

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, February 27, 2018 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc; Councilor Melissa Cox; Councilor Valerie Gilman; Councilor Kenneth Hecht; Councilor Jennifer A. Holmgren; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara**

**Absent: None.**

**Also Present: Joanne Senos; Jim Destino; Kenny Costa; Chip Payson; John Dunn; Mike Hale; Deputy Harbormaster Chad Johnson; Tony Gross; Chris Sicuranza; Grace Poirier**

**The meeting was called to order at 7:01 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:**

- **CONFIRMATION OF REAPPOINTMENTS**
  - **MAYOR’S REPORT**
1. Appointments
 

Clean Energy Commission	TTE 02/14/2020	Debra Darby, Michael Nolan	(Refer O&A)
Historic District Commission Reappointments	TTE 02/14/2021	Carmine Gorga (alternate member)	(Refer O&A)
Clean Energy Commission	TTE 02/14/2020	Candace Wheeler	(Refer O&A)
Magnolia Woods Oversight & Advisory Committee	TTE 02/14/2021	Richard Jabba	(Refer O&A)
Tourism Commission	TTE 02/14/2019	Elizabeth Favazza	(Refer O&A)
  2. Supplemental Appropriation-Budgetary Request 2018-SA-18 from the DPW Director (Refer B&F)
  3. Supplemental Appropriation-Budgetary Request 2018-SA-19 from the DPW Director (Refer B&F)
  4. Supplemental Appropriation-Budgetary Request 2018-SA-20 from the DPW Director (Refer B&F)
  5. Memorandum & Special Budgetary Transfer Requests 2018-SBT-4, -5 & -6 from the Harbormaster/Waterways Board (Refer B&F)
  6. Acceptance of grant from MA State Historical Records Advisory Board & MA General Court in the amount of \$1,227.75 (Refer B&F)
  7. Memorandum from Public Health Director re: acceptance of upward amendment to the MA Opiate Abuse Prevention Grant in the amount of \$75,000 (Refer B&F)
  8. Memorandum from the Planning Director re: 65 Rogers Street (I4-C2) Temporary Use License & “Off-Street Parking Area” (Refer O&A)
  9. Memorandum from Planning Director re: Community Resilience Work Update (Info Only)
  10. Memorandum from the Mayor’s Office to the City Council re: Recreational Marijuana Task Force updates (Info Only)
    - **COMMUNICATIONS/INVITATIONS**
    - 1. Response from Mayor’s Office to Oral Communications of January 23, 2018 City Council Meeting to Alice Morris (Info Only)
    - 2. Response from Mayor’s Office to Oral Communications of February 13, 2018 City Council Meeting to Linda Romano (Info Only)
    - 3. Response from Mayor’s Office to Oral Communications of February 13, 2018 City Council Meeting to Karen Favazza Spencer (Info Only)
    - 4. Response from Mayor’s Office to Oral Communications of February 13, 2018 City Council Meeting to Damon Cummings (Info Only)
    - 5. Response from Mayor’s Office to Oral Communications of February 13, 2018 City Council Meeting to Patti Page (Info Only)
    - 6. Response from Mayor’s Office to Oral Communications of February 13, 2018 City Council Meeting to Tracey Ritchie (Info Only)
    - 7. Communication from General Counsel re: Recreational Marijuana Retail Licenses (Info Only)
      - **INFORMATION ONLY**
      - **APPLICATIONS/PETITIONS**
      - **COUNCILORS ORDERS**
  1. CC2018-006 (Lundberg/LeBlanc): Election of City Clerk pursuant to the City of Gloucester City Charter Sec. 2-7(a) (Refer O&A)
  2. CC2018-007 (Lundberg/Cox): Election of City Auditor pursuant to the City of Gloucester City Charter Sec. 2-7(a) (Refer B&F)
  3. CC2018-008 (LeBlanc): Request the Traffic Commission review the traffic patterns on Middle Street & Washington St. around the Joan of Arc statue & the American Legion building & make a recommendation on any amendments to the traffic ordinance (Refer O&A & TC)
  4. CC2018-009 (LeBlanc): Request the Traffic Commission review whether the crosswalk at “Tally’s Corner” be removed & make a recommendation to O&A (Refer O&A & TC)
    - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
    - 1. City Council Meeting: 02/13/2018 (Approve/File)
    - 2. Standing Committee Meetings: B&F 02/22/2018 (under separate cover), O&A 02/19/2018 (no meeting), P&D 02/21/2018 (Approve/File)

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

**Council President Lundberg** conveyed that Councilor O’Hara has submitted a draft Council Order and taken a lead role on the “very serious matter” of school building security although not on this Council agenda. He said that he and Councilor O’Hara have been working on the Order’s language to ensure it complies with the City Charter, and advised it will come forward to the Council soon.

**Councilor Gilman** removed Item #10, Memorandum from the Mayor’s Office to the City Council re: Recreational Marijuana Task Force updates and under Communications Item #7, Communication from General Counsel re: Recreational Marijuana Retail Licenses. She highlighted a review of Item #10 noting the memo from the Mayor’s office contained a description of a timetable as follows: March 15 the Cannabis Control Commission releases the state regulations; during the week of March 22 the city’s Recreational Marijuana Task Force will meet to establish its recommendations to the Mayor; and on March 27 there will be recommendations from the Task Force and the Mayor’s Office through the Mayor’s Report to the Council containing guidance on Ordinance and Zoning amendments. She then noted that Item #7 under Communications is a memorandum from General Counsel pursuant to MGL 94G, §3 “Local Control” which “provides cities an ability to limit the number of marijuana retailers to fewer than 20% of the number of licenses in the city for the sale of alcoholic beverages not to be drunk on the premises.” She pointed out that Mr. Payson reported there are 17 alcoholic beverage retailers in the city, and the 20% comes to 3.4. General Counsel recommended that this number is rounded down to 3.0, and says that the number of retailers becomes 3.0, she said

**Councilor Gilman** moved and was seconded, that the Memorandum from the Mayor’s Office to the City Council re: Recreational Marijuana Task Force updates and under Communications Item #7 Communication from General Counsel re: Recreational Marijuana Retail Licenses, be accepted as part of the February 27, 2018 Consent Agenda which was seconded and voted unanimously by the Council.

**A motion was made, seconded and voted unanimously to accept the Consent Agenda as amended.**

**Committee Reports:**

**Budget & Finance: February 22**

COMMITTEE RECOMMENDATION: On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of a prior year invoices for services rendered in FY2017 and FY2018 with no purchase order in place as follows:

By Ronald Seaboyer Electrical & Fire Alarm Maintenance, 235 Howard Street, Melrose, MA to be paid with FY2018 Budgeted funds from the DPW-Facilities, Purchase of Services, Account #0147252-52000:

<u>Invoice #</u>	<u>Date</u>	<u>Work Performed Dates:</u>	<u>Services Rendered:</u>	<u>Amount</u>
04013038	7/7/17	7/25/2016-8/29/2016	Fire Alarm Tests all city & school bldgs.	\$8,927.24
04013045	7/7/17	8/10/2016	Troubleshoot & replace 2 <sup>nd</sup> Fl. flow switch	\$ 900.00
04013050	7/7/17	8/19/2016 to 10/18/2016	Parts to repair fire alarm systems in schools and city bldgs.	\$2,969.65
04013104	7/7/17	11/29/2016 to 2/1/2017	High School IT Room	\$8,170.96
04013105	7/7/17	12/01/2016 to 02/01/2017	Parts purchased for IT Room	\$ 739.06
04014597	9/22/17	8/28/2017 to 09/22/2017	Test & Repair City bldg. fire alarm systems	<u>\$6,381.19</u>
TOTAL:				\$28,088.10

**DISCUSSION:**

**Councilor Cox** explained these invoices were brought to the attention of the Public Works Director, and it was unfortunate that no purchase orders had been put in place for them. This was an oversight that crosses fiscal years and for those reasons the matter is before the Council.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, that in accordance with MGL c. 44, §64 approve payment of a prior year invoices for services rendered in FY2017 and FY2018 with no purchase order in place as follows:**

**By Ronald Seaboyer Electrical & Fire Alarm Maintenance, 235 Howard Street, Melrose, MA to be paid with FY2018 Budgeted funds from the DPW-Facilities, Purchase of Services, Account #0147252-52000:**

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<b>TOTAL:</b>				<b>\$28,088.10</b>

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Hecht, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer 2018-SBT-3 in the amount of \$325.00 from Account #0113551-519010, City Auditor's Office, Sick Leave Buyback to Account #0116151-519010, City Clerk's Office, Sick Leave Buyback, for the purpose of funding a partial Sick Leave Buyback in the City Clerk's Office.

#### **DISCUSSION:**

**Councilor Cox** briefly conveyed that the City Clerk's office had a new employee, a member of the AFSCME B union, who has the "contractual right" to be able to buy back sick hours accumulated over 1,260 hours. This was an oversight in budgeting as no employee of the department had taken this option previously.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2018-SBT-3 in the amount of \$325.00 from Account #0113551-519010, City Auditor's Office, Sick Leave Buyback to Account #0116151-519010, City Clerk's Office, Sick Leave Buyback, for the purpose of funding a partial Sick Leave Buyback in the City Clerk's Office.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Hecht, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve 2018-SA-17 in the amount of \$103,659.44 (One Hundred Three Thousand Six Hundred Fifty Nine Dollars and 44 Cents) from General Fund, Balance Reserved For Overlay Surplus, Account #0001-322000, to Various General Fund Salary Accounts for the purpose of transferring funding to various General Fund Salary accounts to fund AFSCME A and B Fiscal Year 2018 Cost of Living Adjustment (COLA) per Memorandums Of Agreements as follows:

<u>Account #</u>	<u>Account Name</u>	<u>Amount</u>
0112151-511000	Executive - Mayor's Office, Salaries	\$ 958.19
0113551-511000	City Auditor's Office, Salaries	\$ 1,186.12
0114151-511000	Board of Assessors Office, Salaries	\$ 1,766.53
0114551-511000	Treasurer/Collector, Salaries	\$ 4,197.04
0114551-512000	Treasurer/Collector, Salaries & Wages - Temp.	\$ 507.67
0115151-511000	Law Department, Salaries	\$ 1,438.67
0115251-511000	Human Resources, Salaries	\$ 2,298.08
0115551-511300	MIS, Wages - Hourly	\$ 290.47
0116151-511000	City Clerk's Office, Salaries	\$ 2,101.54
0116151-511300	City Clerk's Office, Wages - Hourly	\$ 309.81
0116351-511000	Registration, Salaries	\$ 1,039.24
0118151-511000	Community Development, Salaries	\$ 1,360.64
0121051-511000	Police-Admin. Department, Salaries	\$ 1,872.57
0121151-511300	Police-Uniform Department, Wages - Hourly	\$ 150.59
0121851-511000	Police-Parking Department, Salaries	\$ 897.15
0121851-511300	Police-Parking Department, Wages - Hourly	\$ 492.66
0122051-511000	Fire Department, Salaries	\$ 740.83

0124151-511000	Inspectional Services, Salaries	\$ 2,965.47
0124151-511300	Inspectional Services, Wages - Hourly	\$ 771.76
0129251-511000	Police-Animal Control Department, Salaries	\$ 2,050.43
0129651-511300	Shellfish Control Department, Wages - Hourly	\$ 993.23
0141151-511000	DPW-Engineering, Salaries	\$ 325.69
0142151-511000	DPW-Admin. Department, Salaries	\$ 475.92
0147051-511000	DPW-Public Services Department, Salaries	\$16,934.35
0147251-511000	DPW-Facilities Maint. Department, Salaries	\$35,338.49
0147251-511300	DPW-Facilities Maint. Department, Wages - Hourly	\$ 391.02
0149951-511000	DPW-Central Services Department, Salaries	\$ 1,934.19
0151051-511000	Board of Health Department, Salaries	\$ 2,842.01
0151051-511300	Board of Health Department, Wages - Hourly	\$ 464.68
0154151-511000	Council on Aging Department, Salaries	\$ 1,846.18
0154151-511300	Council on Aging Department, Wages - Hourly	\$ 1,088.36
0154351-511000	Veteran's Benefits Office, Salaries	\$ 957.92
0161051-511000	Library Administration, Salaries	\$11,918.33
0161051-511300	Library Administration, Wages - Hourly	\$ 753.61
	<b>TOTAL:</b>	<b>\$103,659.44</b>

**It was moved, seconded and voted unanimously by the Council to waive the reading of accounts.**

#### **DISCUSSION:**

**Councilor Cox** conveyed this appropriation covers the Cost Of Living Adjustment for a total of \$103,659.44.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve 2018-SA-17 in the amount of \$103,659.44 (One Hundred Three Thousand Six Hundred Fifty Nine Dollars and 44 Cents) from General Fund, Balance Reserved For Overlay Surplus, Account #0001-322000, to Various General Fund Salary Accounts for the purpose of transferring funding to various General Fund Salary accounts to fund AFSCME A and B Fiscal Year 2018 Cost of Living Adjustment (COLA) per Memorandums Of Agreements as follows:**

<u>Account #</u>	<u>Account Name</u>	<u>Amount</u>
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0115551-511300	MIS, Wages - Hourly	\$ 290.47
0116151-511000	City Clerk's Office, Salaries	\$ 2,101.54
0116151-511300	City Clerk's Office, Wages - Hourly	\$ 309.81
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0121051-511000	Police-Admin. Department, Salaries	\$ 1,872.57
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0121851-511000	Police-Parking Department, Salaries	\$ 897.15
0121851-511300	Police-Parking Department, Wages - Hourly	\$ 492.66
0122051-511000	Fire Department, Salaries	\$ 740.83
0124151-511000	Inspectional Services, Salaries	\$ 2,965.47
0124151-511300	Inspectional Services, Wages - Hourly	\$ 771.76
0129251-511000	Police-Animal Control Department, Salaries	\$ 2,050.43
0129651-511300	Shellfish Control Department, Wages - Hourly	\$ 993.23
0141151-511000	DPW-Engineering, Salaries	\$ 325.69
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0147051-511000	DPW-Public Services Department, Salaries	\$16,934.35
0147251-511000	DPW-Facilities Maint. Department, Salaries	\$35,338.49
0147251-511300	DPW-Facilities Maint. Department, Wages - Hourly	\$ 391.02
0149951-511000	DPW-Central Services Department, Salaries	\$ 1,934.19
0151051-511000	Board of Health Department, Salaries	\$ 2,842.01
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0154351-511000	Veteran’s Benefits Office, Salaries	\$ 957.92
0161051-511000	Library Administration, Salaries	\$11,918.33
0161051-511300	Library Administration, Wages - Hourly	\$ 753.61
	<b>TOTAL:</b>	<b>\$103,659.44</b>

**Ordinances & Administration: February 19 – No Meeting – Presidents Day**

There are no matters for Council action from this meeting.

**Planning & Development: February 21**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council under GCO Ch. 21 “Streets, sidewalks and other public places” Sec. 21-3 “Street Names” to rename a common driveway with three lots as follows:

<u>Assessors Map/Lot #</u>	<u>Current Address</u>	<u>New Address</u>
234-99	10 Causeway Street	19 Estuary Way
234-47	12 Causeway Street	17 Estuary Way
234-100	14 Causeway Street	15 Estuary Way

**DISCUSSION:**

**Councilor Gilman** explained that these three parcels were created and approved by the Planning Board in June 2017. The addresses assigned at that time were based on the fact that the parcels have frontage on Causeway Street. Because these lots can’t be accessed from Causeway Street, a Common Driveway plan was also approved by the Planning Board with access from Concord Street. The naming and numbering plan is to name this Common Driveway and address these parcels for 911 purposes only. She said that, “for the record that this change of street name and number is not to be construed as a subdivision road; it shall not be used to derive frontage, nor shall it be recognized as a street or be eligible to be accepted as a public way.”

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted 9 in favor, 0 opposed, under GCO Ch. 21 “Streets, sidewalks and other public places,” Sec. 21-3 “Street Names” to rename a common driveway with three lots as follows:**

<u>Assessors Map/Lot #</u>	<u>Current Address</u>	<u>New Address</u>
234-99	10 Causeway Street	19 Estuary Way
234-47	12 Causeway Street	17 Estuary Way
234-100	14 Causeway Street	15 Estuary Way

**Scheduled Public Hearings:**

1. **PH2017-059: SCP2017-012: Schoolhouse Road #2, #3 and #4, Map 262, Lots 14 & 37, and Gloucester Crossing Road #7, Map 37, Lots 4 & 5, for a Special Permit under the Mixed Use Overlay District pursuant to GZO Sections 5.29 (including Major Project GZO Sec. 5.7), 5.29.10 and 5.11.8 (TBC 03/13/2018)**

**This public hearing was opened at 7:17 p.m. by Council President Lundberg.  
This public hearing was continued at 7:17 p.m. by Council President Lundberg to March 13, 2018.**

This public hearing is continued to March 13, 2018.

- 2. PH2018-003: Amend GZO by ADDING a Footnote “I” to Sec. 3.2.1, inserted into CB column, and ADDING the same footnote as Footnote “h” in the CB column for Sec. 3.2.2 re: affordable housing (TBC 04/10/2018)**

**This public hearing was opened at 7:18 p.m. by Council President Lundberg.  
This public hearing was continued at 7:18 p.m. by Council President Lundberg to April 10, 2018.**

- 3. PH2018-007: Amend GCO Ch. 10 “Waterways” Sec. 10-51 “Regulation of Moorings” subsection 10-51(e) “Fees” AND GCO Ch. 10 “Waterways” Sec. 10-52 “Use of public landings” re: increase of mooring fees and new dinghy dock fines**

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

**Those speaking in favor:**

**Tony Gross**, Chair of the Waterways Board, 18 Nashua Avenue, spoke to the request to raise mooring fees saying that the Harbormaster’s Department was reorganized and as a result there is an increased amount of activity generating more needs. The department previously was operating on a level income/expenditure basis -- yet in the last two years the department has greatly increased services to mooring holders and transient boaters, as well as providing an excellent launch service. He said customer service has “flourished” but comes with associated costs. The Waterways Board researched mooring charges from neighboring communities and found: Salem charges \$10 per foot; Plymouth charges \$10 per foot and additionally charges a \$250 water use fee for every vessel in that town; Manchester-by-the-Sea charges \$12.50 a foot for any boat tied up to a public mooring or dock or private dock; Newburyport charges \$8.00 per foot and charge a \$50 water use fee for every vessel in that town. He noted that on Cape Cod and the Islands charges range from \$8.00 per foot to \$14.00 per foot. He said the city’s rates as proposed is a “decent bargain” citing that the Harbormaster’s Department has been upgrading all of its equipment. He pointed out that there was a great need when the current Harbormaster took over for proper first responder equipment and highlighted that the department now has two new vessels with a 1962 Boston Whaler retired this year and replaced it with a newer used vessel. He said that this increase will allow the department to continue to deliver excellent services, noting that the Gloucester launch service needs to expand its hours. He said that while the launch service isn’t a profit-making enterprise it acts as a “first-class gateway” to the city.

As to the proposed fine for dinghies left on the city dinghy docks after the boating season, **Mr. Gross** explained that it has always been in the Waterways regulations that dinghies on city-owned docks have to be removed by Nov. 1 but there’s been nothing to enforce that regulation. He gave the example of tying his lobster boat up next to the Lobster Cove city-owned dinghy dock. He said that after Oct. 1 no one uses those dinghies; the dinghies are sinking, they are bailed and/or left. The dates for removal can change based on the Harbormaster’s judgement which is in the regulation pointing out that the Magnolia dinghy dock is the first to be removed as that float is very exposed and “takes a beating.” They need to get it out early, he said. He noted that it is a small group of permit holders so that the Harbormaster is able to keep in constant contact with them to let them know when he’s pulling the dock. The first major storm of the fall season usually prompts that dinghy dock’s removal and the other two come out a bit later. The regulation will now have teeth for enforcement purposes, he said, adding that this isn’t for the purpose of increasing revenues but is to get private vessels off of public property which creates a hazard if left in the off-season.

**Cate Banks**, 732R Washington Street, recounted she was a member of the Waterways Board when the city hired its first Harbormaster who didn’t have a phone, truck, boat or an office. She added that two other Harbormasters followed, and now there is a third young Harbormaster. When this Harbormaster took over the job, she said that he found things much the same as the first Harbormaster -- that there was so much that hadn’t been done or left undone, that he’s in the process of playing catch up and doing an excellent job at it. She said she was in favor of raising the mooring fees as well as a fee to act as a deterrent for people who leave their dinghies on public docks outside of the boating season.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Hecht** confirmed with Mr. Gross that the new fees for moorings are going from \$6.00/ft. to \$8.00/ft. for residents and from \$8.00/ft. to \$10/ft. for nonresidents.

**Councilor Gilman** inquired about the \$25 day penalty for leaving dinghies on city-owned dinghy docks after the boating season end date asking who will be the enforcement officer. **Mr. Gross** said it is the Harbormaster and described that each dinghy has its own permit sticker which identifies it. He said it has been concerning to see the abuse of the public property. **Councilor Gilman** asked how permit holders are going to be notified of these ordinance amendments. **Mr. Gross** said there will be an even greater emphasis on communications from the Harbormaster's Department with postings on their website, Facebook page, and the permit holders will be emailed. He added that when the new permits go back to the permit holders they will receive notice of this change as well.

**Councilor Cox** said that the Harbormaster did say that they'd mail notices when applications were completed and again prior to the end of the boating season. This is for all city dinghy docks, she noted. She said she was impressed with the thoroughness of the Harbormaster's plan to communicate this information to permit holders. **Mr. Gross** lauded the Harbormaster's Department's increased communications and said this is a customer service department.

**Councilor O'Hara** acknowledged that Magnolia Harbor is open water and conditions can change suddenly. If there is favorable fall weather and the Harbormaster opts to allow the float to remain beyond the documented removal date, when the decision to pull that dinghy dock is made, he asked how the Harbormaster will contact the permit holders. **Mr. Gross** said he anticipates the Harbormaster will work it out with the permit holders as there aren't that many.

**This public hearing is closed at 7:33 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Section 10-51(e) "Fees." by DELETING the phrase, "at the rate of \$6.00 per foot for city residents and taxpayers..." and ADDING the phrase in its place, "at the rate of \$8.00 per foot for city residents and taxpayers..." and by DELETING the phrase, "at the rate of \$8.00 per foot for nonresidents." and ADDING the phrase in its place, "...at the rate of \$10.00 per foot for nonresidents."

**DISCUSSION:**

**Councilor Cox** explained that city residents and taxpayers and nonresidents rates for mooring fees have remained unchanged since 2006. With the increased costs faced by the Harbormaster's Department and increases of services provided, this increase is reasonable, she said. She noted that this increase was supported by a vote of the Waterways Board. She explained that the B&F Committee learned that the Harbormaster had done his due diligence by investigating what many North and South Shore communities charge, and it is clear that this increase is in keeping with other municipalities. Even with this increase, Gloucester's rates are lower than many Massachusetts waterfront communities.

**Councilor Nolan**, highlighting that the Waterways Board and the Harbormaster's Department has come so far in just two years, he pointed out that there's been no mooring fee increase since 2006. He said it was laudable to see what the department has achieved in such a short time. He said he couldn't thank the Harbormaster's Department enough for their work -- this is a first-class department that deserves proper funding to support it moving forward.

**Councilor LeBlanc** conveyed that as the Council's Liaison to the Waterways Board he added his support for both the mooring fee increase and fine for dinghy dock permit holders. He advised that both these matters before the Council were vetted by Waterways Board subcommittees and with votes of support by the entire Waterways Board. He said he agreed with Ms. Banks comments, advising she is, "the best unofficial Waterways Board member" who attends every meeting. He also spoke highly of the city's Harbormaster and his team, mentioning Deputy Harbormaster Chad Johnson. He said the department staff works tirelessly, and their customer service is outstanding. He commented that years ago captains would sail by Gloucester deeming it an unfriendly stop. He pointed out that there is a review site for ports, and there was more talk of how pleasant it was to stay in Gloucester Harbor with the availability of the city's launch service and (transient) mooring accessibility. He commended the Harbormaster's Department for their great work.

**Councilor Hecht** noted that [Boaters.com](http://Boaters.com) gave the Harbormaster's Department an award recently. **Chad Johnson**, Deputy Harbormaster said that Boating.com named Gloucester in its, "Top 10 Harbors in New England" to visit this year. The city went from a 2.4 star rating to 4.9 star rating in one year. He said the award can be used to

tag the Gloucester Harbormaster's website on their mooring rental program (DOCKWA); their Facebook page, and free advertising in Boating.com's magazine.

**Councilor O'Hara** noted that he and Councilor Cox discussed some of the issues pertaining to signage, but conceded he will accept the beauty of open space. As long as communications can be maintained by the Harbormaster with permit holders, he said he is in favor of what the Harbormaster has proposed. He expressed his willingness to support the mooring fee increase because it hasn't been increased for many years. He said he's not as supportive of low non-resident fees but moving forward they have to be cognizant of what they charge residents. He commended the Harbormaster's Department whom he said has done much in a very short period of time.

**Councilor Lundberg** spoke to the question of the enforcement saying that the ability of the Harbormaster to keep track of who is on what mooring and who needs to be charged has increased exponentially, and said he has every confidence that there will be appropriate enforcement.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 10 "Waterways" Section 10-51(e) "Fees." by DELETING the phrase, "at the rate of \$6.00 per foot for city residents and taxpayers..." and ADDING the phrase in its place, "at the rate of \$8.00 per foot for city residents and taxpayers..." and by DELETING the phrase, "at the rate of \$8.00 per foot for nonresidents." and ADDING the phrase in its place, "...at the rate of \$10.00 per foot for nonresidents."**

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 10 "Waterways" Section 10-52 by adding new subsection 10-52(h) as follows:

"10-52(h) All vessels shall be removed from Public Floats at Cripple Cove and Lobster Cove by November 1 and Magnolia Pier by September 15 unless otherwise authorized by the Harbormaster. Any vessels left beyond September 15 and November 1 deadlines shall be assessed \$25.00 per day."

#### **DISCUSSION:**

**Councilor Cox** advised that this next amendment to Chapter 10 "Waterways" is not an increase of a fee but the institution of a fine as a preventive tool in order to allow for enforcement if necessary. She reported that the Harbormaster described to the B&F Committee that dinghy dock permit holders are leaving their dinghies tied up to city-owned dinghy docks beyond the boating season. He told the Committee that with the onset of the fall and winter his department has a problem removing damaged or sunk dinghies at the city's expense when owners don't take care of it. Because of this, the Waterways Board endorsed as did the Harbormaster the institution of a fine to be assessed at \$25.00 per day if dinghies aren't removed by the appropriate end date, she said.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 10 "Waterways" Section 10-52 by adding new subsection 10-52(h) as follows:**

"10-52(h) All vessels shall be removed from Public Floats at Cripple Cove and Lobster Cove by November 1 and Magnolia Pier by September 15 unless otherwise authorized by the Harbormaster. Any vessels left beyond September 15 and November 1 deadlines shall be assessed \$25.00 per day."

- 4. PH2018-008: City acceptance of private ways, Lawndale Circle and Lisa Drive, as public ways pursuant to GCO Ch. 21 and MGL Ch. 82**

**This public hearing is opened at 7:44 p.m.**

**Those speaking in favor:**

**Eric Loiacano**, 14 Lawndale Circle, a 17 year resident at that address, expressed his confidence that having seen the installation of both Lawndale Circle and Lisa Drive roadways from the beginning to the end, he assured the roadways were installed correctly and meet all the city requirements to be taken as public ways.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**



**This public hearing is closed at 7:46 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept Lawndale Circle and Lisa Drive as public ways in the City of Gloucester pursuant to GCO Ch. 21 "Streets, sidewalks and other public places," and M.G.L. Ch. 82.

**DISCUSSION:**

**Councilor Gilman** explained that this matter came forward based on a petition submitted by the abutters of Lawndale Circle and Lisa Drive. She reported that the CAO informed the P&D Committee that the subdivision has full road widths, and is built to city standards, and so the city would like to accept these two private roadways as public ways. She noted that the Council has on file a document signed by the Public Works Director, the Mayor, and the City Auditor who has verified that there is funding in place to take these roads into the "public domain." She said that while these two roadways aren't significant in road miles, Lawndale Circle and Lisa Drive will add to the city's public road miles total, positively affecting the state's Chapter 90 annual distribution.

**Councilor Nolan** conveyed his thanks to the Administration; Mike Hale, Public Works Director, and neighbors of the two roadways who came to him two years ago to work on this matter and obtained the agreement of all the neighbors. He expressed he was pleased with the outcome and offered his support.

**Councilor O'Hara** added his thanks to the Administration and Mr. Hale, also expressing his support.

**Council President Lundberg** said that the issue of public and private roads is a "multi-dimensional" issue. He said that this is a great example of the steps that need to be taken to do it right. He also extended his thanks to the neighbors, and Public Works Department for carrying this through for a Council vote.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted 9 in favor, 0 opposed, to accept Lawndale Circle and Lisa Drive as public ways in the City of Gloucester pursuant to GCO Ch. 21 "Streets, sidewalks and other public places," and M.G.L. Ch. 82.**

5. PH2018-009: Amend GCO Ch. 22 "Traffic & Motor Vehicles" Sec. 22-1 "Definitions" AND Ch. 22 "Traffic and Motor Vehicles" Art. V, Div. 1 "Stopping, Standing and Parking" Sec. 22-182 (reserved) AND Ch. 22 "Traffic and Motor Vehicles" Sec. 22-176(a) "Penalties for parking violations" re: Compact Vehicles

**This public hearing is opened at 7:50 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 7:51 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 1 (O'Hara) opposed, to recommend that the City Council Amend GCO Chapter 22 "Traffic and Motor Vehicles" Sec. 22-1 "Definition" by ADDING the definition of "Compact Vehicle" and "Compact Vehicle Parking Space" as follows:

"Compact Vehicle shall mean any vehicle less than 161 inches in length."

"Compact Vehicle Parking Space shall mean a parking space that is eight (8) feet wide by sixteen (16) feet long."

**DISCUSSION:**

**Councilor LeBlanc** explained that he put this forward because of city roads that are small and narrow where standard parking spots are overwhelming -- there are areas that don't meet the criteria for standard parking spaces. Instead of making it illegal to park in a small space that's not a legal parking spot, by creating the parameters for a compact car parking space, it will allow for more parking to be created in certain areas. He gave the example of a recent Council vote to remove the loading zone in front of the Virgilio's Bakery on Main Street. He pointed out that not only was there a loading zone, but dead space in front of it approximately at the "top" of Mansfield Way. That

“dead space” with this new definition could allow for a second legal parking space to be created there. He clarified that the purpose of this initiative isn’t to carpet the city with new compact car parking spaces but to allow specific places to be proposed through referral to the Traffic Commission and come forward for confirmation through the O&A Committee, and then add this new category of spaces carefully to fit the city. He also suggested there may be opportunities to add compact car parking spaces in some city-owned parking lots as well.

**Councilor Hecht** confirmed that this is just a definition the Council is adding to the Code of Ordinances. He said in many ordinances and developments, there are a certain percentage of compact car spaces that the city can impose. He said his constituents in Ward 2 have concerns about parking. A parking space that is eight feet wide versus 10 feet wide can make a difference so that every fifth car becomes “free space.” He offered to work with any Councilor who wished to study the issue to consider appropriate places they could put this initiative into effect.

**Councilor Holmgren** thanked Councilor LeBlanc for taking this proactive step and added her support.

**Councilor O’Hara** said he was the Councilor at O&A who voted against this initiative as he had expressed concern about enforcement. He recounted at the recent Feb. 15 Ward 1 meeting pertaining to beach parking it was highlighted that proposed traffic changes were all well and good but the question arose as to who would enforce the regulations. He said the concept is great, but that the enforcement issue remains his objection. **Councilor LeBlanc** said enforcement is by the same people that enforce violations of handicapped parking spaces. He said if a vehicle is not a compact vehicle, and such a space was available, it was his hope that a person is reasonable enough to self-enforce. Should they fail to do so, it would be the same people who would then enforce it. While some things are hard to enforce, he said, they have to look at the big picture.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 8 in favor, 1 (O’Hara) opposed, to Amend GCO Chapter 22 “Traffic and Motor Vehicles” Sec. 22-1 “Definition” by ADDING the definition of “Compact Vehicle” and “Compact Vehicle Parking Space” as follows:**

**“Compact Vehicle shall mean any vehicle less than 161 inches in length.”**

**“Compact Vehicle Parking Space shall mean a parking space that is eight (8) feet wide by sixteen (16) feet long.”**

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 1 (O’Hara) opposed, to recommend that the City Council Amend GCO Chapter 22 “Traffic and Motor Vehicles” Article V, Division 1 “Stopping, Standing and Parking” Sec. 22-182 by adding a new Section 22-182 entitled, “Compact Vehicle Parking as follows:  
“Only compact vehicles as defined in Section 22-1 shall park in Compact Vehicle parking spaces.

Secs. 22-183 to 22-189. - Reserved”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 8 in favor, 1 (O’Hara) opposed, to Amend GCO Chapter 22 “Traffic and Motor Vehicles” Article V, Division 1 “Stopping, Standing and Parking” Sec. 22-182 by adding a new Section 22-182 entitled, “Compact Vehicle Parking as follows:**

**“Only compact vehicles as defined in Section 22-1 shall park in Compact Vehicle parking spaces.**

**Secs. 22-183 to 22-189. - Reserved”**

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 1 (O’Hara) opposed, to recommend that the City Council Amend GCO Chapter 22 “Traffic and Motor Vehicles” Section 22-176(a) “Penalties for parking violations” by ADDING:

“28 Compact Vehicle Parking \$15.00”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 8 in favor, 1 (O'Hara) opposed, to Amend GCO Chapter 22 "Traffic and Motor Vehicles" Section 22-176(a) "Penalties for parking violations" by ADDING:**

**"28 Compact Vehicle Parking \$15.00"**

**For Council Vote:**

**1. City Council letter of support re: development of affordable rental apartments "Harbor Village" at 206 Main Street**

**Council President Lundberg** explained that this letter to the Undersecretary of the Department of Housing and Community Development for the Commonwealth is in support of the Harbor Village development project for affordable housing. He noted that the Mayor has added her support. As part of Action, Inc.'s application and grant-seeking process the support of the Council is very important, he said. He recounted that the development is moving forward on the path as previously outlined to the Council which takes about two years to full funding.

**Councilor Cox** said she's already submitted a letter of support from herself. She said she sees no harm in forwarding this letter from the Council as well.

**Councilor Hecht** said with the financing of these projects, it is a once-a-year awarding of funding and briefly described how it works. Any support they can lend to this grant application be it as singular Councilors, as a full City Council or from members of the public will be important to help get this project "over the finish line," he said.

**Councilors Gilman** and **Holmgren** added their support of the letter saying they wanted to see the project move forward.

**Councilor Nolan** said he also sent an individual letter of support, and urged the public to do so as well. This is a great project for the city and expressed his hope to see more projects like it come forward.

**Council President Lundberg** added that this is an important part of city's affordable housing scheme, and that the Council's support of this project is very meaningful.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Hecht, the City Council voted 9 in favor, 0 opposed, to send a letter to Undersecretary Chrystal Kornegay, State Department of Housing and Community Development in support of Harbor Village, 206 Main Street, Gloucester, MA, a development of 100% affordable rental apartments.**

**Unfinished Business: None.**

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

**Update of the Stage Fort Park Advisory Committee and the Magnolia Woods Oversight & Advisory Committee by City Council Representative, Councilor Nolan** who highlighted the following matters:

- The Magnolia Woods Oversight & Advisory Committee hasn't had a meeting in some time. They'll get together to re-form a mission statement; working with the youth programs and the Cape Ann Flyers Club who use Magnolia Woods.
- The Stage Fort Park Advisory Committee is very dedicated and work hard. There was an archeological study RFP released for the Fort but no entity pulled it. Another will be released soon, he advised. This study will help to determine things that may or may not have been in place before the city moves forward with restoration work. David Dow's "painstaking" work to obtain grants for the restoration of the Fort's cannons was highlighted which will result in functional cannon(s) to use at very special city events.

There was a brief update on the Stage Fort Park Tennis Courts by **Councilor Gilman** who reported that now that the tennis courts have been named for Avis Murray, there was a fundraising meeting yesterday. She announced that June Steel, Dick Wilson and Ellen Preston are taking "active" leadership roles. She reported that there have been some initial estimates obtained, and this group is working with the Administration to make sure this goes through as a fundraiser.

**Councilors' Requests to the Mayor:**

**Councilor Gilman** requested the replacement of a missing street sign for Rainbow Lane. She announced on Friday, March 2 there will be a forum on marijuana, vaping and addiction at the O'Maley Innovation Middle School Auditorium. The 5:30 p.m. session will be open to the public. Two other sessions taking place during the day are for parents and their children: the first session is at 9:00 a.m. for sixth and seventh graders. Parents and guardians are

encouraged to attend. The second session is for eighth graders and their parents or guardians. Dr. Ruth Potee, a board certified Family Physician and Addiction Medicine physician will be speaking. This is also presented by Interim Police Chief John McCarthy, Superintendent Safier, Cops & Kids, and the O'Maley School. She mentioned a request she made to reinstitute Student Government Day and to that end there's a meeting at GHS with Superintendent Safier and Councilor Holmgren that she will attend. She mentioned that this falls under GCO Art. I, Sec. 2-7 "Student Government Day," and read the pertinent section. She advised they will brainstorm at that meeting and bring this important event "back into being." She also noted the involvement of the City Clerk and the Administration also. She pointed out that the last time there was a Student Government Day was in 2007. She announced that "Shrek, Jr., the Musical" is being presented by the middle school students at the O'Maley Innovation School by a double cast with the following rotation and dates: Friday, March 2 at 7:00 p.m. Cast X; Saturday, March 3 at 7:00 p.m. Cast Y; Sunday, March 4 at 1:00 p.m. Cast X; Friday, March 9 at 7:00 p.m. Cast Y; Saturday, March 10 at 7:00 p.m. Cast X. She noted that when her son was a student at the O'Maley Innovation School, now a GHS senior, he participated in many musicals and lauded the quality of the productions with the great teachers and directors involved. For more information see the O'Maley Innovation School's website: <http://omaley.gloucesterschools.com/>

**Councilor O'Hara** requested that the DPW look at all roadways throughout city to assess the many dead limbs hanging over streets and sidewalks which he said could create major damage to a person or their property. He asked that a "scout" be sent out during evening hours to observe streetlights and identify those that are not working and/or damaged. He noted one in particular at the corner of Dale Avenue and Middle Street. He asked that the DPW identify all potholes in the city and move forward with their repair. He announced that on Monday, March 26 from 2:00 p.m. to 7:00 p.m. there is a Red Cross Blood Drive at the Magnolia Library. He said the need for blood products is acute given this year's flu season, and to call the Red Cross for an appointment.

**Councilor Holmgren** noted that last evening and this morning the Animal Advisory Committee was pleased to have Dr. Jonathan Way present on the Eastern Coyote ecology and behavior first at the Rocky Neck Cultural Center and then at the Rose Baker Senior Center. She highlighted some of the points that came forward in the presentation such as coyote, wolf and canine breeding; behaviors and territories and how to co-exist with these animals that have learned to flourish in a suburban environment. She extended her thanks the Rocky Neck Cultural Center and the Rose Baker Senior Center for hosting; to Dr. John Way for his presentation, for Joan Stone's generous sponsorship; to Mayor Theken and Councilor Memhard for their attendance, and to the Animal Advisory Committee for their dedicated work.

**Councilor Memhard** added his thanks to the Animal Advisory Committee for their "insightful and interesting" presentation saying that this is a matter of coexisting as coyotes aren't going away. He pointed out that a coyote pack covers 10 square miles consisting of three to five coyotes; and that there aren't as many packs and coyotes as one might think on Cape Ann. He asked that the Mayor through the DPW Director prioritize the repair of potholes on Brightside Avenue, Moorland and Beach Roads. He commended and encouraged all Gloucester residents to turn out at the Grant Rotary on Saturday morning, March 3. He recounted that this past Saturday there was a "record setting" number of residents who joined in response to recent Florida high school shooting in support of appropriate gun laws and controls on assault weapons. He said they will gather every Saturday on this public statement about gun legislation as needed.

**Councilor Nolan** highlighted the assistance of Interim Police Chief John McCarthy, Officer Kevin Hicks and Officer Kelly Gossom about a speeding issue on Lexington Avenue. He said they can't thank the city's Police Department enough for their professionalism, their community service and community policing. It was very well received by the neighbors and the parents of the Montessori School.

**Councilor Cox** invited the public to the Discover Gloucester annual meeting Wednesday, Feb. 28 from 5:30 p.m. to 7:30 p.m. at the Mile Marker Restaurant.

**Councilor LeBlanc** requested that the Mayor through the DPW Director repair lights on Stacy Boulevard noting that some have been blown off of their posts or the fixture domes are missing.

**Council President Lundberg** said he wished to reiterate Councilor Gilman's note on Student Government Day recounting that during the recent municipal election high school students shadowed the candidates to learn about democracy. He said that Student Government Day would be a great extension of that initiative. He mentioned that periodically the Council and the School Committee has a joint meeting and one such meeting is taking place on Tuesday, March 6 at 7:00 p.m. at the O'Maley Innovation Middle School Library. He highlighted that the agenda will cover such topics as the upcoming school budget and the arrangement of the city's care and maintenance of the schools. He said since the tragedy in Florida occurred they want to ensure they've addressed the issue of school building security to the extent necessary to protect city students and faculty. He said it is hoped this will be the start of a fulsome discussion on the matter and lead to an action plan to make city schools safer.

**Councilor Hecht** said on that on Thursday, March 1 at the Gloucester House there will be an Economic Outlook Breakfast featuring the CEO of Gorton's, Inc. He noted that he and Councilor Nolan are meeting the following day at 2:30 p.m. with the School Committee Chair, Jonathan Pope, at West Parish School to work on a plan for the school's parking issue.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:22 p.m.**

**Respectfully submitted,**

*Dana C. Jorgensson*  
**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**