

Ordinances & Administration Committee
Monday, August 15, 2016 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan
Absent: None.

Also Present: Councilor Gilman; Dan Smith; Chip Payson; Donna Leete

The meeting was called to order at 6:00 p.m.

1. *Appointments & Reappointments*

A) *New Appointments:*

Cemetery Advisory Committee

TTE 02/14/19 Sandy Barry; Patti Amaral; Beverly McKean

Patti Amaral, member of the Clean City Commission and Open Space & Recreation Committee, said being appointed to the Cemetery Advisory Committee was simply an extension of her work with both the city Commission and Committee she already serves as a member. She said she is saddened by the state of some of the city’s cemeteries with weeds are out of control and conditions not the best. She suggested that there will be a way to raise money to support all these things volunteers take over. She said the DPW’s hands are tied, and this is about maintaining the dignity of the people buried in these cemeteries. **Sandy Barry**, a member of the Historical Commission as an alternate, said that her work with that Commission segued perfectly into the Cemetery Advisory Committee and that she was willing take on an additional volunteer position with the city also. She said there are some priorities of what’s deteriorating faster for the revitalized committee to focus on. The city has been great about mowing, she added, but they need to look at the knotweed at the Clarke Family Cemetery, and a plan to address the cemeteries in order of magnitude of deterioration. She said that these cemeteries are the city’s history. **Beverly McKean**, the only proposed member of the Cemetery Advisory Committee not yet appointed to any other city board, committee or commission explained that she has been working at the First Parish Cemetery as a volunteer for a while and is dedicated to seeing the cemeteries renovated and maintained.

Councilor LeBlanc expressed gratitude to have the three women appointed so that a plan can be put forward and that they can report to O&A to let them know what needs doing. He said O&A can assist the CAC through receipt of their reports and develop Council Orders to help move their plans forward. He reminded the women that DPW has no cemetery division and have had their staff reduced over the years. He said the CAC has the O&A Committee’s full support. He mentioned that Councilor O’Hara had spent the day with his crew cleaning the Clarke Family Cemetery. **Ms. McKean** said the CAC would coordinate efforts with other organizations who may be addressing other aspects of city cemeteries. She added that she was appalled by the conditions she encountered, and that up until today Clarke Family Cemetery was engulfed by weeds, saplings and knotweed which she said is a huge project but worthwhile much of which was cleaned up today revealing very historic grave markers.

Councilor Nolan endorsed the three appointees to the Cemetery Advisory Committee. **Councilor O’Hara** attested to the condition at the First Parish Cemetery’s Clarke Family Cemetery and described some of the historic headstones that go back almost 400 years. **Ms. Amaral** suggested that there may be a way to work with Community Development to secure grants for their historic restoration efforts in order to infuse money into their recovery and maintenance efforts.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Sandy Barry; Patti Amaral and Beverly McKean to the Cemetery Advisory Committee, TTE 02/14/19.

City Hall Restoration Commission

TTE 02/14/19 Richard Luecke

Mr. Luecke said that he moved from Salem to Gloucester a year ago and is semi-retired. He said the City Hall building is wonderful and that it still needs more work. He said he was very interested in City Hall’s restoration and has attended several meetings of the City Hall Restoration Commission. He said he will become more involved as he learns more.

Councilor LeBlanc said that if Mr. Luecke thinks the Commission needs the Council's assistance he shouldn't hesitate to let the Committee know. Both **Councilors Nolan** and **O'Hara** offered their endorsement to Mr. Luecke's appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Richard Luecke to the City Hall Restoration Commission, TTE 02/14/19.

2. Memorandum from Director of Human Resources re: Reorganization Plan for Executive Office of the Mayor

Donna Leete, Personnel Director, explained that she has submitted a proposal which is before the Committee recommending a reorganization of the Mayor's office. There is three staff at present and there is a need to realign the roles for a more efficient delivery of service to the citizens that are served; to improve communications throughout city government and a strong focus on improving communications with the City Council. The roles of the three staff are redesigned:

Ms. Leete said the Chief Administrative Officer (CAO) is a key position with many duties which is closely prescribed by city ordinance, and the updated job description and duties are reflective of that. She said that while the previous CAO, Jim Destino, fully committed himself to the job logging 70 to 80 hours a week, such a work week isn't sustainable and an unfair expectation to place on any employee. She pointed out the same can be said for the position of Executive Secretary, formerly held by Chris Pantano, who ran the office single-handedly, and the worked excessive hours which isn't sustainable either.

She said that the Mayor's office needed to look at how service is delivered, the needs of citizens and needs for improved service delivery. As a result of that review, there is a new position noted in the Reorganization Plan, the Director of Communications and Constituent Services, she noted.

Highlighting the organizational chart submitted to the Committee (on file), she said along with the restructured job descriptions for CAO and Executive Secretary and the new position of Director of Communications and Constituent Services is designed to provide best possible office structure for service delivery for everybody the Mayor's office services. She said she is very comfortable with her recommendation regarding the Mayor's office reorganization. She noted a small increase in cost to this reorganization plan, and said she will meet with the Budget & Finance Committee later in the week. She said she had met with John Dunn to ensure there is a plan that is reasonable and cost effective to put before that Committee.

Councilor LeBlanc said several months ago Mr. Destino and he discussed the potential reorganization of the Mayor's office, and he offered that to him the realignment of all the Mayor's staff positions made sense as they are now organized. He said it will better enhance and support the daily functioning of city. He said the Executive Secretary should deal with just the office as is appropriate, and the newly created position of Director of Communications and Constituent Services is a better way to deal with the city issues that come through the Mayor's office. He said he was in favor of the reorganization plan.

Councilor O'Hara expressed his agreement, acknowledging the hard work by the just retired Executive Secretary, Chris Pantano but also acknowledged that times have changed. He said people want answers immediately, and this is a good division of labor. **Councilor Nolan** said this reorganization can only make the Mayor's office stronger. He lauded the work of Chris Sicuranza currently in the role of Director of Communications and Constituent Services.

Responding to an inquiry by **Councilor Nolan, Chip Payson**, General Counsel, briefly conferred about the effective date of the Executive Office of the Mayor and concluded that October 14, thirty one days after the scheduled September 13 public hearing would be appropriate.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council in connection with the Executive Office of the Mayor's Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of October 17, 2016 as follows:

- 1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Director of Communications & Constituent Services;"**

2. **That Appendix B, Compensation Plan, be amended by setting the compensation for the position of “Director of Communications & Constituent Services” at the pay grade level of M8.**

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the Executive Office of the Mayor Reorganization Plan based on the chart and new job descriptions as submitted to the City Council on August 9, 2016 in accordance with the City Charter Sec. 7-2 with an effective date of October 17, 2016.

This matter will be advertised for public hearing.

3. ***CC2016-030 (Gilman) Request amendment to GCO Sec. 10-81(a) “Diver’s flag” (Cont’d from 07/18/16)***

Councilor Gilman asked that her Council Order CC2016-030 Request amendment to GCO Sec. 10-81(a) “Diver’s flag” be withdrawn. After a thoughtful conversation with the Waterways Board she will approach this from another tack.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-030 Request amendment to GCO Sec. 10-81(a) “Diver’s flag” without prejudice.

This matter is closed.

4. ***CC2016-034 (Gilman) Request Traffic Commission conduct a site visit at the intersection of Holly & Washington Streets and make a written recommendation to O&A as to whether to amend the GCO for safe traffic flow patterns and parking (Cont’d from 08/01/16 & TBC to 09/19/16)***
5. ***CC2016-020 (Cox) Request O&A determine whether GCO c. 11, Sec. 1-11 “Permit required; fee” be amended by deleting, “The fee for a permit issued shall not exceed \$100.00” (referred back to Committee by Council on 06/28/16) (Cont’d from 07/18/16)***

This matter is continued to September 19, 2016.

6. ***CC2016-036 (Cox) Amend GCO Sec. 22-191 “Established” and Sec. 22-288 “Off-Street parking areas” re: Proctor Street Parking Lot (Map 15, Lot 109) TBC to 09/19/16***
7. ***Review of Vote of the O&A Committee of July 17, 2016 pursuant to possible amendment of GCO Sec. 4-16(a) regarding expansion of off-leash areas for dogs***

Councilor LeBlanc said there were two communications sent to the Committee, one from Police Chief Campanello by email dated 08/15/16 (on file) expressing that he was not in favor of any more ordinance changes to the Dog Ordinance at this time which he read to the Committee. **Councilor LeBlanc** said in speaking with Chief Campanello just recently he learned that over 1,000 citations were issued on dogs in the last two years and most have gone unpaid. The Committee was also in receipt of a memo from Public Works Director, Mike Hale (on file). He said he spoke with General Counsel who confirmed that the Niles Beach lease ends shortly. **Mr. Payson** said that the Niles Beach lease ends September 30, 2016. He said the concern about Niles Beach is the clause in the lease that requires that the beach must be kept sanitary which is a concern with dogs, he said. The other issue, and was an issue with the significant rewrite former Councilor Stewart put forward, is that there are hours from 5:30 p.m. to sunset and dawn to 8:00 a.m., and leashed and unleashed dogs, and doesn’t talk about control of the animals, but just makes a determination that dog owners are free to unleash their dogs. He reminded the Committee that some of the things Councilor Stewart struggled with the control issue, what’s reasonable and what’s unreasonable, because beaches are more highly populated with days longer in the summer, he noted.

Councilor LeBlanc advised the Committee that he has conducted his own research over the past several weeks and driven by Niles Beach after 5:30 p.m. and Plum Cove Beach also. He reported that at Niles Beach more often than not finds every single parking spot is taken, and people are on the beach with picnics and families in the early

evening. It is the same at Plum Cove, he said. He then asked Mr. Payson to review the possible ordinance amendment to which Mr. **Payson** again expressed concern about unleashed dogs unleashed 5:30 p.m. to sunset and sunrise to 8:00 a.m. especially in light of the upcoming negotiations for the new lease of Niles Beach as well as year round on Cressy Beach, and the liability involved but it is the Council's determination, he said. He noted that the lease for Niles Beach is up September 30 and the city will enter into negotiations to renew that lease. **Councilor LeBlanc** expressed his concern about a beach which the city doesn't own but leases, and risks the Niles Beach owners withdrawing the city's ability to lease it. **Mr. Payson** confirmed that to meet the standards of the lease, it is the city's responsibility to maintain and clean Niles Beach. **Councilor LeBlanc** reiterated he didn't want the city to lose the lease for Niles Beach over dogs on the beach early in the morning and later in the evening in the summer.

Councilor O'Hara said the Ad Hoc Committee met with Councilor Nolan and the Stage Fort Advisory Committee at their August meeting, and are waiting to hear from that Committee on the proposal for off leash dogs year round on Cressy Beach. He added that as he drives around the city viewing all the beaches and parks, there are dogs trying to cool off and this is trying to make a location or locations legal for dog owners to get their dogs into the water in the summer. The police can enforce this suggested ordinance, he said. He claimed that dogs are friendlier off leash as one of the few communities surrounded by water there is no place that is legal to allow dogs to get to the water off leash. The Council creates the law and the police enforce them, he said. He asked that the Committee delay any Committee action until they have the recommendation of the Stage Fort Park Advisory Committee. **Councilor O'Hara** said that there must be a spot they can find to allow dogs to be off leash to give them access to the water. **Councilor LeBlanc** said it has to be the right place.

Councilor Nolan said he loves dogs but the push-back he gets is about Niles Beach. Even with bringing it up with the leaseholders it may cause them to look twice at a long-standing lease. The only place he hasn't heard any objection for a possible location is Cressy Beach. It is controlled by rocks and perhaps a gate at the beach's entrance could be installed, he suggested. The Ad Hoc Committee needs to bring back something that all people can support, he urged. He pointed out that while there are a lot of dogs in the city, dogs and their owners are still the minority of the city's overall population. He suggested a possible temporary situation for one year to see how it works. He expressed support but also expressed concern that this be a compromise and that the Ad Hoc Committee focus on just one location. There are more people in the city that don't have dogs than do, he reiterated.

Compromise means not everyone will be happy, **Councilor LeBlanc** reminded the Ad Hoc Committee. He suggested that Manchesterites will be at Cressy Beach as well, and many more dog owners and their dogs from the entire North Shore that could crowd onto Cressy Beach.

Lorraine Law, 7 Jaques Lane, asked if they can go back to the way it was before the major changes were instituted into the Code of Ordinances. **Councilor LeBlanc** said ordinances are on the book.

Linda Brayton, 527 Washington Street, said they agree this is a difficult issue expressed understanding for a need to compromise. The Ad Hoc Committee did initially want to go forward with changes in tiers, but the process is useful, she said. Some of the things in the two memos (from the Police Chief and DPW Director on file) are what the Ad Hoc Committee is looking at in a second stage. She expressed her understanding and concern for the police and what they have to deal with. She said the Ad Hoc Committee hopes to pinpoint someplace that dogs can go off leash to cool off in a body of water. **Councilor LeBlanc** reminded the Ad Hoc Committee that the police under contract can't respond to animal calls, only the Animal Control Officers can, and there are only two of them. **Ms. Brayton** said the memos from the Chief and DPW Director seem to indicate they could be willing talk to the Ad Hoc Committee, and asked if they could work with them.

Cheryl Reed, 12 Middle Street, asked that the Ad Hoc Committee be granted the time to explore all of these points brought up this evening and try to find that right place or places.

This matter is continued to October 3, 2016.

8. Update and Report of the Beach Traffic Ad Hoc Committee through Chair, Councilor O'Hara

The Committee acknowledged receipt of a letter from Naomi Stonberg resigning from the Beach Traffic Ad Hoc Committee, and that they were in receipt of three letters of interest to serve on the ad hoc committee, Frederick Geisel, J.D. McEachern, and Jeffrey Stonberg.

Councilor LeBlanc endorsed J. D. McEachern appointed to the Ad Hoc Committee as did Councilor Nolan endorsed Mr. McEachern. The Committee then voted to unanimously appoint Fred Geisel and J.D. McEachern as full members to the Beach Traffic Ad Hoc Committee and Jeffrey Stonberg as the alternate.

This matter will return to the O&A Committee agenda when the Beach Traffic Ad Hoc Committee submits their final recommendations to the Committee, anticipated to be mid- to late fall.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:05 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.