

Ordinances & Administration Committee
Monday, February 6, 2017 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Nolan
Absent: None.

Also Present: Councilor Gilman (entered the meeting at 6:09 p.m.); Joanne M. Senos

The meeting was called to order at 6:01 p.m. Matters were taken out of order.

1. Appointments and Reappointments

A. Management Appointment

Community Development Director Daniel Smith TTE 02/14/18

Mr. Smith’s appointment is continued to March 6, 2017.

B. Appointment to Board, Committee, Commission or Council:

Community Preservation Committee (Housing Authority Rep.) Karen L. Carter TTE 02/14/20

Ms. Carter is an employee of the Gloucester Housing Authority, and that the Executive Board voted unanimously to have her appointed as their representative to the Community Preservation Committee. She said when asked by **Councilor LeBlanc** why she wished to serve as the Housing Authority Representative to the Community Preservation Committee, she said she hasn’t done anything like this before and is looking forward to the experience.

The Committee expressed their appreciation to Ms. Carter for stepping forward in this volunteer role.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Karen L. Carter to the Community Preservation Committee (Gloucester Housing Authority Rep.), TTE 02/14/20.

C. Boards, Committees, Commissions & Councils:

Affordable Housing Trust Michael Luster TTE 02/14/19

Mr. Luster’s reappointment is continued to March 6, 2017.

Archives Committee Sarah Dunlap TTE 02/14/20

Ms. Dunlap said that things are changing with the new paid City Archivist, Katelynn Vance, they’re going to rely on her to take over what should have been done by the Records Management Advisory Committee. It is hoped that Ms. Vance will be able to work through the needs of the city to preserve its records. **Ms. Dunlap** advised that there are great needs that have been put off for years cautioning that if not addressed, it will cause irreparable disintegration of historic documents. She said the city needs archival storage with a person in charge, climate controlled vaults, a room to set up scanners and space for researchers to work.

Councilor LeBlanc asked for Ms. Dunlap to create an Archives Committee wish list and advised her that while he wasn’t promising anything, he said he would forward the list of needs to the Administration on her and the Archives Committee’s behalf. **Ms. Dunlap** said that when she is in the city she is in the Archives Department but that she is unable to devote as much time to the plentiful archival needs of the city as she had used to. She recounted that other cities and towns have improved and upgraded their archival storage and records preservation, citing examples of several Mass. communities who have managed to make necessary improvements to preserve their histories. She pointed out that Gloucester has much better records than almost any community in the Commonwealth dating back from 1640 onward, documentation that is nationally important.

Councilor O’Hara thanked Ms. Dunlap for her dedication to the city and preserving its history.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Sarah Dunlap to the Archives Committee, TTE 02/14/20.

Board of Health

Claudia Schweitzer

TTE 02/14/20

Ms. Schweitzer advised that there is a great staff in the Public Health Department, a wonderful Director, and that they are in good shape.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Claudia Schweitzer to the Board of Health, TTE 02/14/20.

Board of Registrars

Lucia Sheehan

TTE 02/14/20

Ms. Sheehan was present at the Committee meeting and indicated her wish to continue to serve on the Board of Registrars.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Lucia Sheehan to the Board of Registrars, TTE 02/14/20.

Clean Energy Commission

John Moskal*, Linda Brayton

TTE 02/14/19

Ms. Brayton briefly recounted the history of the Clean Energy Commission (CEC) noting that Gloucester is now a Green Community, and that over the last five years the Commission has done municipal work but now is looking to bring the community cost saving measures for utilities which is in the offing.

Councilor LeBlanc expressed his appreciation for Ms. Brayton's tireless efforts on behalf of the city, as well as all the city volunteers.

Councilor O'Hara as did **Councilor Nolan** expressed their appreciation for Ms. Brayton's efforts, not only as a member of the CEC, but for her work with the Ad Hoc Dog Committee.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Linda Brayton to the Clean Energy Commission, TTE 02/14/19.

***John Moskal's reappointment is continued to March 6, 2017.**

Committee for the Arts

Robert Haverkamp

TTE 02/14/21 (Cont'd from 1/17)

Mr. Haverkamp said the Committee for the Arts is busy and that the Committee is working closely with the Mayor on the proposed new Public Arts Policy. The Committee anticipates putting out a call for the next Poet Laureate soon, he added.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Robert Haverkamp to the Committee for the Arts, TTE 02/14/21.

Community Preservation Comm. Henry McCarl

TTE 02/14/20

Mr. McCarl recounted that the Council recently approved the CPA Fund Round 7 applications. He noted he serves as the Planning Board Representative to the Community Preservation Committee (CPC), which he said is a fine group of people. He expressed his appreciation for the opportunity to work with the members of the CPC.

Councilor LeBlanc in turn expressed his appreciation to Mr. McCarl for his commitment to the city and the CPC for their work.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Henry McCarl to the Community Preservation Committee (Planning Board Rep.), TTE 02/14/20.

Council on Aging

Susan Goodall

TTE 02/14/20

Ms. Goodall expressed that things are busy for the Rose Baker Senior Center – the COA is currently working to improve senior lunches, and are juggling space to accommodate the increasing numbers of seniors using the Senior Center. She noted expansion of the building would be helpful.

Councilor LeBlanc expressed his appreciation to Ms. Goodall for her service as did **Councilor O'Hara**.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Susan Goodall to the Council on Aging, TTE 02/14/20.

Downtown Development Commission

Katherine Cuddyer

TTE 02/14/20

Ms. Cuddyer said the Downtown Development Commission is responsible for making the downtown look cohesive and beautified. She reported that the DDC is working to see their budget increased and will continue to work with the YMCA youth to keep the downtown planters watered and the small pocket gardens weeded. She advised they are tackling the downtown lighting situation, and described the situation briefly. **Ms. Cuddyer** and **Councilor LeBlanc** touched upon the Christmas lighting on the light poles which were a result of the city not being able to string lights from buildings to the streetlight posts.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Katherine Cuddyer to the Downtown Development Commission, TTE 02/14/20.

Fisheries Commission

Angela Sanfilippo

TTE 02/14/20 (Cont'd from 1/17)

Ms. Sanfilippo's reappointment is continued to March 6, 2017.

Historical Commission

Mary Ellen Lepionka
David Rhinelander

TTE 02/14/20 (Cont'd from 1/17)

Ms. Lepionka and **Mr. Rhinelander** reported they have received a lot of support and encouragement for their pursuit of grant opportunities on behalf of the preservation of city assets. They each mentioned the demolition ordinance is in need of addressing, and their recent work with the Mass. Historical Commission (MHC) to get projects approved that they were asked to have a voice in such as the new Americans with Disabilities Act (ADA) parking scheme at City Hall. They advised they were able to develop a compromise acceptable to the MHC which they said sets a good precedent for future collaboration. They indicated the community is more attuned to preservation now and supports the Commission's efforts.

The Committee thanked Ms. Lepionka and Mr. Rhinelander for their tireless efforts.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mary Ellen Lepionka to the Historical Commission, TTE 02/14/20.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David Rhinelander to the Historical Commission, TTE 02/14/20.

Historic District Commission

David Porper, Nancy Goodick,
Charles Nazarian,

TTE 02/14/20

Mr. Porper, on behalf of three reappointees present, said things are going along well for the Historic District Commission. He noted the Commission is responsible solely for the Historic District, a specific downtown area, and as such responds to people who want to alter their buildings on the exterior. He suggested the district is looking good.

Councilor LeBlanc noted that keeping a building looking historically correct is a lot of work, and that sometimes applicants need their hands held to steer them in the right direction. Anything the Councilors can do to help, he asked that the Historic District Commission call on them. **Councilor O'Hara** expressed his agreement with Councilor LeBlanc. **Councilor Nolan** said there is a lot to protect and that he appreciated the efforts of the Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David Porper to the Historic District Commission, TTE 02/14/20.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Nancy Goodick to the Historic District Commission, TTE 02/14/20.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Charles Nazarian to the Historic District Commission, TTE 02/14/20.

Open Space & Recreation Comm. Charles Crowley, Susan Hedman, Jerome Goulart, Jr.

TTE 02/14/20

Mr. Goulart reported the Committee has many talented members and meets every other month. The Committee also has worked with the various groups who have initiated restoration of the city's parks and fields, and touched briefly upon other Committee efforts. He mentioned that working with Stephen Winslow of the Community Development Department is a pleasure, who is the staff member, assigned to the Committee.

Councilor Nolan expressed his appreciation for Mr. Goulart's work and discussed 29:18

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Jerome Goulart, Jr., to the Open Space & Recreation Committee, TTE 02/14/20.

The reappointments of Charles Crowley and Susan Hedman are continued to March 6, 2017.

Shellfish Advisory Commission

David Roach

TTE 02/14/20 (Cont'd from 1/17)

Mr. Roach reported that the city's shellfish resources are in good shape. He said the Commission is diverse and works well together. **Councilor LeBlanc** said he has been a commercial clamming license holder for years and appreciated the Commission's work, expressing his agreement that the shellfish beds are in good shape and that the Commission is doing a great job. **Mr. Roach** said that Shellfish Warden, Dave Sargent, does a fantastic job. **Councilor LeBlanc** said that the city has come a long way in protecting its shellfish resources.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David Roach to the Shellfish Advisory Commission, TTE 02/14/20.

Traffic Commission

Larry Ingersoll

TTE 02/14/20

Mr. Ingersoll reported the Commission works well together and working with all five Ward Councilors. Their meetings are very well attended, and that the Commission is busier and gets a lot more done. **Councilor LeBlanc** lauded the expertise of the members of the Traffic Commission and agreed that it is a good mix of people who make recommendations on traffic ordinance changes for the right reasons.

Councilor Nolan said this is the best Commission yet and that he appreciated Mr. Ingersoll's willingness to continue as a member.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Larry Ingersoll to the Traffic Commission, TTE 02/14/20.

Zoning Board of Appeals

Francis Wright, David B. Gardner* TTE 02/14/20

* TBC 03/06/17

Mr. Wright reported that the ZBA is down a member, and now have six members as they need a new alternate member. Councilor LeBlanc and Mr. Wright agreed many times applicants need their hands held.

Councilor O'Hara said this is an important Board but that they can be in a tough position. Mr. Wright said close to 70 percent of the city is non-conforming lots. **Councilor Nolan** lauded the Board's work.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Francis Wright to the Zoning Board of Appeals, TTE 02/14/20.

D. Resignations to Boards, Committees, Commissions & Councils

Community Preservation Committee

Scott Smith

To accept resignation

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to accept the resignation of Scott Smith from the Community Preservation Committee.

Historic District Commission

Stephen Miller

To accept resignation

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to accept the resignation of Stephen Miller from the Historic District Commission.

The resignations will be reported by the Chair to the Council under Committee Report.

2. *CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 07/18/16) (Cont'd from 01/03/17) (TBC 05/15/17)*
3. *CC2016-015 (Cox) Request O&A review & recommend the matter of prohibiting the use of polystyrene food & beverage containers or serving items for food service establishments if the packaging takes place on the premises of food service establishments & recommend whether an ordinance on polystyrene food & beverage containers be adopted (Cont'd from 01/03/17) (TBC 05/15/17)*
4. *CC2017-002 (Orlando) Request third party audit to determine whether the consolidation of the following departments for the city, school and Police departments would achieve benefits/cost savings to the city: Human Resources, Payroll and IT*

This matter is continued to March 6, 2017.

5. *CC02017-004 (Gilman) Amend GCO Sec. 22-277 "One-hour parking-Generally" re: Holly Street (TBC 03/06/17)*

This matter is continued to March 6, 2017.

6. *CC2017-005 (Gilman/Memhard) Amend GCO Sec. 4-2 "Disturbing and/or feeding seagulls and pigeons" by ADDING the word "coyotes" before the word "seagulls" in the title and ordinance*

Councilor Gilman explained that Councilor Memhard was unable attend this evening's O&A meeting. She said that as proposed, the amendment to GCO Sec. 4-2 is rather simple -- to add coyotes to the list of animals not to be fed. She reported that the proposed amendment was shared with Interim Police Chief McCarthy, and he had expressed some of his concerns with her, particularly that it would be helpful to add private and public property as this is a public safety issue. The Interim Chief's concern was reviewed by General Counsel who sent an email of his opinion which she read (on file). The suggestion was that coyotes be separated out from pigeons and seagulls in its own subsection. She added that the recommendation of the amendment as cited is from General Counsel. She also asked that the word "seagull(s)" be amended to "gull(s)", in order to be consistent with documentation as found on the state's website Mass.gov (documentation on file).

Councilor LeBlanc noted GCO Sec. 1-14 as covering a fine in general and that such a fine for a violation of the proposed amendment would be at the discretion of the Animal Control Officers or the Officers of the Police Department, and so he said he didn't believe there needed to be a fine under Sec. 1-15.

Joanne M. Senos, City Clerk, said that in speaking to Interim Chief McCarthy he conveyed to her he was satisfied either using Sec. 1-14 or amending Sec. 1-15 to reflect a civil fine for violation of Sec. 4-2. **Councilor Gilman** said if there is an area of town where there are large numbers of coyote sightings, this ordinance will need to be enforced. She expressed her appreciation to the Committee for their consideration of her and Councilor Memhard's ordinance amendment. She also mentioned the presence of Jennifer Holmgren of the Animal Advisory Committee, currently the sole member of the new Committee.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend GCO Sec. 4-2 "Disturbing and/or feeding seagulls and pigeons" by striking the word "seagulls" and replacing it with the word, "gull(s)," throughout Sec. 4-2 including its title, and by ADDING subsections (a) and (b) as follows:

"Sec. 4-2. Disturbing and/or feeding of coyotes, gulls and pigeons.

- (a) No person shall disturb or feed any gulls, pigeons, terns or waterfowl on any streets or sidewalk on public property or anywhere in the downtown area.**
- (b) No person shall feed either directly or indirectly any coyotes on any public or private property."**

This matter will be advertised for public hearing.

- 7. CC2017-006 (LeBlanc) Request the O&A Committee work with General Counsel to propose amendments to the City Council re; displaying of bongos, pipes and other smoking paraphernalia in storefront windows**

Councilor LeBlanc advised that this matter will be continued to March 6. He said he's reached out to the three business owners of smoke shops/sellers of smoking paraphernalia who expressed to him they were more than willing to cooperate. He added that they will work to draft ordinance language that will work for all three businesses to ensure that what is drafted is reasonable. He assured the Committee having talked to these business owners that they want to be partners in this process.

This matter is continued to March 6, 2017.

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.