

CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, May 2, 2011 – 6:30 p.m.
Kyrouz Auditorium – City Hall
-Minutes-

Present: Chair, Councilor Sefatia Theken; Vice Chair, Councilor Anne Mulcahey; Councilor Steven Curcuro (Alternate)

Absent: Councilor Tobey

Also Present: Linda T. Lowe; Councilor Ciolino; Jim Duggan; Mike Hale; Jeff Towne; Fire Chief Dench

The meeting was called to order at 6:35 p.m. Items were taken out of order. Councilor Joseph Ciolino acted as alternate for Councilor Anne Mulcahey until her arrival at 7:02 p.m.

1. Continued Business:

- A) Follow up on Survey of Parking lot area around Rose Baker Senior Center in connection with Amendments to the Traffic Ordinance for Manuel Lewis Street and Senior Center lot (Matter Concluded at City Council 09/28/10 and update requested 01/31/11 to this date)

Councilor Theken noted parking spaces need to be re-lined and signage has to be put in place, etc.; and having communicated with Mike Hale, DPW Director on this, she was satisfied this matter was complete.

This matter is completed and filed.

- B) Memorandum and Information regarding proposed changes to Gloucester City Ordinance Chapter 10- Waterways Administration Sections 10-1 and 10-2 (Cont'd from 02/14/11)

Jim Duggan stated the original intent when the Administration put forward the amendment regarding the composition of the Board was to tighten up the Waterways Board regarding economic development. He attended the Board's recent meeting where the original Administration's amendment on the composition of the Board calling for the replacement of two members of the existing Board with two individuals with economic development experience was discussed. However, instead of replacing two Board members, the Administration is now proposing to increase the membership of the Board from seven members to nine members, with the two additional members being those who have economic development experience. The Board voted down unanimously the replacement of two board members (fishermen) and had a split vote of adding two more members. He requested the O&A continue this matter forward to a public hearing. **Councilor Theken** expressed she was originally upset there was going to be an elimination of two Board members, two of whom were active fishermen. She had suggested if they wanted two economic development people, to the Mayor, then add two more to the Waterways Board. **Peter Bent**, Chair of the Waterways Board explained to the Committee that the second vote, the split vote, was whether to add two members without a mission statement and that was what it was about, not about to have two more members. They needed to know what the jurisdiction of these new members would be. They are not opposing this addition to their Board, but they have not gotten any further. **Councilor Theken** asked if they expected these new two members would have to answer to the Waterways Board. **Mr. Bent** stated if they add two more members with economic development experience, their mission statement is ill-defined as to what they would then be tasked to do and wish to have that in place prior to adding the members.

Councilor Theken asked this to be clarified by the Administration. **Mr. Duggan** stated the Administration would work with the Waterways Board to define the roles and responsibility and to work together to articulate that. **Councilor Theken** added this has to be in the ordinance. She asked the Waterways Board for their input. **Mr. Duggan** believed these two new members would help to give the perspective of the development on the waterfront, bridging the gap between the City and the Waterways

Board. **Mr. Bent** thought what was put before the Board was the question of adding two more members to the Board. The Board was not asked, in the letter from the Mayor, to come up with a scenario to incorporate the members and change the mission statement. The only question placed before them was just the addition of adding two more members. That Board vote was specifically on that issue and was the “cart before the horse”. **Councilor Theken** asked that General Counsel define the addition of two new members and forward that ordinance amendment to the Committee before their next meeting of May 16th. **Mr. Duggan** stated they want to keep the development on the harbor and not go City wide in this case. **Councilor Ciolino** stated when they’re adding two members of a Board didn’t understand why the Board is questioning their role. The harbor is an economic engine. Why is there a question? He thought this was being made more complicated than it needed to be. It makes sense to put two people on the Board who have the economic perspective. The Mayor will pick two people who she thinks will be an asset to the Board. **Mr. Bent** added matters in their jurisdiction cover the waters and stop at the water’s edge. Traditionally they have not been involved with the DPA and zoning matters. The Board wishes to know where they would be going from there. **Councilor Theken** agreed they have never made any decisions on crucial economic development and understood the Board’s confusion because of that. She felt they should have two people involved with economic development appointed by the Mayor. **Mr. Bent** agreed. **Councilor Theken** wanted to have General Counsel give them a defined ordinance proposal for the Committee to take up and would wish to review that prior to that time.

This matter is continued to the May 16, 2011 O&A Committee meeting.

- C) CC2011-008 (Hardy) Creation of language for ballot question re: recently enacted Water Ordinance and Pending Home Rule Petition related to same (Cont’d from 03/14/11)

[**Note:** Memo from the City Solicitor was received with regard to ballot language for the Committee’s consideration.] **This matter is continued to May 16, 2011 O&A Committee meeting.**

- D) CC2011-009 (Mulcahey) Amend GCO 22-287 (Disabled Veteran, handicapped parking) re: 6 Oak Street (Cont’d from 04/04/11) **TBC 5/16/11**

This matter is continued to the May 16, 2011 O&A Committee meeting.

- E) CC2011-011 (Verga) Traffic Commission to review traffic flow of four (4) way traffic areas of Lexington Avenue, Fuller Street and Flume Road and amend GCO Sec .22-269 and/or Sec. 22-269.1 upon Traffic Commission Recommendations (Cont’d from 04/04/11) **TBC 5/16/11**

This matter is continued to the May 16, 2011 O&A Committee meeting.

- F) CC2011-013 (Tobey) That O&A and Administration develop and implement management system re: City Data (Cont’d from 04/04/11)

Mr. Duggan stated this is a system that other communities have inputted into their system, as in Amesbury, for example, called AmStat which tracks a variety of statistics. He stated this is a time consuming process. He would contact Councilor Tobey about the matter. This is something that is a good idea that the Mayor agreed with, but to implement at the right time. **Councilor Theken** asked Mr. Duggan to please correspond with Councilor Tobey.

This matter is tabled.

- G) Letter and documentation from Deputy Fire Chief Aiello re: enactment of ordinance to bill for Certain Fire Dept. responses (Cont’d from 04/04/11)

Fire Chief Dench appeared before the Committee; however, Deputy Chief Stephen Aiello did not and therefore the Committee continued the matter to their next regularly scheduled meeting.

This matter is continued to May 16, 2011.

H) Memorandum from Director of Public Works re: Public Works Reorganization for FY2012 (Cont'd from 04/04/11)

Jim Duggan, CAO stated that they are proposing reorganization for FY12 of the DPW. Since 2001 the DPW has had a reduced workforce from 87 employees to 58 employees. This reorganization also incorporates employees from the school facilities merger over to the DPW. All the day-to-day matters to be undertaken by the DPW were not recognized when they transitioned last July. Mr. Hale has had nine months to examine the operations of the DPW since the merger and is why they are bringing this forward. **Councilor Theken** asked how this will be funded. **Michael Hale**, DPW Director stated they've gone from 87 to 58 people. They have gone from 14 to 6 managers. They are also looking to reinstitute the position of Assistant DPW Director from the 1980's; he pointed out a 1988 City Council motion which instituted this position. He noted his business office took on a significant amount of work once the school facilities merger was complete. Through the unions they negotiated that the bargaining group from the Schools with the City were to become part of a different division. The five women in his business office have taken up significant work and that they would have had grievances as a result; and that this is trying to "make them whole" with their responsibilities by increasing their pay. He picked this all up on his operating budget. The money came over from the schools was an existing budget. As soon as the budget came over, it was realized there was a significant deficit, and that the money budgeted was very insufficient. **Councilor Theken** asked how they can increase pay of DPW staff with layoffs begun in the City. **Mr. Hale** stated they've had 31 positions lost in the past 10 years. There is no less work done today than 10 years ago. They have outsourced a number of activities, and those activities need to be managed as well. On inquiry from **Councilor Theken**, **Mr. Hale** stated they will not hire any more staff; but they are looking to upgrade two management positions. It would be about \$53,000. It is in the proposed FY12 budget. They lost a staff member through retirement that will not be filled. **Councilor Theken** asked if there would be any lag money because of the retirement. **Mr. Duggan** stated any type of funds for this fiscal year will be applied towards the snow and ice deficit. **Councilor Theken** found it difficult, pointing to the Fire Dept. losing two paramedics through layoffs and that they are again understaffed. **Councilor Curcuru** asked if the \$53,000 is for the two upgrades. **Mr. Hale** stated all 8 employees incorporate changes in grades; and therefore will receive increased pay. **Councilor Curcuru** wondered with the employee they're losing they are taking money out of that equation. **Mr. Hale** responded this is the difference if they were funded at the normal step and grade or to bring them all up one grade. **Councilor Curcuru** asked and **Mr. Hale** acknowledged the retiring employee was a Grade 5. **The Councilor** asked if that salary get subtracted from the \$53,000. **Mr. Hale** noted his budget will show an increase in FY12 for contractual obligations only (These increases are in the FY12 DPW budget). While understanding the difficulties of the Fire Department, he reiterated his department has had a 35% decrease over 10 years in staffing. They try hard to be responsive to the City, but are very understaffed. **Councilor Theken** asked are they not going to have the services the community expects like street sweeping and pot holes being filled. But yet paramedics are laid off noting there should be six people on a ladder truck but now there are two. She discussed the \$53,000 and that 8 people have had their responsibilities increased vastly. She recalled when the merger was done Mr. Hale stated he would have to do this reorganization. Responding to a question from **Councilor Ciolino**, **Mr. Hale** stated his annual budget is about \$20 million including water and sewer. There are now an extraordinary amount of warrants with the School department facilities along with the DPW staff his office keeps track of. They have one bookkeeper who runs the warrants; Shirley Hendrickson who he felt does an incredible job of tracking it all. She now has \$2.8 million more in warrants and didn't get any more money for this increased responsibility. He pointed out this is bringing these employees up by one pay grade.

Councilor Theken asked if the money could come out of water and sewer which **Mr. Hale** stated no but added people on the payroll whose jobs are split between water and sewer; and there would be a small increase on those rates because of that. There are a number of the employees who split their time with water, sewer and general. **Councilor Theken** asked about the other employees who have had their workloads increased; would they also see grievances coming forward from them. **Mr. Hale** stated on 6 of the 8 employees they are talking about, they are in an AFSCME A union and AFSCME B union; AFSCME agreed they have taken significant responsibility without any increase in pay. They are going on faith the Council will make this reorganization, and agree to it and the increases. **Councilor Ciolino** thought they were getting a bargain considering the extra work. The schools are in better shape since the merger, and the consolidation is working. It would be money well spent and stated he would vote in favor at the Council public hearing. **Councilor Mulcahey** added she wasn't surprised to see this reorganization come forward. The DPW has been very good about responding; much has been taken on by the Department. The \$53,000 comes out to about \$8,000 per person. She appreciated the recordkeeping that has to be done, more than ever before because money is tight. She had been expecting this. She would be supportive of it; but on the other hand didn't like that they have had to lay people off. This is a fair trade. **Councilor Curcuru** noted back when they decided to take on the schools; Mr. Hale was well aware what would happen. He knew his staff wasn't getting more money. There is never a good time for this but when it comes to Council he will vote for it. **Councilor Theken** would vote undecided as she still wished to do more investigating into the matter.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 (Theken) present 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 GCO as follows:

- “1. That Appendix A, Classification Plan be amended by adding the position of “Assistant Department of Public Works (DPW) Director;
2. That Appendix B, Compensation Plan be amended by setting the compensation for said position At the level of M-9;
3. That the said Ordinance in all other respects remains the same.”

AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

Mr. Hale spoke to the reorganization which he reviewed with the Committee. He discussed the manager's positions. **Mr. Duggan** asked if the Committee wanted to have an appointment of the recreated position of Assistant DPW Director by the City Council which the Committee confirmed. **Councilor Theken** noted they all agreed that the term for the Assistant Director of Public Works should be a two year appointment. She also thought that they should have done this when they did the merger; however, Mr. Hale came forward and said they would be coming forward with this reorganization and so it was not unexpected.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to accept the DPW reorganization chart dated March 14, 2011 in accordance with the City Charter §7-2 AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

2. Reappointments and New Appointments:

The Committee questioned the new appointees and reappointees to their respective Committees, Boards and Commissions 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

Councilor Theken spoke of all the programs the Assessor's Office handles, like the CPA, abatements for senior citizens, etc. Everyone she sent to that office appreciated the professionalism with which they handle matters. **Councilor Ciolino** felt the Assessor's office was a well-oiled machine and felt sure Ms. Godhino was a good reappointment for that department.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the reappointment of Beth Ann Godhino as Assessor, TTE 02/14/2014.

New Appointments:

Community Preservation Committee TTE 02/14/12 Steven Phillips (Representative from Conservation Commission)

Mr. Phillips stated the CPA requires a Conservation Commission member sit on the CPC. He is eligible to fill that slot and volunteered to do it. He has an interested in historic preservation and open spaces preservation. **Councilor Ciolino** asked Mr. Phillips to see that ConCom remains helpful to the public as it can be a scary proposition to those who come before them. On inquiry from **Councilor Curcuru**, **Mr. Phillips** noted the CPC is starting a new year cycle with applications for funding under the CPA, and will not bring that forward for a while to the Council.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Appointment of Steven Phillips as the Conservation Commission's representative to the Community Preservation Committee, TTE 02/14/12.

Fisheries Commission TTE 02/14/14 Angela Sanfilippo, Accursio "Gus" Sanfilippo, Al Cottone, Francesco Paolo Vitale, David Bergeron (Cont'd from 04/04/11)

Note: Francesco Paolo Vitale, unable to attend 5/2/11, would appear before the Committee on 5/16/11 re: appointment to the Fisheries Commission.

Ms. Sanfilippo stated she wished to serve on the Fisheries Commission because of her history and background. She would be able to commit to the meetings. It is her understanding she would be representing the Gloucester Fishermen's Wives Association on that Commission. On inquiry from **Councilor Theken**, Ms. Sanfilippo hoped they would be able to pass on greater knowledge as much is changing and going on in order to protect the ocean. The issues need to be brought to the floor, such as that of Georges Bank and Stellwagon Bank, oil drilling, fish farming, etc. The community needs to have a voice on these issues. She thought tourism could co-exist with fisheries but one could not take precedence over the other. **Councilor Ciolino** was pleased to see Ms. Sanfilippo being appointed to the Commission.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Appointment of Angela Sanfilippo to the Fisheries Commission, TTE 02/14/2014.

Councilor Mulcahey arrived at 7:02 p.m. Councilor Ciolino stepped down as an alternate

Mr. Bergeron questioned by **Councilor Theken** explained that while not a fisherman he has been a resident of the City for 20 years and has been working in the fishing industry and works for the MA Fisherman's Partnership Health Plan. He has helped to facilitate collaborations and fundraising which he felt was important to bring to the table. He heard about the Commission when he was on the Mayor's Economic Advisory Team. He also has done a great deal of research on the industry. He was willing to take this role on.

Councilor Theken stated the Fisheries Commission has no paid positions but is an all volunteer Commission. She appreciated his answering her questions as there are crucial issues coming forward now. She felt it important that

the fishermen's opinions are asked for so they have a voice. **Councilor Mulcahey** noted her knowing Mr. Bergeron in his professional capacity.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Appointment of David Bergeron to the Fisheries Commission, TTE 02/14/2014.

Mr. Sanfilippo stated he is a fisherman and is for preserving the fishing industry. On inquiry from **Councilor Theken** he stated his family has been in the industry for three generations, still owns vessels and is still actively fishing. **Councilor Theken** noted Mr. Sanfilippo's young age and asked why he wished to serve on the Commission. He responded felt this was to strengthen the community and preserve the industry. He felt the tourism and fishing industries could co-exist; they can work hand in hand. **Councilor Mulcahey** expressed the same opinion of tourism and fishing industries going hand in hand and acknowledged her knowing Mr. Sanfilippo and his love for the City. For the record, he stated Angela Sanfilippo is not related to him. **Councilor Ciolino** noted the overlap of the fishing and tourism industry making the City unique and endorsed his appointment.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Appointment of Accursio "Gus" Sanfilippo to the Fisheries Commission, TTE 02/14/2014.

Mr. Cottone explained he is a fourth generation fisherman who wants to see long-term growth and sustainability of the industry. On inquiry from **Councilor Theken** he stated he couldn't imagine doing anything else and believes in the future of the industry. **Councilor Curcuru** asked why the Commission had not had staggered termination dates. **Councilor Theken** noted they will have to look at the by-laws as this Commission has been inactive for many years, once they convene. **Councilor Ciolino** thought Mr. Cottone was a good choice for the Commission.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Appointment of Al Cottone to the Fisheries Commission, TTE 02/14/2014.

Historic District Commission

TTE 02/14/14

Stephen Miller – Alternate

Mr. Miller stated he has not attended any meetings yet. He felt this was a matter of giving back. He came to Gloucester five years ago. He was asked to be on this Commission. He wasn't sure what he brought to the table but wished to see the City preserve its character and history. **Councilor Theken** appreciated Mr. Miller's candor; and since he hadn't been to a meeting she wanted to postpone this appointment; and asked him to attend a Commission meeting to be sure this is what he wished to do. **Councilor Ciolino** commented. Much is mandated by the State, but many people come asking for direction. They need a board that is steady and level and doesn't go overboard. **Councilor Theken** noted Mr. Miller's temporary appointment was still valid. **Councilor Curcuru** was in agreement with the Committee's idea of waiting for Mr. Miller to return after attending an HDC meeting.

The appointment of Stephen Miller is tabled.

3. Memorandum from Chief Administrative Officer re: Proposed Amendment to GCO "Personnel Ordinance"

NOTE: This matter was taken up during the meeting in conjunction with Item #1H.

NOTE: Items No. 4 through 7 are all TO BE CONTINUED to May 16, 2011

4. **CC2011-015 (Mulcahey) Amend GCO Sec. 22-293 "Bus Stops and Taxi Stands" re: Railroad Avenue**
5. **CC2011-016 (Mulcahey) Amend GCO Sec. 22-292 "Fire Lanes" re: Munsey Lane**
6. **CC2011-017 (Mulcahey) Amend GCO Sec. 22-287 "Disabled Veteran, handicapped parking" re: Perkins Street #25**
7. **CC2011-018 (Mulcahey) Amend GCO Sec. 22-287 "Disabled Veteran, handicapped parking" re: Mt. Vernon Street #39**

8. Memorandum from Community Development Director re: proposed amendment to GCO §12-15(b)(2), Art. II "Wetlands" (concerning septic system upgrades/replacements)

Stephen Phillips, Conservation Commission member explained ConCom is requesting a minor but important change to the City's Wetlands Ordinance to facilitate permits for residents who need to upgrade septic systems that are in areas now prohibited for such uses. They have in recent months started to receive requests for septic upgrades on West Gloucester properties that are not planned for City sewer as scoped in the West Gloucester Land Management Plan (the Daylor Plan). Many of these systems are at low elevations, a number being below elevation 10, which places them in the Area of Critical Environmental Concern to the Great Marsh. As the City's Wetlands Ordinance now reads, such upgrades are prohibited within 200 ft. of the Marsh, making it difficult for the Commission to approve an activity which greatly benefits the down gradient marsh without violating its own Ordinance. People are being caught between a rock and a hard place with the Board of Health telling them to replace their septic systems and he then worked up this hardship language. To make it clear, this won't cost anything and allows people to stay in their homes. The General Counsel had reviewed the language. The Committee agreed with Mr. Phillips' assessment of the issue at hand.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND GCO c.12, Article II, Wetlands by ADDING §12-15(b)(2)c as follows:

"Notwithstanding the provisions of §12-15(b)(2) b above, the commission may issue a wetlands permit authorizing work which results in the loss or alteration of a portion of the ACEC and/or the upland edge and/or the buffer zone for any upgrade to or replacement of an existing septic system required by the Board of Health, when the applicant can show that there is no reasonable alternative location on the lot for the proposed activity and that any adverse impacts will be minimized."

And to renumber the existing section 12-15(b)(2)c to become 12-15(b)(2)d AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

9. Request from Gloucester Taxi and Livery Service, Inc., re: "Gas Surcharge"

John Nasser, 78 Maplewood Avenue and owner of Gloucester Taxi & Livery Service, Inc. stated that he has changed his stance since he first wrote his letter dated April 6, 2011 addressed to the City Council President which favored a 50 cent gas surcharge for every taxi ride; but instead now wished to propose to go up on taxi meter rates of \$1.00. He concluded for the health and welfare of the taxi companies they must go up. The last time they went up was in 2000 when gas was \$1.50 a gallon. Even if the rate was \$2.75 he believed a \$1.00 increase per ride would be reasonable. They all use transportation and anyone who uses it should share in that cost. They're doing everything they can to provide a good product possible. **Councilor Mulcahey** understood where Mr. Nasser was coming from and appreciated their services. She thought this was justified. It would be \$3.50. Councilor Theken asked what the rates were in other communities. **Mr. Nasser** noted seniors pay 75% of \$2.50. It would be 75 cents a ride for seniors not \$1.00. **Councilor Theken** was pleased to hear that there was a discount for seniors. **Councilor Theken** and **Ms. Lowe** noted the Ordinance was under c. 25, Division 4, Taxi Cab Fares, §25-75, and that the outdated section concerning St. Peter's Church should be deleted.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Curcuru, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO §25-75(a) (1) to DELETE Two Dollars and Fifty Cents (\$2.50) for the first flag drop and

ADD Three Dollars and fifty cents (\$3.50) for the first “flag-drop” and to AMEND §25-75(a)(4) by DELETING twenty-five percent and ADDING 30 percent; and §25-75(5) concerning free rides to St. Peter’s Church is DELETED in whole; AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

10. *Letter from Reprecincting Coordinator of Secretary Galvin’s Office re: Municipal Map from the 2010 Census*

Linda T. Lowe, City Clerk stated that due to the final U.S. 2010 census figures will necessitate the map will have to be relined and voted on by the Council. She wanted to sit down with the ward councilors and set up a telephone conference call with them and with Secretary Galvin’s office in regards to the shifting of ward lines which needs to be done soon. She didn’t think there would be drastic changes, but there would be changes as the City’s population went down by 5% in the 2010 Federal census. **Councilor Curcuru** noted a shift in Ward 3 and saw a loss to his ward. **Ms. Lowe** noted this is all based on the Federal census and believed it was a quite accurate. **Councilor Theken** noted how crucial the census is expressing concern that folks who were undocumented were not counted because they were afraid to do it. **Ms. Lowe** thought that if the Councilor had concerns about anything to do with the census, especially on that matter it could be brought up with Secretary Galvin’s office. They could also send her concerns along to the State with the vote by the Council on the re-precincting map also. Further, noted was that the Council must vote on the map lines by June 16, 2011.

By unanimous consent this matter was placed on file by the Committee.

11. *Petition to City Council under City Charter §9-1(b) concerning the enactment of an “Anti-Shuffling” Traffic Ordinance, §22-220(c) on November 23, 2010 (Referred from City Council Meeting 4/12/11)*

Councilor Theken explained that this matter is not going back before the City Council. This matter before them now had been in this Committee for a year researched and debated and then forwarded for a vote to the Council. Their meetings are posted on the website, on the bulletin boards at City Hall and in the Police Station and in the newspapers. When something comes before them before it goes to public hearing, there is no requirement to identify individuals on such matters as this. It is also up to the community to be informed as well. She understood the petition to remove the Anti-shuffling ordinance. But in the State, there is an anti-shuffling law. The City never enforced it because at the time it was too difficult. **Shelly Gossom**, 11 Ferry Street asked for another hour on the meters as clients of hair salons and restaurants were not being able to complete services in two hours or enjoy a meal, and shop for instance. **Councilor Theken** stated the petition was for getting rid of the ordinance and that was what was before them not changing the two hour limit. **Ms. Gossom** rejoined that she had asked for the extra hour during the Council public hearing. The parking enforcement is capable of doing that enforcement for three hours. This affects 10 businesses. **Councilor Theken** understood Ms. Gossom’s position. But there is no way they can afford to change the meters. She gets emailed photographs of parking situations on Main Street frequently. They have looked at this matter in many ways. She noted personally going downtown to observe the parking situation on Main Street. She realized that salon services take more than two hours. She also realized some seniors can’t walk from Rogers Street from the long term meters. She stated they’re not going to change the anti-shuffling ordinance. She suggested that they meet with their ward councilor and Chief Lane to work out a situation for their frail elderly clients. The Councilors engaged in a discussion with Ms. Gossom of possible alternatives for her clients. **Councilor Curcuru** reminded all that the parking enforcement person can’t not ticket at their discretion but enforcement had to be equal to all. That directive has to come from the Chief of Police in certain limited circumstances. **Councilor Ciolino** noted he has not had one senior come into his store and tell him they can’t work with the two hour meters. He has asked them, and the majority is in a salon less than an hour. The idea is that the parking is so limited that it needs to turn over. He made note of many

employees parking on the Main Street in the past, tying up parking on Main Street most of the working day. **Councilor Theken** stated in all fairness that employees are now not parking on Main Street. It has alleviated some of the parking issues already there.

Bob Ritchie, owner of Dogtown Book Shop on Main Street (full text of statement received at meeting and on file) explained if they as business owners want many visitors to their shops they need to share parking spaces which means turnover. Without that it is few customers in a day; fewer customers mean less income. Very short parking doesn't give customers the time to do their shopping but long times don't allow for turnover. This is why government goes with medium length parking which gives most customers the time to spend their money. This is what turnover is about. One hour more would reduce turnover for everyone. It is not good for the bottom line or tax revenue and not good for potential customer who leave downtown in frustration being unable to find parking because the spaces are occupied by employees and owners.

Lorre Anderson, owner of the Black Swan store on Main Street spoke to the type of person who comes to Main Street such as a person going to a yoga studio and then shop on the Main Street. They are no different than a person wanting to go to a hairdresser. When a study was done by experts, they found that one hour Main Street, 8 hour parking in the lots and on Rogers Street was best; the City decided to go with two hours on Main Street and 10 hours on Rogers Street and the parking lots there. She noted there is not something special about any business on Main Street. She has been on Main Street 8 years and in that time this is the first time the City has been able to enforce any kind of parking rules. When you take away the handicapped parking and bus spaces, there are only a handful of spaces left. This is a fair rule being enforced.

There was a discussion between **Councilors Mulcahey** and **Theken** with Ms. Gossom regarding the Pleasant Street/Middle Street metered parking lot currently timed at two hours and discussed the possibility of changing the time limit to three hours.

Councilor Theken noted it was Councilor Tobey who brought up removing all meters on Main Street and Councilor Ciolino who brought forward the Anti-Shuffling ordinance. Noting the troubled history of the Main Street parking issues she felt the anti-shuffling ordinance was helping to clean up the parking issues downtown. She would not approve three hour meters for Main Street nor would there be a way to change the meters to do it. She asked the businesses to work together. The ordinance stays in place as it is.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:34 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Statement from Bob Ritchie, owner of Dog Town Book Shop**