

**Ordinances & Administration Committee**

Remote Meeting

Monday, October 17, 2022 – 6:00 p.m.

-Minutes-

**Present: Chair, Councilor Sean Nolan; Vice Chair, Councilor Jamie O’Hara; Councilor Frank Margiotta**

**Other Councilors present: Council President, Val Gilman; Councilor Jeff Worthley; Councilor Tracy O’Neil**

**Also Present: City Clerk, Joanne Senos; General Counsel, Suzanne Egan**

**The meeting was called to order at 6:01 p.m.**

*This meeting was conducted remotely through ZOOM. All votes conducted by ROLL CALL*

**Chairman, Councilor Nolan** announced: Consistent with Chapter 107 of the Acts of 2022, this meeting will be conducted by remote participation. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time and participate when necessary. If you are calling in on a phone, you can press Star 9 (\*9) to request to speak. If you are watching on a computer or device there is a “raise hand” button that you can tap or press to request to speak. Please use either of these options to be recognized to speak.

**Councilor Nolan** announced the names of City councilors and City staff in attendance.

**1. Boards, Committees and Commissions**

**New Appointments**

**Licensing Board**

**Ted Costa**

**TTE 5/31/26**

**Summary of Discussion:** **Mr. Ted Costa** stated that he is a lifelong Gloucester resident and is retired from Massport after 31 years. He added that he currently works for State Senator Bruce Tarr on a part-time basis.

The **Members of the O&A Committee** thanked **Mr. Costa** for his willingness to serve.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council appoint Ted Costa to the Licensing Board, TTE 5/31/26.**

**2. Memorandum from General Counsel regarding proposed amendments to GCO Ch. 2 “Administration,” Art. V “Boards, Commissions, Councils and Committees,” Div. 10, Sec. 2-508 “Committee for the Arts”**

**Summary of Discussion:** **The General Counsel, Suzanne Egan,** stated that there are two separate proposed amendments to the ordinance. She stated that the first part is to align the process for the Committee for the Arts with the City Charter. She explained that the current ordinance has the Mayor making recommendations to the City Council who then holds a public hearing and makes a determination if artwork should be installed on City property; this also comes after a recommendation from the Committee for the Arts. She stated that the proposed change is that the Committee for the Arts would hold the public

hearing and then make a recommendation to the Mayor. From there, she stated that the Mayor would then consult with the Public Works Director and the Building Inspector to look at the practicality of installing the artwork and make a determination as to whether the artwork should be installed.

The **General Counsel** explained that the second proposal is to solidify the composition of the members of the Committee for the Arts. She explained that currently the Committee does not have a definitive number of members (anywhere from five to seven members) and explained that the proposal is to make the number of members for the Committee at seven with two alternates. She further explained that the proposal would also remove the Mayor as a voting member of the Committee and makes that office an ex officio.

**Councilor O'Hara** referenced a line that had been struck from Sec. 2-508 (b): *"Should the mayor choose to accept the committee's recommendation, after consultation with the department of public works director and the building inspector, he shall forward it to the city council for a public hearing and a vote."* **Councilor O'Hara** stated that the City Council needs to maintain as much input on issues in the City and that the Council should not be giving up any rights for a public hearing.

**Councilor O'Hara** offered a motion, seconded by **Councilor Margiotta**, to amend GCO Ch. 2, Art. V, Div. 10, Sec. 2-508 (b) and 2-513, Committee for the Arts, which aligns the ordinance with the City Charter, streamlines the review process and changes the Mayor or his/her designee from a voting to non-voting ex officio member. **Councilor O'Hara** then offered a motion to amend, seconded by **Councilor Margiotta**, to not strike the line from Sec. 2-508 (b) that reads: *"Should the mayor choose to accept the committee's recommendation, after consultation with the department of public works director and the building inspector, he shall forward it to the city council for a public hearing and a vote."* The **General Counsel** explained that the proposal is to add a public hearing at the Committee for the Arts as opposed to the City Council to make the process more streamlined. **Councilor O'Hara** stated that he is steadfast on the fact that the City Council should have a public hearing. The **General Counsel** stated that if the O&A Committee decides not to delete that sentence then her recommendation would be to also not accept the recommended changes and keep 2-508 (b) as it currently stands; to avoid confusion, she recommended that the Administration could withdraw the changes to Sec. 2-508 (b) so the City Council would retain the public hearing and vote authority.

Without objection, **Councilor Nolan** stated that he would like to continue this matter.

This matter was continued until the October 31, 2022, O&A meeting.

- 3. CC#2022-004 (Gilman/Nolan/Memhard): Ordered that the City Council audit and amend the GCO to be consistent with new resident parking regulations adopted by the City Council on May 25, 2021 (Cont. from 9/19/22)**

**Summary of Discussion:** **Councilor Gilman** suggested that this matter be continued so that information in from the respective wards be more closely reviewed.

Without objection, this matter was continued until November 28, 2022. (*\*Please note – this matter will be heard at the December 5, 2022, O&A meeting as there is not a meeting scheduled for November 28, 2022.*)

Without objection, the Rules of Procedure were suspended to allow a member of the public to speak.

#### **Catherine Ryan**

Stated that she is in favor of continuing the matter regarding the Committee for the Arts. Offered her opinion on the proposed changes. **Councilor Margiotta** called a Point of Order at 6:33 p.m. and stated that this is not a public hearing.

**MOTION:** On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 6:35 p.m.

**Submitted by Sherry White, Clerk of Committees**

**Documents submitted at the meeting:** None.

**Meeting Recording:** <http://gloucester-ma.gov/1097/Past-Remote-Public-Meetings>