

Ordinances & Administration Committee
Monday, April 3, 2023 – 6:00 p.m.
Harbormaster’s Conference Room, 19 Harbor Loop
and via Zoom
-Minutes-

Present (in person): Councilor Frank Margiotta; Councilor Tony Gross (as alternate)

Present (remotely): Vice Chair, Councilor Jamie O’Hara

Absent: Chair, Councilor Sean Nolan

Other Councilors present (in person): Council President Val Gilman

Other Councilors present (remotely): Councilor Tracy O’Neil; Councilor Jeff Worthley

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

The meeting was called to order at 6:02 p.m.

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

Vice Chair, Councilor O’Hara 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 O’Hara announced the names of City councilors and City staff in attendance.

1. Boards, Committees and Commissions
Reappointments

Affordable Housing Trust

Michael Luster

TTE 2/14/25

Summary of Discussion: **Mr. Michael Luster** stated that he is the Executive Vice President at Cape Ann Savings Bank and that he has been on the Affordable Housing Trust since inception and that he is currently the Chair. He explained that a consultant has been hired by the Affordable Housing Trust to help create a strategic plan and that he is looking forward to start implementing some of the ideas.

The **Members of the O&A Committee** thanked **Mr. Luster** for his willingness to serve. As he is a reappointment, **Mr. Luster** was informed that he did not need to appear before the full City Council.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council reappoint Michael Luster to the Affordable Housing Trust, TTE 2/14/25.

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 3/20/2023)

Summary of Discussion: This matter was continued until the May 1, 2023, O&A meeting.

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 (cont. from 3/20/23)

Summary of Discussion: This matter was continued until the May 1, 2023, O&A meeting, as the Clean Energy Commission is currently reviewing the matter.

4. CC#2023-020 (Worthley): Amend City Council Rules of Procedure 2022, Rule 1: Meetings, subsection (b) by DELETING 11:00 p.m. and ADDING 10:00 p.m. (Cont. from 3/20/23)

Summary of Discussion: Councilor Worthley stated that there is a point where it is not fair to ask the public or City staff to expect to stay at a meeting until 10:30 or 11:00 p.m. Councilor Gross stated that the Council needs to complete the business before them and should not continue matters repeatedly. He stated that the Council Order as written does not allow for flexibility if the start time of City Council meetings shifts to 7:00 p.m. He stated that he is unsure if a fixed 10:00 p.m. end time is practical. Councilor Margiotta stated that there is still questions that need to be answered in terms of hybrid meetings and start time. He stated those issues need to be sorted before an end time can be discussed. Councilor Gross suggested leaving it as status quo. Councilor O’Hara stated that the Council needs to put in the time to accomplish City business. Councilor Worthley stated that he would rather have extra meetings to accomplish City business so that everyone is “fresh.”

After a brief discussion regarding the other Council Orders on the agenda that touched on this subject, Councilor Worthley withdrew his Council Order without objection.

5. CC#2023-021 (Gilman): Amend the City Council Rules of Procedure 2022 by amending Rule #2 “Order of Business,” Rule #3 “Agenda Procedure,” Rule #4 “Public Hearings,” Rule #6 “Rules of Debate,” Rule #8 “Committees,” Rule #12 “Special Permits” (Cont. from 3/20/23)

Rule 1: Meetings:

Summary of Discussion: Councilor Gilman explained that her proposed amendment is to delete the end time of 11:00 p.m. and add “within four hours of the start time”. She stated that this would provide flexibility with a change in the start time. Councilor Margiotta stated that he is in agreement as long as extensions are allowed in order to complete City business. Councilor Gross stated that the start time of hybrid meetings has yet to be determined and that he did not see the need to rush to amend this section. Councilor O’Hara stated that setting a reasonable agenda is the role of the Council President who needs to be cognizant of the timeframe of a reasonable meeting.

After a brief discussion about hybrid meeting start times, Councilor Gilman withdrew the proposed amendment, without objection, to Rule 1 until such time that a meeting start time is determined.

Rule 2: Order of Business

Summary of Discussion: Councilor Gilman stated the proposed amendment to Rule 2 is to ensure that the Council is covering the routine procedures of the agenda. She explained that this amendment will add the legal language for Zoom technology, as well as the non-discrimination statement opener (with the recommendation to adjust the subsequent numbering of items). For completeness and as discussed at the Governance Meeting, she proposed adding “Advertised public hearings shall be noted on the bottom of every City Council agenda” after #15.

There was a brief discussion about the legal language. The **City Clerk, Joanne Senos**, stated she reached out to **General Counsel, Suzanne Egan**, regarding the legal language. **Ms. Senos** read the legal language to be used moving forward on all agendas: *“As the recent amendments to the open meeting law allows, the (board) will continue to hold meetings remotely. Adequate alternative access to the meeting is provided through the (zoom link below).”* She also added that the Open Meeting Law has not changed.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 2: Order of Business:

The following list establishes the Order of Business for regularly scheduled City Council meetings. It is understood that in special situations, the City Clerk and the Council President may rearrange the calendar(s) in the interest of public convenience.

1. Flag Salute & Moment of Silence (optional)
2. **[ADD] Legal Language for Zoom Technology in the interest of government transparency and remote participation**
3. **[ADD] Non-discrimination Statement Opener for City Council Meetings (subsequent numbering through 15 to be changed accordingly)**

[ADD] Advertisised public hearings shall be noted on the bottom of every City Council agenda.

Rule 3: Agenda Procedure

Summary of Discussion: Without objection, **Councilor Gilman** withdrew the proposed amendment to Rule 3.

Rule 4: Public Hearings

Summary of Discussion: **Councilor Gilman** stated that at the Governance Meeting the general consensus was that both the proponents and opponents should be offered 15 minutes to make a presentation. She suggested that section C be left as noted and that language be added to section D that states: *“It is the responsibility of Opponents to select a spokesperson and notify the Council President and City Clerk, prior to the Public Hearing.”* as well as, *“For Public Hearings considering general matters, each individual may speak up to three (3) minutes.”* She stated that this language will ensure that presentations for both the proponents and opponents are both covered. **Councilor Margiotta** stated that he is in support of the language as written. **Councilor O’Hara** stated that the language does not give a timeframe for when the City Clerk’s Office should be notified by for a public hearing. He also stated that the Council needs to be open-minded in case someone “gets cold feet” and the speaker changes immediately before, or during, the meeting. **Councilor Gross** questioned what would happen if there are different opponents with different versions of the opposing view. **Councilor O’Hara** stated that he has never seen a problem with opponents speaking, but that he has seen disorganized opponents. He also stated that if the system is working they should not be fixing it. **Councilor Gilman** relayed a story where two different opponents both wanted to speak on the same matter and she stated that it was an uncomfortable situation as the Council did not have a procedure in place. **Councilor O’Hara** stated that he is of the belief that a situation can be resolved if and when it happens. **Councilor Margiotta** stated that if people in opposition cannot determine a leader they still will get their three minutes to speak on the matter. **Councilor Gross** stated that he sees that adding the proposed language to section D as a benefit to the opponents.

Councilor Margiotta offered a motion, seconded by **Councilor Gross**, to amend Rule 4: Public Hearings as suggested by **Councilor Gilman's** Council Order.

Councilor O'Hara reiterated that most times the opposition is disorganized. **Councilor Gross** reiterated that this language would allow for more representation. He pointed out that the language states that the opposition would need to inform the Council President and City Clerk's Office prior to the public hearing.

Councilor Gross questioned why "in total" is written into section D, but it was not in section C. It was determined to eliminate "in total" from the language in section D.

The Committee was in agreement to the proposed amendments to sections F and G. **Councilor Gross** stated that he felt that the time allotment method worked well in a previous public hearing. There was a brief discussion about the 72-hour timeframe prior to a public hearing for the public to submit correspondence. It was determined that 72 hours (and not 72 business hours) was fair to both the public and to the City Clerk's Office who has to record the correspondence. **Councilor O'Hara** voiced concern over the public not having enough time to submit correspondence if the City Council agenda is not posted until Friday morning. **Councilor Gross** reminded everyone that the public hearing would have been referred on the City Council agenda to one of the standing committees. He stated that the public hearing is also advertised in the newspaper at least a week prior. **Ms. Senos** also stated that all future advertised upcoming public hearings are at the bottom of each agenda.

MOTION TO AMEND: On a motion by Councilor Gross, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to delete "in total" from section D.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 4: Public Hearings:

C. PRESENTATION FROM PROPONENTS. In matters related to Special Permits, petitioners may make initial oral presentations up to fifteen (15) minutes; others speaking in favor shall be allowed up to three (3) minutes each. Proponents are required (OML) to enter into the record documentation of their presentation testimony. For Public Hearings considering general matters, each individual may speak up to three (3) minutes.

D. PRESENTATION FROM OPPONENTS. Opponents shall be allowed initial oral presentations up to fifteen (15) minutes; others speaking in opposition shall be allowed up to three (3) minutes each. **[ADD] It is the responsibility of Opponents to select a spokesperson and notify the Council President and City Clerk, prior to the Public Hearing.** Opponents are also required (OML) to enter into the record documentation of their testimony. **[ADD] For Public Hearings considering general matters, each individual may speak up to three (3) minutes.**

F. COMMUNICATIONS to be read into the record and filed **[ADD] for matters received 72 hours prior to the date and time of the advertised public hearing.**

G. QUESTIONS by City Councillors to either side **[ADD] or to City Administration.** The Council President may require set timed allotments for questions, based on the meeting agenda. The allowance should include the asking of the question only, not the answer provided by either side or city administration.

Rule 6: Rules of Debate

Summary of Discussion: Councilor Gross asked Ms. Senos to confirm that Robert's Rules states that a member cannot yield any unexpired portion of time unless the Council has a special rule to allow this practice; Ms. Senos confirmed that to be true. Councilor Gross stated that since Robert's Rules addresses this issue the Council would then have to vote to suspend the rules to allow this to happen. Councilor Gross stated that at the top of the Council Rules of Procedure it states "*Robert's Rules of Order shall prevail on all matters not specifically covered by these Council Rules of Procedure.*" Councilor Gilman withdrew the proposed amendment to Rule 6, without objection, as this issue is addressed under Robert's Rules.

Rule 8: Committees

Summary of Discussion: Councilor Gilman explained that the proposed amendment is to ensure that there is a systematic process by which a nonmember councilor could ask questions on a matter being heard at a standing committee. Councilor Margiotta stated that he is in agreement to emailing the Committee Chair with any potential questions that he may have. Councilor Gross stated that the general public can also email questions; he stated that this method is a way that a nonmember's question can at least be thought about by the standing committee chair without violating the Open Meeting Law and without making a non-public hearing public meeting into a public hearing for the select few that are in attendance. He stated that he feels that the proposed language is a decent compromise. Councilor O'Hara agreed that all councilors are open to questions from the public at any time. Councilor Gross reminded everyone that taking questions from other councilors electronically during a meeting is a violation of the Open Meeting Law.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 1 (O'Hara) opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 8: Committees

[ADD] E. When a City Councilor, who is not a member of the standing committee, wishes to ask a question, they should email the question to the Standing Committee Chair, and copy the City Clerk and the Clerk of Committees in advance of the meeting.

Rule 12: Special Permits

Summary of Discussion: Councilor Gilman stated that the proposed amendment is to delete "six" in two places from this section as there are now seven standards under Sec. 1.8.3 "Standards to be Applied."

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 1 (O'Hara) opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 12: Special Permits

For Special Permits involving Sec. 2.3 "Use Tables," the Council must additionally consider the *[DELETE] six* standards in Sec. 1.8.3 "Standards to be Applied," but not be required to cover all of the *[DELETE]_six* standards in making their decision.

6. **CC#2023-022 (Gross): Amend the City Council Rules of Procedure 2022 by amending Rule #1 “Meetings,” Rule #3 “Agenda Procedure,” Rule #4 “Public Hearings,” Rule #8 “Committees,” Rule #9 “Vacancy in a Council Position and filling same,” Rule #10 “Procedure for selecting an interim mayor” (Cont. from 3/20/23)**

Rule 1: Meetings

E. Remote Participation at City Council and Standing Committee meetings:

Summary of Discussion: **Councilor Gross** stated that the Attorney General’s Office has changed the language regarding remote participation to say that remote participation is allowed only if it would be unreasonably difficult. **Councilor O’Hara** stated that this language is open-ended and subjective, as who is to establish what is unreasonably difficult. **Councilor Gross** reiterated that this is what the law reads.

E1. Procedures for Remote Participation:

Councilor Gross explained that the proposed amendment is from the office of the Attorney General and reads that any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair’s absence, the person chairing the meeting, of their desire to do so and the reason for and facts supporting his or her request.

E3. Procedures for Remote Participation: **Councilor Gross** explained that E3. is to simply delete the ‘n’ as it does not exist in the law anymore.

E7D. Rules of Procedure for Participation in Remote Meetings: **Councilor Gross** explained that the proposed language is to delete the wording of this section as this issue is already addressed under E7B. that if there is still a quorum the City Council meeting can continue. He stated that the alpha lettering needs to be adjusted due to the deletion of that section.

E7F. **Councilor Gross** stated that the proposed language is to be in concert with the law. He is proposing to delete the current language and add, from 940 CMR 29.10(6)(b), “*When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.*” He stated that he believes the Council needs additional clarity on this issue so he, without objection, withdrew this amendment.

Under *Oral Communications, **Councilor Gross** stated that he is adding “and/or Gloucester property owner, and/or Gloucester business owner.”

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 1 (O’Hara) opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 1: Meetings

E. Remote Participation at City Council and Standing Committee meetings: It is the express desire of the Council that remote participation at meetings is an infrequent event. Chairs of Council and Committees are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule due to the inherent benefits of physical presence in a meeting.

A Council member may attend a meeting through electronic conferencing ~~[DELETE] if his or her physical presence at a meeting is prevented due to extenuating circumstances such as:~~

~~personal illness or disability; a family or other emergency, military service or geographic distance [ADD] only if physical attendance would be unreasonably difficult.~~

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 1: Meetings

E1. Procedures for Remote Participation

~~[DELETE] 1.-Any member of the Council who wishes to participate remotely shall, at least 48 hours in advance, or as soon as reasonably possible prior to the meeting, notify the City Clerk of his or her desire to do so and the reason for and facts supporting his or her request.~~

[ADD] Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of their desire to do so and the reason for and facts supporting his or her request.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 1: Meetings

E3. At the start of the meeting the chair shall announce the name of any member who will be participating remotely and the general reason under 940 CMR 29.10(5)~~[DELETE]~~ for his or her remote participation. This information shall also be recorded in the meeting minutes.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 1: Meetings

Rules of Procedures for Participation in Remote Meetings

~~E7 [DELETE]-C. If the City Council president, vice president and councilor with the most seniority are unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall immediately adjourn to be re-scheduled at a later date.~~

[DELETE] D. [ADD] C. If the City Clerk is unable to access a City Council meeting held via a video conferencing platform for whatever reason then the meeting shall continue provided there is still a quorum of the City Council.

Councilor Margiotta offered a motion, seconded by Councilor Gross, to amend *Oral Communications. Councilor Gross offered an amendment, seconded by Councilor Margiotta to add: "Gloucester property owner or Gloucester business owner" after "The resident..." as well as between "Residents" and "speaking." He also proposed to delete the last line of the paragraph that states: "The Council President shall not allow complaints as to individual performance or character."

MOTION TO AMEND: On a motion by Councilor Gross, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to AMEND the main motion by ADDING “and/or Gloucester property owner and/or Gloucester business owner” after “The resident..,” and between “Residents” and “speaking” and by DELETING “The Council President shall not allow complaints as to individual performance or character.”

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

*Oral Communications: The public shall have the opportunity at every regular City Council meeting to be heard under ORAL COMMUNICATIONS on matters not appearing on the agenda. Oral Communications shall allow any resident **[ADD] and/or Gloucester property owner, and/or Gloucester business owner** who has a request or complaint of any nature relative to City Business to appear before the Council, state their problem without debate and the matter shall be referred to the proper agency through the Office of the Mayor. The resident, **[ADD per amendment] and/or Gloucester property owner and/or Gloucester business owner** must be notified in writing within a two-week period of disposition of same by the Office of the Mayor and a copy shall be forwarded to the City Council. Residents **[ADD per amendment], and/or Gloucester property owners and/or Gloucester business owners** speaking on the same topic at consecutive meetings under Oral Communications will not receive additional dispositions from the Office of the Mayor. Persons speaking under oral communications shall be limited to three minutes each and shall submit a copy of their prepared communication to the Clerk of Committees. ~~[DELETE]- The Council President shall not allow complaints as to individual performance or character.~~

Rule 4: Public Hearings

Summary of Discussion: Councilor Gross provided an overview of what he is proposing to delete and add to clean up the language. Councilor O’Hara stated that in the past there have been residents from out-of-town that have an interest in City business. He stated that he is not in agreement for placing a restriction on who can speak. Councilor Margiotta stated that they are elected by Gloucester residents, not by the residents of other cities or towns. He agrees with Councilor Gross’ proposed amendments. Councilor Gross stated that many interest groups are being organized daily from across the country and to allow nonresidents to speak is opening up the discussion to people from out of town or out of state is not protecting the citizens of Gloucester. He stated that the Council does not serve residents of other towns but recognized there is at times exceptions that should be made for specific reasons.

Councilor Margiotta offered a motion, seconded by Councilor Gross, to amend Rule 4: Public Hearings C. by DELETING “In matters related to Special Permits, petitioners” and ADDING “**Petitioners**”; by DELETING “**For Public Hearings considering general matters, each individual may speak up to three (3) minutes**” and ADDING “**Speaker shall be a Gloucester resident, and/or Gloucester property owner, and/or Gloucester business owner or their authorized representative**”; and D. by ADDING “**Speaker shall be a Gloucester resident, and/or Gloucester property owner, and/or Gloucester business owner or their authorized representative.**”

Councilor Gross offered a motion to amend, seconded by Councilor Margiotta, to reinstate “For Public Hearings considering general matters, each individual may speak up to three (3) minutes.”

MOTION TO AMEND: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to AMEND Rule 4: Public Hearings C. by ADDING “For Public Hearings considering general matters, each individual may speak up to three (3) minutes.”

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 2 in favor, 1 (O’Hara) opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 4: Public Hearings

C. PRESENTATIONS FROM PROPONENTS. ~~[DELETE] In matters related to Special Permits, petitioners~~ [ADD] Petitioners may make initial oral presentations up to fifteen (15) minutes; others speaking in favor shall be allowed up to three (3) minutes each. Proponents are required (OML) to enter into the record, documentation of their presentation testimony. For Public Hearings considering general matters, each individual may speak up to three (3) minutes. [ADD] Speaker shall be a Gloucester resident, and/or Gloucester property owner, and/or Gloucester business owner or their authorized representative.

D. PRESENTATION FROM OPPONENTS. Opponents shall be allowed initial oral presentations up to fifteen (15) minutes; others speaking in opposition shall be allowed up to three (3) minutes each. Opponents are also required (OML) to enter into the record documentation of their testimony. [ADD] Speaker shall be a Gloucester resident, and/or Gloucester property owner, and/or Gloucester business owner or their authorized representative.

Rule 5: When both the Council President and Vice President of the Council are unable to Preside at a Meeting

Summary of Discussion: Without objection, Councilor Gross withdrew the proposed amendment to Rule 5.

Rule 9: Vacancy in a Council Position and filling same

Summary of Discussion: Councilor Gross stated that this change is to correct a scrivener’s error.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 9: Vacancy in a Council Position and filling same

Procedures for filling the City Council seat left vacant by death, resignation or removal from office of a City Councillor or removal from the City, shall be followed when a candidate to fill the vacancy is not available pursuant to Section 2-13 of the City Charter as follows:

- 1) The chair shall ~~[DELETE] publically~~ [ADD] publicly announce the following procedures and post them as part of the agenda of the meeting at which the vacancy is to be filled.

Rule 10: Procedure for selecting an interim mayor

Summary of Discussion: Councilor Gross explained that the proposed amendment is to ensure that a potential mayoral candidate make a presentation to inform the Council of his or her intentions. Councilor Margiotta stated that he agrees with the change.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 as follows:

Rule 10: Procedure for selecting an interim mayor

4) Candidates for interim mayor shall ~~[DELETE] be allowed to make~~ [ADD] make up to a five-minute presentation prior to the Council vote. Councillors may ask questions of the candidates following the presentations.

Councillors versus Councilor

Summary of Discussion: Ms. Senos explained that her predecessor changed the word “councilor” to read “councillor” through the Council Rules of Procedure. She explained that it is up to the Council as to which way it should be spelled.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the City Council Rules of Procedure 2022 by DELETING “Councillor” and ADDING “Councilor”.

7. CC#2023-026 (Gilman): Amend GCO Ch. 3 “Amusements,” Art. II “License,” Sec. 3-15 “Required” and Sec. 3-18 “Fees”

Summary of Discussion: Councilor Gilman explained that in collaboration with the City Clerk (who sits on the Licensing Commission) it was determined that hours of operations needed to be established, as well as adding a Street Performer category with a seasonal fee of \$25.

The City Clerk explained that with the other Licensing Commission members (the Police Chief and Fire Chief) it was determined that the guidelines needed to be set regarding hours of operation, as well as the Street Performer fee. She stated that these amendments were approved by the Licensing Commission at the March 21, 2023, meeting. She also explained that street performers are restricted from performing on the Boulevard.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Gross, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council AMEND the Gloucester Code of Ordinances Chapter 3 “Amusements” Article II “License as follows:

Sec. 3-15. Required.

(c) Jugglers, street musicians and other such street entertainers shall be required to be permitted through the licensing commission under this article with fee as specified in section 3-18(b)(3) whether or not any remuneration is received as payment or donation, but shall not be permitted on

Western Avenue from the tavern to its intersection with Hough Avenue, excluding any city sanctioned events. **[BY ADDING]** The hours of operation shall be from 9:00 a.m. to 8:00 p.m.

Sec. 3-18. Fees

(b) *Permits.* The following fees shall be charged for permits:

- (1) Carnivals, for each ride: \$10.00.
- (2) Circuses: \$10.00.
- (3) **[BY DELETING]** Entertainment, for each day: \$5.00. **[BY ADDING]** Street Performer: 25.00.
- (4) Circus games: \$15.00.
- (5) Carnival games: \$15.00.
- (6) Circuses, per ride: \$25.00.

The **City Clerk** stated that she will work with the Council President to determine the date of the public hearing which is required since this is an ordinance change.

MOTION: On a motion by Councilor Gross, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 8:29 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>