified General Fund Free Cash according to policy for \$3.7 million: There are two parts of the city's Snow & Ice (S&I) deficit remaining -- from FY2015 with the city now having its third, and final, payment of the three year amortization schedule (\$430,912.34) and then the FY2017 S&I deficit (\$298,895.82). The five motions are distributions under the new city Free Cash policy: The breakdown of the distribution is: Capital Project Stabilization Fund -- \$1,195,963.84; Building Maintenance Stabilization Fund -- \$595,281.77; General Stabilization Fund -- \$297,640.88; Unreserved Free Cash -- \$892,922.65 (available for other purposes). Also recommended by the Administration is use of \$50,000 of the Unreserved Free Cash to be transferred into the Other Post-Employment Benefits (OPEB) Trust Fund. While \$50,000 is small in comparison, it shows that the city is doing something about funding the city's future pension liability obligation.

Councilor Cox asked what the plan was for the General Stabilization Fund's \$297,000. **Mr. Destino** said that is the city's rainy day fund and there are no plans. For the \$892,000 there will be some one-time expenditure for capital items including: funding a detailed legal review of the Code of Ordinances and Zoning Ordinance which he briefly described; funding for software for the Police and Fire Department to codify their standard operating procedures that audits have recommended and the Administration thinks is important; and several other one-time expenditures from vehicles to training for the staff. **Councilor Cox** asked if Councilors had suggestions for the funds' use, the Administration would listen to them. **Mr. Destino** said requests to the Mayor's Office will be considered for one-time Free Cash expenditures.

Councilor Gilman expressed her appreciation for the funds being appropriated to the Capital Project Stabilization Fund and asked when the Capital Improvement Advisory Board (CIAB) would be reestablished and utilized and what was under consideration for preventative maintenance and proactive building. **Mr. Destino** said during the budget process the Administration didn't fund all the capital requests; it was the beginning of a new Capital Plan. Now that there's a new Community Development Director, the department heads have been meeting regularly, he advised, and has begun compilation and prioritizing a new capital plan. He said when they have the new Capital Plan, the CIAB with anticipated added new members, will reconvene for the purpose of the Capital Plan review and put a 10-year plan in place, funding projects as each year progresses through the plan.

Councilor Orlando asked for enumeration of the types of equipment that is intended to be prioritized under the Capital Plan. **Mr. Destino** said it is a long list of requests from department heads, for example: new carpets at the City Hall Annex; scanning equipment for the building departments' vast store of documents; economic development

plans; a skimmer to clean up the harbor, and at least 100 other items on the list. He advised that he and the CFO are “combing” through the list to prioritize those items to the Mayor and then bring the list forward to the Council when the timing is appropriate utilizing a phased approach.

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 approve Supplemental Appropriation 2018-SA-2 in the amount of \$729,808.16 (Seven Hundred Twenty Nine Thousand Eight Hundred Eight Dollars and Sixteen Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to General Fund-Designated for Authorized Snow & Ice Amortization, Account # 0001-359201, for the purpose of funding the final year of the three-year Snow & Ice Amortization Schedule and the DPW Snow & Ice Removal deficit from Fiscal Year 2017.

DISCUSSION: NONE.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2018-SA-2 in the amount of \$729,808.16 (Seven Hundred Twenty Nine Thousand Eight Hundred Eight Dollars and Sixteen Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to General Fund-Designated for Authorized Snow & Ice Amortization, Account # 0001-359201, for the purpose of funding the final year of the three-year Snow & Ice Amortization Schedule and the DPW Snow & Ice Removal deficit from Fiscal Year 2017.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote for Supplemental Appropriation 2018-SA-2 in the amount of \$729,808.16.

MOTION FAILS.

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 Supplemental Appropriation 2018-SA-3 in the amount of \$1,190,563.54 (One Million One Hundred Ninety Thousand Five Hundred Sixty Three Dollars and Fifty Four Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to Capital Projects Stabilization Fund, Transfers from the General Fund, Account #760001-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

DISCUSSION: None.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2018-SA-3 in the amount of \$1,190,563.54 (One Million One Hundred Ninety Thousand Five Hundred Sixty Three Dollars and Fifty Four Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000, to Capital Projects Stabilization Fund, Transfers from the General Fund, Account #760001-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote for Supplemental Appropriation 2018-SA-3 in the amount of \$1,190,563.54.

MOTION FAILS.

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 Supplemental Appropriation 2018-SA-4 in the amount of \$595,281.77 (Five Hundred Ninety Five Thousand Two Hundred Eighty One Dollars and Seventy Seven Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the Building Maintenance Stabilization Fund, Transfers from the General Fund, Account #770001-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

DISCUSSION: None.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2018-SA-4 in the amount of \$595,281.77 (Five Hundred Ninety Five Thousand Two Hundred Eighty One Dollars and Seventy Seven Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the Building Maintenance Stabilization Fund, Transfers from the General Fund, Account #770001-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote for Supplemental Appropriation 2018-SA-4 in the amount of \$595,281.77.

MOTION FAILS.

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 Supplemental Appropriation 2018-SA-5 in the amount of \$297,640.88 (Two Hundred Ninety Seven Thousand Six Hundred Forty Dollars and Eighty Eight Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the General Stabilization Fund, Account # 75004-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

DISCUSSION: None.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2018-SA-5 in the amount of \$297,640.88 (Two Hundred Ninety Seven Thousand Six Hundred Forty Dollars and Eighty Eight Cents) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the General Stabilization Fund, Account #75004-497001 per the Capital Plan Funding and Free Cash Distribution Policy.

MOTION: On a motion by Councilor Gilman, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote for Supplemental Appropriation 2018-SA-5 in the amount of \$297,640.88.

MOTION FAILS.

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 Supplemental Appropriation 2018-SA-6 in the amount of \$50,000.00 (Fifty Thousand Dollars) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the Other Post-Employment Benefit (OPEB) Trust Fund, Account #84004-497001 to partially fund the City’s OPEB unfunded liability.

DISCUSSION: None.

MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2018-SA-6 in the amount of \$50,000.00 (Fifty Thousand Dollars) from the General Fund, Undesignated Fund Balance (“Free Cash”), Account #0001-359000 to the Other Post-Employment Benefit (OPEB) Trust Fund, Account #84004-497001 to partially fund the City’s OPEB unfunded liability.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote for Supplemental Appropriation 2018-SA-6 in the amount of \$50,000.

MOTION FAILS.

Ordinances & Administration: November 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 dedicate and name the tennis courts at Stage Fort Park in honor of Gloucester tennis professional Avis Murray.

DISCUSSION:

Councilor Gilman recounted that she was pleased to support the dedication of the Stage Fort Park tennis courts to honor Avis Murray whom she called a great role model who has led tennis in the city. She mentioned that Ms. Murray has taught three generations of Gloucester tennis players, including herself; and not only is she a great coach, but does so much for the community by giving back, as well as cheering on the high school tennis teams. She thanked the Mayor for her suggestion.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to dedicate and name the tennis courts at Stage Fort Park in honor of Gloucester tennis professional Avis Murray.

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 petition MassDOT to request approval of a speed limit of 20 mph on Gee Avenue for its entire length from a 30 mph prime facie speed limit.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to petition MassDOT to request approval of a speed limit of 20 mph on Gee Avenue for its entire length from a 30 mph prime facie speed limit.

Planning & Development: November 22 – No meeting

Scheduled Public Hearings:

1. PH2017-067: Amend GCO Ch. 10, "Waterways" Sec. 10-51. "Regulations and moorings" by ADDING a new subsection (4) to subsection (i); Amend Sec. 10-51. (j) "Regulations of moorings" by ADDING new language; Amend Sec. 10-52. "Use of public landings" subsection (g) "Fees" by striking "\$50.00" and ADDING "\$100.00"; Amend Sec. 10-53. "Use of public ramp at Dun Fudgin" (a)

This public hearing is opened at 7:31 p.m.

Those speaking in favor:

Cate Banks, 732R Washington Street said these proposed Code of Ordinances changes are well overdue and commended the Harbormaster for doing such a great job.

Harbormaster T. J. Ciarametaro explained that he was in favor of the Code of Ordinances changes. He said in reviewing his department's budget, funds taken in and fund expended; working with the state, Recreational Boating Access that is in charge of Dun Fudgin boat ramp, he advised there were things they shouldn't have been doing and other things that they need to change to be in compliance with state regulations. The Waterways Board and he and his staff looked carefully into the fee structures to ensure people aren't being priced off of the city's waterways and further ensuring the city's fees are still well below most of the average of comparable ports in Massachusetts, such as Plymouth and Salem which he said is considered comparable. He noted some fees needed adjustment due to inflation; and some fines needed to be "tightened up."

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Orlando asked for comparables for fees. The **Harbormaster** recounted that Plymouth charges \$450 per season for dinghy tie up and Salem charges \$300 per season, making Gloucester's new fee still considerably

lower. Public landing, floats, wharves and mooring maintenance costs have continued to rise considerably, and the fees currently in place haven't been looked at, in some cases, since the inception of the fees. Private local marinas, he noted charges \$600 and up for dinghy/small boat tie ups per season. He pointed out that going from \$50 to \$100 for a season is a 100% increase, but it is still well below most other North Shore communities.

This public hearing is closed at 7:36 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 Ch. 10 "Waterways" Sec. 10-51. "Regulation of moorings." by ADDING a new subsection (4) to subsection (i) as follows:

"10-51 (i) (4) There shall be a \$10.00 administrative fee for replacement decals for mooring and 10A float permits."

DISCUSSION:

Councilor LeBlanc explained the Harbormaster's Office has to purchase the decals, do the paperwork and distribute the decals and take in the money which takes a great deal of time. It is hoped by the institution of this replacement fee that it will encourage people to hold on to their stickers. He said that the vote of the Waterways Board in favor of this amendment was unanimous.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 10 "Waterways" Sec. 10-51. "Regulation of moorings." by ADDING a new subsection (4) to subsection (i) as follows:

"10-51. (i) (4) There shall be a \$10.00 administrative fee for replacement decals for mooring and 10A float permits."

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 Ch. 10 "Waterways" Sec. 10-51. (j) by ADDING new language at the end of this subsection as a new paragraph as follows:

"In the event of the surrender of or revocation of a mooring, float or raft permit, installed in the public waters of the city, the permittee has 45 days to remove or transfer all ground tackle. There will be a \$500.00 fine if mooring gear is left in water or not transferred after more than 45 days, plus an additional \$10.00 a day fine after the 45 days to a maximum of \$1,000.00. If mooring, float or raft permit is surrendered or revoked between October 1 and April 30 the 45 day removal period will begin on May 1."

DISCUSSION:

Councilor LeBlanc said it costs about \$400 for the Harbormaster to remove these moorings and floats. Instead of the Harbormaster's office absorbing the costs, the mooring owner/float owner will be absorbing the costs.

Councilor Gilman asked how the float owners will be notified of this change. **Harbormaster Ciarmetaro** said by way of background, there were moorings revoked or just given up and people leave their mooring gear in the water. He has to hire a vendor to go and remove the gear at a cost of anywhere between \$300 and \$500. He suggested that the fine had to be high enough to make it a deterrent because for a \$200 fine people would simply leave their gear. He pointed out that the new mooring permits will advise permit holders that upon their mooring being revoked or it is turned in you are responsible for removing your gear or you will be subject to a fine.

Councilor Orlando clarified with the Harbormaster that mooring and 10A float permit holders don't own their mooring, only their gear is owned by the permit holder; the city owns the water sheet and therefore the space where that mooring/10A float lays. **Harbormaster Ciarmetaro** said that there are sets of standards for the particular areas of each mooring field dependent on topography and marine

environment. He then described situations where the city has to absorb the costs of abandoned mooring gear which he said is in essence litter.

Councilor Nolan speaking off mic with the Harbormaster who reiterated situations of abandoned mooring gear that doesn't come close to Waterways requirements which then is left behind abandoned in the water as trash.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 10 "Waterways" Sec. 10-51. (j) by ADDING new language at the end of this subsection as a new paragraph as follows:

"In the event of the surrender of or revocation of a mooring, float or raft permit, installed in the public waters of the city, the permittee has 45 days to remove or transfer all ground tackle. There will be a \$500.00 fine if mooring gear is left in water or not transferred after more than 45 days, plus an additional \$10.00 a day fine after the 45 days to a maximum of \$1,000.00. If mooring, float or raft permit is surrendered or revoked between October 1 and April 30 the 45 day removal period will begin on May 1."

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 Ch. 10 "Waterways" Sec. 10-52. "Use of public landings." subsection (g) "Fees" by striking "\$50.00" and ADDING "\$100." pursuant to the fee for seasonal tie up of dinghies.

DISCUSSION:

Councilor LeBlanc said people have been tying up dinghies and small boats to the dinghy docks so this amendment is to bring the fee to a more appropriate standard.

Joanne M. Senos, City Clerk, clarified for the Council that there was a typographical error in the Code of Ordinances, and the fee should have been \$5.00 not \$50.00. Therefore, the motion is correct in striking "\$50.00."

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Sec. 10-52. "Use of public landings." subsection (g) "Fees" by striking "\$50.00" and ADDING "\$100." pursuant to the fee for seasonal tie up of dinghies.

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 Ch. 10 "Waterways" Sec. 10-53. "Use of public ramp at Dun Fudgin." (a) as follows:

"(a) The fees for launching vessels at the Dun Fudgin public access ramp shall be as follows and as pursuant to MGL c. 21A, §21A 2(8) and 320 CMR 2.00:

- (1) Daily fee for all users except commercial boat haulers per vessel launched by striking \$50.00 and adding \$8.00.
- (2) Delete in its entirety.
- (3) Delete language in its entirety and add: "Season pass for any vessel per season is \$75.00."
- (4) Daily fee for commercial boat haulers, per vessel launched by striking \$25.00 and adding \$35.00.
- (5) No changes to this line.

And to renumber accordingly."

DISCUSSION:

Councilor LeBlanc said that Dun Fudgin ramp is the busiest boat ramp in the state and is running at a deficit. He recounted that the city was bringing in about \$19,000 annually from ramp fees and costs were in actuality about \$23,000 annually to maintain and run the ramp. He advised that the Harbormaster looked to the state for their advice and suggestions, and these changes are reflective of the state's recommendations which should cover the city's costs to run the boat ramp.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 10 "Waterways" Sec. 10-53. "Use of public ramp at Dun Fudgin." (a) as follows:

"(a) The fees for launching vessels at the Dun Fudgin public access ramp shall be as follows and as pursuant to MGL c. 21A, §21A 2(8) and 320 CMR 2.00:

- (1) Daily fee for all users except commercial boat haulers per vessel launched by striking \$50.00 and adding \$8.00.**
- (2) Delete in its entirety.**
- (3) Delete language in its entirety and add: "Season pass for any vessel per season is \$75.00."**
- (4) Daily fee for commercial boat haulers, per vessel launched by striking \$25.00 and adding \$35.00.**
- (5) No changes to this line.**

And to renumber accordingly."

- 2. PH2017-068: Amend GCO Ch. 22 "Traffic and Motor Vehicles" Sec. 22-268 "One-way streets-Generally" by ADDING "Park Lane from Norman Avenue in a southerly direction to Linden Road"**

This public hearing is opened at 7:48 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:48 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 Ch. 22, Sec. 22-267 "One-way streets-Generally" by ADDING Park Lane from Norman Avenue in a southerly direction to Linden Road."

DISCUSSION:

Councilor Nolan explained that the residents of Park Lane all asked to have their road made one-way. He pointed out that the road was recently paved through a public/private betterment program with the city. Going from Park Lane onto Norman Avenue there is a blind spot with a wall, exacerbated in snow and ice conditions, he noted. He said through this change it will make a more fluid from Norman Avenue to Linden Road by creating a safer traffic flow for the entire neighborhood. He expressed his support the traffic amendment.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend Ch. 22, Sec. 22-267 "One-way streets-Generally" by ADDING "Park Lane from Norman Avenue in a southerly direction to Linden Road."

For Council Vote:

**1. Discussion and Council Vote to override Mayor's veto of City Council vote of November 14, 2017
Re: FY18 Tax Classification Factor**

Council President Ciolino reviewed for the Council that at the regularly scheduled Council meeting of November 14, at the close of the Public Hearing and after a discussion on the setting of the Tax Classification Factor for 2018, the Council voted 5 in favor, 4 opposed, to adopt a Residential Tax Classification Factor of 1.00 – and on November 16 Mayor Theken vetoed the vote of the Council. He announced that it was now up to the Council to override the Mayor's Veto in order for the Residential Tax Classification Factor of 1.00 to be adopted by the Council; and thereby, set that as the rate for FY2018. This motion is exactly as the Council voted it on November 14 after a full public hearing was opened and closed on the matter. This matter is voted only once, and it is either passed as an override, or the Mayor's veto stands.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Memhard, the City Council voted by ROLL CALL 4 in favor, 5 (Gilman, LeBlanc, Lundberg, Nolan, O'Hara) opposed, to adopt a Residential Tax Classification Factor of 1.00 for Fiscal Year 2018.

MAYOR'S VETO IS UPHELD.

Councilor LeBlanc moved to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF .996618 that equates to a CIP Shift of 1.03 for Fiscal Year 2018 which was seconded by Councilor Nolan.

DISCUSSION:

Councilor Orlando said it is important to note they start each year at 1.00 to 1.00, and that by voting 1.03 they are actually making a change which isn't the right thing to do. He said that he wouldn't support the rate at that level.

Councilor Gilman moved and Councilor Nolan seconded to amend the main motion to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF .998309 that equates to a CIP Shift of 1.015 for Fiscal Year 2018

DISCUSSION ON THE AMENDMENT:

Council President Ciolino said this is "splitting the difference" which is a good thing and would support the amended motion as they wouldn't do any better than this, and expressed his hope that next year the Residential Tax Classification Factor for FY2019 would be at 1.00.

Councilor Orlando conveyed his appreciation for the sentiment expressed by Councilor Gilman's amendment and appreciated it would be lower than last year's tax factor having shifted a burden onto the CIP classes, and that this is a good start to this conversation.

Councilor O'Hara asked why the Mayor vetoed the Council vote. **Mayor Theken** responded to the Councilor's inquiry as follows: In looking at last year's assessments, in speaking with local businesses, their assessments haven't risen in over three years to 1% but the residential assessment has gone up 5%. For 2017 homes that were renovated and built, a \$285,000 home valued in 2016 is now valued at \$400,000. This means surrounding neighborhood homes will rise. She said whether the Council changes the Tax Classification Factor or not, taxpayers need to understand that their assessments are rising regardless. She said she didn't want it to be "a little bit extra." Recounting the vote of the Council for the single use plastic bag ban was against those businesses who complained voiced their lack of support for the ban. She pointed out she didn't veto that action because it's a good thing. Now the Council is saying they want to help city businesses by doing this, when the businesses have told her as have other realtors that this vote of the Council to lower (the FY2018 Residential Tax Classification Factor) will hurt. Seniors didn't protest but that they need help as they're on fixed incomes. This year isn't time to change the rate, but expressed she would support a change in the following fiscal year. She further pointed out that there are few communities changing their tax classification factor as the assessments have increased throughout Massachusetts and with no appreciable housing stock available, and so home values are doubling. She suggested that a neighbor who built a \$500,000 home saw it value rise to \$1 million and now everyone has to be reassessed. She asked the Council to let the reassessment go -- her Administration is working with local businesses, still give TIF's, working with the waterfront business. She recounted that businesses aren't going to be attracted to Gloucester because of a flat tax classification factor but because of the educated and skilled work force and transportation available. She suggested that what may hinder that business development is the city's high water and sewer rates, yet those rates

weren't raised and they worked together to do that. She asked the Council to keep the RESIDENTIAL TAX CLASSIFICATION FACTOR OF .996618 that equates to a CIP Shift of 1.03 for Fiscal Year 2018 and said she promised she wouldn't veto a lower Residential Tax Classification Factor for Fiscal Year 2019.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Nolan, the City Council voted by ROLL CALL 6 in favor, 3 (Lundberg, Nolan, O'Hara) opposed, to amend the main motion of 1.03 Residential Tax Factor and to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF .998309 that equates to a CIP Shift of 1.015 for Fiscal Year 2018.

MOTION PASSES.

MAIN MOTION AS AMENDED:

MOTION: On a motion by Councilor Gilman, seconded by Councilor Nolan, the City Council voted by ROLL CALL 6 in favor, 3 (Lundberg, Nolan, O'Hara) opposed, to adopt a RESIDENTIAL TAX CLASSIFICATION FACTOR OF .998309 that equates to a CIP Shift of 1.015 for Fiscal Year 2018.

Kenny Costa, City Auditor, recommended to the Council that they take a vote to reconsider their just voted RESIDENTIAL TAX CLASSIFICATION FACTOR OF .998309 that equates to a CIP Shift of 1.015 for Fiscal Year 2018 so that they aren't waiting 24 hours and can place the Certificate of Vote before the Mayor for her signature so the Council will be ready for its Special Council Meeting on Thursday, November 30.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Orlando, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider its vote to adopt a RESIDENTIAL TAX CLASSIFICATION OF 1.015 for Fiscal Year 2018.

MOTION FAILS.

2. Decision to Adopt: SCP2017-010: Pine Road #10 & #14, Maps 219 & 230, Lots 133 & 118, GZO Sec. 5.2 Earth Fill & Removal

Councilor Lundberg briefly recounted the Special Council Permit process for SCP2017-010 saying that the applicant had purchased two lots that had preexisting illegal fill and was trying to make that fill legal so that it could remain on the property. This is to adopt the decision of the vote of the City Council.

Councilor Nolan explained that neighbors did have concerns which came to light at the P&D Committee meeting and at Council. He advised he'd met with most of the neighbors, and Councilor Cox had done a site visit. He said there were two particular concerns which were worked out with the contractor, and applicant, Chris McCarthy. He reported he's not heard back from anyone, and that it appeared everyone was pleased with the outcome.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adopt the Special Council Permit decision SCP2017-010 for Pine Road #10 & #14 pursuant to Section 5.2 of the Gloucester Zoning Ordinance.

Unfinished Business: None.

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

Update on the Council on Aging by City Council Representative, Councilor Valerie Gilman who first responded to a series of questions made earlier in the evening about the Senior Center saying that it had been hoped that if grant funding or extra monies were available that the Senior Center would have funded the position of an Activities Coordinator as the Executive Director of the Senior Center had mentioned to the B&F Committee during the FY18 budget review.

- There has been a recognition luncheon for the Center's volunteers sponsored by the Friends of the COA;
- Triad continues to work with seniors at the Center on emergency preparedness;
- There is a new Open Door partnership that sees a continuing expansion of the soup and salad bar at the Center. The partnership is becoming more formal, for a program that supplements which supplements food options for folks who use Meals on Wheels, and is a well-received program;

- The Center's art program under Juni Van Dyke continues to flourish and the diverse offerings of the Center's senior exercise programs were touched on briefly;
- Wednesday, Nov. 29 Councilor Cox, Ward 2 Councilor-Elect Ken Hecht, herself with Ainsley Smith of the Clean City Commission will be distributing compact, lightweight and easy-to-carry recyclable bags to seniors at 11:15 a.m. Councilor-Elect Hecht will also be bringing a cake for seniors to enjoy. Bags for the seniors were displayed to the Council. Councilor Gilman expressed that the Executive Director, Lucy Sheehan was looking forward to the visit for her seniors tomorrow.

To find out more Google the Rose Baker Senior Center or call 978-281-9765

Councilors' Requests to the Mayor:

Councilor Nolan announced the West Parish PTO Holiday Fair takes place on Friday, Dec. 1 starting at 6:00 p.m.

Councilor Orlando asked for an update or response about his last request about sidewalk safety on Angle and Western Avenue expressing his continuing concern for the danger encountered by pedestrians at that corner.

Councilor Cox announced a Red Cross Blood Drive at the Magnolia Library on Wednesday, Nov. 29 and another to be held on Wednesday, Dec. 6 in honor of Firefighter Jason LoCoco at Cruiseport from 12:00 p.m. to 5:00 p.m.; the Middle Street Walk will take place on Saturday, Dec. 9th throughout the day and into the early evening. She reminded drivers' downtown on that day to take extra precautions because of additional pedestrians.

Councilor Lundberg advised that he and Mayor Theken attended just before the Council meeting the Addison Gilbert Hospital's Lights of Love celebration and lighting of the Christmas tree on the portico of the main building facing Washington Street. He said the main purpose of the event is to support the hospital's and he at AGH lights of love celebration and lighting Christmas tree on portico; main purpose to support the hospital's cancer center. At the event, he noted, there was an announcement made by Shaun Wilson in honor of her partner, Susan Kyle, to create a new fund to help fund with unanticipated expenses of cancer patients being treated at the hospital's cancer center.

Councilor Memhard thanked the Mayor who will be meeting with himself and Councilor O'Hara and some East Main residents to make some progress on the on-going Americold noise issues, which is getting worse not better and expressed appreciation for her help.

Councilor Gilman requested that Mayor through the DPW Director per the Traffic Commission's review at their Oct. 26 meeting, provide one temporary portable handicapped parking sign for the Annisquam Village Church until such time as the church's new ADA entry is constructed and the approved permanent handicap parking space sign can then be installed. Last evening she advised she attended a lengthy session in Bedford hosted by Weed Maps on implementing responsible local cannabis policies in Massachusetts. She advised she'd given her summary to Karin Carroll, Public Health Director to be forwarded to the city's Recreational Marijuana Task Force. She noted that the biggest common concern of selectmen and councilors in attendance was that there is still no drivers test for driving under influence of marijuana. Weed Maps is a group that promoted the recreational marijuana bill and are equally concerned about edibles and those persons under 25 years of age. She said regardless of zoning decisions as a Council they will have to make moving forward and other such related issues, and the possible voter mandate that could come forward, at the meeting it was suggested there should be consideration for accepting a 3% tax for what is sold and get it in the books. She said they'll wait to hear what the task force recommends.

Councilor O'Hara added that the Blood Drive tomorrow at the Magnolia Library runs from 2:00 p.m. to 7:00 p.m. He advised that blood is in short supply during the holiday season, and he reminded that the demand is high and encouraged people to donate. He said potential donors can call 1-800-733-2762 to set up an appointment, walk right in and make one's donation without a wait. He also announced that on Saturday, Dec. 4 the Magnolia Library at 4:30 p.m. will be lighting the Christmas tree -- Santa will be there and pictures with Santa for children will be available. He said they would welcome all Gloucesterites to attend and enjoy the event. He noted that the Salvation Army is ringing the bell around Gloucester and most of the funds stay on Cape Ann for the needy. He encouraged people to call the Gloucester House Restaurant and speak to Annette to volunteer their time to ring a bell.

Councilor LeBlanc said he would be donating blood tomorrow. He thanked Councilor Ciolino for the Christmas Parade and all that he does as he puts a lot of "heart and soul" into it.

Council President Ciolino said this year's Christmas parade was great with Adam Curcuru and Lucia Amero as Grand Marshalls -- it was great to thank them for all they do for Cape Ann's servicemen and servicewomen. He highlighted a float describing first part which showed children surrounding a Christmas tree with their mother, and the husband was on the other side serving his country, doing his duty in the Middle East. There are a lot of people who put the parade together and do their jobs with love, he said. He acknowledged Brent "Ringo" Tarr with whom he's worked in recent years to make sure the parade and the Christmas tree lighting at Kent Circle mesh and all the

activities go off without a hitch. He thanked everyone who helped put this event together which brings Santa to Gloucester and he expressed thanks also for all the monetary donations and to the city for the time and participation of the Fire and Police departments.

Councilor Orlando highlighted the annual toy drive spearheaded by Sen. Bruce Tarr for children at Shriners Hospital; this year supported by Extreme Truck & Auto, Pauline Gifts, Orlando Associates, The Weathervane, Gloucester United Methodist Church are all collection points for new and unwrapped new toys. Wreaths Across America is another charitable effort in its second year on Cape Ann, laying wreaths at the graves of veterans at Beachbrook Cemetery; and acknowledged that wreaths aren't appropriate to a Jewish cemetery even though there are veterans who are buried at Mt. Jacob Cemetery. Those veterans will receive American flags instead, he advised. He encouraged donations for that event as last year's event was a great success. Contact Councilor Orlando for more information.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.