

**Ordinances & Administration Committee**  
 Monday, December 5, 2022 – 6:00 p.m.  
**Harbormaster’s Conference Room, 19 Harbor Loop**  
**and via Zoom**  
 -Minutes-

**Present (in person): Chair, Councilor Sean Nolan; Councilor Frank Margiotta**

**Absent: Vice Chair, Councilor Jamie O’Hara**

**Other Councilors present (in person): Councilor Jeff Worthley**

**Other Councilors present (remotely): Council President, Val Gilman; Councilor Jason Grow**

**Also Present (in person): City Clerk, Joanne Senos; Clerk of Committees, Sherry White**

**Also Present (remotely): CAO, Jill Cahill**

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

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

**Chairman, Councilor Nolan** announced: “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**

<b>Gloucester Cultural Council</b>	<b>Lily Narbonne</b>	<b>TTE 2/14/25 (Cont. from 11/14/22)</b>
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**Summary of Discussion:** **Councilor Nolan** confirmed that **Ms. Narbonne** has been sworn in and is up to date with the State Conflict of Interest requirement. **Ms. Narbonne** stated that she is the owner of Lanes Coven Theater Company, a professional local theater company, which she created with her fiancé during the pandemic. She stated she is active in theater, TV, film and visual arts and wishes to contribute to the City to advise and lift up marginalized voices and to seek out projects that need support. She explained that her great-grandmother was the honkytonk piano player at the Rudder in the 1970s and 1980s. She also stated that she has a letter that she will send to the **Clerk of Committees, Sherry White**, which states that she can be fair and objective when it comes to sitting on the Gloucester Cultural Council since Lanes Coven Theater Company is also a Gloucester Cultural Council-supported project.

**Councilors Margiotta** and **Nolan** both commented on **Ms. Narbonne’s** extensive experience and thanked her for her willingness to serve.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Margiotta, seconded by Councilor Nolan, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 (O’Hara) absent, to recommend that the City Council appoint Lily Narbonne to the Gloucester Cultural Council, TTE 2/14/25.

The **Clerk of Committees** stated that the **CAO, Jill Cahill**, as well as **Councilor Gilman** and **Councilor Grow**, were in attendance and that there was a quorum of the City Council.

2. *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 11/14/21)*

**Summary of Discussion:** **Councilor Nolan** stated that this matter is being continued to a Special O&A meeting on Tuesday, January 17, 2023.

3. *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 Nolan** stated that this matter is being continued until a Special O&A meeting on Tuesday, January 17, 2023. **Councilor Worthley** provided a brief status update and also explained that the Clean Energy Commission (CEC) had sent an email which indicated general support for the matter and that the CEC wanted to work with him further in defining the language of the proposed ordinance.

4. *CC#2022-036 (Gilman): Amend GCO Ch. 11, Sec. 11-7 "Business prohibited between certain hours" by DELETING the words, "provided he shall not use any sounding device between the hours of 8:00 p.m. and 8:00 p.m."*

**Summary of Discussion:** **Councilor Gilman** explained that this matter is a scrivener's error from 2018 when the line was meant to be deleted. She explained that the line is not necessary in the current ordinance. She explained that she is of the belief that a public hearing is not necessary as language has been added that states "between 9:00 a.m. and 8:00 p.m."

The **City Clerk, Joanne Senos**, stated that in 2018 the Hawkers and Peddlers ordinance was overhauled and the original draft did delete that sentence but that it did not carry over to the Council Order nor to the public hearing and what the Council voted on. She also stated that the line did not make sense as the time has been defined with new language and that it was a scrivener's error as the line should have been deleted. Regarding the public hearing, according to the City Charter any proposed amendments or deletions is supposed to have a public hearing. She suggested asking the full City Council to waive the Public Hearing as it is a housekeeping error and deleting the line does not impact the ordinance. **Councilor Nolan** confirmed that the matter will move forward to the full City Council where a decision will be made regarding the public hearing. The **City Clerk** further stated that she would get the legal opinion of the General Counsel regarding the public hearing.

**COMMITTEE RECOMMENDATION:** On a motion by **Councilor Margiotta**, seconded by **Councilor Nolan**, the **Ordinances & Administration Committee** voted by **ROLL CALL 2** in favor, **0** opposed, **1** (O'Hara) absent, to recommend that the City Council amend the Gloucester Code of Ordinances, Chapter 11 "Hawkers, Peddlers, Transient Vendors and Special Events," Article II. – "Hawkers and Peddlers," Sec. 11-7 "Business prohibited between certain hours," subsection (a) by DELETING in said section as follows:

Sec. 11-7. - Business prohibited between certain hours.

- (a) No vendor shall sell or offer for sale any goods, wares, services or merchandise, including publications, magazines, and books, or solicit subscriptions for publications, magazines, or books, in the city between the hours of 6:00 p.m. and 8:00 a.m., except that a duly licensed ice cream vehicle may sell or offer for sale any ice cream products from his

vehicle in the city between the hours of 9:00 a.m. and 8:00 p.m., ~~[DELETE] provided he shall not use any sounding device between the hours of 8:00 p.m. and 8:00 p.m.~~ Fixed vendors shall be exempt from prohibited hours during special events.

**MOTION:** On a motion by Councilor Nolan, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 (O'Hara) absent, to adjourn the meeting at 6:17 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>