

Ordinances & Administration Committee

Monday, April 6, 2020 – 6:00 p.m.

REMOTE PARTICIPATION

-Minutes-

Present: Chair, Councilor Sean Nolan, Vice Chair, Councilor Steven LeBlanc; Councilor Jamie O’Hara**Absent: None****Also Present: Mayor Sefatia Romeo Theken, Vanessa Krawczyk, Joanne Senos, Councilor Holmgren, Councilor Gilman, Councilor Cox, Councilor McCarthy, James Pope, Chip Payson, James Pope****The meeting was called to order at 6:02 p.m.**

Councilor Steve LeBlanc: Welcome to Monday, April 6th Ordinances and Administration. I am Steve LeBlanc, Vice Chair. I’m filling in for Councilor Nolan until he joins on. We have Councilor O’Hara, Councilor Holmgren, Councilor McCarthy, Councilor Gilman, Councilor Cox. We have our Chief Ed Conley, City Clerk, Joanne Senos, Asst. CAO, Vanessa Krawczyk, General Council, Chip Payson, Mayor, IT Director, James Pope and Sean just chimed in.

Councilor LeBlanc: I just told everybody, I am going to run the meeting. I’m going to be saying all the motions and the motions will be, before council vote, will be roll call. I am going to start the meeting. So consistent with the governor's order suspending certain provisions of the open meeting law banning gatherings of more than twenty five people, this meeting will be conducted by remote participation. Additionally, all votes taken by the Ordinance and Administration during this and future remote meetings will be held by roll call rate.

Councilor LeBlanc: The first item we have is:

1. CC2019-039 (LeBlanc): request review of GCO Ch. 21, “Streets, Sidewalks and Other Public Places” Art. V, “West Gloucester Firing Range” and whether certain sections of Art. V be amended (Cont’d from 3/2/20 and postponed from 3/16/20)

Councilor LeBlanc: We have Councilor Nolan and we have our Chief Conley here today. Councilor Nolan, would you like to start off with your neighborhood meeting, and give us a narrative on how it went?

Councilor Nolan: We had plenty of neighborhood interviews and talks and meetings about this. I spoke with the Chief and the past Chief, current Councilor McCarthy. This is an asset to the city. The neighbors understand that it's not going to be the way it was before. It's going to be for Gloucester City Police use and with the best availability or financial and safety training for our personnel. They agreed that this is the way that they want to have it. The neighbors are in favor.

Councilor LeBlanc: Thank you Councilor. Chief Conley, you like to chime in on this?

Chief Conley: First of all, thank you very much Mr. Chairman, for inviting me tonight. For what you did along with Councilor Nolan and Councilor McCarthy to push this forward on the agenda. You are absolutely correct. This is an important training tool for police officers in Gloucester. You know we have even greater unfunded state mandates around training. You know this makes a lot of sense, but there's a lot of costs involved to it. The Sportsmen's Club has been excellent to us over the years. But the things we're going to need to do into the future. I'm not sure that might be a big ask for them. So I think it's time to reopen that range. We're not going to open it to people outside of the Gloucester Police Department, outside of Gloucester Public Safety. We're going to keep a control. We'll put some standard operating procedures around when it's done in the hours. And we'll make sure that the residents have a direct line of contact should become a problem.

Councilor LeBlanc: Thank you. Are there any councilor questions? Seeing none, I'm going to read the motion so bear with me. Motion read and **Councilor LeBlanc:** I so move. **Councilor Nolan:** Second.

Councilor LeBlanc: It's been moved and seconded. Is there any discussion? Seeing none, Madam Clerk, can we get a roll call please?

City Clerk Senos: Councilor LeBlanc, yes. Councilor Nolan, yes. Councilor O'Hara, yes. Motion passes 3 in favor, 0 opposed.

Committee Recommendation: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted by ROLL Call 3 in favor 0 opposed, to recommend that the City Council Amend GCO Chapter 21 "Streets, Sidewalks and Other Public Places, Art. V "West Gloucester Firing Range" as follows:

Sec. 21-87. - West Gloucester firing range.

- (a) This article shall govern the use and maintenance of the West Gloucester Firing Range located at the terminus of Forest Lane in West Gloucester ("the range"). The implementation of this article shall be under the ~~joint control of the director of the department of public works.~~ **Public Works Director and the Chief of Police.**
- (b) Use of the range shall be limited to firearms training for active and retired members of the ~~city police department (GPD) and any unit of the armed forces, which is permanently stationed in the city as required by M.G.L. c. 33, § 121.~~ **Gloucester Police Department to include any joint trainings with other City of Gloucester Agencies and the Gloucester Police, any joint trainings involving the Gloucester Police and other Law Enforcement Agencies, and any State-mandated trainings or qualification requirements that directly involve members of the Gloucester Police Department.**
- (c) ~~The range shall be open for such training for not more than 15 days each year, all of which shall be held in the month of March and all of which are subject to the notice provisions set forth herein. The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m., except that one of the 15 days may be used for evening firearms called "low light training," to be conducted between the hours of 5:00 p.m. and 10:00 p.m. All training days shall be scheduled only after reasonable prescheduling approval by the DPW director after consultation with the GPD. The range shall be open from May 1 to November 1. Biannual state mandated training shall take place during the first 15 days of May and the first 15 days of October. The range shall be available for use under the terms of paragraph (b) every Wednesday from May 1 to November 1. The hours of live fire at the range shall be limited to 9:00 a.m. to 4:00 p.m. except for specific low light training which will be conducted no later than 10:00 p.m. on those specific days.~~
- (d) ~~No shooting is permitted on Saturday or Sunday or state recognized holidays. Not less than seven days prior to each scheduled shooting, the GPD shall provide notice, including identification of the specific date for the evening shoot, if applicable, in the following manner:~~
- ~~(1) Written notice to the mayor, the councilor for the ward wherein the range is located and such other city officials may be designated by the DPW director;~~
 - ~~(2) A posting on the GPD's official web page; and~~
 - ~~(3) Email notification to any citizen of the city.~~
- No shooting is permitted on Saturday or Sunday or state-recognized holiday. The Gloucester Police Department, the Gloucester Department of Public Works shall post on their respective web sites the schedule outlined in paragraph (c).**
- ~~(e) Whoever shall elect to receive such notice, shall do so in accordance with procedures to be prescribed by the DPW director.~~
- ~~(f)~~**(e)** ~~The range shall at all times be secured by fencing, with a locked gate, adequate to deter illegal use of the range, as determined by the DPW director. The entrance and both sides of the range shall be posted with signage, the exact size and location of which shall be determined by the DPW director, indicating that the range is for use by the GPD only and that trespassers are subject to arrest.~~ **The entrance to the range shall be posted with signage, the exact size and location of which shall be determined by the DPW Director, indicating that the range is for the use by the Gloucester Police Department only and that Trespassers are subject to arrest in accordance with City of Gloucester Code of Ordinances, Section 14-6.**

(g)(f) The entrance and both sides of the range shall be posted with the following signs:

Gloucester Police Firing Range

Keep Out

No Trespassing Beyond This Point

Trespassers Subject To Arrest In Accordance With City Of Gloucester Code Of Ordinances, Section 14-6.

(h)(g) The DPW shall be responsible for maintenance of the range and shall implement a maintenance plan the same or substantially similar to the environmental stewardship plan for management of lead shot/bullets, as suggested by the United States Environmental Protection Agency. The range shall be maintained in accordance with the foregoing at least once every ~~two years~~. **three years. The Gloucester Police shall make every effort to use frangible ammunition when possible for their regular training.**

(i)(h) There shall be no use of the firing range, unless, until and for so long as the above-described conditions are in place and maintained.

Councilor LeBlanc: Thank you Madam Clerk. I just want to announce that we do have a quorum of the City Council with us. I am going to announce some attendees. We have Brian Hamilton as an attendee. We have Brianna Komi as an attendee, and we have Donna Leete, which I think is our Human Resources Director. So we do have three people in attendance listening to the meeting tonight, which is a good thing.

Councilor LeBlanc: Moving right along, we have item #2:

2. CC2020-006 (Cox/Memhard): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-271 “Parking Prohibited from May 1 to September 15-Generally” and Sec. 22-274.1 “Same-At all times” re: Rocky Neck Avenue (postponed from 3/16/20)

Councilor LeBlanc: Councilor Cox, would you like to explain this for us please?

Councilor Cox: I had the advantage of being a member of Gallery 53 last year, and it kept me on Rocky Neck a lot. It didn't really make sense for there to be seasonal parking, a negative seasonal parking restriction when that area is seasonal. The only time people go down there for business is during the summer and this parking restriction was from May 1st to September 15th. Councilor Cox reiterated that it really didn't make any sense and people were ignoring it anyway. Also there were other no parking signs that were in conflict. When Joanne researched it, it turned out to be those other no parking signs were not in the code of ordinance. Those signs just need to be removed, and I will make a request to the Mayor to have those removed. The other one I like to replace it, basically, from building #53 to building #79. It's just a small stretch to two hour parking. That would give people enough time to visit the galleries and also enough time to enjoy a meal. This is going to be trial and error to see how it works. I think it's worth it to give that area a try. When the private deal between the railways and the restaurants fell through for extra parking in the evenings, it really put a restriction on the businesses down there. The two hour limit will also limit the employees from parking in front of the businesses, which they saw a lot of that last year.

Councilor LeBlanc: Thank you Councilor Cox. I actually walked through the area this morning with Councilor Cox, and we took a walk through and took a look at everything. It made sense to him too. It was easier for him to walk through and physically see what she was trying to do and have her explain it to us this evening. So I walked through and I thought it was perfectly fine. Her request, what she said. It's a good test to try it out. If it doesn't work, we can tweak it a little bit. It's a start for the summer, and I think it's a good thing.

Councilor Cox: Steve, I think it's the equivalent of maybe 10 spots. Maybe it depends on the size of your car. That's really all that we are impacting. But as it is right now, if somebody were to call and complain, they would get tickets; and we certainly don't want our visitors to have that kind of experience.

Councilor LeBlanc: I agree.

Councilor Cox: There is another section on Horton Street, and I wish Scott was here to explain the history behind that. On Horton Street between Rocky Neck and Clarendon, there is no parking on either side and it is wide enough to allow for parking on one side. And I think it was the south southeast corner. Was that correct?

Councilor LeBlanc: South southwest. That was close.

Councilor Cox: I would also like to see the no parking signs removed and allow for parking on one side. The other side the upside to that area is a lot of driveways, and it naturally makes sense for that to have no parking.

Councilor LeBlanc: Chip, I have a question for you. Technically, can we amend this motion to add Horton Street to Clarendon Street without having to revise the whole order, because we are addressing the parking on Rocky Neck Avenue, and it is at the corner of this?

General Counsel Chip Payson: I mean from what I am able to tell, you are talking about parking along Rocky Neck from Horton Street to Clarendon Street. Right, instead of three hundred feet.

Councilor Cox: Correct.

General Counsel Chip Payson: Anyone who would be concerned about this would be on Rocky Neck. I think there has been sufficient notice about this, and I wouldn't see why you wouldn't be able to.

Councilor LeBlanc: Right and it is going to go to public hearing anyways.

General Counsel Chip Payson: Then at council, obviously, the amended version would be advertised.

Councilor Cox: I did work with the business owners, the gallery owners, Rocky Neck Cultural Center. I went to several meetings early on in the year with the different gallery owners. So they're all aware of that.

Councilor LeBlanc: All right. Do we have any questions?

Councilor Nolan: No, I think it's a good idea and I think doable now. I think Councilor Cox and Councilor Memhard have taken the effort to look into this, it makes sense. I was down there myself. I know that Scott has been working with Horton and Clarendon, and it's just best for the public to open it up for business and in a fair way for everybody. It is great idea.

Councilor Cox: I am also happy to, if anybody wants to walk it over the next couple of weeks before the public hearing, cause I don't think a public hearing is advertised for this Tuesday. Right?

City Clerk Senos: No, it's not, there is not sufficient time and it would be for April 28th.

Councilor Cox: They have plenty of time. If anybody wants to walk it with me, I promise to stay six feet away.

Councilor LeBlanc: I think we have enough time that we could actually maybe put up a sign. It's good that Rocky Neck is their own little island, and that we can put something at the beginning letting them know that there will be something coming forward that they want to tune in. It's easy to notify everybody down there.

Councilor LeBlanc: If there are no more questions, I am going to read a motion. Motion read, and I so move.

Councilor Nolan: second.

Councilor LeBlanc: How was that Melissa? Was that sufficient?

Councilor Cox: Yes, that's perfect. Obviously, I am still part of the gallery, and when we open, I will be monitoring it. The complaints and everything is going to be funneled through her down there, Rocky Neck Cultural Center. Everyone knows that they can reach out to her. Just positive or negative feedback.

Council LeBlanc: Right. Thank you. Is there was any discussion on this motion? So hopefully this goes in effect and hopefully the businesses open up so that these new parking slots open up. So we have a motion and a second. Madam Clerk, can we have a roll call please:

City Clerk Senos: Councilor LeBlanc, yes. Councilor Nolan, yes, Councilor O'Hara, yes. Motion passes 3 in favor, 0 opposed.

Committee Recommendation: On motion by LeBlanc, seconded by Councilor Nolan, the Ordinances and Administration voted by ROLL CALL 3 in favor 0 opposed to recommend that the City Council Amend GCO Chapter 22 "Traffic and Motor Vehicles as follows:

Sec. 22-271. Parking Prohibited from May 1 to September 15 – Generally by DELETING Rocky Neck Avenue, easterly side, beginning at a point 137 feet from its intersection with Horton Street for a distance of 181 feet in a northerly direction; and ADDING Sec. 22-274.1 – Same – At all times. The following areas are to be two-hour parking at all times: between 53 and 79 Rocky Neck Avenue and DELETE no parking on both sides on Horton Street and ADDING parking on the southwest side of Horton street from its intersection with Rocky Neck Avenue to Clarendon Street.

Councilor LeBlanc: Thank you. Moving right along to item #3:

3. CC2020-002 (LeBlanc): Amend GCO Ch. 2 "Administration," Art. V "Boards, Commissions, Council & Committees" by DELETING Div. 7 "Downtown Development Commission," Secs. 2-419 through 2-495; and ADDING Div. 7, Secs. 491-495.-Reserved. – Correction of Vote taken on 03/02/2020 (postponed from 3/16/20)

Councilor LeBlanc: So this is just a correction. I am going to make a motion to rescind and then I'm going to make a correct motion. So everybody understand what we're doing?

Councilor Nolan: Yes.

Councilor LeBlanc: The motion was wrong. So we're going to rescind that, and we're going to correct it. Motion read and the correct motion is to.

Councilor Nolan: Do we have to move that motion first?

City Clerk Senos: Yes, you have to move that motion first to rescind it.

Councilor LeBlanc: All right, and I so move.

Councilor Nolan: Second.

Councilor LeBlanc: We have a motion and a second. Madam Clerk, can I have a roll call:

City Clerk Senos: Councilor LeBlanc, yes. Councilor Nolan, yes. Councilor O'Hara, yes. Motion passes on a vote of 3 in favor, 0 opposed.

Committee Recommendation: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to **RESCIND** the Committee vote taken on March 2, 2020 to recommend that the City Council Amend GCO Div. 7 “Downtown Development Commission,” “Secs. 2-419 through 2-495”; and ADDING “Div. 7, Secs. 491-495.-Reserved.”

Councilor LeBlanc: Here is the correct motion. Motion read and I so move.

Councilor Nolan: Second.

Councilor LeBlanc: It is moved and seconded. Is there any discussion. Councilor Cox.

Councilor Cox: I was the council liaison for the DDC over the last two years, and there was just too much overlap between the DDC and the Tourism Commission and not enough members on either one. We worked with the administration to move the people that were serving, the active people that were serving on the DDC, over to the Tourism. It's primarily the same goal is to make sure that the city looks its best for tourism and moving toward that goal. I'm really in favor of getting rid of the DDC just because of the overlap.

Steve LeBlanc: Thank you, Councilor Cox. This came through the mayor. You got me in your office one day . I don't want to say she wasn't going appoint anybody, but she wanted to get rid of this and delete it. So I was the one that put the put it through. Mayor, would you like to say something?

Mayor Theken: What Councilor Cox said is true. It is difficult getting people to volunteer, but you want to be proactive. You want to be not having meetings and sitting there and then said, we're going to do things and then we're going to change it. Then you got to go to one meeting to another. It's all the same thing. It's to promote our city. We want to make sure that it's proactive, and we have people on the Tourism Commission will have someone to help set those meetings. we can actually do something not just in the summer, not just for Main Street, but the whole city. We have to be proactive as there are businesses all around like Councilor Cox said, Annisquam, Magnolia, and Lexington Ave. They all we all want to be proactive. I think the best way is to do it is through Tourism Commission. The people on the DDC, if they want to go down to the Tourism Commission and come on over, there is not a problem saying you can't participate. We're not thankful of what they have done for all these years. We really need to consolidate and be proactive and have one. Thank you for bringing that forward.

Councilor LeBlanc: Thank you, Mayor. What I've been preaching over the past couple of years, too, is that I think the Tourism Commission and the Waterways Commission and there is a couple other ones that really could kind of work together, gel together and maybe have a joint meeting here and there and figure out how we're going to bring in transient people, transient boaters, bring people downtown, because eventually that's what we wanted to do is shop downtown, we want them to stay local. When the Waterways Board talks about bringing transient borders and we want him to stay here, that will be good with the Tourism Commission. They can coordinate with them. I've been preaching out for the past couple of years, and I think that we all need to work together as a team to get people to come and stay here. Any questions?

Councilor Nolan: No. I just want to say that not many people are as connected downtown Gloucester as Councilor Cox. She knows most of the businesses down there. She's involved with them. If she thinks this is the best idea of the city, then I'm definitely all for it. Thank you. We have a motion and a second. Madam Clerk, can we have a roll call please.

City Clerk Senos: Councilor LeBlanc, yes. Councilor Nolan, yes. Councilor O'Hara, yes. Motion passes on a vote of 3 in favor, 0 opposed.

COMMITTEE RECOMMENDATION: On motion by Councilor LeBlanc, seconded by Councilor Nola, the Ordinances and Administration voted by ROLL CALL 3 in favor 0 opposed to recommend that the City Council AMEND GCO Chapter 2 “Administration,” Article V “Boards, Commissions, Council & Committees,” be **AMENDED by DELETING Division 7 “Downtown Development Commission,” Secs. 2-491 through 2-495; and ADDING Division 7, Secs. 2-491-2-495. – Reserved.**

Councilor LeBlanc: Next item on the agenda:

CC2020-004 (LeBlanc/Nolan): Election of City Clerk pursuant to City Charter Sec. 2-7(a)

(postponed from 3/16/20)

Councilor LeBlanc: Madam Clerk, would you like to say something?

City Clerk Senos: Thank you again for bringing this up every two years. I just want to go over some of the highlights on some issues that we've had in the city clerk's office on the past two years. I've been trying to improve the customer service, the wait time and also get more technology in the office to improve the functions of the city clerk's office. As for the elections, we are state mandated so there's not much we can do about that. And as you know, for the past four months, the city clerk's office has been understaffed. We ran an election with the current staff and wonderful group of volunteers. The goal is to continue the customer service, to get more licenses and customer service online through the IT department. We had focused on getting vital records online so we could cut out the foot traffic coming into the city clerk's office. After with being short-staffed and the election coming up, that kind of went to the wayside. I like to continue that with the IT department to get that service up online, because of the federal ID, we've had an increase in revenue and an increase of telephone calls, e-mails and foot traffic. Before the corona virus, to provide marriage certificate and birth certificates in order to get the new federal ID. I'm hoping to continue to serve this council and have the support of this council. Thank you.

Councilor LeBlanc: Thank you. Is there anybody else that would like to say something? Ask a question, comment?

Councilor Nolan: Joanne, you're doing a great job. Your office has been a back bone of what we do on the Council. I feel bad that you're shorthanded right now. As you know, we're looking to do the best we can to get you help. I really appreciate what you do. With the shortfalls you have at your staff, but more imperatively to what you have done when you were fired on all four cylinders. We look forward to work with you. At least I do look forward to work with you further in the future. Thank you for all you do.

Councilor LeBlanc: Is there was anyone else you Councilor e was anybody else. Councilor O'Hara?

Councilor O'Hara: I'd just like to mimic what Counsel Nolan said. Joanne, you've done a wonderful job, obviously working through what the entire city, state and country is working through to try to keep the council up to speed on everything. I thank you.

Councilor LeBlanc: Anybody else? I'm going to support this tonight. Joanne. I think that you're doing a great job. I think you keep the councilors informed and you keep things simplified enough for us to understand everything and you put in a position to excel. I appreciate what you do for us. Some of us well, most of us now have been around for quite a long time to see you grow into spot. It's a good feeling to see that you come through the ranks to be where you're at. I am going to support you a hundred percent. Let's make these next two years, awesome and let's look forward to the future. Definitely, you got my support tonight. That being said, I'm going to make a motion. Motion read and I so move.

Councilor Nolan: Second.

Steve LeBlanc: Is there any discussion?

Mayor: Thank you so much. I know that she's appointee of the city council but she works very closely with the Mayor's Office. Her knowledge is, especially during what's happening now, it's been great. We have a great team in

the City of Gloucester. To excel, every time that we need improvement, need changes, and we need to do something, we all work together. That's great. You need right now leadership and we have that. And so thank you so much for all your hard work.

Steve LeBlanc. Thank you, Mayor. We have motion and a second. Madam Clerk, can we get a roll call, please.

City Clerk Senos: Councilor LeBlanc, yes. Councilor Nolan, absolutely, yes. Councilor O'Hara, yes.

City clerk [00:33:34] Motion passes on a vote of 3 in favor, zero oppose. Thank you Councilors for your support, and thank you Mayor.

Committee Recommendation: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration voted by ROLL CALL 3 in favor 0 opposed, pursuant to City Charter Sec. 2-7(a) concerning the election of the City Clerk, to recommend that the City Council elect Joanne M. Senos as the City Clerk for a term of April 2020 to April 2022.

Matters to be continued:

On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances and Administration voted by ROLL CALL 3 in favor, 0 opposed to continue the following matter to May 4, 2020:

5. Appointments:

Economic Development & Industrial Corp.	Timothy Wood (Cont'd from 2/3/20)	TTE 07/01/23
Gloucester Cultural Council	Laura Crook Waxdal	TTE 02/14/23
Historic District Commission	Arley Pett (fulfilling unexpired term)	TTE 02/14/22
Human Rights Commission	Nicole Richon-Schoel	TTE 02/14/21

(cont'd from 3/16/20 to 5/4/20)

6. CC2020-001 (LeBlanc): request review of GCO Ch. 2 "Administration," Div. 8 "Human Rights Commission" (Cont'd from 3/2/20 to 5/4/20)

7. CC2019-034 (LeBlanc/Nolan): request O&A and Traffic Commission review the parking at all times of motor vehicles and RV's on Western Avenue from the County Way Landing to the Avis R. Murray Tennis Courts (Cont'd from 3/2/20 to 5/4/20)

8. "City Council vote of 1/28/2020 re: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Art. II, Div. 2 "Traffic Commission" re: number of members and membership." Returned by City Council from the 2/11/2020 meeting (cont'd from 3/2/20 to 5/4/20)

9. CC2019-043 (LeBlanc/Gilman): Amend the September 25, 2018 City Council Rules of Procedure by ADDING to Rule 1: Meetings" a new subsection (F) re: Councilors prohibited from using cellphones during City Council meetings (Cont'd from 1/21/20 to 5/4/20)

10. CC2020-003 (LeBlanc): Request City Charter review pursuant to City Chart Sec. 10-1(b) (postponed from 3/16/20 and continued to 5/4/20)

A motion was made, seconded and voted by ROLL CALL to adjourn the meeting at 7:40 p.m.

Respectfully submitted,
Joanne M. Senos, City Clerk