

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, March 27, 2012 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Present: Chair, Councilor Jacqueline Hardy; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Paul McGeary; Councilor Bruce Tobey; Councilor Robert Whyntott**  
**Absent: Councilor Ciolino; Councilor Theken; Councilor Verga**  
**Also Present: Linda T. Lowe; Kenny Costa; Jim Duggan; Jeff Towne; Suzanne Egan; David Bain; William Sanborn; Gregg Cademartori; Donna Compton; Carol Gray, Noreen Burke**

**The meeting was called to order at 7:02 p.m.**

**Flag Salute & Moment of Silence.**

**Council President Hardy** stated that there are three absent Councilors due to prior commitments.

**Oral Communications:** None.

**Presentation:****1 of 1: Suzanne Egan, General Counsel and Gregg Cademartori, Planning Director re: I4-C2**

**Jim Duggan**, CAO highlighted the Mayor's memo dated 3/19/2012 (on file) to the Council which pertained to the outreach efforts of the Administration to individuals and organizations who obtained an RFP for the development of I4-C2. There is a "clear indication" that the Administration and the Council need to work hard together towards regulatory flexibility. There need to hire a development team of economic development professionals along with City staff to pull all the pieces together. He expressed that the Administration is confident that working with the support of the City Council on the development for I4-C2 they will meet with success in due course.

**Suzanne Egan**, General Counsel spoke regarding the legal constraints on the development of the I4-C2 parcel and also what the Council can do to lift those constraints. The Council received handouts prior to the meeting (on file) regarding the Designated Port Area (DPA) plan from the Coastal Zone Management (CZM) with the second attachment to that of the legal description of the DPA which shows exactly where the boundary lines are; a portion of the Gloucester Economic Development Plan which discusses the DPA regulations which is a 113 page document, and only included relevant excerpts, pages 55-62 which sets out what the restraints are in the DPA; and the Code of Mass. Regulations relating to what is required in a DPA and what water dependent/industrial uses are allowable. The I4-C2 parcel is located in the DPA, a regulated area by the State with the CZM and is limited to water-dependent/industrial uses. There is a list of uses in the Code of Mass. Regulations (CMR), included in the Council's handout. This is also found in Appendix 9 of the I4-C2 RFP. Page 57 of the Economic Harbor Plan, it sets out what the water-dependent/industrial uses are allowable in a DPA. Under Gloucester's harbor plan, 50% of the parcel must be a water-dependent/industrial use.

The water-dependent/industrial uses allowed in the DPA are: Marine terminals and related facilities for the transfer between ship and shore, and the storage of bulk materials or other goods transported in waterborne commerce; facilities associated with commercial passenger vessel operations; manufacturing facilities relying primarily on the bulk receipt or shipment of goods by waterborne transportation; commercial fishing and fish processing; boatyards, dry docks and other facilities related to the construction, serving, maintenance, repair, or storage of vessels or other marine structures; facilities for tug boats, barges, dredges, or other vessels engaged in port operations or marine construction; any water-dependent use listed in 310 CMR 9.12(2)(a)9 through 14. (this regulation is also in the handout on file), provided the Department determines such use to be associated with the operations of a Designated Port Area; Hydroelectric power generating facilities; offshore renewable energy infrastructure facilities in the Commonwealth, including ocean wave energy facilities, ocean current energy facilities, tidal energy facilities, any ancillary facility thereto or any similar facility that obtains its energy from the ocean; infrastructure facilities used to deliver electricity, natural gas or telecommunications services to the public from an offshore facility located outside the Commonwealth; and other industrial uses or infrastructure facilities that cannot reasonably be located at an inland site as determined in accordance with 310 CMR 9.12(2)(c) or (d). That is the limit of the use of 50% of the I4-C2 parcel. The other 50% of the parcel can be commercial uses which are also listed in the RFP.

**Councilor McGeary** made note of the Water dependent uses and water dependent industrial uses listed in Table 5 on page 57 related to Chapter 91. He asked Ms. Egan to distinguish between a water-dependent use and a water dependent industrial use and were there any special privileges associated with those uses. **Ms. Egan** explained that the DPA is designed to protect areas of working port facilities and preserve land where there are working port facilities which is marine/industrial water-dependent uses. Within the DPA the types of uses that are allowed are industrial uses which are different than water dependent industrial uses which aren't necessarily industrial nor distinct in a port area. This entire handout is the Harbor Economic Development Plan and is why it is included. It is a complicated regulatory structure. Those are State restraints on development on the parcel in a DPA. A developer would have to obtain a c. 91 permit; and those uses would be required to be within that permit. There is a second level of restraints which are on a local level; the City's zoning ordinances, including a Special Council Permit under the Lowlands Sec. 5.5.4, and the Conservation Commission (ConCom) has jurisdiction over this property.

**Ms. Egan** explained that within the CMR there is a provision where the City Council, among other entities (similar to the parties that can file a zoning amendment), can assist to help lift restrictions by filing an application with the CZM for a boundary review. The Council would apply for a boundary review asking to take this parcel out of the DPA. The Council has that authority to file that application. There are criteria CZM uses to make their assessment; and there are four types of properties that are presumptively not eligible for a boundary review. She suggested the property doesn't fall within that. They are: Whether the parcel has been subject to a boundary review within the last five years; whether the City Council has recommended not having the parcel go through a boundary review; whether the parcel is surrounded by other DPA parcels. Ms. Egan stated this goes back to her handout to the Council that shows the DPA travels along the northerly side of Rogers Street. It is not bounded on the road side by another parcel, but the road is included in the DPA. The CZM will look at whether it is presumptively ineligible; if it is not ineligible falling into one of those categories, then there is a process that the City Council can go through seeking a boundary review. That includes filing an application, public hearings, and publication in The Environmental Monitor. The criteria that CZM looks at as to whether a parcel is to be included in the DPA is if it fits the criteria. If it fits the criteria, then the parcel should be included in the DPA. If it doesn't fit the criteria, it can be taken out of the DPA. A boundary can be redrawn; and the parcel can be taken out of the DPA. The criteria to take a parcel out of a DPA are: whether the parcel is contiguous with DPA lands; does it include a shore line and include infrastructure that supports the use of the parcel for a port property; whether there is water and sewer service to it; whether the parcel is located close to streets that bring it to a truck route (it has highway transportation access); whether there are structures on the parcel with developed water structures such as wharves and piers; and whether it has been used as a water dependent marine/industrial use. They'll look at the shoreline portion of the parcel. There are a few criteria under that: whether the wharves and piers are in existence and are operable; whether there is room for maneuvering and berthing vessels; whether the parcel is contiguous to the shoreline to a navigable channel. These, then, are the criteria the CZM would look at if the City Council were to decide to request a boundary review.

The process for a boundary review is to submit reports and studies and comments and opinions as to each of those criteria to show that it's not appropriate to be included in the DPA. That is a discussion that could place at the P&D Committee. The CZM director would look at the regulations and determine whether it is appropriate to do the boundary review. That is the first option. The second option is through a Special Act of the State legislature taking the parcel out of the DPA.

There are two recent decisions from CZM regarding boundary reviews; one is East Boston, and the other is on the Mystic River. The CZM kept all the parcels in the case of East Boston and declined to take any out because they were currently being used as water dependent marine/industrial uses. On the Mystic River case, the CZM took out one parcel from the DPA because the use was not consistent with the marine/industrial use. She suggested they can look at those cases to review the criteria as to what CZM considered if the Council decides to go forward with an application for a boundary review.

**Councilor Tobey** stating this discussion is limited to the parcel known as I4-C2; he asked if this parcel were removed from the DPA it still would be subject to c. 91 compliance which **Ms. Egan** confirmed. He then asked what in practice would that mean; that is, with the DPA they have a 50% compliance requirement? Does Chapter 91 work on a percentage allocation basis or did it work otherwise. Ms. Egan responded it does not work on a percentage allocation basis; that there is no requirement for industrial use. The scope of the Chapter 91 license requirements is that the uses have to be consistent with the CMR and that the Commonwealth has jurisdiction over filled tidelands. Councilor Tobey inquired if that meant ensuring the public access for purposes of fishing and fowling which **Ms. Egan** confirmed that it did. All Chapter 91 licenses have that public access is noted and recorded. **Councilor Tobey** then stated that if the DPA requirement was lifted from I4-C2, the Chapter 91

requirements would still govern and relates more to public access rather than to the uses. It would be necessary to deal with the MI zoning as relates solely to that parcel which **Ms. Egan** also confirmed. **Councilor Tobey** continued that given Ms. Egan's consideration of the four criteria that determines whether a City Council, for example, might petition the CZM for a boundary review, did Ms. Egan see I4-C2 being eligible for such a petition. **Ms. Egan** responded she did, in fact, see it as eligible. There is only one question that needed resolving which is whether the parcel is bounded by other MI parcels. Rogers Street is included in the DPA; and the parcels across the street are not. Presumably it would be eligible. She explained she had looked at the Mystic River case which is also single parcel DPA so they're also bounded by a way; therefore, she believed I4-C2 meets the four criteria for a boundary review. **Councilor Tobey** noted Ms. Egan compared this to the zoning ordinance proposal model whereby a City Council, a Planning Board can initiate a boundary review application, but a mayor can't, which **Ms. Egan** agreed with. **Councilor Tobey** followed up by asking if the Mayor has to approve of the action of the Council seeking to initiate it. To **Ms. Egan's** knowledge the Mayor did not have to approve the action. The Councilor added it would be institutionally stronger for the Council and the Mayor to be in agreement.

**Councilor Tobey** stated there has been a great deal of hopeful conversation that the City is going to soon see the opportunity for bio-marine research facilities to settle in Gloucester. He asked if a bio-marine laboratory facility or research facility be eligible for classification as a water dependent industrial use under the existing DPA regulations. **Ms. Egan** responded they would not qualify. It depended on what the bio-marine research business is. If the bio-marine research laboratory also involves manufacturing for submersibles for collecting algae, say, and is water dependent, then it could be eligible. It depends upon what that business is and how that "looks". A laboratory researching bio-marine issues in a building in a laboratory that isn't water dependent, the answer is no. She confirmed for the Councilor it is the same guideline.

**Gregg Cademartori**, Planning Director stated he and Ms. Egan collaborated on the material that was submitted to the Council. He expressed it is clear in terms of the processes to follow to make a petition to CZM to the designation of this parcel. Whether it meets those eligibility requirements, the four criteria, a petition could still be filed. The first step is the CZM would make a determination as to whether the City satisfies the four criteria. The second step is a much more public process. As Councilor Tobey pointed out, if that was the wish of the Council and they did end up on the other end of the process and removed that parcel, they carefully went through the last planning process on the Harbor Plan and aligned the local zoning with the DPA regulations. They would have to deal with that locally through the rezoning process.

**Councilor McGear** stated Ms. Egan had mentioned four criteria but had only heard three brought forward by her. the four criteria. **Ms. Egan** stated the fourth criterion was whether the parcel has been used as marine/industrial water dependent use for past five years. The Councilor asked for a clarification on language. Ms. Egan had stated if the City decided to move forward with redrawing the boundaries they would submit reports and studies and opinions that show it is "not appropriate" to be included in the DPA. It is proving it shouldn't be there; but can it also prove that it could be there but you have to show that it is not appropriate. **Ms. Egan** stated they have to show that it is not appropriate. There was a case, the U.S. Gypsum case that the CZM Director made a conditional removal of land from a DPA; and the court found the CZM Director doesn't have any discretion in this process. They have to look at the regulations because the purpose of the regulations is to protect the land for the use of a port. If the land fits the criteria to be included in the DPA, then they don't have the discretion to take it out of a DPA. The position would be that this does not fit the criteria to stay within the DPA. That would be the case the City would have to make. **Councilor Tobey**, having moved to have this matter referred to the P&D Committee, spoke to his motion stating the Committee would have their preliminary discussion on this matter at their next P&D meeting of April 4, 2012. He asked General Counsel to supply the P&D members with the CZM rulings related to the Mystic River and East Boston parcels. He expressed that they need to collaborate closely with the Administration to "synchronize" with the Administration's point of view on these matters as well as possible alternative approaches in order to put I4-C2 back into productive use after 50 years. They can then return to the Council to engage in a good conversation with a public hearing so they can make a good decision based on a good conversation of the realities.

**MOTION: On motion by Councilor Tobey, seconded by Councilor Hardy, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to refer the matter of the I4-C2 legal constraints governing the redevelopment of the I4-C2 parcel and the measures Council would need to initiate to seek lifting those constraints, to the Planning & Development Committee for recommendation to the City Council.**

**Council President Hardy** stated that there are three absent Councilors due to prior commitments. There are six votes required for any zoning matters which appear later in the agenda.

**Appointments:**

**Councilor Whynott** explained that the O&A Committee questioned the three appointees to their respective Commission and Committee on their experience, background, professional affiliations as well as asking them to be familiar with the Open Meeting Laws and to file their proof of having taken the State Ethics Commission test with the City Clerk's office. They were asked also if they had any possible conflicts if they were on another Board, Committee or Commission in the City of which none of the candidates claimed to have. He expressed the Committee's and the Council's appreciation at each of the appointees' willingness to step forward and volunteer on behalf of their City and thanked them for their commitment.

**Historic District Commission****(TTE 02/14/15)****Robert Wolsfelt**

**MOTION:** On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Robert Wolsfelt to the Historic District Commission , TTE 02/14/15.

**DISCUSSION:** None.

**MOTION:** On motion by Councilor Whynott, seconded by Councilor Tobey, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to appoint Robert Wolsfelt to the Historic District Commission , TTE 02/14/15.

**Planning Board****(TTE 02/14/17)****Linda Charpentier**

**MOTION:** On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Linda Charpentier to the Planning Board, TTE 02/14/17.

**DISCUSSION:** None.

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to appoint Linda Charpentier to the Planning Board, TTE 02/14/17.

**Waterways Board – At Large Member****(TTE 02/14/15)****David McCauley**

**MOTION:** On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint to the Waterways Board, TTE 02/14/15, David McCauley, At-Large Member.

**DISCUSSION:**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to appoint to the Waterways Board, TTE 02/14/15, David McCauley, At-Large Member.

**Magnolia Woods Oversight & Advisory Committee (TTE 02/14/13)****Jane Porter**

**MOTION:** On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Jane Porter to the Magnolia Woods Oversight & Advisory Committee, TTE 02/14/13.

**DISCUSSION:** None.

**MOTION: On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to appoint Jane Porter to the Magnolia Woods Oversight & Advisory Committee, TTE 02/14/13.**

**Consent Agenda:**

- **CONFIRMATION OF REAPPOINTMENTS:**
  - 1 Affordable Housing Trust Betsy Works Cook TTE 02/14/14
  - Board of Health Dr. Richard Sagall TTE 02/14/15
- **MAYOR'S REPORT**
  - 1. Memorandum from Administration re: Moody's Investors Service Bond Rating Report as of March 7, 2012 (Refer B&F)
  - 2. Administration's response to Council Order CC2012-012 (Tobey) re: constraints governing the redevelopment of I4-C2 (File)
  - 3. Draft MAPC/City of Gloucester Report on the New Maritime Port Economy published March 9, 2012 (Refer P&D)
  - 4. Copy of MSBA School Building Requirements list of Building Committee Members for the West Parish School Project (Info Only)
  - 5. Memorandum from CFO for the Gloucester Public Schools re: reimbursement for services procured without a purchase order In Place (Refer B&F)
  - 6. Grant application and Checklist from Senior Center Coordinator re: FY12 Service incentive grant in the amount of \$6,100 (Refer B&F)
  - 7. Special Budgetary Transfer Request (#2012-SBT-26) from Department of Public Works (Refer B&F)
  - 8. Grant Application and Checklist from Emergency Management Director re: Emergency Management Performance Grant \$6,000 (Refer B&F)
  - 9. Letter from International Association of Emergency Managers re: Designation of Miles Schlichte as Certified Emergency Manager (Info only)
- **COMMUNICATIONS/INVITATIONS**
  - 1. Memorandum from City Auditor to Council re: City's Financial Statement Audit Contract for FY2012, 2013 and 2014 (Refer B&F)
  - 2. Memorandum from City Auditor re: Employee Conference/Training, Travel, Meals & Lodging Expense Documentation Policy (Refer B&F)
- **APPLICATIONS/PETITIONS:**
  - 1. PP2012-002: Installation of underground conduits re: Dennison Street (Refer P&D)
  - 2. RZ2012-003: Atlantic Road #107 and #125 to create an Existing Hotel Overlay District (Refer P&D)
- **COUNCILORS ORDERS**
  - 1. CC2012-018 (McGeary) Resolution re: Pedestrian countdown lights governing parts of the intersections of Route 128 at Eastern Avenue and East Main Street (FCV 4/10/12)
  - 2. CC2012-019 (LeBlanc) Amend GCO c. 22, Sec. 274.1 Two-Hour Parking "Same At all Times" and Sec. 22-287 "Disabled Veteran, Handicapped Parking" re: Washington Street #133 (Refer O&A & TC)
  - 3. CC2012-020 (Hardy) Election of City Clerk and City Auditor pursuant to the City of Gloucester City Charter Sec.2-7(a) (Refer O&A & P&D)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
  - 1. City Council Meeting: March 13, 2012 (Approve/File)
  - 2. Executive Session Minutes 08/31/10, 02/08/11, 04/12/11, 06/14/11, 02/14/12 (under separate cover) (Approve/File)
  - 3. Standing Committee Meetings: B&F 03/22/12 (under separate cover), O&A 03/19/12, Special Joint Meeting P&D & PB 03/12/12 (under separate cover), P&D 03/21/11; (Approve/File)

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

**Councilor McGeary** asked to remove Item #1, City Council Minutes of 03/13/2012 under Approval of Minutes from the Consent Agenda as well as Item #7 Under the Mayor's Report regarding Special Budgetary Request #2012-SBT-26 from the DPW.

**Councilor McGeary** explained that the incorrect SBT number was inserted into Item #7, the Special Budgetary Transfer Request and asked the Council to approve the SBT number change from #2012-SBT-26 to #2012-SBT-28 and to be referred to the B&F Committee. **The Council voted unanimously to change the SBT number to #2012-SBT-28 and to refer the matter to the B&F Committee.**

**Councilor McGeary** stated that there was a need to correct an error in a Special Budgetary Transfer, # 2012-SBT-21 vote from the Council's 3/12/12 meeting whereby an account number was copied and pasted incorrectly, necessitating the motion being re-voted by the Council to correct the errors. He asked they first rescind their vote taken on this matter.

**MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent, to rescind transfer (#2012-SBT-21) \$2,851.00 from Special Reserve Contractual Services, Unifund Account #101000.10.900.52000.0000.00.000.00.052 to Civil Defense, Contractual Services, Unifund Account #101000.10.291.52000.0000.00.000.00.052 voted originally on March 13, 2012 by the City Council.**

**Councilor McGeary** then asked the Council for their vote to correct the matter regarding the transfer as follows:

**MOTION: On motion by Councilor McGeary, seconded by Councilor Tobey, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent, to transfer (#2012-SBT-21) \$2,851.00 from Special Reserve Contractual Services, Unifund Account #101000.10.900.52000.0000.00.000.00.052 to Civil Defense, Food & Food Services, Unifund Account #101000.10.291.54900.0000.00.000.00.054.**

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

At the request of **Council President Hardy**, the City Council voted unanimously to suspend their Rules of Procedure in order to take up Public Hearings before Committee Reports.

**Scheduled Public Hearings:**

**1. PH2012-012: Amend GCO Chapter 2 “Administration” Division 2. “Mayor”: Sec. 2.54-Compensation**

**This public hearing is opened.**

**Those speaking in favor:**

**Councilor Tobey** stated his Council Order proposed in tandem with Council President Hardy’s Council Order raised the issue and proposed a specific salary amount for the next Mayoral term beginning January 1, 2014 which was for \$100,000. It was referred to both the O&A and B&F Committees. **Council President Hardy** added that both Committees heard the matter and the B&F Committee recommended it to the full City Council. The order that was introduced according to the City Charter would not affect the sitting Mayor. It would affect the Mayor that would next be elected as long as it was introduced and passed by the City Council within the first 18 months of the Council’s term of office. This was the first Council Order filed in 2012. **Jim Duggan, CAO** stated that data from Mayor’s salaries from other communities has been shared with the Council which shows there are numerous cases where communities recognize the value of a Mayor’s role in those communities. The Mayor’s position has evolved greatly over the years. Whoever holds the office of the mayor is the Chief Executive Officer (CEO) of the City, and it is like running a \$100 million corporation. The Administration is in favor of moving the salary of the position of the Mayor to \$100,000 per annum.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions: None.**

**This public hearing is closed.**

**Councilor Whynott** stated that there was no recommendation by the O&A Committee because they wanted to see what the B&F Committee did for the salary. **Councilor McGeary** explained further that the B&F Committee was strictly changing a financial figure and that this was essentially the crux of the ordinance amendment.

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO Article III, Division 2 (Mayor), Sec. 2-54 Compensation by DELETING “sixty-five thousand dollars (\$65,000.00) effective January 1, 1998” and ADDING “one-hundred thousand dollars (\$100,000) effective January 1, 2014.

**DISCUSSION:**

**Councilor McGeary** explained the B&F Committee felt this salary was commensurate with the duties of a CEO of a \$100 million corporation. Further, the information brought forth to the Committee what Town Managers and Mayors in similarly sized communities on the North Shore were receiving so that they weren’t out of line; if anything, they were erring on the low side. They thought it a good motion and passed it unanimously. **Councilor Whynott** expressed he would not support this; it is too big a jump to make at one time and is sending a wrong message to folks who are “stuck” with 3% or 4% raises. He explained his belief that the founding fathers looked to have “citizen politicians” come in, serve three or four terms and return to private life. Because of the salaries of all their government officials now, people are treating public office as a “career”. He did not support the concept of a five- or six-term Mayor; rather it should be someone who fills only several terms and then returns to whatever they had previously been doing. By raising the Mayoral salary to \$100,000, he stated his belief the office would be filled by lawyers because they can take the time from their practice and go right back to it. He would support, rather, a \$5,000 per year raise until the salary get to what the Council considers a reasonable level, but not all at once.

**Councilor Tobey** made clear to the Council and those gathered that he has no desire nor would he want to ever seek to be Mayor again. He is a lawyer who served 4-1/2 terms as Mayor and chose to term limit himself. He stated he is the only lawyer in the history of the Charter to serve as Mayor; and knew of no others. If the salary that was more recently adopted of \$75,000 had been subjected to typical CPI adjustments, it is estimated on or about January 1, 2014 that salary would be \$100,000. If they look at the mid-point of mayoral salaries in Massachusetts as of January 1, 2012 it was slightly above \$95,000. Gloucester is a complex community with all the “trappings” of a much larger community. It is not a bedroom suburb. Gloucester has industrial parks; a working waterfront; a comprehensive surface water supply drinking water system with two filtration plants and all the environmental responsibilities that come with that and regulatory issues, and is the same on the waste water side. Most of it is antiquated and with enormous regulatory problems. If anything goes wrong in the City it is always the Mayor who gets the blame. It reflects the reality that this is a complex job with enormous responsibilities; and “the buck stops there.” Founding fathers had noble aspirations but the Councilor didn’t believe it included a vow of poverty. The City Charter states, with very little room for interpretation, that this is the individual’s full time job. Further, a complex job like this needs to be respected. Whoever is going to be Mayor on January 1, 2014, the Councilor expressed his belief they deserve a responsive salary amount that recognizes the responsibilities, the complexities of the job and that in the 21<sup>st</sup> century they need to do a better job of keeping current. If they don’t view the position with respect which includes the remuneration, they have a problem. He reiterated he does not wish nor will he ever seek the position of the Mayor of Gloucester again and has nothing to do with him. **Council President Hardy** reminded the Council this vote they are about to take requires a majority vote of the Council which this evening is a majority of those present and voting; therefore, a majority is four affirmative votes.

**MOTION: On motion by Councilor McGeary, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 1 (Whynott) opposed, 3 (Ciolino, Theken, Verga) absent, to AMEND GCO Article III, Division 2 (Mayor), Sec. 2-54 Compensation by DELETING “sixty-five thousand dollars (\$65,000.00) effective January 1, 1998” and ADDING “one-hundred thousand dollars (\$100,000) effective January 1, 2014.**

2. **PH2012-0013: Amend GCO Appendix C “The Personnel Ordinance”, Appendix B “Compensation” to Change the pay grade for the following positions: Fire Chief, Police Chief, General Counsel, City Auditor, Chief Administrative Officer, Community Development Director, Building Inspector, Health Director, Environmental Engineer, Library Director, Personnel Director, Purchasing Agent, IT Director, City Clerk, Harbormaster, Confidential (5)**

**This public hearing is opened.**

**Those speaking in favor:**

**Jim Duggan**, CAO explained there have been many discussions at the subcommittee level of the reclassification for the senior level managers. Approximately 18 months ago it was the Administration’s wish to propose in a phased-in approach senior level non-union managers with the intent of eventually including everybody. It was the wish of the City Council to bring everyone forward at one time and that was what came before the Council in December of 2011. The Council requested to postpone this matter until there was a comprehensive comparative data review of other communities that could be presented to the Council. The last complete reclassification of senior level managers was done 11 years ago. The positions have become increasingly more complex; the rules, regulations and laws have expanded placing greater demands on the senior level managers to deliver services for the City. This reclassification addresses all the remaining senior level management positions that were not reclassified previously and hoped to have the support of the Council on it. **David Bain**, Personnel Director added his endorsement for the reclassifications of the senior level management positions. People worked diligently on putting the survey together, encompassing a great deal of research. They believe these reclassifications are “fair and just”. It will make the job of whoever is in the role of Personnel Director much easier. He urged the Council to pass the reclassifications before them.

**Those speaking in opposition:**

**Sunny Robinson**, 20 Harvard Street spoke with “concern”, not in opposition, as a resident taxpayer and as a former City employee. She recognized in both roles that the City’s salary levels have been, from the Mayor’s position to managers and staff, behind [other communities]. She understood in order to attract high quality staff they want the salary commensurate with surrounding towns. She asked then how they can pay for reclassifications that cause increases in pay, costing jobs elsewhere in the City as a possible consequence, and to do these pay hikes without increasing taxes and to keep pay scales commensurate with other similar communities. **Susannah Altenberger**, 66 Atlantic Street noted she heard a School Committee member speak the previous evening regarding how low the pay

scale is for food service staff. The challenge for the community in difficult financial times like these, it seemed to her perhaps not to be the time to make these pay grade increases. There are other areas of the City that are hurting because the City doesn't have the funds. She suggested to the Council perhaps when the economy is better it would be a more appropriate time to make the pay grade increases.

**Communications: None.**

**Questions:**

**Councilor Tobey** asked what the Administration's plan is if this ordinance was amended as proposed to ensure that the amount of potential increase in pay to any department head now employed, captured by this, and remains in place for some years; and what might the plan be to keep it in parameters to last a while (i.e. that individuals not be placed immediately at the top of a pay range). **Mr. Duggan** responded there is no intention whatsoever, and further stated he could "guarantee" that no one position to be reclassified will jump to the top of the scale. It would defeat the purpose [of the reclassification]. There will be multiple years of growth for a department head to reap those benefits through hard work. He stated for the record he has had no conversations with a department head as of yet to avoid setting any false expectations. He wished to wait until the City Council had voted to meet with those staff members individually. **Councilor Tobey** stated there had been a concern raised about middle managers. He understood the so-called middle managers are all members of a collective bargaining unit and if so, what is the status of their bargaining agreement with the City. **Mr. Duggan** acknowledged that to be the case. Confirming the GMMA contract has been settled to 2014, on further inquiry by **Councilor Tobey**, **Mr. Duggan** stated they will bring forward positions to be reclassified on a case-by-case basis initiated by the department heads supported by the union. **Councilor Tobey** summarized there was a plan which **Mr. Duggan** also confirmed that and further stated the door is open; and they are willing to listen to any reclassifications with any of the unions. **Councilor Tobey** expressed the concern that raises not be given to department heads so as to lead to layoffs or tax increases or the imposition of new fees. What is the Administration thinking on how they can proceed with this plan if it is approved and relate it to the prospect of layoffs, tax increases, and new or increased fees? **Mr. Duggan** stated any increases would be absorbed within the budgets and be part of the priorities with the Administration on new growth in operations of the City and Prop 2-1/2. There will be no supplemental increase on fees; no one would lose their job as a result of this. **Councilor Tobey** asked if FY13 budget involve layoffs because that would be the first budget year those increases would be in effect. **Mr. Duggan** stated, "No, it does not." He did not believe it involved any new fees and the tax increase is strictly the 2-1/2% levy limit. **Councilor Tobey** reminded **Mr. Duggan** that when this first came forward he had expressed that he had concern for these reclassifications moving forward if there was no forward movement on the firefighter's contract and asked about its status. **Mr. Duggan** stated the Administration's team and the Fire Department's team were scheduled to meet a week ago the previous Wednesday. The Fire Department had to cancel that meeting. They are committed to the mediation process and are working together to reschedule that meeting. **Councilor McGeary** clarified the Council is setting a salary range this evening, not a specific number for any one position with that range typically being \$10,000 from the bottom to the top of the range. Further, that if and when this reclassification passes and you meet with the individual managers, the intention is to not put someone at the top of that \$10,000 range but at somewhere middle to bottom range so they have some room to grow within that range. **Mr. Duggan** expressed he would go further and say it is not his intention and guaranteed no one would go to the top, and they would have years of growth. **Councilor McGeary** commented some numbers were given to the B&F Committee on where these salaries fell in the range of similar jobs on the North Shore. He asked if it was fair to say that they fell within that range; if anything they are towards the low end of the average salary. **Mr. Duggan** stated the proposed reclassification places them on par with other like communities with this proposed reclassification plan. It will help the City to retain their existing personnel and attract strong candidates for any management positions that may come open. He commented that process has worked for the City. Gloucester has the best financial team in the State; the best CFO and Auditor in the State. As a result of a reclassification plan, they were able to attract a very strong City Auditor. Now the City is off the Department Of Revenue's (DOR) watch list. The DOR now looks at the City as a model of a financial turnaround; and it pays off. On the other hand they have been hurt. A member of the financial team, the City's IT Director, moved on to a more lucrative job because another community offered more money. There is great value in this strong senior management team. **Councilor McGeary** commented the vacant Fire Chief position and the soon to be vacant Police Chief position, have they in the preliminary evaluation looked at commensurate salaries for those positions in similar communities as they jump two steps. **Mr. Duggan** stated that is to attract strong candidates. Strong data has indicates it is up in that range if not higher. At the prompting of **Councilor McGeary**, **Mr. Duggan** informed the Council both positions go from M10 to M12, which is a new range of \$100,302 to \$118,572. **Council President Hardy** asked if he was speaking on behalf of the Mayor so that what he is proposing to the City Council is what the Mayor has asked him to convey to the Council. **Mr. Duggan** confirmed to the Council President he was.

**This public hearing is closed.**

After a brief procedural discussion between **Council President Hardy** and **Councilor Whynott** as to moving each motion individually for each position, **Councilor Whynott** expressed his support for the reclassifications to give staff room to grow as he believed some of the managers are greatly underpaid. However, he cautioned he wished to see the Mayor use some restraint. The most recent time they did a reclassification of several positions, he didn't believe restraint was exercised by a former Administration. The size of these raises needs to be restrained so that managers at levels below senior management have financial room to grow as well. He added he did not wish to see free cash be used for these raises ever. Free cash is to be used for one-time situations; by using it he likened it to a "blueprint for failure" and asked where the money would be found for these raises in the next year's budget. If they do use free cash this year, and it was not there the following year, he cautioned it could lead to layoffs.

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Police Chief from M10 to M12.

**DISCUSSION:**

**Councilor Tobey** expressed his support of this and all of these [reclassifications]. He explained why there is a middle management union. In 1991 when he was first Mayor, he witnessed at Council hardworking senior City staff get "lambasted" when they sought reclassifications; that they should be happy to have a job. He expressed that he found that to be mean spirited. When some of those staff came to him as Mayor to advise him as a courtesy that they were organizing a petition to the State Labor Relations Commission to establish a Municipal Managers Association, he told them his understanding under the law was that the CEO could move to the end of the process and recognize the unit which he did. There is a certain dignity to work which he expressed should include the opportunity to grow and to have responsible opportunities for pay increase; and this allows those increases to happen. More Gloucester City staff goes to other communities to run them most ably. He wished to retain that [management] talent here. **Councilor McGeary** expressed his support this and all other motions to come forward for the reclassifications. It was the consensus of B&F that these reclassifications were warranted. Speaking to Councilor Whynott's concern, he reminded the Council that they are only passing a range. The specifics will come forward at B&F during the budget hearing process. The Councilor stated they have to get over the notion that because a person works for a municipality it makes that person automatically a second class citizen and not entitled to the rights and benefits of someone who works in the private sector; the people who for the City work very hard, and deserve these reclassifications as a group. They have gone a long time without adjustment in these salary ranges. "Good work deserves good rewards."

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted **BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Police Chief from M10 to M12.**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Fire Chief from M10 to M12.

**DISCUSSION:** None.

**MOTION:** On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted **BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent, to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Fire Chief from M10 to M12.**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of

Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of General Counsel from M10 to M11.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of General Counsel from M10 to M11.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Chief Administrative Officer from M9 to M11.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Chief Administrative Officer from M9 to M11.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Community Development Director from M9 to M10.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Community Development Director from M9 to M10.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Building Inspector from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Building Inspector from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Health Director from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of**

**Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Health Director from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Environmental Engineer from M8 to M9.

**DISCUSSION: None.**

**Councilor Tobey stepped away from the dais.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Environmental Engineer from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Library Director from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Library Director from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Personnel Director from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Personnel Director from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Purchasing Agent from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Purchasing Agent from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of

Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of IT Director from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of IT Director from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of City Clerk from M8 to M9.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of City Clerk from M8 to M9.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Harbormaster from M7 to M8.

**DISCUSSION:**

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 4 (Ciolino, Theken, Tobey, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Harbormaster from M7 to M8.**

**Councilor Tobey returned to the dais.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Confidential (5) from 7-8A to 8-8B.

**DISCUSSION:**

**Councilor Whynott** addressed the “(5)” in the motion at the request of **Council President Hardy** stating this parenthetical number reflects that these five affected confidential secretaries are non- union and non-management. They perform a variety of duties and are required keep matters confidential.

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of Confidential (5) from 7 - 8A those from Grade 8-8B.**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox voted 3 in favor, 0 opposed to recommend to the City Council to Amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of City Auditor from M10 to M11 effective January 1, 2012.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to amend the Gloucester Code of Ordinance, The Personnel Ordinance, Appendix C., Compensation, Appendix B to change the pay grade for the position of City Auditor from M10 to M11 effective January 1, 2012.**

3. **PH2012-014: Amend GCO Appendix C “The Personnel Ordinance, at Appendix A “The Classification Plan” and Appendix B “The Compensation Plan by creating and adding the following positions: Economic Development Director, Grant Development Manager, Senior Planner and Marketing & Event Project Manager; and under City Charter Sec. 7-2 whether the City Council should approve the Reorganization plan of the Community Development Department as submitted to the Council by the Mayor and as amended on March 1, 2012.**

**This public hearing is opened.**

**Those speaking in favor:**

**Mr. Duggan** reviewed the proposed reorganization of the Community Development Department which highlights the integrated management of all the departmental services, especially that of economic development. They will have a manager of Economic Development and some support staff underneath that position. He expressed his thanks to Council President Hardy and Councilors Ciolino and Theken, who had requested that one of the positions to be added would be a Grant Development Manager to help support the priorities of the Administration for various grants for economic development. He then asked the Council for their full support for this reorganization plan.

**Those speaking in opposition:**

**Sunny Robinson**, 20 Harvard Street expressed she is speaking neither in favor nor opposition. Rather she looks forward to a “broadened” Community Development Department. She asked what the funding plan and sequential funding plan was. This increases the City budget substantially and wished to know the pay grade levels to be proposed as well as the plan to get this reorganization done.

**Communications: None.**

**Questions:**

**Councilor McGeary** asked for clarification of the duties for the Grant Development Manager; that this position would be seeking out grants to bring them into the City. But there have been problems with the compliance of the Auditor’s requirements for grants and asked if this compliance aspect be a part of this position and purview; was it a specific part of the job description. **Mr. Duggan** responded it would. That person will have to be well versed on reporting requirements and financial aspects of grant management. This person will seek out grants prioritized by the Administration. Councilor McGeary clarified that the grants they’re speaking of is beyond the Community Development Department’s area that is general federal/state/private grants. **Mr. Duggan** confirmed it will not be limited to Community Development Block Grants (CDBG) eligible activity but will have a much broader scope. CDBG will be part of their portfolio but would also be part of the Community Development Director’s as well. He informed the Council that the City’s CDBG funding has been cut by \$100,000 in FY13; and in conversation with the City’s local HUD representative informed them the funding will subsequently be diminished as time goes by. They have yet to determine whose direct responsibility it will be. **Councilor McGeary** made note of the findings made by the City’s own auditor’s regarding compliance. While he “applauded” the effort to seek out new grant opportunities, he wanted to make sure they have controls in place so they don’t put that money at risk by failing to comply with the requirements of the granting agencies. **Mr. Duggan** stated one of the aspects of the financial team which is included with the City Auditor within the proposed FY13 budget has a grant compliance staff person who would work out of the City Auditor’s office which he believed will help with limiting those findings in future.

**Councilor Cox** asked if the intention was to bring these new positions on board immediately. **Mr. Duggan** stated they will bring the staff on over two years. They are advertising for a Community Development Director now. That person will have an investment with the search for an Economic Development Director. They would like to bring on the Senior Planner as soon as possible to assist the Planning Director who carries a great responsibility. Potentially if they can afford it, they will look at bringing on the Marketing and Event Manager and the Grant Development Manager after that. It depends on revenue projections. **Councilor Whynott** expressed this reorganization seemed title heavy. In private sector business there is one director, but not two directors in the same basic management level. He pointed out there are people who are titled managers but have no one working for them in this reorganization and also took issue with the titles. **Mr. Duggan** responded that these people represent the City and

those they have discussions with need to look upon them as decision makers. Within the job description they're asking for highly experienced individuals which are why they carry the title of "Director". **Councilor Tobey** stated it seemed to him that the department is not a hierarchy on a chart but rather a group of professionals bringing specialized expertise, managing or directing specific elements of a community program to grow its economy. That to him was the justification for the kind of titles they have used. **Council President Hardy** asked for clarification on the grants position as it is her understanding this position would look for new grants to bring them into the City and would be responsible for that; hopefully a part of that position's salary would be a part of the administrative costs on the grants they bring in therefore paying for a goodly portion of their salary which **Mr. Duggan** confirmed was the intent. The Council President also understood the grant manager position should also have a full understanding of what is required to bring in a grant and to administer it, that the auditing of the grant will be performed through the City Auditor's office and not through the new position. The City Auditor's office is responsible for the auditing of the grants, not the Grants Manager the Community Development Department is looking to hire. **Mr. Duggan** stated the Council President was correct in this also. **Councilor McGeary** added that the audit function clearly belongs in the Auditor's office. There are a series of compliance rules which are typically done by a grants administrator or grants officer. There are reports that have to be filed with the granting authority which are then audited by a separate auditor whether it is internal or external. They have had some findings that those compliance actions have been insufficient which he wished to see some coverage for that. The Councilor then asked about the Marketing and Events Coordinator whether that position would include the responsibility to work with the Tourism Commission and Downtown Development Commission and the Cultural Districts. **Mr. Duggan** confirmed that would be part of that position's responsibilities also.

**This public hearing is closed.**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:

1. That Appendix A, Classification Plan be amended by adding the positions of "Economic Development Director";
2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M9;
3. That the said Ordinance in all other respects remains the same.

**DISCUSSION: None.**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the City Council voted **BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:**

1. **That Appendix A, Classification Plan be amended by adding the positions of "Economic Development Director";**
2. **That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M9;**
3. **That the said Ordinance in all other respects remains the same.**

**MOTION:** On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:

1. That Appendix A, Classification Plan be amended by adding the positions of "Grant Development Manager";
2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M8;
3. That the said Ordinance in all other respects remains the same.

**DISCUSSION:**

**Councilor Tobey** commented on all the positions being added, that they were wise to making this move and view it as an investment in the economic future of the City. There should be new economic development. In his travels in his profession, he has seen many parts of the country where construction is going on he never would have expected. He stated his belief they could expect this to reach Gloucester soon that will generate pressure on the Community Development Department. There is more to be done such as I4-C2; the institution of a new Harbor Plan Review; the State Fish Pier, getting the industrial parks filled and expanded. He pointed out it is an ambitious agenda and takes staffing. However, if things don't turn around or there is an economic downturn, then he stated it was his view of layoffs and reconfigurations which is, "last in first out. These positions would be expendable under those circumstances.

**MOTION: On motion by Councilor Whynott, seconded by Councilor Tobey, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:**

1. **That Appendix A, Classification Plan be amended by adding the positions of "Grant Development Manager";**
2. **That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M8;**
3. **That the said Ordinance in all other respects remains the same.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:

1. That Appendix A, Classification Plan be amended by adding the positions of "Senior Planner";
2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M5;
3. That the said Ordinance in all other respects remains the same.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Tobey, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:**

1. **That Appendix A, Classification Plan be amended by adding the positions of "Senior Planner";**
2. **That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M5;**
3. **That the said Ordinance in all other respects remains the same.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:

1. That Appendix A, Classification Plan be amended by adding the positions of "Marketing & Event Project Manager";
2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M5;
3. That the said Ordinance in all other respects remains the same.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Tobey, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances as follows:**

- 1. That Appendix A, Classification Plan be amended by adding the positions of “Marketing & Event Project Manager”;**
- 2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M5;**
- 3. That the said Ordinance in all other respects remains the same.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to accept the Community Development Department Reorganization Plan based on the chart dated March 1, 2012 in accordance with the City Charter §7-2.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to accept the Community Development Department Reorganization Plan based on the chart dated March 1, 2012 in accordance with the City Charter Sec. 7-2.**

**The City Council recessed at 8:49 p.m. and reconvened at 9:00 p.m.**

**Councilor McGeary** explained that in Public Hearing #2 regarding the reclassification of Senior Management that the language of the changes in the personnel ordinance passed by the Council in the earlier public hearing, they noted during the recess that the majority of motions failed to include language that was intended by the B&F Committee that the reclassification changes in pay grade should be effective January 1, 2012. The only motion which did include that language of the effective date that passed was that of the City Auditor. The Councilor moved that the City Council amend in blanket all of the motions, with the exception of the City Auditor motion, that changed the pay grades for the various City offices by adding the words, “effective January 1, 2012” immediately after the description of the change in pay grade in all of the motions.

**MOTION: On motion by Councilor McGeary, seconded by Councilor Whynott, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) to further AMEND GCO Appendix C “The Personnel Ordinance”, Appendix B “Compensation” to change pay grades (“reclassification”) motions (with the exception of that passed by the City Council regarding the position of City Auditor), to include language immediately following the description of the change in pay grades to read, “effective January 1, 2012.”**

- 4. PH2012-015: Amend GCO Chapter 8 “Fire” Article II “Fire Department”, Section 8-18 “Selection of Fire Chief; Manner of Appointment” subsection (a)(v) “Selection Committee”**
- 5. PH2012-016: Amend GCO Chapter 17 “Police”, Article II “Police Department” Sec. 7-18 “Selection Of Police Chief; Manner of Appointment” subsection (a) (5) “Selection Committee”**

**These public hearings are opened.**

**Those speaking in favor:**

**Mr. Bain** stated he is the chair of the Selection Committees for the search for the new Fire and Police Chiefs. There was a glitch in their membership procedures upon inquiry to the State Ethics Commission. All of the uniform personnel represented on these two Search Committees who are integral to the Search Committee’s work, are now precluded from sitting on the Committees because they are in jeopardy of being found in violation of the State Ethics law. Their seats on the Search Committees are in jeopardy because the method of appointment was by election of their unions according to the ordinances. The State Ethics Commission has ruled that because there is no reporting authority for these uniformed officers to report any conflict to, they are in “legal limbo” and in a

position where they are violating ethics rules with no way to purge themselves of this position. Because fines can be imposed for these violations and are directed at the individual, not the City, these individuals have elected to sit on the sidelines until this issue is resolved. Speaking on behalf of the Selection Committees, **Mr. Bain** stated the Committees regret the loss of these members greatly as they have been extremely helpful to the selection process. They do this work for a living and know what good leadership is and isn't, making them invaluable members on the Search Committees. Their inclusion in the ordinances is one of the things he favored; clarifying he again was speaking as the Chair of both of those Search Committees. These amendments to the respective ordinances would allow the Mayor to appoint these uniformed people and thus remedy this problem. He encouraged the Council to pass these ordinance amendments in order to help the Search Committees in their endeavors. The Search Committees are three-fourths through the first position to fill; and one quarter of the way into the second position search. He admitted the process that is taking a lot longer than expected. But this is the first time they "drove this ordinance around the block." There are changes to these ordinances the Council may wish to make when the process is finished. But they need to get the current process finished first because they need to appoint people to lead these departments. He reiterated his encouragement to the Council to pass these two ordinance amendments stating there is no down side to passing these amendments. It will give the Search Committees the benefit of these uniformed personnel to help the Committees to reach their conclusions.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions:**

**Councilor Tobey** understood Mr. Bain was speaking on behalf of the Administration; and that the Administration does support these amendments. **Mr. Bain** clarified he was speaking on behalf of himself as the Chairman of the Search Committees under these legislated ordinances, and under which he was "deputized" to execute. He was not speaking on behalf of the Administration. **Mr. Duggan** expressed that these ordinance changes will come before the Mayor for signature, the language to be reviewed by the Mayor who will have a discussion with Mr. Bain and himself as how to proceed. **Councilor Tobey** noted how both gentlemen were critical players in the previous Council's discussion of this matter which led to the enactment on a consensus basis with an agreement between the City Council and the Administration on how this was to be shaped. Their advice to the Mayor then was very important. Would it then be their intent to advise the Mayor to accept these changes? **Mr. Bain** stated it would be his advice to accept these changes. **Mr. Duggan** added he also would make the same recommendation as Mr. Bain to the Mayor. **Council President Hardy** added she knew of the Mayor's concern with the length of time this process is taking. There are a lot of suggestions that will be made at the end of the process as to amendments to the respective ordinances for many instances which would assist in speeding up the selection process a bit. They are not looking to walk these things through and "rubber stamp" them. The process will take as long as it takes no matter what. The **Council President**, now addressing her comments to Councilor Tobey, stated that she thought since the Mayor is interested in getting candidates names to her as soon as possible, how could the Mayor not be in support of these particular motions, and would look for her support to get that done.

**This public hearing is closed.**

**Councilor Whynott** stated because of the fact that this process has been delayed due to the ethics statute situation; he believes this qualifies as an emergency situation so that these positions can be filled and put into place. This emergency vote to be taken would cover both PH2012-015 and PH2012-016. **Council President Hardy** advised the Council since this is to be declared an emergency under the City Charter, this particular vote to declare an "emergency" requires a 2/3 vote of the full City Council which is the composition of the full Council this evening.

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent under the City Charter, Section 2-11(a) and (b) to declare an emergency to exist due to public safety being jeopardized by the inadequacies of the selection process ordinance for the Fire Department and the Police Department causing undue delays in making these departments whole.**

**Council President Hardy** announced that the Emergency Preamble under the City Charter passes unanimously.

**Councilor Whynott** explained the Council will vote these motions twice. The first time is under the Emergency Preamble, which means they would expire after 60 days. They also need to vote the motion again; and at the end of 31 days the non-emergency ordinance would be permanent so the Council doesn't have to return to vote these matters again.

- AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” under Emergency Provisions of City Charter Sec. 2-11(a) and (b):

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” be AMENDED by DELETING “to be elected by the union representing members of the fire department” and ADDING “to be appointed by the Mayor after they have been elected by the union representing members of the Fire Department”.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” be AMENDED by DELETING “to be elected by the union representing members of the fire department” and ADDING “to be appointed by the Mayor after they have been elected by the union representing members of the Fire Department”.**

- AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” under a Non-Emergency vote:

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” be AMENDED by DELETING “to be elected by the union representing members of the fire department” and ADDING “to be appointed by the Mayor after they have been elected by the union representing members of the Fire Department”.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to AMEND GCO Chapter 8 “Fire” Article II “Fire Department”, section 8-18 “Selection of Fire Chief, manner of Appointment”, subsection (a) (v) “selection committee” be AMENDED by DELETING “to be elected by the union representing members of the fire department” and ADDING “to be appointed by the Mayor after they have been elected by the union representing members of the Fire Department”.**

- AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” Emergency Provisions of City Charter Sec. 2-11(a) and (b):

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” to be AMENDED by DELETING “one of whom shall be a member of the union representing patrol officers, elected by that body; and one of whom shall be a member of the union representing superior officers, elected by that body” and ADDING “to be appointed by the Mayor, one of whom shall be a member of the union representing patrol officers who has been elected by that body; and one of whom shall be a member of the union representing superior officers who has been elected by that body.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” to be AMENDED by DELETING “one of whom shall be a member of the union representing patrol officers, elected by that body; and one of whom shall be a member of the union representing superior officers, elected by that body” and ADDING “to be appointed by the Mayor, one of whom shall be a member of the union representing patrol officers who has been elected by that body; and one of whom shall be a member of the union representing superior officers who has been elected by that body.**

- AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” under a Non-Emergency vote:

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” to be AMENDED by DELETING “one of whom shall be a member of the union representing patrol officers, elected by that body; and one of whom shall be a member of the union representing superior officers, elected by that body” and ADDING “to be appointed by the Mayor, one of whom shall be a member of the union representing patrol officers who has been elected by that body; and one of whom shall be a member of the union representing superior officers who has been elected by that body.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Whynott, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to AMEND GCO Chapter 17 “Police”, Article II “Police Department”, section 17-18 “Selection of Police Chief; manner of appointment”, subsection 17-18 (a)(5) “selection committee” to be AMENDED by DELETING “one of whom shall be a member of the union representing patrol officers, elected by that body; and one of whom shall be a member of the union representing superior officers, elected by that body” and ADDING “to be appointed by the Mayor, one of whom shall be a member of the union representing patrol officers who has been elected by that body; and one of whom shall be a member of the union representing superior officers who has been elected by that body.**

#### **6. PH2012-017: Loan Order 2012-006: Loan Authorization to refinance debt**

**This public hearing is opened.**

**Those speaking in favor:**

**Jeff Towne**, CFO explained that the City has an opportunity to refinance. In consultation with their financial advisors, First Southwest, they are looking to take advantage of current market interest rates to refinance some of the City’s existing outstanding debt, some that was originally issued in 2002 and 2003, which are at higher rates than they have now. This authorizes him as the City Treasurer and CFO to refinance whatever debt he can find that will create a savings for the community. They are looking at these two outstanding debt obligations, which would be about a \$4.2 million re-funding, equating to, if given the opportunity, about \$365,000 savings maximum over time. There is a piece that is part of the Veteran’s Memorial School done back at that time; some of that might have to go back to the MSBA because they funded some of that. He reiterated the \$365,000 estimate is on the maximum side. The low side would be around \$315,000 to \$320,000 depending on what they get for rates if they refinance. This is something he has specialized in over the years and had been looking for opportunities like this in his tenure on the NH Municipal Bond Bank Board. They looked for advance re-funding opportunities frequently. It is the perfect rate market now but rates are starting to climb. He noted they went out for the financing of the last loan order just at the right time. With that last loan order they were talking about saving hundreds of thousands of dollars, this is yet another opportunity were due to the City’s financial advisors. He expressed Southwest has provided a great service to the City over the years. He reiterated this loan authorization authorizes him to re-finance whichever loan debts he can now and in the future. He wished to take advantage of the current market. He suggested he would probably go out in May again if rates were still good in order to re-fund at least \$4.26 million. He highly recommended this to the Council; and stated the Administration supports this as well.

**Those speaking in opposition: None.**  
**Communications: None.**  
**This public hearing is closed.**

**MOTION:** On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following loan order:

Ordered: That in order to reduce interest costs, the Treasurer, with the approval of the Mayor is authorized to provide for the sale and issuance of refunding bonds under MGL c. 44, §21A to refund all or any portion of the remaining principal of and redemption premium and interest on any bonds of the City, outstanding as of the date of adoption of this Order, and for the payment of all other costs incidental and related thereto, and that the Mayor and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this Order. Further, that the Treasurer is authorized to file an application to qualify under c. 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

**DISCUSSION:**

**Councilor McGeary** noted when they were earlier discussing the reclassification of the City's senior management team, everybody made reference to the financial management team in place and their "nimble and aggressive" management of the City's finances. If they realize the savings that the CFO suggested, it will more than offset any cost of any reclassification. He recommended this to the Council. **Mr. Towne** clarified this will be saved over a number of years rather than all in one year. There will be about \$30,000 a year saved as a result of this Council action over the life of the debt. The \$365,000 maximum would be over another 12 to 14 years. The other savings kept the tax rate down as well; and if he could find more he will. **Council President Hardy** praised the financial team. As to their anticipation of retiring debt, she knew there were capital improvement projects coming forward soon to the Council; and hopefully some of the retired debt could be used toward these new projects. She thanked Mr. Towne specifically for all his hard work

**MOTION:** On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted **BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent the following loan order:**

**Ordered:** That in order to reduce interest costs, the Treasurer, with the approval of the Mayor is authorized to provide for the sale and issuance of refunding bonds under MGL c. 44, §21A to refund all or any portion of the remaining principal of and redemption premium and interest on any bonds of the City, outstanding as of the date of adoption of this Order, and for the payment of all other costs incidental and related thereto, and that the Mayor and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this Order. Further, that the Treasurer is authorized to file an application to qualify under c. 44A of the General Laws any and all of the bonds or notes authorized to be issued pursuant to this Order, and to provide such information and execute such documents as may be required for such purposes.

**7. PH2012-018: Amend GCO Chapter 23 "Utilities" Article III "Water" by adding Sec. 23-64 through 23-70  
Re: assessment and deferral of water betterments**

**This public hearing is opened.**

**Those speaking in favor:**

**Ms. Egan** explained the ordinance before the Council was requested by the Councilor Order for being able to assess betterments for water infrastructure so when the City wants to do a private road to upgrade the water system, the property owners will have an opportunity for betterments. It is the same format and structure as the ordinance on sewer betterments.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions:**

**Councilor Tobey** wished to understand the purpose of this ordinance. When sewer betterments are levied, sewer service is going to places it has never been before. If they rebuild sewer in front of someone's home there is no betterment. He asked will this apply when private water systems now bringing City water to homes are replaced by

the City. **Ms. Egan** stated she can't say yes or no. There are some instances where there are private water pipes through a private system through private property and not in the public ways; in that instance when the City is building a public water main then yes there could be betterments. **Councilor Tobey** stated then those homes already receiving City water would already be receiving betterment. It is markedly different than the sewer betterment ordinance.

**This public hearing is closed.**

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend GCO c. 23 "Utilities", Article III by ADDING Sections 23-64 to 23-70 as follows:

## CHAPTER 23 - UTILITIES

### Article III - Water

#### Sec. 23-64 - Assessments

(1) Every person owning land abutting upon any way in which a public or private water line has been laid out, and who may benefit from the laying of water pipes or has benefited from a particular water line, or who by more remote means receives benefit of the supply of water to his land or buildings, shall be assessed under the provisions of G.L. c. 40, § 42G. The director of public works or the designee or designees of the director shall have the power as set forth in G.L. c. 40, § 42K, when ascertaining assessments as a betterment for construction, to apply a rate based upon a uniform unit method. A uniform unit method shall be based upon the construction costs divided among the total number of existing and potential water units to be served after having proportioned the cost of special (specific unit) and general benefit facilities. Each water unit shall be equal to a single family residence. Potential water units shall be calculated on the basis of zoning in effect on the date of assessment. Existing and potentially existing multi-family, commercial, industrial and semi-public uses shall be converted into water units on the basis of residential equivalents.

(2) Assessments under this section shall be ascertained, assessed, certified and committed to the city treasurer by the director of public works or his designee. Such assessments may be made for all water pipes and appurtenant works. Water betterment assessments and any water betterment policies which are adopted by the city council pursuant to G.L. c. 80 and G.L. c. 40, § 42K, for particular public water construction projects shall follow the procedures set out in section 23-68.

#### Sec. 23-65 - Disposition of receipts from assessments

(1) The receipts from assessments for particular water lines shall be applied to the payment of the cost of particular water lines.

(2) The receipts from assessments and charges under section 23-64 shall be applied to the payment of interest upon bonds or notes issued for water purposes and to the payment or redemption of such bonds or notes.

#### Sec. 23-66 - Plans for water lines

The location of all water lines and other structures and works used in connection therewith, which constitute part of the water line laid out or constructed by the department of public works shall be shown on plans on file at all times with the department of public works, and a duplicate of the plans shall be filed by the department with the city engineer. Both sets of plans shall be open to inspection by the citizens of the city.

#### Sec. 23-67 - Land not built upon; extension of time for assessment

Any land not built upon at the time of a water betterment assessment may upon application of the land owner receive an extension of time for the payment of the assessment and interest at a rate of four percent (4%) until it is

built upon. Interest at the rate of four percent per year shall be charged annually. The assessment shall be paid within three months after such land is built upon.

Sec. 23-68 - Method of assessment: uniform unit

- (1) The city shall assess water betterments based upon a uniform unit method. Each unit shall be equal to a single-family residence. Multiple-family buildings and nonresidential buildings as described herein shall be converted into units on the basis of residential equivalents. The total assessment for a particular water construction project shall not be based on or limited by an estimated betterment. Revenue generated by said betterment assessment shall be equal to or shall cover the total project costs associated with design and construction of the water station lines and appurtenant work less the city share.
- (2) The city shall levy assessments against all properties abutting a street in which water pipes have been laid or improved after acceptance of the entire pertinent construction contract including finalization of all pertinent contractual documents. The date of acceptance shall be determined by the DPW director. In the order of assessment, the city shall designate the owner of each parcel on the preceding January 1 as liable for assessment under the provisions of the general laws.
- (3) The city council may approve water betterments with a city contribution if any of the following conditions have been met:
  - a. The city's debt service expenditures, as documented by the chief financial officer, do not exceed ten percent of its general fund revenue as indicated in the currently adopted budget.
  - b. The project is consistent with the city's facilities master plan as adopted by the city council.
  - c. The project provides a clear environmental benefit and resolves existing neighborhood-wide water pressure and water quality issues.
  - d. The project is required under a state or federal mandate through an administrative or court action.
  - e. The fire chief certifies that the water pressure or quality in the neighborhood may hamper fire fighting abilities and that the installation of water pipes may enhance its fire fighting capabilities.
  - f. The city contribution shall not exceed twenty percent of the total project costs and shall not exceed \$6,000.00 per residential dwelling unit.
- (4) There shall be no city contribution for projects on either ways created through the subdivision approval process as approved by the planning board, or on ways with two or more abutting lots or two or more lots within two thousand feet of each other that were created through the approval not required process.
- (5) For assessment purposes, all properties receiving direct benefit from the water system shall be converted into water units. Properties receiving direct benefit, either developed or undeveloped, shall be designated a number of water units under the following guidelines:
  - a. Single-family dwellings shall comprise one water unit.
  - b. Two-family dwellings shall comprise two water units.
  - c. Three-family dwellings shall comprise three water units.
  - d. Four-family dwellings shall comprise four water units.
- (6) Multiple-family dwellings in excess of four units shall comprise a number of water units based on the following methodology:

- a. Rental residential properties such as apartments shall be assessed one water unit for each apartment with more than one bedroom. Rental properties shall be assessed one-half of one water unit for each one-bedroom or studio apartment.
  - b. Residential condominium complexes shall be assessed one water unit for each dwelling unit.
- (7) Nonresidential buildings, which shall include all industrial, commercial and municipal properties, shall comprise the number of water units based upon water consumption as follows: nonresidential water usage equals one unit per each 300 gallons per day (gpd) used (rounded up to the next whole number). Nonresidential buildings not metered for water use shall be assigned a water consumption volume based on title 5 (part 2, section 13) of the state environment code of the commonwealth's minimum requirements for the subsurface disposal of sanitary sewage.
- (8) When a single structure or building contains a nonresidential use and a residential use and neither use is accessory to the other and the nonresidential use does not receive city water service, such mixed use structure shall be charged a betterment only for the residential unit or use. This provision shall not apply in the following zoning districts as defined in the city zoning ordinance:
- a. BP, Business Park;
  - b. GI, General Industrial;
  - c. MI, Marine Industrial;
  - d. EB, Extensive Business.
- (9) Undeveloped residential lots shall be converted into dwelling units on the basis of calculating the frontage and area requirements for a buildable lot as directed in the zoning ordinance in effect at the time of assessment. Each potential dwelling unit shall then comprise one water unit. The owner of an undeveloped lot may apply pursuant to MGL c. 40 § 42I, to extend the time for payment. In addition, land classified as agricultural, horticultural, recreational or forest land, upon the application of the owner, may have the betterment assessment suspended for so long as the land is devoted to that use pursuant to G.L. c. 61A, § 18, G.L. c. 61B, § 13, and G.L. c. 61, § 5.
- (10) Undeveloped nonresidential lots shall be converted into the number of units for the maximum potential water consumption on the basis of the zoning ordinance. An equivalent number of water units shall then be determined utilizing the formula described for nonresidential developed properties (rounded up to the next whole number).
- Sec. 23-69 - Betterment payment
- (1) Except as provided herein, the provisions of the general laws relative to the assessment, apportionment, division reassessment, abatement and collection of water assessments shall apply. The tax collector of the city shall have all of the powers conveyed by the general laws. In accordance with G.L. c. 80, § 12, assessments made shall constitute a lien upon the land assessed until the full balance is paid.
  - (2) At the time of assessment, a property owner may select a payment schedule over a period of 10 years or 20 years or another term of years less than 20 if they so specifically request. Once a selection has been made, the payment method may not be changed at a later date; however, the balance of the principal due on any lien may be paid in full at any time.
  - (3) Upon the transfer of title to a new owner, the seller/transferor shall immediately notify the city treasurer/collector and city assessor. After transfer of title, the betterment lien may be transferred. The betterments may be paid in full to the collector's office without interest or charges within 30 days of the date of assessment.

(4) With regard to apportionment, the interest rate charged by the city shall be the project bond rate paid by the city for the water project.

Sec. 23-70 - Abatements and Deferrals

(1) Unbuildable lot. A property owner may defer the betterment assessment with interest as provided in G.L. c. 40, § 42I.

(2) Age and income. A property owner may defer the betterment assessment with interest as provided in G.L. c. 80, § 13B, which has been accepted by the city, if they are 65 years of age or older and qualify under G.L. c. 59, § 4, clause 41A. However, the lien may not be transferred upon conveyance of property. The deferred betterment plus interest must be paid upon transfer of property in compliance with G.L. c. 80, § 13B.

**DISCUSSION:**

**Councilor Tobey** asked that this be voted against. People get betterments when they get “bettered”. The piping systems aren’t up to snuff in some areas. There are no charges when the sewer is improved versus installed as new. This is a fundamental change in how they view the change in the City’s infrastructure. If you’re in the water system and want new pipes, no matter what private developer put in those pipes, “too bad for you”, you have to pay as the City appears to be no longer willing to upgrade water services where it already exists; which he viewed as “wrong”. **Councilor Whynott** understood the Councilor’s sentiment, but if they don’t vote for this, those folks who are suffering now who have low water pressure, this will keep them from getting relief or delay that relief to them for years. If the City can’t afford it with the high water rates now, he wondered how they balance it. **Councilor Tobey** responded going back to the 1990’s there was a five year plan, with many capital projects, with an agreed upon plan of rate increases to upgrade water services. There was a tragic fire on Millet Street which brought home that the service needed to be upgraded. They changed the plan and accommodated it. Mr. Hale [DPW Director] has a responsibility as does the Administration to adapt and change plans with what they have happening in West Gloucester. It is not the way a City should be conducting business. This should be in the capital plan for the water system. This, he contended, is discriminating against a class of homeowners who are in private developments. **Councilor Whynott** suggested this vote be postponed until the next City Council meeting in order to have the DPW Director come before the Council to defend the ordinance change. Further, the Councilor wished to know if there was anything untoward looming. **Councilor Tobey** stated while Mr. Hale has value in discussing this matter, he doesn’t make bond authorization recommendations. The Mayor does. It is akin to engaging in a discussion in making moral judgments on what the role of government is. **Councilor Whynott** understood but wished to hear from Mr. Hale. **Council President Hardy** would support a motion to continue, as Councilors Verga and Ciolino who brought this Council Order forward would want to discuss this with the Council who were not in attendance this evening.

**MOTION: On motion by Councilor Tobey, seconded by Councilor Whynott, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent that further Council discussion and vote in the matter of PH2012-018: Amend GCO Chapter 23 “Utilities” Article III “Water” by adding Sec. 23-64 through 23-70 Re: assessment and deferral of water betterments is continued to April 10, 2012.**

**This matter is continued to April 10, 2012.**

**8. PH2012-020: SCP2012-003: Washington Street #540, GZO Sec. 5.5.4 (Lowlands)**

**This public hearing is opened.**

**Those speaking in favor: None. Applicant was not present.**

**Those speaking in opposition:**

**James Watson**, 544 Washington Street stated the site for this dock is a quiet tidal marsh on the Mill River. The applicant has several rental units in her house and rents out rooms for quite a few tenants. The neighbors are concerned as to the amount of activity on this structure because of the nature of the activity in this house. If this was a personal single family home there would be no concern. But because of tenants they are concerned for the amount of activity. **Joan Kimberly**, 546 Washington Street stated she lives next to the Watsons. This dock system application has already been through ConCom and other permitting authorities. There is a variety of extensions for

a dock. The home is zoned for two families and at that residence there are multiple tenants. She expressed concern for the use of the dock and what recourse the neighbors have. She also had a concern with regard to the person doing the actual contracting. **Councilor Whynott** explained that if this dock is later being used for a commercial purpose, the permit can be pulled by the Council. **Councilor Tobey** expressed that the public hearing should be continued given that there was opposition from neighbors not heard from at the P&D Committee meeting, and that the applicant was not in attendance.

**MOTION: On motion by Councilor Tobey, seconded by Councilor Whynott, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to continue PH2012-020: SCP2012-003: Washington Street #540, GZO Sec. 5.5.4 (Lowlands) to April 10, 2012.**

**This matter is continued to April 10, 2012.**

**The Clerk of Committees was directed by the Council President to inform the applicant of the continued public hearing by certified mail.**

**9. PH2012-021: SCP2012-004: Blackburn Drive #90-99, GZO Sec. 5.13.7 (PWSF) Modifications**

**This public hearing is opened.**

**Those speaking in favor:**

**Eric Kallio**, Site Acquisition Specialist, Network Building & Consulting, LLC of Winchendon Springs, MA representing Sprint Spectrum, LP explained that they wish to upgrade the equipment installed on the tower at Blackburn Drive #90-99 with a lease of tower space owned by Blackburn Center LLC, with three newer technology antennas and to add an equipment shelter at the base of the tower they already have in place. They will have the antennas at the same height of 138 ft. They are swapping an equal number of antennas to upgrade their equipment to 4G technology for high speed data and internet service.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions: None.**

**This public hearing is closed.**

**MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Sprint Spectrum, LP a Special Council Permit (SCP2012-004) for modification of an existing Personal Wireless Communications Facility pursuant to Section 5.13.7 to remove six (6) existing antennas and to install three (3) newer technology antennas, together with related amplifiers, cables, fiber and other associated antenna equipment and six (6) remote radio heads, and other associated antenna equipment such as surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within a new Sprint Spectrum LP equipment shelter on the tower owned by Blackburn Center LLC located at Blackburn Drive #90-99 Gloucester, MA (Assessors Map #263, Lot #4) zoning classification BP (Business Park) with the following condition:**

That Sprint Spectrum is not to impede use of the communication tower located at Blackburn Drive #90-99 by Gloucester public safety organizations to maintain and install hardware necessary to their communications systems.

**DISCUSSION:**

**Council President Hardy** stated this is a modification of a permit that was granted many years ago at the Blackburn Industrial Park. She had viewed the location many times for permit upgrades noting nothing has basically changed. With the current microwave technology, it is as if standing before a toaster. She would support this application.

**MOTION: On motion by Councilor Tobey, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to grant Sprint Spectrum, LP a Special Council Permit (SCP2012-004) for modification of an existing Personal Wireless Communications Facility pursuant to Section 5.13.7 to remove six (6) existing antennas and to install three (3) newer technology antennas, together with related amplifiers, cables, fiber and other associated antenna equipment and six (6) remote radio heads, and other associated antenna equipment such as surge arrestors and global positioning**

system antennas, for new network service upgrades with associated electronic equipment within a new Sprint Spectrum LP equipment shelter on the tower owned by Blackburn Center LLC located at Blackburn Drive #90-99 Gloucester, MA (Assessors Map #263, Lot #4) zoning classification BP (Business Park) with the following condition:

That Sprint Spectrum is not to impede use of the communication tower located at Blackburn Drive #90-99 by Gloucester public safety organizations to maintain and install hardware necessary to their communications systems.

**10. PH2012-022: SCP2012-005: Kondelin Road #16, GZO Sec. 5.13.7 (PWSF) Modifications**

**This public hearing is opened.**

**Those speaking in favor:**

**Mr. Kallio**, again representing Sprint Spectrum LP, stated this application is much the same as the one for Blackburn Drive. In this instance they have an existing lease with American Tower. All that he had stated for the previous application is applicable for the Kondelin Road #16 here as the applications are virtually the same. They will be adding an equipment cabinet within the same tower compound, and staying at the same height on the tower. They are replacing six antennas with three antennas rather than replacing them with six as had been stated in the original application (on file). This is an antenna swap out is to keep current with 4G technology for high speed data and internet service.

**Those speaking in opposition: None.**

**Communications: None.**

**Questions: None.**

**This public hearing is closed.**

**MOTION:** On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Sprint Spectrum, LP a Special Council Permit (SCP2012-004) for modification of an existing Personal Wireless Communications Facility pursuant to Section 5.13.7 to remove six (6) existing antennas and to install three (3) newer technology antennas, together with related amplifiers, cables, fiber and other associated antenna equipment and will include six (6) remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within a new Sprint Spectrum LP equipment shelter to be erected at the base of the tower owned by American Tower Asset LLC and on which the antennas to be modified are located at 16 Kondelin Road, Gloucester, MA (Assessors Map #198, Lot #39) zoning classification GI (General Industrial) with the following condition:

That Sprint Spectrum is not to impede use of the communication tower located at Kondelin Road #16 by Gloucester public safety organizations to maintain and install hardware necessary to their communications systems.

**DISCUSSION:**

**Council President Hardy** stated she has been to a number of these antenna locations over her years on the Council. In this particular case, the tower is high on a hill with no residential properties nearby with any interference she could think of, and would support this application.

**MOTION:** On motion by Councilor Tobey, seconded by Councilor LeBlanc, the City Council voted **BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent** to grant Sprint Spectrum, LP a Special Council Permit (SCP2012-004) for modification of an existing Personal Wireless Communications Facility pursuant to Section 5.13.7 to remove six (6) existing antennas and to install three (3) newer technology antennas, together with related amplifiers, cables, fiber and other associated antenna equipment and will include six (6) remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within a new Sprint Spectrum LP equipment shelter to be erected at the base of the tower owned by American Tower Asset LLC and on which the antennas to be modified are located at 16 Kondelin Road, Gloucester, MA (Assessors Map #198, Lot #39) zoning classification GI (General Industrial) with the following condition:

**That Sprint Spectrum is not to impede use of the communication tower located at Kondelin Road #16 by Gloucester public safety organizations to maintain and install hardware necessary to their communications systems.**

**Committee Reports:**

**Budget & Finance: March 22, 2012**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that \$350,000 (Three Hundred Fifty Thousand) be appropriated from the Sewer Fund Retained Earnings ("Free Cash") for the purpose of funding an engineering investigation of the lower Essex Avenue area sewer as well as the contributing factors from the West Gloucester sewer collection system to Sewer Enterprise, Engineering/Arch Professional Services, Unifund Account #600000.10.440.53100.0000.00.000.00.052.

**DISCUSSION:**

**Councilor McGeary** explained this is a request from the DPW Director regarding sewer overflow and back up issues in the Lower Essex Avenue area. The DPW Director has theorized that this may be from deficiencies in a project installation in that area earlier in the decade. This is a full study to find out what the problems really are and to come up with a remediation plan for them, requiring the \$350,000. This is for a full study, not necessarily an action plan; that will depend on the results of the study as to how extensive the changes will be. The \$350,000 is out of the Sewer Enterprise Fund certified free cash and will not have a direct impact on the sewer rate. He encouraged his fellow Councilors to vote for this motion. **Councilor Whynott** stated this is the perfect example of a one-time good use for free cash.

**MOTION: On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent that \$350,000 (Three Hundred Fifty Thousand) be appropriated from the Sewer Fund Retained Earnings ("Free Cash") for the purpose of funding an engineering investigation of the lower Essex Avenue area sewer as well as the contributing factors from the West Gloucester sewer collection system to Sewer Enterprise, Engineering/Arch Professional Services, Unifund Account #600000.10.440.53100.0000.00.000.00.052.**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to appropriate \$20,000 (Twenty Thousand dollars) from General Fund Unreserved Fund Balance ("Free Cash") to Fire Department Sal/Wage-Overtime, Unifund Account #101000.10.220.51300.0000.00.000.00.051 for personnel expenses to cover emergencies and manning to 14 firefighters.

**DISCUSSION:**

**Council President Hardy** recused herself from the vote on this matter under MGL c. 268A as she has a brother serving in the Gloucester Fire Department. The vote now requires a majority vote of those Councilors present and voting (at least four).

**Councilor McGeary** stated this appropriation from free cash of \$20,000 is a supplementary request to pay for Fire Department Salary/Wages-Overtime. The previous supplemental appropriation of \$30,000 made in February to cover an initial shortfall in overtime; which has largely been expended. Some of that initial \$30,000 was used to cover a pre-existing deficit as they had already run out of money. This should hopefully bring the department overtime staffing at appropriate levels through approximately the middle of May. Given the severe fire danger which has caused the closure of the woods that could use the funds up sooner. The Administration would come back if further supplemental funds were required.

**MOTION: On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted BY ROLL CALL 5 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent, 1 (Hardy) recused, to appropriate \$20,000 (Twenty Thousand dollars) from General Fund Unreserved Fund Balance ("Free Cash") to Fire Department Sal/Wage-Overtime, Unifund Account #101000.10.220.51300.0000.00.000.00.051 for personnel**

**expenses to cover emergencies and manning to 14 firefighters.**

**The Council took a one minute recess at 9:54 p.m. to then reconvene to take up the following matter continued from the B&F Committee Report of the 03/13/12 City Council meeting:**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to transfer (#2012-SBT-22) \$5,569.00 from Special Reserve Contractual Services, Unifund Account #101000.10.900.52000.0000.00.000.00.052 to Civil Defense, Office Equip-Furniture, Unifund Account #101000.10.291.58710.0000.00.000.00.058.

**DISCUSSION:**

**Councilor McGeary** explained that in fact, this motion as originally presented was continued from the 3/13/12 City Council meeting was correct. There had been confusion as to the actual dollar amount whether it was less than presented for office equipment for the Emergency Operations Center. However, that was not the case. **Council President Hardy** added that the confusion stemmed from the Emergency Management Director believing there was a way to save funds as he believed the transfer was a lesser amount; but in fact the CFO had combined all requested funds for office equipment for the EOC into one single transfer which the Emergency Management Director was not aware of. The \$5,569 is now and was the correct amount for this transfer..

**MOTION: On motion by Councilor McGeary, seconded by Cox, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent, to transfer (#2012-SBT-22) \$5,569.00 from Special Reserve Contractual Services, Unifund Account #101000.10.900.52000.0000.00.000.00.052 to Civil Defense, Office Equip-Furniture, Unifund Account #101000.10.291.58710.0000.00.000.00.058.**

**Ordinances & Administration: March 19, 2012**

**There were no action items for the City Council from this Committee meeting.**

**Planning & Development: March 21, 2012**

**Councilor Tobey** announced the Pavilion Beach Easement would come up at the next P&D Meeting of April 4, 2012 with the hope that revisions that reserve the City's right to claim ownership in the future would be inserted. The final review of the Magnolia School House RFP is continued for further examination by the B&F Committee.

- **Special Events: Request and Application for road closures for the Downtown Gloucester Block Party Series on July 21, August 18 and September 15, 2012**

MOTION: On motion by Councilor Hardy, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant special event permits to the Downtown Block Party Committee to temporarily close Main Street from the open driveway of Bank Gloucester to Washington Street for each date for three separate occasions between the hours of 5:00 p.m. and 11:00 p.m.: Saturday, July 21, 2012; Saturday, August 18, 2012; and Saturday, September 15, 2012 to hold three block parties with the following conditions:

1. No vendor/merchant set ups on the sidewalk blocking entrance ways to retail or residential units, hydrants, crosswalks or handicap ramps;
2. All vendor/merchant set ups in the street are to allow for no less than a 10 ft. unobstructed, drivable area along the entire route – slightly wider at the curve of Palazola's Sporting Goods to maintain adequate access for emergency vehicles. Failure to provide this 10' unobstructed margin of drivable area may necessitate the removal or relocation of the vendor/merchant at the discretion of the Fire Department, the Police Department or the Block Party Committee;
3. The organizers shall allow the Fire Department drive-through access with the fire engine at the convenience of the Fire Department;
4. Any restaurant/merchant set up of tables and chairs, tents or area enclosures should extend

- into the street no further than the lines painted on the street for vehicular parking;
5. That all of the side streets – Short, Porter, Center and Hancock Streets shall not be blocked by vendors, food establishments, tables, chairs, enclosures, equipment or vehicles, so emergency vehicles may enter and exit Main Street as needed;
  6. Vendor/merchants shall be responsible for their own trash removal;
  7. Signs indicating the location of comfort stations shall be the responsibility of the Committee;
  8. Plumbing Codes and regulations shall be adhered to regarding use of restaurant bathroom facilities;
  9. Special lighting and electrical requirements necessitate approval of the Inspector of Buildings and the Electrical Inspector;
  10. The closure of the street at the intersection of Main and Short, Porter, Center, and Hancock Streets be by means of sawhorses or the like, as directed by Lt. Aiello of the Gloucester Police Department;
  11. It is the responsibility of the Committee to procure other Federal, State and local permits and approvals associated with this event;
  12. That the Committee makes reasonable notification to all residents and merchants along the route that will be affected by the closure;
  13. Restaurants or vendors wishing to serve food outside must notify the Board of Health 7 (seven) days in advance for approval and must obtain any necessary approval of event organizers;
  14. Conditions imposed by the Gloucester Liquor Licensing Board shall also apply and shall become incorporated herein;
  15. All other applicable laws, City ordinances and/or regulations are in full force.

#### **DISCUSSION:**

**Councilor Tobey** expressed his endorsement of the event.

**MOTION: On motion by Councilor Tobey, seconded by Councilor Hardy, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to grant special event permits to the Downtown Block Party Committee to temporarily close Main Street from the open driveway of Bank Gloucester to Washington Street for each date for three separate occasions between the hours of 5:00 p.m. and 11:00 p.m.: Saturday, July 21, 2012; Saturday, August 18, 2012; and Saturday, September 15, 2012 to hold three block parties with the following conditions:**

1. **No vendor/merchant set ups on the sidewalk blocking entrance ways to retail or residential units, hydrants, crosswalks or handicap ramps;**
2. **All vendor/merchant set ups in the street are to allow for no less than a 10 ft. unobstructed, drivable area along the entire route – slightly wider at the curve of Palazola's Sporting Goods to maintain adequate access for emergency vehicles. Failure to provide this 10' unobstructed margin of drivable area may necessitate the removal or relocation of the vendor/merchant at the discretion of the Fire Department, the Police Department or the Block Party Committee;**
3. **The organizers shall allow the Fire Department drive-through access with the fire engine at the convenience of the Fire Department;**
4. **Any restaurant/merchant set up of tables and chairs, tents or area enclosures should extend into the street no further than the lines painted on the street for vehicular parking;**
5. **That all of the side streets – Short, Porter, Center and Hancock Streets shall not be blocked by vendors, food establishments, tables, chairs, enclosures, equipment or vehicles, so emergency vehicles may enter and exit Main Street as needed;**
6. **Vendor/merchants shall be responsible for their own trash removal;**
7. **Signs indicating the location of comfort stations shall be the responsibility of the Committee;**
8. **Plumbing Codes and regulations shall be adhered to regarding use of restaurant bathroom facilities;**
9. **Special lighting and electrical requirements necessitate approval of the Inspector of Buildings and the Electrical Inspector;**
10. **The closure of the street at the intersection of Main and Short, Porter, Center, and Hancock Streets be by means of sawhorses or the like, as directed by Lt. Aiello of the Gloucester Police Department;**
11. **It is the responsibility of the Committee to procure other Federal, State and local permits and approvals associated with this event;**

- 12. That the Committee makes reasonable notification to all residents and merchants along the route that will be affected by the closure;**
- 13. Restaurants or vendors wishing to serve food outside must notify the Board of Health 7 (seven) days in advance for approval and must obtain any necessary approval of event organizers;**
- 14. Conditions imposed by the Gloucester Liquor Licensing Board shall also apply and shall become incorporated herein;**
- 15. All other applicable laws, City ordinances and/or regulations are in full force.**

Backshore 5 Mile Road Race:

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council to permit the Cape Ann YMCA on Friday, May 11, 2012 to hold the Backshore 5 Mile Road Race with the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before May 4, 2012.

2. Road Closure Plans:

Memoranda from the Police Department and Fire Department giving approval of the plans for the Backshore 5 Mile Road Race on May 11, 2012 to be on file with the City Clerks office on or before May 4, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before May 4, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

3. Refuse and Comfort Stations:

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 8:30 PM, May 11, 2012.

4. Emergency Services:

A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.

6. Notification of Immediate Abutters and Businesses to Race Course:

Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Cape Ann YMCA:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**DISCUSSION: None.**

**MOTION: On motion by Councilor Tobey, seconded by Councilor Hardy, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to permit the Cape Ann YMCA on Friday, May 11, 2012 to hold the Backshore 5 Mile Road Race with the following conditions:**

**1. Certificate of Insurance:**

**A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before May 4, 2012.**

**2. Road Closure Plans:**

**Memoranda from the Police Department and Fire Department giving approval of the plans for the Backshore 5 Mile Road Race on May 11, 2012 to be on file with the City Clerks office on or before May 4, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before May 4, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

**All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 8:30 PM, May 11, 2012.**

**4. Emergency Services:**

**A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.**

**5. Staffing:**

**Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.**

**6. Notification of Immediate Abutters and Businesses to Race Course:**

**Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.**

**7. Responsibility of the Cape Ann YMCA:**

**The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.**

**St. Peter's Fiesta Road Race:**

**MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council to permit the Cape Ann YMCA on Thursday, June 28th, 2012 to hold the St. Peter's Fiesta Road Race with the following conditions:**

**1. Certificate of Insurance:**

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before June 21, 2012.

2. Road Closure Plans:

Memoranda from the Police Department and Fire Department giving approval of the plans for the St. Peter's Fiesta Road Race on June 28, 2012 to be on file with the City Clerks office on or before May 4, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before June 21, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

3. Refuse and Comfort Stations:

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, June 28, 2012.

4. Emergency Services:

A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.

6. Notification of Immediate Abutters and Businesses to Race Course:

Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Cape Ann YMCA:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**DISCUSSION:**

**MOTION: On motion by Councilor Tobey, seconded by Councilor Hardy, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to permit the Cape Ann YMCA on Thursday, June 28th, 2012 to hold the St. Peter's Fiesta Road Race with the following conditions:**

**1. Certificate of Insurance:**

**A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before June 21, 2012.**

**2. Road Closure Plans:**

**Memoranda from the Police Department and Fire Department giving approval of the plans for the St. Peter's Fiesta Road Race on June 28, 2012 to be on file with the City Clerks office on or before May 4, 2012. Roads**

**to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before June 21, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

**All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, June 28, 2012.**

**4. Emergency Services:**

**A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.**

**5. Staffing:**

**Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.**

**6. Notification of Immediate Abutters and Businesses to Race Course:**

**Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.**

**7. Responsibility of the Cape Ann YMCA:**

**The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.**

25K Around the Cape Race

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council to permit the Cape Ann YMCA on Monday, September 3, 2012 to hold the 25K Around the Cape Road Race with the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 27, 2012.

2. Road Closure Plans:

Memoranda from the Police Department and Fire Department giving approval of the plans for the 25K Around the Cape Road Race on September 3, 2012 to be on file with the City Clerks office on or before August 27, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before August 27, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

3. Refuse and Comfort Stations:

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, September 3, 2012.

4. Emergency Services:

A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.

6. Notification of Immediate Abutters and Businesses to Race Course:

Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Cape Ann YMCA:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**DISCUSSION:**

**MOTION: On motion by Councilor Tobey, seconded by Councilor Hardy, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to permit the Cape Ann YMCA on Monday, September 3, 2012 to hold the 25K Around the Cape Road Race with the following conditions:**

**1. Certificate of Insurance:**

**A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 27, 2012.**

**2. Road Closure Plans:**

**Memoranda from the Police Department and Fire Department giving approval of the plans for the 25K Around the Cape Road Race on September 3, 2012 to be on file with the City Clerks office on or before August 27, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before August 27, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

**All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, September 3, 2012.**

**4. Emergency Services:**

**A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.**

**5. Staffing:**

**Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.**

**6. Notification of Immediate Abutters and Businesses to Race Course:**

**Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.**

**7. Responsibility of the Cape Ann YMCA:**

**The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.**

7K Run the Goose Race:

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council to permit the Cape Ann YMCA on Monday, September 3, 2012 to hold the 7K Run the Goose Road Race with the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 27, 2012.

2. Road Closure Plans:

Memoranda from the Police Department and Fire Department giving approval of the plans for the 7K Run the Goose Road Race on September 3, 2012 to be on file with the City Clerks office on or before August 27, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before August 27, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

3. Refuse and Comfort Stations:

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, September 3, 2012.

4. Emergency Services:

A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.

6. Notification of Immediate Abutters and Businesses to Race Course:

Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Cape Ann YMCA:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**DISCUSSION:**

**MOTION: On motion by Councilor Tobey, seconded by Councilor LeBlanc, the City Council voted 6 in favor, 0 opposed, 3 (Ciolino, Theken, Verga) absent to permit the Cape Ann YMCA on Monday, September 3, 2012 to hold the 7K Run the Goose Road Race with the following conditions:**

**1. Certificate of Insurance:**

**A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 27, 2012.**

**2. Road Closure Plans:**

**Memoranda from the Police Department and Fire Department giving approval of the plans for the 7K Run the Goose Road Race on September 3, 2012 to be on file with the City Clerks office on or before August 27, 2012. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before August 27, 2012. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

**All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 9:00 PM, September 3, 2012.**

**4. Emergency Services:**

**A signed, visible and staffed first aid station must be in place in an accessible location in the area of the race course throughout the event.**

**5. Staffing:**

**Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.**

**6. Notification of Immediate Abutters and Businesses to Race Course:**

**Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels, and other businesses along the race route.**

**7. Responsibility of the Cape Ann YMCA:**

**The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.**

**Unfinished Business: None.**

**Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.**

**Councilors' Requests to the Mayor:**

**Councilor Whynott** noted all the street construction in the City and the confusing signage detouring vehicular traffic. He asked the Administration to make sure the signage is proper as he had experienced delays because of it where some roads were closed but not marked. He also asked if the Gloucester Times could cooperate with the Administration to publish where there may be serious traffic delays due to all this current road construction.

**Councilor Cox** stated the Horribles Parade fundraiser is at Cruiseport Saturday, March 31<sup>st</sup>.

**Councilor Tobey** agreed with Councilor Whynott and further recommended that the Administration review the weekly forecast model that was used by the Bell Administration during the CSO project. There were maps and notes; and was published every Saturday in the paper keeping the public informed. It should be coupled with renewed outreach to Main Street businesses. He was aware of one substantial retailer who found Monday he couldn't get into his store and couldn't gain access, which continued to today as well.

**Councilor McGeary** noted a Mid-Sumer's Night Dream will be presented on by the East Gloucester Elementary School 5<sup>th</sup> graders on Thursday, Friday and Saturday. Tickets are \$5 available at the door or email: [egsfifthgradeplay@gmail.com](mailto:egsfifthgradeplay@gmail.com) for further information.

**Councilor LeBlanc** also expressed his agreement with Councilors Whynott and Tobey and asked that the information on the roads also be placed The Beacon as well.

**Council President Hardy** added to the Councilors' request for publication of road detours and closures that this information should also be posted on the City's website as it would be the best way to receive current information. She noted that this matter has been discussed on the Standing Committee level to have it appear and be updated regularly on the City's website.

**Council President Hardy** asked again of the Administration to please fix the lights and clock in Kyrouz Auditorium. She asked a special request be sent to the Mayor to get those things done by the Facilities Director.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 10:07 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson  
Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**