

**Ordinances & Administration Committee**  
Monday, September 19, 2016 – 6:00 p.m.  
**1<sup>st</sup> 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 Cox; Councilor Gilman

**The meeting was called to order at 6:00 p.m. There was a quorum of the City Council until Councilor Gilman left the meeting at 6:13 p.m. Matters were taken out of order.**

**1. *New Appointment:*** Clean City Commission     TTE 02/14/19     Ainsley F. Smith

The Clerk of Committees noted for the Committee that Patti Amaral and Amy Kerr have both resigned from the Clean City Commission in the last month.

**Ms. Smith** explained to the Committee that she is a relatively new resident to Gloucester, having moved to the city from western Massachusetts two years ago. She mentioned that the Commission has done great work to date, and for a city that relies heavily on tourism and a healthy ocean, she expressed that it is important to ensure they do whatever they can to keep it that way.

**Councilor Cox**, a member of the One Hour-at-a-Time Gang, as is Councilor Nolan, reported that there was a recent coastal sweep which was well attended taking place at all city beaches, and that an inland sweep is now needed.

Responding to an inquiry by **Councilor Nolan**, who had expressed that the Clean City Commission has just lost two very key members, **Ms. Smith** indicated that Clean City Commission former member Amy Kerr had recommended she seek a position with the Commission. Both **Councilors Nolan** and **O’Hara** thanked Ms. Smith for stepping forward to volunteer on behalf of the city. **Councilor LeBlanc**, noting that the city relies heavily on its boards, committees and commissions, added that if Ms. Smith and her committee need guidance from the Council or the Administration, he suggested she reach out through the O&A Committee for assistance.

**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 Ainsley F. Smith to the Clean City Commission, TTE 02/14/19.**

**2. *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 08/15/16)***

**Councilor Gilman** discussed with the Committee that the Council Order process for reviewing the traffic issues related to the intersection of Holly and Washington Streets at the Traffic Commission was beneficial. She advised that the city is taking advantage of the recommendations that the Traffic Commission has made on the matter through a Request to the Mayor, and that the DPW Director is putting much of those recommendations into motion. She mentioned that one recommendation regarding the location of a loading zone will be recrafted in a new Council Order with input from the DPW Director and Traffic Commission Chair which will come forward for referral from Council on Sept. 27. She recommended that the Committee close the Council Order out as there is no Council action needed at this time.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to close the matter of 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.**

**Note:** Under Committee Report at the Sept. 27 City Council meeting, the Chair will report that this Council Order is complete and therefore closed.

3. *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 08/15/16)*

**Councilor Cox** asked this matter be withdrawn, advising that the entire section of the ordinance needs to be reworked having met with General Counsel and the Interim City Clerk. She indicated that it was clear from this meeting that the entire Section 1-11 needs to be reworked, and that she would work together with them to restructure the entire section under Chapter 11 and then submit a new Council Order for the Council's consideration.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit with withdrawal without prejudice of Council Order CC2016-020 "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."

4. *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) (Cont'd from 09/19/16)*

Pending the information from the DPW as to the number of parking spaces that should be contained in the Proctor Street Parking Lot as required under GCO Sec. 22-288, the Committee continued this agenda item to its October 3, 2016 meeting.

**NOTE:** Referring to the Council Orders pursuant to the proposed ban of polystyrene disposable take out products used in the city and plastic check out bags, **Councilor Cox** mentioned the matters were continued to Oct. 3, she asked that both these matters be continued to the Committee's first meeting in January as the Clean City Commission has asked to lead the way on these initiatives and work with the schools. She indicated her wish to have the initiatives be community driven bans and expressed her willingness to put off any Committee discussion and vote until the Clean City Commission has completed their due diligence. With the assent of the Committee, both matters, scheduled to be heard at the Oct. 3 meeting, will be continued to the first regularly scheduled O&A Committee meeting in January 2017.

5. *CC2016-040 (Gilman) Amend GCO Sec. 10-81 "Scuba & Skin Diving" subsection (a)*

**Councilor Gilman** explained that Chapter 10 Waterways, Section 81, subsection (a) is not in keeping with state law, and with the assent of the Waterways Board that the Council should simply replicate Mass. General Law to amend subsection (a) which is the Council action she is proposing -- to delete c. 10-81(a) in its entirety and to replace that language with the state law language regarding dive flags only which **Councilor LeBlanc** reiterated. **Councilor Gilman** mentioned that this new language will be easier from an enforcement standpoint in light of a new Harbormaster on the job. **Councilor LeBlanc** acknowledging that both he and Councilor Gilman are certified scuba divers, that this language for dive flags is universal. **Councilor O'Hara** added he, too, is a certified diver.

**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 Amend GCO Sec. 10-81 "Scuba and Skin Diving (a) be Amended by DELETING 10-81 subsection (a) in its entirety and ADDING new Sec. 10-81 (a) as follows:

"(a) Every scuba diver or group of scuba divers while swimming on or under the surface of the waters shall display for each diver or group of divers as a warning device to boat operators, a diver's flag, so called, constructed of rigidly supported material at least twelve inches by fifteen inches in area of red background with a white diagonal stripe. Such diver's flag shall be displayed on a boat or surface float and shall extend a minimum distance of three feet from the surface of the water. Divers shall remain in an area within one hundred feet of such displayed diver's flag while at or near the surface of the water. A boat operator within sight of a diver's flag shall proceed with caution and within a radius of one hundred feet of such flag shall proceed at a speed not to exceed three miles per hour."

This matter will be advertised for public hearing.

The following Council Orders are all continued to October 3, 2016 pending Traffic Commission recommendations:

6. *CC2016-037 (LeBlanc) Request Traffic Commission conduct traffic & speed study of Beach Court & make written recommendation as to whether to amend GCO for safe traffic flow patterns & parking (TBC 10/03/16)*
7. *CC2016-038 (Cox) In accordance with Sec. 22-165 request to amend GCO Sec. 22-279 “Thirty-minute parking” by adding Commercial Street for a distance of 27 ft. from its southerly intersection with Beach Court (TBC 10/03/16)*
8. *CC2016-041 (Nolan) Amend GCO Sec. 22-270 “Parking prohibited at all times” & Sec. 22-291 “Tow-away zones” re: 44 Lexington Avenue (TBC 10/03/16)*
9. *CC2016-042 (Cox) Request the removal of first two parking meters on Duncan Street from Main Street & to amend GCO Sec. 22-280 “Fifteen-minute parking” to add two (2) fifteen-minute parking spaces (TBC 10/03/16)*
10. *CC2016-043 (Nolan) Amend GCO Sec. 22-270 “Prohibited parking at all times” & Sec. 22-291 “Tow-away zones” re: Concord Street (TBC 10/03/16)*

The Committee recessed at 6:19 p.m. and reconvened at 6:29 p.m.

Councilor LeBlanc advised that the O&A Committee has determined a finalist for the position of City Clerk, Joanne Senos, the city’s current Interim City Clerk, and as a result was pleased to make the following recommendation:

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council pursuant to City Charter Section 2-7, elect Joanne Senos to the position of Gloucester City Clerk, TTE 04/30/2018.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:30 p.m.

Respectfully submitted,

*Dana C. Jorgensson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:** None.