

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, June 26, 2018 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

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

**Absent:** None.

**Also Present:** Grace Poirier; Jim Destino; Kenny Costa; John Dunn; Larry Durkin

**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:**

**James Cook**, 622 Western Avenue, noted since 1974 his involvement and experience as an appointee by the Mayor to a committee to address concerns regarding the Magnolia landfill and its closure, highlighting his appointed membership on the Magnolia Woods Oversight & Advisory Committee. He expressed concern for the now capped landfill asking that certain issues be addressed such as: trees growing on top of the landfill cap; a grove of trees in the parking lot; erosion that has exposed the plastic lining at various points in the park; drainage failures; a blocked culvert. He suggested this was in violation of state code for a closed landfill, noting that there was no final approval of the landfill closure from the state. He expressed further concern for the cleanliness of the dirt on the playing fields (letter to Council and Mayor placed on file).

**Ainsley Smith**, 14 Pine Street, noting the FY19 budget approval, cited page 32 of the Police Department’s budget for a \$150,000 line item. She indicated it was for seasonal weekend police staffing for city beaches and asked for clarification whether this was for traffic and parking violations or if these officers can also enforce littering violations (written statement placed on file).

**Richard Luecke**, 837 Washington Street, expressed concern for Councilor Hecht’s initiative with volunteers to string 23,000 LED lights in Main Street trees. Saying he understood the need for a vital downtown, he highlighted that there needs to be protection for the city’s dark night sky. He suggested that under the Code of Ordinances Ch. 5, Sec. 5-4 “Outdoor illumination standards, including standards for illuminated signs” that this initiative was not in conformity with parts of it. He asked for a meeting to find ways to remediate the most damaging aspect of the project.

**Virginia Renehan**, 6 Grapevine Road, expressed concern for the initiative to string 4.3 miles of LED lights in trees on Main Street citing issues the lights create for wildlife as well as associated health issues to human life (submitted “Report of the Council on Science and Public Health on Human and Environmental Effects of LED Community Lighting”). She suggested there needs to be more discussion and input from the community as well as conformance to city codes.

**Presentations/Commendations:**

Presentation from Carl Ellis on the Youth Legends Street Hockey

**Carl Ellis**, 5 Bray Street, President and Founder of Youth Legends Street Hockey and representing its Board, conveyed briefly the history of the Youth Legends Street Hockey in Gloucester from its founding in 2004 serving city youngsters in the fourth to eight grades. He cited the program has become a good summer outlet for youth hockey players and a staff of 20 individuals and is a non-profit organization. He advised the program’s intention to expand to the North Shore but to create a hub in Gloucester. He noted the Stage Fort Park basketball court which the street hockey program utilizes has deteriorated. With the court’s deterioration, he suggested turning the basketball court into a street hockey rink facility or maintaining the basketball court but expanding it to include a street hockey rink. He pointed out that this is where the league was born, and it could become a facility serving more young people.

**Councilor Cox** encouraged Mr. Ellis to seek a Community Preservation Act Fund grant to help to rehabilitate the basketball court and offered her assistance.

**Councilor LeBlanc** expressed his appreciation for Mr. Ellis' work recounting participation in an ad hoc boyhood street hockey league. He also offered his assistance to Mr. Ellis.

**Councilor O'Hara** asked about the expansion of the Youth Legends Street Hockey. **Mr. Ellis** noted they plateaued at 120 players for eight teams but currently have six teams with about 75 players. They're projecting keeping their program to about 80 to 100 participants. He assured that Gloucester will always be the home for the Youth Legends Street Hockey program. He noted that some of their participants come from Beverly and Danvers, but would like to branch out to Beverly. A facility in Gloucester would be a helpful venue especially for tournaments, he added. **Councilor O'Hara** asked what would be the ideal set up for the league and was it open to all Gloucester youth. **Mr. Ellis** noted about 90% of the participants is from Gloucester and about 10% come from Rockport. He confirmed that all city youth are welcome in the grade range for the league. He noted the program cost is \$50 for the summer, he added. He briefly touched on what an ideal facility for the league at the behest of the Councilor.

**Councilor Gilman** asked if there were any basketball leagues playing at Stage Fort Park at this time. **Mr. Ellis** advised the league holds a DPW permit for Friday and Saturday evenings, and that since the inception of the program he has never encountered anyone playing basketball at that time or any conflicts of use.

**Confirmation of New Appointments:**

Magnolia Pier Advisory Committee

Liisa Nogelo

TTE 02/14/21

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 (O'Hara) absent, to recommend that the City Council appoint Liisa Nogelo to the Magnolia Pier Advisory Committee, TTE 02/14/21.

**DISCUSSION:**

**Councilor LeBlanc** highlighted Ms. Nogelo is an attorney back in Gloucester with roots in Magnolia. He advised O&A allowed her to miss the meeting as she had a prior commitment.

**Councilor Nolan** mentioned that Ms. Nogelo will be a great asset to the Magnolia Pier Advisory Committee.

**Councilor Holmgren** added her approbation of Ms. Nogelo's appointment.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to appoint Liisa Nogelo to the Magnolia Pier Advisory Committee, TTE 02/14/21.**

**Consent Agenda:**

- **CONFIRMATION OF REAPPOINTMENTS**
  - Tourism Commission Elizabeth (Favazza) Osier TTE 02/14/19
- **MAYOR'S REPORT**
  - 1. New Appointment
    - Gloucester Trust Fund Commission Karen Neva Bell TTE 02/14/21 (Refer O&A)
  - 2. Request from Public Health Director to accept a two-year extension on the Substance Abuse Prevention Collaborative Grant in the amount of \$200,000 (Refer B&F)
  - 3. Memorandum from City-Owned Cemeteries Advisory Committee requesting reimbursement of an FY17 invoice in the amount of \$667.55 to be paid with FY19 Mayor's Office Budget to a committee member/SHRAB Grant for materials paid for with the committee member's own funds (Refer B&F)
  - 4. Addendum to Mayor's Report: Memorandum from Community Development Director & Harbormaster re: Harbormaster Office Building Committee (Refer O&A)
  - 5. Addendum to Mayor's Report: Memorandum from Community Development Director & CFO re: Loan Order & Grant Approval for Harbormaster Facilities Improvements & Visiting Boater Center (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
- **APPLICATIONS/PETITIONS**
  - 1. PP2018-005: Petition by National Grid to install 38' +/- of 2-4" PVC conduits from existing MH 24-1 to the property line at 417 Main Street (Refer P&D)
  - 2. PP2018-006: Petition by National Grid to install approx. 30' of conduit on Rocky Neck Ave. from existing Pole #2971 to Rocky Neck Avenue #30 (Refer P&D)
- **COUNCILORS ORDERS**
  - 1. CC2018-031 (O'Hara): Amend GCO Ch. 22 "Traffic and Motor Vehicles" Art. V "Stopping, Standing and Parking", Div. 1 Generally" Sec. 22-176(a) "Penalties for violation" by DELETING "45.00" in Code 04 and replacing it with "75.00"; and AMEND Sec. 22-176(b) re: increase of fine if not paid within a certain period of time (Refer O&A)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
  - 1. City Council Meeting: 06/12/2018 (Approve/File)
  - 2. Standing Committee Meetings: B&F 06/21/18 (under separate cover), O&A 06/18/18 (under separate cover),

Special P&amp;D 06/13/18; P&amp;D 06/20/18 (under separate cover)

(Approve/File)

**Items to be added/deleted from the Consent Agenda & Addendum to Mayor's Report:**

**Council President Lundberg** noted that the Council received an Addendum to the Mayor's Report submitted by the CAO, Jim Destino, just before the start of the meeting with two matters, one for the O&A Committee and another for the B&F Committee (see Consent Agenda listing under "Mayor's Report").

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

**Committee Reports:****Budget & Finance: June 21**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Holmgren, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept a federal grant under MGL c. 44, §53A a Federal Clean Vessel Act Grant from the U.S. Department of the Interior passed through the Massachusetts Division of Marine Fisheries for \$11,000.00 for the purpose of servicing resident and transient boaters of the City for the disposal of sewage from vessel holding tanks and portable toilets of which \$9,000 is earmarked for the City's pump-out boat and \$2,000 is earmarked for the purpose of a shore side pump-out facility at Solomon Jacobs Park Landing.

**DISCUSSION:**

**Councilor Cox** noted this is an annual grant funding for the city's pump out boat maintenance and the new shore-side pump out station at Solomon Jacobs Park Landing.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to accept a federal grant under MGL c. 44, §53A a Federal Clean Vessel Act Grant from the U.S. Department of the Interior passed through the Massachusetts Division of Marine Fisheries for \$11,000.00 for the purpose of servicing resident and transient boaters of the City for the disposal of sewage from vessel holding tanks and portable toilets of which \$9,000 is earmarked for the City's pump-out boat and \$2,000 is earmarked for the purpose of a shore side pump-out facility at Solomon Jacobs Park Landing.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a Planning for Housing Production Grant as part of the Baker-Polito Administration's Housing Choice Initiative for technical assistance from the Massachusetts Housing Finance Agency (MassHousing) with a monetary value of up to \$50,000. The purpose of this grant is to provide technical assistance to update the City of Gloucester's zoning ordinance in conjunction with MassHousing and assist the City of Gloucester with its Housing Production Plan. The local cash match required is equal to 10% of the value of the consultant services awarded and is up to \$7,500.

**DISCUSSION:**

**Councilor Cox** reported the following: That the Council is accepting this grant for technical assistance with a value of up to \$50,000. A consultant to the city to work on Gloucester's housing production plan strategies and will be paid directly through the state. The 10% grant match will mostly be comprised of staff in-kind services, but the FY18 department budget does have a remainder of funding to cover what is necessary in cash for the rest of the match.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A a Planning for Housing Production Grant as part of the Baker-Polito Administration's Housing Choice Initiative for technical assistance from the Massachusetts Housing Finance Agency (MassHousing) with a monetary value of up to \$50,000. The purpose of this grant is to provide technical assistance to update the City of Gloucester's zoning ordinance in conjunction with**

**MassHousing and assist the City of Gloucester with its Housing Production Plan. The local cash match required is equal to 10% of the value of the consultant services awarded and is up to \$7,500.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Holmgren, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a Municipal Vulnerability Preparedness (MVP) Program Grant from the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$107,044 with a 25% match to be comprised of a cash match of \$25,026, funds of which will come from the FY2019 Water Enterprise budget; and \$12,700 staff in-kind hours. The purpose of this grant is to study Watershed and Water Supply Vulnerability by conducting risk assessment and enumerating management strategies.

**DISCUSSION:**

**Councilor Cox** explained that this MVP Grant funding will be utilized to look at watershed and water supply resilience, offering her thanks to the Planning Director and the Administration’s team for pursuing this grant. She noted another MVP application is being made for a Coastal Resilience Grant for the High School flood mitigation.

**Council President Lundberg** expressed agreement this was a good grant funding for the city.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A a Municipal Vulnerability Preparedness (MVP) Program Grant from the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$107,044 with a 25% match to be comprised of a cash match of \$25,026, funds of which will come from the FY2019 Water Enterprise budget; and \$12,700 staff in-kind hours. The purpose of this grant is to study Watershed and Water Supply Vulnerability by conducting risk assessment and enumerating management strategies.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council under MGL c. 44, §53A accept federal grants in the amount of \$652,277 for the Community Development Block Grant from the U.S. Department of Housing and Urban Development for Program Year 2018/Fiscal Year 2019 and the HOME Grant from the North Shore HOME Consortium for Program Year 2018/Fiscal Year 2019 in the amount of \$97,103.

**DISCUSSION:**

**Councilor Cox** explained that this is an annual grant acceptance. These funds assist a wide range of community efforts. She offered that a list of what is funded through these grants was contained in the June 21, 2018 B&F Committee Agenda packet available on line on the city’s website.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A to accept federal grants in the amount of \$652,277 for the Community Development Block Grant from the U.S. Department of Housing and Urban Development for Program Year 2018/Fiscal Year 2019 and the HOME Grant from the North Shore HOME Consortium for Program Year 2018/Fiscal Year 2019 in the amount of \$97,103.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Holmgren, 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 prior year invoices for services rendered during FY2017 with FY2018 General Fund – Public Works Facilities Maintenance budgeted funds which exceeded the dollar amounts for opened Purchase Orders for a total of \$7,192.92 as follows:

<u>Company Name</u>	<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Amount</u>
Cooling and Heating Specialists, Inc.	Invoice #17-1863	6/19/2017	\$2,514.20
Cooling and Heating Specialists, Inc.	Invoice #17-1864	06/28/2017	\$4,678.72
TOTAL:			\$7,192.92

**DISCUSSION:** None.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of prior year invoices for services rendered during FY2017 with FY2018 General Fund – Public Works Facilities Maintenance budgeted funds which exceeded the dollar amounts for opened Purchase Orders for a total of \$7,192.92 as follows:

<u>Company Name</u>	<u>Invoice Number</u>	<u>Invoice Date</u>	<u>Amount</u>
Cooling and Heating Specialists, Inc.	Invoice #17-1863	6/19/2017	\$2,514.20
Cooling and Heating Specialists, Inc.	Invoice #17-1864	06/28/2017	\$4,678.72
<b>TOTAL:</b>			<b>\$7,192.92</b>

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Holmgren, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2018-SA-33 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the Highway Force Account, Transfers to the General Fund, Account #32085-596001, to DPW, Public Services-Repairs & Maintenance Paving, Account #0147052-524014 for the purpose of spring paving, line painting, etc.

**DISCUSSION:** None.

**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 Supplemental Appropriation 2018-SA-33 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the Highway Force Account, Transfers to the General Fund, Account #32085-596001, to DPW, Public Services-Repairs & Maintenance Paving, Account #0147052-524014 for the purpose of spring paving, line painting, etc.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Holmgren, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2018-SA-34 in the amount of \$10,000.00 (Ten Thousand Dollars) from the Capital Projects Stabilization Fund-Undesignated Fund Balance, Account #7600-359000, to Capital Projects Stabilization Fund, Site Improvements, Account #760016-584000 for the purpose of the repair of Stacy Boulevard Railings.

**DISCUSSION:** None.

**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 Supplemental Appropriation 2018-SA-34 in the amount of \$10,000.00 (Ten Thousand Dollars) from the Capital Projects Stabilization Fund-Undesignated Fund Balance, Account #7600-359000, to Capital Projects Stabilization Fund, Site Improvements, Account #760016-584000 for the purpose of the repair of Stacy Boulevard Railings.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Holmgren, seconded by Councilor Memhard, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council under MGL c. 44, §53A to accept a donation of \$326 from the Awesome Gloucester Foundation for the purpose of future cemetery preservation projects of the City-Owned Cemeteries Advisory Committee.

**DISCUSSION:** None.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A to accept a donation of \$326 from the Awesome Gloucester Foundation for the purpose of future cemetery preservation projects of the City-Owned Cemeteries Advisory Committee.

#### **Ordinances & Administration: June 18**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2018-030 (Holmgren/Nolan): Request O&A & B&F examine the potential of raising the Stage

Fort Park non-resident access fee and explore the potential of opening a fund/account to designate a portion of the fee to ready Stage Fort Park for the Quadricentennial celebration in 2023 without prejudice.

**DISCUSSION:**

**Councilor Holmgren** advised that they received feedback that it would be more appropriate to pursue other avenues (for funding). Council President Lundberg reminded the Council that because the withdrawal contains the statement, “without prejudice,” the matter could return once more as a Council Order should the need arise.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to permit the withdrawal of CC2018-030 (Holmgren/Nolan): Request O&A & B&F examine the potential of raising the Stage Fort Park non-resident access fee and explore the potential of opening a fund/account to designate a portion of the fee to ready Stage Fort Park for the Quadricentennial celebration in 2023 without prejudice.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2018-018 (Gilman/Memhard/O’Hara) Placement of question on ballot for a special election to be held in 2018 which would state, “Shall this city adopt the following ordinance? Consistent with MGL c. 94G, sec. 3(a)(2) non-medical marijuana retailers as defined in MGL c. 94G, sec.1 shall be limited to one (1) within the City of Gloucester without prejudice.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to permit the withdrawal of CC2018-018 (Gilman/Memhard/O’Hara) Placement of question on ballot for a special election to be held in 2018 which would state, “Shall this city adopt the following ordinance? Consistent with MGL c. 94G, sec. 3(a)(2) non-medical marijuana retailers as defined in MGL c. 94G, sec.1 shall be limited to one (1) within the City of Gloucester without prejudice.**

**Planning & Development: June 20**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 2 in favor, 1 (Gilman) opposed, under GCO Ch. 21, Sec. 21-3 “Street names” to rename Mooncusser Lane to Midnight Sun Lane, Lot 207, Map 34; formerly known as 220R Magnolia Avenue.

**DISCUSSION:**

**Councilor Gilman** recounted that there were four department head recommendations received from the Public Works Director; the Fire Chief and City Engineer (on file) who enumerated their concerns for the street name change only changed several years ago that would result in changes to city maps, the GIS database, tax records, 911 system and signage. The Assessors, she reported, was to ensure that the proposed street name was not in conflict with any other in the city which they confirmed it was not (on file).

**Council President Lundberg** advised from time to time street name change requests come forward to the Council, and that the Code of Ordinances requires that the request be referred to certain proscribed department heads for their recommendation on the request.

**Councilor Gilman**, indicating that while she may prefer the requestor’s suggested name change to Midnight Sun Lane and learned that the requestor had received the agreement of abutters for it, she would be voting no. She expressed she is mindful of the concerns of the Fire Chief, Public Works Director and City Engineer and would heed the advice.

**Councilor Cox** mentioned that the Police Chief didn’t submit a recommendation. **Councilor Gilman** advised that by his not responding under the ordinance that no response indicates any concern with the name or number plan. **Councilor Cox** asked if the Fire Chief enumerated what was involved with name changes indicating the Council has a precedent for such name changes suggesting that no request had been denied. **Council President Lundberg** noted that at this time there is no home on this road, that currently it is an empty lot. **Councilor Gilman** then read the

Fire Chief's recommendation. She noted the Public Works Director in his memo expressed that the Council chooses to approve this request that the city wouldn't be funding the sign for the change. **Councilor Cox** questioned the city's not funding a universal street sign and whether the ordinance spoke to that issue. She added she didn't recollect the Council ever denying a name change request. **Councilor Holmgren** pointed that several years ago there was a denial for a request to change a street proposed to be named "My Way." **Councilor Cox** suggested there needed to be an overhaul of this process.

**Councilor Gilman** mentioned that this request to her was akin to a vanity license plate which costs more to obtain from the state; and that this might be something to add to the ordinance as an extra charge to allow a property owner to pay for the change of sign with such a name change request.

**Council President Lundberg** advised there has to be a good reason to change a street name. The applicant wanted a name change, for which he presented a "good reason" but didn't feel that strongly about it. He mentioned an article in the Gloucester Daily Times quoting the requestor as saying had he known this was going to be such a big deal he wouldn't have made request. He pointed out that now there was not a good reason to make this change. Highlighting that certain department heads weighed in against this change and expressing he was respectful of that advice, he indicated he wouldn't vote in favor.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 3 (LeBlanc, Memhard, Cox) in favor, 6 (Gilman, Hecht, Holmgren, Lundberg, Nolan, O'Hara) opposed, under GCO Ch. 21, Sec. 21-3 "Street names" to rename Mooncusser Lane to Midnight Sun Lane, Lot 207, Map 34; formerly known as 220R Magnolia Avenue.**

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 confirm the Planning Director's determination that the redesign of building footprints for Building C and Building F for Gloucester Crossing as shown on the plans submitted with the application for the modifications dated May 15, 2018 and entitled "Gloucester Crossing Phase 2, Issued for Minor Modification, prepared by Land Strategies, LLC, Stamped by Timothy J. Power, dated May 15, 2018 including the following plan sheets:

C-100 Overall Site and Overlay Plan  
C-101 Layout and Materials  
C-102 Grading and Drainage Plan  
C-103 Open space Comparison Plan  
C-104 Firetruck Turning Radius and  
Gloucester Crossing - Building Elevations (date May 15, 2018)"

are insubstantial and are approved upon the condition that an engineered stamped plan reflecting only those changes determined to be insubstantial is submitted to the City Clerk.

#### **DISCUSSION:**

**Councilor Gilman** conveyed that the Council is confirming that the changes to the Special Council Permit for Gloucester Crossing, LLC is insubstantial. She noted that the changes are to Phase 2 of the plans: Building F (located off of the rotary heading towards Petco) and Building C (extension of the Petco building) with a height decrease and open space increases -- both buildings will now be one story high. She noted the presence of Michele Harrison, a Special Permit Project Manager for Gloucester Crossing LLC who made a presentation to the P&D Committee at its June 20<sup>th</sup> meeting.

**Council President Lundberg** reviewed the modification process for this Special Council Permit as follows: In the Special Council Permit for Gloucester Crossing LLC, there is a provision that says that if Gloucester Crossing wishes to make any changes to their plans which results in a change to the Special Council Permit, they must return to the Council for those changes. There is also a provision that the Planning Director first makes a determination first whether such changes are "insubstantial;" and the Planning Director determined, in fact, that these proposed changes are insubstantial (memorandum on file).

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to confirm the Planning Director's determination that the redesign of building footprints for Building C and Building F for Gloucester Crossing as shown on the plans submitted**

**with the application for the modifications dated May 15, 2018 and entitled “Gloucester Crossing Phase 2, Issued for Minor Modification, prepared by Land Strategies, LLC, Stamped by Timothy J. Power, dated May 15, 2018 including the following plan sheets:**

**C-100 Overall Site and Overlay Plan  
C-101 Layout and Materials  
C-102 Grading and Drainage Plan  
C-103 Open space Comparison Plan  
C-104 Firetruck Turning Radius and  
Gloucester Crossing - Building Elevations (date May 15, 2018)”**

**are insubstantial and are approved upon the condition that an engineered stamped plan reflecting only those changes determined to be insubstantial is submitted to the City Clerk.**

**Council President Lundberg** noted that the following motion was to make minor redesign changes to parking areas at Gloucester Crossing.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning and Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council confirm the Planning Director’s determination that the minor redesign of the parking areas and sidewalk network for Gloucester Crossing as shown on the plans submitted with the application for the modifications dated May 15, 2018 and entitled:

“Gloucester Crossing Phase 2, Issued for Minor Modification, prepared by Land Strategies, LLC, Stamped by Timothy J. Power, dated May 15, 2018,” including the following plan sheets:

“C-100 Overall Site and Overlay Plan  
C-101 Layout and Materials  
C-102 Grading and Drainage Plan  
C-103 Open space Comparison Plan  
C-104 Firetruck Turning Radius and  
Gloucester Crossing - Building Elevations (date May 15, 2018)”

are insubstantial and are approved upon the condition that an engineered stamped plan reflecting only those changes determined to be insubstantial is submitted to the City Clerk.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to confirm the Planning Director’s determination that the minor redesign of the parking areas and sidewalk network for Gloucester Crossing as shown on the plans submitted with the application for the modifications dated May 15, 2018 and entitled:**

**“Gloucester Crossing Phase 2, Issued for Minor Modification, prepared by Land Strategies, LLC, Stamped by Timothy J. Power, dated May 15, 2018,” including the following plan sheets:**

**“C-100 Overall Site and Overlay Plan  
C-101 Layout and Materials  
C-102 Grading and Drainage Plan  
C-103 Open space Comparison Plan  
C-104 Firetruck Turning Radius and  
Gloucester Crossing - Building Elevations (date May 15, 2018)”**

**are insubstantial and are approved upon the condition that an engineered stamped plan reflecting only those changes determined to be insubstantial is submitted to the City Clerk.**

**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 7/10/18)**

**Councilor Gilman** reviewed the Planning & Development Committee held a site visit at 4:30 p.m. Monday, June 25 accompanied by the Applicant's development team asking questions of them while walking the site. She reported the Committee viewed where drainage will be placed; sewer systems; entrances to the site; a pedestrian walkway to Gloucester Crossing, etc. There was no discussion or deliberations on the part of the Committee, she pointed out. She reminded the Council that the following evening that the Planning Board will hold a special meeting at 5:00 p.m. in Kyrouz Auditorium regarding the matter of the FMUV LLC project.

Council President Lundberg advised that upon the vote and recommendation of the Planning Board the P&D Committee will then begin its deliberation on the matter.

**This public hearing is opened at 8:08 p.m.**

**Council President Lundberg** announced this public hearing was continued to July 10, 2018.

**This public hearing is continued at 8:08 p.m.**

2. **PH2018-016: Local adoption of the Commonwealth of Massachusetts DEP Division of Air Quality Control Policy, Noise Regulation (310 CMR 7.10) AND Amend GCO Ch. 13 "Noise" (TBC 7/10/2018)**

**This public hearing is opened at 8:08 p.m.**

**Council President Lundberg** announced this public hearing was continued to July 10, 2018.

**This public hearing is continued at 8:08 p.m.**

3. **PH2018-031: Draft Marijuana Establishments ordinance to replace existing GZO Sec. 5.27 "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities" with a new Sec. 6.27 "Marijuana Establishments Ordinance"; Amend Sec. 2.3 "Use Tables"; Amend Sec. 2.3.2 "Community Services Uses"; and DELETE Sec. 5.31 "Temporary Moratorium on Recreational Marijuana (TBC 07/10/2018)**

**This public hearing is opened at 8:09 p.m.**

**Council President Lundberg** announced this public hearing was continued to July 10, 2018.

**This public hearing is continued at 8:09 p.m.**

4. **PH2018-032: Loan Authorization to amend Loan Order 2017-002, in the amount of \$1,800,000 by increasing it to \$2,300,000 to pay costs of Phase 1 of the Haskell Dam upgrade project**

**This public hearing is opened at 8:09 p.m.**

**Those speaking in favor:**

**Larry Durkin**, City Environmental Engineer advised that state is giving the city a \$500,000 grant; and in order have enough funds to process a change order, it is necessary to seek an increase in the loan authorization by \$500,000.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

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

**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 authorize the following loan order:

Ordered: That Loan Order 2017-002, Certificate of Vote 2017-056 of this Council approved March 20, 2017 authorizing the borrowing of \$1,800,000 to pay the costs of Phase 1 of the Haskell Dam upgrade project is amended in its entirety to provide as follows:

That the City of Gloucester appropriates Two Million Three Hundred Thousand Dollars (\$2,300,000) to pay costs of Phase 1 of the Haskell Dam upgrade project, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Sections 7 or 8, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the City are authorized to apply for, accept and expend any and all grants or gifts that may be available to the City to pay costs of this project. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

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

#### **DISCUSSION:**

**Councilor Cox** explained that the Council is increasing the appropriation to continue work on the Haskell Dam.

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

**Ordered: That Loan Order 2017-002, Certificate of Vote 2017-056 of this Council approved March 20, 2017 authorizing the borrowing of \$1,800,000 to pay the costs of Phase 1 of the Haskell Dam upgrade project is amended in its entirety to provide as follows:**

**That the City of Gloucester appropriates Two Million Three Hundred Thousand Dollars (\$2,300,000) to pay costs of Phase 1 of the Haskell Dam upgrade project, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Sections 7 or 8, or pursuant to any other enabling authority. The Mayor and any other appropriate official of the City are authorized to apply for, accept and expend any and all grants or gifts that may be available to the City to pay costs of this project. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.**

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

**MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 0 in favor, 9 opposed, to reconsider the vote taken on the Loan Authorization to amend Loan Order 2017-002, in the amount of \$1,800,000 by increasing it to \$2,300,000 to pay costs of Phase 1 of the Haskell Dam upgrade project.**

#### **MOTION FAILS.**

- 5. PH2018-033: Application of DLM Properties LLC for the purpose of storage of diesel at 24 Kondelin Road, Assessors Map 197, Lot 13 per MGL Ch. 148, §13, and GCO Ch. 8, Sec. 8.1 "License for Storing Inflammables"**

**This public hearing is opened at 8:15 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**This public hearing is closed at 8:16 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the Planning & Development Committee 2 voted in favor, 0 opposed, 1 (Lundberg) absent to recommend that the City Council grant a license under GCO Ch. 8 "Fire Prevention and Protection," Sec. 8-1 "License for storing inflammables," MGL. Ch. 148, §13 and 527 CMR 1.00 for storage of inflammables at 24 Kondelin Road, Assessors Map 197, Lot 13, owner DLM Properties LLC, specifically to store Diesel, Class 16, (UST) for a total quantity of 10,000 gallons.

**DISCUSSION:**

**Councilor Gilman** explained that this was a request by the new owner, Eastern Disposal formerly Hiltz Disposal, presented to the P&D Committee by its General Manager, John Favazza for a license to store diesel. She advised the tanks will be used in the same capacity has previously by Hiltz Disposal. There was outreach to neighboring abutters, she reported, by the people responsible for testing as well as the Fire Department. The P&D Committee confirmed that this is a change in management and ownership, and not placing a new tank to store diesel, she added.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted 9 in favor, 0 opposed, to grant a license under GCO Ch. 8 "Fire Prevention and Protection," Sec. 8-1 "License for storing inflammables," MGL. Ch. 148, §13 and 527 CMR 1.00 for storage of inflammables at 24 Kondelin Road, Assessors Map 197, Lot 13, owner DLM Properties LLC, specifically to store Diesel, Class 16, (UST) for a total quantity of 10,000 gallons.**

**6. PH2018-34: Amend GOC Ch. 22 "Traffic and Motor Vehicles", Sec. 22-265 "Turning movements - Generally" as follows: "No left turn at the end of Angle Street and at the intersection of Washington Street and Western Avenue effective July 27, 2018 and to expire October 27, 2018**

**This public hearing is opened at 8:18 p.m.**

**Those speaking in favor:**

**Those speaking in opposition:**

**Communications: None.**

**Councilor Questions:**

**This public hearing is closed at 8:19 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. 22 "Traffic and Motor Vehicles," Sec. 22-265 "Turning movements-Generally" as follows: No left turn at the end of Angle Street and at the intersection of Washington Street and Western Avenue effective July 27, 2018 and to expire October 27, 2018."

**DISCUSSION:**

**Councilor LeBlanc** explained that this concern and initiative was brought forward to he and Councilor Hecht to move traffic in what may be the city's busiest intersection more smoothly. The Traffic Commission recommended that a no left-turn method be tried and that it be a three-month trial period to determine if it will work.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-265 "Turning movements-Generally" as follows: No left turn at the end of Angle Street and at the intersection of Washington Street and Western Avenue effective July 27, 2018 and to expire October 27, 2018."**

7. **PH2018-035: Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-279 “Thirty-minute parking” by DELETING “Western Avenue, northerly side from Centennial Avenue to Perkins Road” AND amend Sec. 22-280 “Fifteen -minute parking” by ADDING “Western Avenue, northerly side from Centennial Avenue to Perkins Road**

**This public hearing is opened at 8:21 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**This public hearing is closed at 8:22 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. 22 “Traffic and Motor Vehicles” Sec. 22-279 “Thirty-minute parking” by DELETING “Western Avenue, northerly side from Centennial Avenue to Perkins Road.” and Amend Sec. 22-280 “Fifteen-minute parking” by ADDING “Western Avenue, northerly side from Centennial Avenue to Perkins Road.”

#### **DISCUSSION:**

**Councilor LeBlanc** conveyed that Councilor Cox reached out to him on this matter, and that the management of Poseidon’s Restaurant had asked that the parking in front of their restaurant be reduced to 15 minutes as they are primarily a take-out restaurant, he advised, noting that the Traffic Commission voted unanimously in favor of this amendment as was the O&A Committee.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-279 “Thirty-minute parking” by DELETING “Western Avenue, northerly side from Centennial Avenue to Perkins Road.” and Amend Sec. 22-280 “Fifteen-minute parking” by ADDING “Western Avenue, northerly side from Centennial Avenue to Perkins Road.”**

**For Council Vote: None.**

**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 Sean Nolan, highlighted the following matters:**

- Magnolia Woods Oversight & Advisory Committee: There was a productive meeting last week with goals and objectives outlined for initiatives in conjunction with the DPW. The testing on the project regarding contaminants and underground water is 100% up to date and accurate, and “it is clean.” It was pointed out that with consistently clean results there is a consideration to reduce the testing frequency. Also under consideration is the possible expansion of the expansion off-season parking for winter hiking, snowshoeing and other types of winter activities.
- Stage Fort Park Advisory Committee: The Committee has a lot of goals and ideas, but the issue is that there is no money to fund their proposed projects. It was reported that grants for recreational areas are very difficult to obtain, and there is a need to find ways to raise funding by working with the Administration in anticipation of the city’s 400<sup>th</sup> anniversary.

#### **Councilors’ Requests to the Mayor:**

**Councilor Hecht** noted the kick-off of the Main Street lighting project on Wednesday, and then was out of town for his mother’s 90<sup>th</sup> birthday in Chicago. He extended his thanks to Councilor Cox, Ringo Tarr, Steve Noble, several electricians from Spittle Electric all donating their time. He explained it is hoped to have the project completed from Pleasant Street to Washington Street in time for the first Block Party of the season. It is not as big of a volunteer project as anticipated; rather it requires more of the services by electricians, he noted. He expressed he is listening and responding to comments about the light project, noting a comment by the President of the Gloucester Astronomy Club with a series of discussions related to the lights going off at 11:00 p.m. He noted he will reach out

to the Administration, advising the Astronomy Club made a generous donation for timers for the light strings to conserve energy and diminish light pollution.

**Councilor Gilman** requested through the Mayor that the DPW place a “Dead End” sign at corner Woodbury Street and Mason Square. She mentioned that there is a tremendous Gypsy Moth issue in the city pointing out that Seaside Cemetery tombstones are covered with caterpillars, as are the trees at the Klondike Reservoir. There is a tentative date of July 12 for an informational talk by a tree expert about Gypsy Moths scheduled to start at 7:00 p.m. at the Lanesville Community Center with a Ward 4 meeting to follow on the same evening. She mentioned she advised the DPW Director of this meeting as there is no longer a city tree warden. She noted at the recent Council On Aging meeting, they met in the Senior Center’s lunch room eating the same meal as the seniors. Noting that she is on the Village Player’s Board she advised they will once again be offering complimentary tickets to the seniors to this year’s dress rehearsal for the Little Mermaid on Monday, August 6. **Council President Lundberg** noted he also was recently in Seaside Cemetery, confirming that the caterpillars were everywhere.

**Councilor O’Hara** advised he was asked during the P&D Committee’s Fuller site visit as to what happened to the vernal pond at the Fuller School noting he’d viewed a “YouTube” video clip that showed the before and after of the Gloucester Crossing project. He mentioned he observed it appeared that the vernal pond had been “clear cut.” He asked if any citations were issued and if the developer intended to restore the vernal pond. He further requested that the Administration continue its review of the Special Permit for Gloucester Crossing and what the status is on the Assisted Living facility. He requested that the DPW trim back overgrowth onto city streets and sidewalks on city streets. He announced that on Monday, July 23 there will be a Red Cross Blood Drive at the Magnolia Library from 2:00 p.m. to 7:00 p.m. To make an appointment or receive more information call 1-800-RED-CROSS.

**Councilor Holmgren** advised that the final Think Gloucester Library Dialog for the Sawyer Free Library is Wednesday, June 27 at 7:00 p.m. -- all Gloucester residents are welcome to share their ideas and input for the Library’s development of a five-year strategic plan with sign-in starting at 6:30 p.m. She reported that MassSave is offering Energy Star refrigerator rebates regardless of income, or whether you are a renter or owner. She relayed briefly reasons why Energy Star appliances are superior for energy conservation. For more information, and go make an appointment for the required special home visit from MassSave visit: [gloucestergreen.org](http://gloucestergreen.org) or call 978-325-5235.

**Councilor Memhard** acknowledged Pip, the piping plover chick who is the only survivor of four fledglings at Good Harbor Beach is celebrating his two week birthday. He lauded the work of the city’s Conservation Agent, Ken Whitaker; the Animal Advisory Committee; the Animal Control Officers and a squad of dedicated volunteers who are doing their best to assist Pip’s survival. He asked that people remember and offer their thanks to Adele Irvin, a WWII veteran, a Manchester resident who just passed away. He recounted she was a “staunch” supporter and benefactor of St. John’s Church, the Sawyer Free Library, the Cape Ann Museum and many other organizations, who will be greatly missed.

**Councilor Nolan** announced that on Wednesday, June 27 at 6:00 p.m. at the Magnolia Library he will hold an informational meeting Englewood and Lake Road residents about the process of repair and paving of private ways; and at 7:00 p.m. also at the Library the same evening there will be a meeting of the Magnolia Pier Advisory Committee to review the pier survey and what the future holds in order to bring it back. He reminded the public that the Horribles Parade Committee is looking for donations encouraging people to visit the Parade Committee’s Facebook page. He noted that each year it becomes more difficult to fund the Horribles Parade as expenses rise.

**Councilor Cox** wished everyone a happy and safe St. Peter’s Fiesta, 3<sup>rd</sup> and 4<sup>th</sup> of July. She also wished “good thoughts and good luck” to the women seine boat rowers on Friday, June 29 at 4:45 p.m. off of Pavilion Beach. She pointed this year that there are more women rowing than men.

**Councilor LeBlanc** advised that he will participate in several events at St. Peter’s Fiesta including walking the Greasy Pole, and wished everyone a safe time. He thanked Grace Poirier, Assistant City Clerk, for a job well done as this evening’s Clerk of the Council.

**Council President Lundberg** noted that there is no other Council in the state that can claim it has a two-time Greasy Pole champion. He also thanked Ms. Poirier for acting as Clerk of the Council for the evening.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:45 p.m.**

**Respectfully submitted,**

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

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

• **Under Oral Communications:**

**James Cook**, 622 Western Avenue re: Magnolia Woods Landfill Cap

**Ainsley Smith**, 14 Pine Street re: Police Line Item for weekend patrolling of city beaches

**Virginia Renehan**, 6 Grapevine Road, Report of the Council on Science and Public Health -- Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting

• **Presentation:**

**Carl Ellis**, 5 Bray Street, President and Founder of Youth Legends Street Hockey for a proposal for an official street hockey playing surface/rink