

**Ordinances & Administration Committee**

Monday, August 19, 2013 – 6:00 p.m.

1<sup>st</sup> Fl. Council Committee Rm. – City Hall**-Minutes-**

**Present: Councilor Sefatia Theken, Chair; Councilor Robert Whynott, Vice Chair; Councilor Steven LeBlanc**

**Absent: None.**

**Also Present: Mike Hale**

**The meeting was called to order at 6:00 p.m. Items were taken out of order.**

**1. *Continued Business:***

- A) Memorandum from Mayor & Memorandum from Community Development Director re: Tourism Commission (Cont'd from 07/15/13)

**Councilor Theken** said that the Committee was in receipt of an email from Tom Daniel, Community Development Director regarding an update on the status of the Tourism Commission (on file). In that email he said there was one more slot to be filled on the Tourism Commission in order to present to the Council a full slate of appointees to reconstitute the Commission. Once that position has a possible appointee he said he would file, through the Office of the Mayor, a slate of appointees for the review of the O&A Committee and Council.

**This matter is continued to September 16, 2013.**

- B) Review of Process of placement of handicap parking space signage and keeping signage current with the Gloucester Code of Ordinances (Cont'd from 08/05/13)

**Councilor Whynott** noted that there is a procedure in place if the ward councilor is notified that someone has died or moved away, an order is filed to remove the handicap sign, but the sign is removed immediately by the DPW which **Mike Hale**, DPW Director confirmed that the process is still in place and works in the same manner.

**Councilor LeBlanc** said there should be some type of review every couple of years of handicapped spaces listed in GCO Sec. 22-287 by ward because there are handicap spaces that are no longer used because the original requestor has died or moved away.

**Councilor Theken** suggested that all the ward councilors should get a list of the handicap spaces by ordinance in their ward and review what is in their ward. **Mr. Hale** suggested that the Traffic Commission review every couple of years City handicapped spaces as they exist at that time because he knew of several situations where the spaces had been put in place years ago and the requestors were no longer living on a particular street.

**Mr. Hale** also touched upon informational signs that are still posted when they were no longer needed and had a brief discussion with the Committee.

**This matter is considered closed.**

**2. *New Appointments & Reappointments:***

**Appointments:**

**Waterways Board**

**TTE 02/14/14 Robert Gillis (Economic Development Member)**

**Mr. Gillis** under direct questioning of the Committee said that he has attended the Waterways Boards meetings. He said he is a past president of the Chamber of Commerce who served as a liaison to waterfront property owners and has familiarity with the harbor issues. At this time he is in the process of being proposed as a member to the EDIC. He added he had yet to finish the State Ethics Commission test and file it with the City Clerk.

In a discussion with **Councilor Theken**, **Mr. Gillis** said that the fishing industry is not gone and expressed discouragement about the federal government's cutbacks to ground fishing. He said there may need to be changes in the rules and regulations, but fishing is the heritage of the Gloucester community.

**Councilor LeBlanc** said spoke of two boat captains' experience that he spoke with over the weekend saying that respectively the captains spent \$75,000 and \$25,000 in goods and services during one week's time and neither

could find a place to tie up connected to land. Both captains told the Councilor almost all the time they drive by Gloucester because it is not friendly to recreational boaters. **Councilor LeBlanc** said there needs to be a place found to bring these recreational boaters to the City, and it is a shame other boats pass the City by. He urged Mr. Gillis to make this a high priority with the Waterways Board. Both **Councilors LeBlanc** and **Theken** said that there are many ports where recreational boaters and commercial fishermen co-exist along the East Coast, and Gloucester needs to be more user friendly. They also expressed their disappointment that Capt. Phil Cusamano's floating transient marina plan would not move forward. **Mr. Gillis** stated his agreement with the Councilors.

**Councilor Whynott** expressed his concern about the Waterways Board new launch service saying he heard that someone came into the port recently who was unable to secure a transient mooring and so that transient boater could not use the launch service. He, too, added his endorsed Mr. Gillis' appointment.

**MOTION: On a 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 appoint Robert Gillis to the Waterways Board (Economic Development Member), TTE 02/14/14.**

**Planting Committee**

**TTE 02/14/16 Susan Kelly**

**Susan Kelly** also under direct questioning by the O&A Committee said that she had filed her State Ethics Quiz with the City Clerk. **Ms. Kelly** confirmed that the Planting Committee hasn't met in four years. She said she ran a garden tour recently that benefited the HarborWalk butterfly garden and Fisherman's Wives Association. The garden tour had over 780 attendees. As a result, she said she has a team of volunteers and maintains the perennial gardens on the Boulevard. She said more volunteers could be used in the future to maintain the City's public places. **Ms. Kelly** added she will be coordinating with William Taylor and Bonnie Angus, Planting Committee members (reappointees present) and will work towards a more active committee and coordinating volunteers.

**Councilor Theken** expressed her pleasure in seeing the Planting Committee being revitalized and that she supported Ms. Kelly's appointment. **Councilor LeBlanc** added his thanks. He also said with feedback from the DPW and people who call him frequently seeking permission to plant around the City along with hearing from the Administration the issue is not about allowing people to plant but in the on-going watering and weeding of the planted gardens. The Committee talked to Ms. Kelly about territorial issues amongst gardeners.

The Committee asked that Ms. Kelly and the Planting Committee speak with the Legal Department about a waiver form for volunteers to sign who wish to work on planting and maintaining cultivated areas on City property.

**MOTION: On a 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 Susan Kelly to the Planting Committee, TTE 02/14/16.**

**Reappointments:**

**Community Preservation Committee TTE 02/14/16 Charles Crowley (Open Space & Recreation Mbr.)**

**Charles Crowley**, a member of the Open Space & Recreation Committee came before O&A to briefly discuss that he wished to continue to represent the Open Space & Recreation Committee on the Community Preservation Committee, a volunteer opportunity he said he found fulfilling.

**Councilor Theken** said she endorsed his reappointment and was impressed with his abilities.

**Councilor Whynott** talked about some of the grants that have come forward through the Community Preservation Committee recently and touched upon the condition of Stage Fort Park and Cressy's Beach with Mr. Crowley and with Councilors **Theken** and **LeBlanc** participating in that conversation.

**MOTION: On a 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 reappoint Charles Crowley to the Community Preservation Committee (Open Space & Recreation member), TTE 02/14/16.**

**Planting Committee**

**TTE 02/14/16 William Taylor, Bonnie Angus**

**MOTION: On a 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 reappoint William Taylor to the Planting Committee, TTE 02/14/16.**



3. Sunday 8:00AM to 8:00PM

B. Permitted Athletic Events & Other Activities

1. During School Year (Sept. to June)

- a. Monday to Friday 8:00AM to 2:00PM
- b. Saturday 8:00AM to 9:00PM
- c. Sunday 8:00AM to 8:00PM

2. Non School Year (July & August)

- a. Monday to Friday 8:00AM to 9:00PM
- b. Saturday 8:00AM to 9:00PM
- c. Sunday 8:00AM to 8:00PM

II. Use by the Gloucester Public School Department

- A. Gloucester Public Schools shall have first priority in requesting use of the Facility during the School calendar year.
- B. In order to obtain first priority, Gloucester Public Schools shall submit a list of requests 60 days prior to the start of the school year for the fall activities and by March 1<sup>st</sup> for the spring activities. As the athletic schedules are updated those updates must be forwarded to the scheduler in a timely manner.
- C. In the event of a postponement of a scheduled School athletic event, the event shall be scheduled at the next available non-revenue producing time slot.
- D. Gloucester school athletics will have the exclusive use of the Facility for practices and games from 2:00PM to 9:00PM Monday through Friday.
- E. Gloucester Public Schools may request use of the Facility for gym classes during the school year between the hours of 7:30AM and 2:00PM. These requests must be made two weeks in advance in order to give notice to the general public who may be using the track for walking/jogging.

III. Permitted Use for all Other Users

- A. Any group or individual that wishes to use the athletic playing field must have a permit.
- B. Facility may be scheduled in 1 hour increments.
- C. Permits will be based on availability and Gloucester based groups will have precedence over non-Gloucester groups when scheduling the athletic fields. Past permit holders will be given first consideration provided they have conducted themselves in accordance with the conditions described in this policy.
- D. Permit holder must be 21 years of age or older.
- E. Payment is expected prior to receiving the permit for one-time events. Multi use permits may work out an acceptable payment plan. In the event of a payment plan the permit fee must be paid in full prior to the end of the permit period. No future permits will be issued to a group, organization, or individual until all outstanding fee are paid.
- F. The permit holder shall review all rules and regulations with all members of the group prior to the use of the Facility.
- G. The permit holder shall be present at all times during the activity and shall be responsible for the activities of all members of the group while using the Facility.

- H. The permit holder shall sign in with the facility supervisor.
- I. Any damage caused to the facility during the permit period will be the direct responsibility of the permit holding individual or organization. The City of Gloucester will collect from the permit holder any and all monies needed to repair the damage(s) over and above the amount of the security deposit.
- J. The individuals provided use of the Facility under the permit, including the permit holding group, event participants, spectators, visiting teams and coaches **must** make every effort to follow these Rules and Regulations and work with the facility supervisor or they may be asked to leave the Facility by the facility supervisor, and if necessary the Gloucester Police.
- K. Each permit holder is responsible for making sure the facility is trash free at the conclusion of the game or event and that all recyclables are placed in the appropriate containers.
- L. If the restroom is used, the permit holder is responsible for making sure the restrooms are clean with all trash picked up off the floor.
- M. When two or more applicants on equal footing apply for the same time frame, priority will be given to the traditional in season sport, as defined by the High School sports seasons, outlined as follows:
  - a. Fall Season – Football, Soccer
  - b. Spring – Lacrosse
  - c. Summer – per request

#### IV. User Fees

- A. Please see Appendix A
- B. All User fees, once paid, are non-refundable

#### V. Security Deposits

- A. Single event user - \$500.00 refundable security deposit
- B. Multi event user - \$1,000.00 refundable security deposit
- C. Concession Building - \$500.00 refundable security deposit
- D. Scoreboard and/or sound system – \$250.00 refundable security deposit

#### VI. General Rules and Regulations

- A. The following are not permitted on the track or field facilities:
  - 1. Dogs, pets or any other animals
  - 2. Food, peanuts, seeds or chewing gum
  - 3. Sports drinks, soda or any beverages other than water
  - 4. Glass bottles or containers of any kind
  - 5. Tobacco products of any kind
  - 6. Bicycles, tricycles, skateboards, roller blades, baby strollers or wheelchairs
  - 7. Unpermitted use of motor vehicles or heavy equipment of any kind
  - 8. Fireworks of any kind
  - 9. Sharp penetrating objects such as tent spikes or high heels
  - 10. Sharp tipped javelins
  - 11. Golfing
  - 12. Chemical ice bags
  - 13. Dumping of ice on the track or field

14. Track spikes greater than 1/8"
15. Metal cleats
16. Chairs or tables
17. No materials, such as posters, etc. of any kind may be taped, stapled, glued or otherwise affixed to the bleachers or fences.
18. Failure to adhere to the stated Rules and Regulations may result in termination of user privileges.

B. Access to the turf and track:

1. Access to the turf and track will be limited to the players, coaches, officials, and site officials when an organized event is in progress.
2. Anyone other than the above mentioned must have the approval of the facility supervisor.
3. Access to the turf shall be via the protective mats placed by the facility supervisor.

C. Use of the track by the general public:

1. Lanes 1 and 2 are to be used by runners and joggers
2. Lanes 3,4,5 and 6 are to be used by walkers

D. Liability Insurance:

1. A Certificate of Liability Insurance naming the City of Gloucester as an additionally insured party **must be** provided at the time of the permit application. Liability limits are required to be a minimum of \$1,000,000 per occurrence general liability coverage and \$2,000,000 Aggregate general liability coverage.
2. All non-school permits **must be** covered by this insurance policy.
3. There **must be** a signed "Hold Harmless" form absolving the City of Gloucester from any liability.
4. The general liability insurance required for applicants shall also include a property damage provision.

E. Use of the Concession Building:

1. Authorized written permission by the Department of Public Works must be presented at the time of the permit application request.
2. An applicant proposing to serve prepared foods must submit a permit from the Board of Health at the time of the permit application request.
3. All food and beverages offered for sale must meet the Gloucester Board of Health Healthy Concessions Policies.
4. Concession Building will be opened by the facility supervisor.
5. At the end of the event the facility supervisor will inspect the Concession Building for cleanliness prior to dismissing the group.

F. Use of the Scoreboard and Sound System:

1. Only authorized and trained personnel will be allowed to operate the scoreboard and sound system.
2. All personnel operating the scoreboard and sound system shall complete a training session with the facility supervisor.

3. Once an operator has completed the training session his/her name will be added to the list of approved operators
  4. The facility supervisor will keep an authorized list of approved operators on site.
- G. Consumption of food and beverages:
1. All consumption of food and/or beverages shall take place outside the fence surrounding the track and field areas.
  2. Only food or beverages sold at the concession will be allowed at the facility.
- H. Use of facility equipment:
1. Soccer Nets
    - a. If the soccer nets are on wheels then the facility supervisor will be responsible for moving them into place prior to the event and moving them back to their storage location after the event.
    - b. If the soccer nets are not on wheels then the groups using the nets **must** hand carry the nets back and forth from the playing field to the storage location.
    - c. If the soccer nets are attached to the football goalposts then the facility supervisor will be responsible for putting them up before the event and taking them down after the event.
  2. Field Hockey Nets
    - a. If the soccer nets are on wheels then the facility supervisor will be responsible for moving them into place prior to the event and moving them back to their storage location after the event.
    - b. If the soccer nets are not on wheels then the groups using the nets **must** hand carry the nets back and forth from the playing field to the storage location.
  3. Football Markers
    - a. Facility supervisor will be responsible for moving the yard makers, end zone markers, etc. out onto the athletic field.
    - b. At the end of the event, the permit holder will be responsible for moving the equipment to a designated location specified by the facility supervisor.
- I. Cancellations:
1. Events at the facility will be cancelled:
    - a. On any Gloucester Public School day cancelled due to inclement weather
    - b. During a weather emergency declared by the City
    - c. When the facility supervisor (DPW Director) determines weather conditions pose risks of harm to facility users or the Facility.
    - d. DPW Director or designee will be responsible for rescheduling the event(s) at the next available non-revenue producing time slot.

J. Security:

1. The facility supervisor and other staff do not provide security services.
2. A Police detail may be required as part of the permit.
3. Such details are paid for by the permit holder.

## APPENDIX A

Group Type	Stadium rental	Lights	Sound System Scoreboard	Concession
Tier 1 Gloucester Public Schools City Sponsored events	No charge	No charge	No charge	No charge
Tier 1A 95% of participants Are Gloucester residents Includes youth and adult Organizations	No charge	\$15/hour	\$15/hour	\$100/day
Tier 2 50% of participants Are Gloucester residents Includes youth and adult Organizations	\$25/hour	\$20/hour	\$20/hour	
Tier 3 Less than 50% of the Participants are Gloucester based	\$50/hour	\$35/hour	35/hour	
Tier 4 Clinics, Camps Tournaments	\$1000/ Week \$200/ Day	\$35/hour	\$35/hour	negotiable

The following three matters are continued to September 16, 2013:

4. *CC0213-031 (Verga) Request the Traffic Commission investigate traffic flow on Englewood Road in Magnolia to determine whether current signage is adequate or whether additional signage is needed*
5. *CC2013-033 (McGeary) Amend GCO c. 22, Sec. 22-270 (Prohibited parking at all times) by deleting "East Main Street from Bass Avenue to the entrance to the Quincy Market Storage building off of East Main Street"*
6. *CC2013-034 (LeBlanc) Amend GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) re: Riggs Street #6*

**A motion was made, seconded and voted unanimously to adjourn the meeting at 6:55 p.m.**

**Respectfully submitted,  
Dana C. Jorgenson, Clerk of Committees**

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