

Ordinances & Administration Committee

Remote Meeting

Monday, October 31, 2022 – 6:00 p.m.

-Minutes-

Present: Chair, Councilor Sean Nolan; Vice Chair, Councilor Jamie O’Hara; Councilor Jeff Worthley (as alternate)

Absent: Councilor Frank Margiotta

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

Also Present: General Counsel, Suzanne Egan; Clerk of Committees, Sherry Karvelas

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 Appointment

City-Owned Cemeteries Advisory Committee Matthew Murray TTE 2/14/25

Summary of Discussion: Mr. Matthew Murray stated that he has been involved with the City’s cemeteries for approximately twenty years and is happy that he now has the time to be more involved.

Councilor Worthley asked **Mr. Murray** what he would do to better maintain the City’s cemeteries. **Mr. Murray** stated that he would remove the trees that abut the MBTA train tracks with the thought that people care more about that cemetery when they know it is there. He also stated that the City needs a consistent plan for maintaining the cemeteries.

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

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Worthley, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council appoint Matthew Murray (alternate member) to the City-Owned Cemeteries Advisory Committee, TTE 2/14/25.

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” (cont. from 10/17/22)

Summary of Discussion: The **General Counsel, Suzanne Egan**, stated that she has revised the proposed amendments based on the feedback received from the previous O&A meeting. She explained that only Sec.

2-509 is proposed to be amended by setting the number of members at seven with two alternates and also to have the Mayor as an ex-officio member of the Committee for the Arts. She also explained that there is elaboration over how the terms are staggered. She stated that the requirement for a public hearing before the City Council will remain.

There was a discussion about what language should be included in the motion with the Mayor as an ex-officio member. By unanimous consent, it was determined to clarify that the Mayor is an ex-officio, nonvoting member.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Worthley, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council amend GCO Ch. 2 “Administration,” Art. V “Boards, Commissions, Councils and Committees,” Div. 10, Sec. 2-509 “Composition; appointment and term of members” as described in the document attached to General Counsel’s revised memorandum of October 26, 2022, as amended, as follows:

Sec. 2-509. Composition; appointment and terms of members.

The committee for the arts shall consist of seven members and two alternate members appointed by the mayor and confirmed by the city council. All appointed members shall be residents of the city. The mayor or their designee shall be an ex officio, nonvoting member of the committee. The members shall serve staggered four year terms. Initially or in any instance were the Committee is reconstituted, one member shall serve for a one year term, two members shall serve a two year term, one member shall serve a three year term and one member shall serve a four year term. a minimum of five members and a maximum of seven members; one to be the mayor or his designee from time to time acting in his stead and the other four to be residents of the city appointed by the mayor to serve staggered terms of four years. The mayor in office shall continue his membership on the committee for the term for which he is elected.

This matter will be advertised for Public Hearing for the November 22, 2022, City Council meeting.

3. Memorandum from CAO re: 2022 Pilot Surf Program at Good Harbor Beach

Summary of Discussion: Councilor Nolan stated that he believed the 2022 Pilot Surf Program at Good Harbor Beach was successful. He stated that there have been no complaints by constituents or the DPW on this program and that there has been communication between City staff and the Cape Ann Surfers Union. He added that he feels comfortable moving this matter forward to the full Council.

Without objection, Courtney Hayes of the Cape Ann Surfers Union was allowed to speak. She thanked the O&A Committee for their support. There was a brief discussion regarding the days/dates included within the recommendation.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Worthley, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council amend the Beach and Stage Fort Park Regulations as follows:

III. Miscellaneous Restrictions:

H. Boat Launching & Surfing:

1. Boat launching and landing are prohibited at all public beaches between the hours of 9:00 a.m. and 5:00 p.m., from Memorial Day to Labor Day, *without the permission of the lifeguard.*

2. Surfing is prohibited at all public beaches between the hours of 9:00 a.m. and 5:00 p.m., from ~~Memorial Day June 17th~~ to Labor Day, *without the permission of the lifeguard*, except at Good Harbor Beach ~~for a one-year-2022-season Pilot Surfing program at Good Harbor Beach only that shall:~~
- ~~Extend surfing season—allow all day surfing through Friday, June 17th;~~
 - ~~Extend surfing hours - allow surfing until 10:00 am from *Monday*, June 17th through Labor Day -weekdays / non-holidays only; and~~
 - ~~Surfing on Bad weather days - allow surfing on bad weather days with few or no swimmers in the water, at lifeguards discretion~~
 - ~~***Lifeguards can call surfers out of the water at any time/or any reason~~

Without objection, the O&A Committee took a three-minute recess.

4. CC#2022-028 (Worthley): Amend GCO Ch. 5 “Building and Building Regulations” Article IV “Construction of City-Owned Buildings” by adding a new Sec. 5-62

Summary of Discussion: Councilor Worthley stated that this Council Order has been submitted to address having a renewable energy requirement whenever the City invests in renovating or constructing a new building. He explained that the threshold included within the Council Order is that the estimated return on investment should be less than fifteen years, otherwise the building would be exempt. He also stated that municipal buildings in the historic district are exempt from this provision.

Councilor O’Hara stated that he agrees with the intent of the Council Order, but that more legwork needs to be done before this matter comes before the full City Council. Councilor Nolan suggested that this matter be continued for one month. It was determined that any questions/comments on this matter be referred to the City Clerk’s office who will then distribute the questions/comments to the rest of the Council.

This matter is continued until the December 5, 2022, O&A meeting.

MOTION: On a motion by Councilor O’Hara, seconded by Councilor Worthley, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 7:00 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>