

**Ordinances & Administration Committee**  
Monday, July 16, 2018 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Conference Room – City Hall**  
**-Minutes-**

**Present: Chair, Councilor Steven LeBlanc; Vice Chair, James O’Hara; Councilor Sean Nolan**

**Absent: None.**

**Also Present: Joanne M. Senos; Jim Destino; Chip Payson; Jill Cahill**

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

**1. New Appointments to Boards, Committees & Commissions:**

Economic Development & Industrial Corp. Tom Balf, Carl Gustin, Taylor Hedges TTE 07/01/19, 20 & 21

**Mr. Balf** advised that he’s been in Gloucester for 20 years, most recently known as the Maritime Center’s Director for five years as well as working with Gloucester-based fisheries organizations. He noted he is increasingly interested in economic development, particularly creation of jobs and the growth of the maritime industry.

**Councilor LeBlanc** highlighted that there is now this new group of EDIC members with an excellent Administration team that will work with this them. The Council will be supportive, he advised, reminding Mr. Balf and his fellow EDIC appointees that there needs to be a minute taker; and that the EDIC minutes, when approved, need be forwarded to the City Clerk.

**Councilor Nolan** noted that he has observed Mr. Balf’s work in the city, highlighting that there are high expectations for the EDIC moving forward, and that the EDIC’s follow through with the maritime industry will only help the city.

**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 Tom Balf to the Economic Development & Industrial Corp. (EDIC), TTE 07/01/21.**

**Mr. Gustin**, a retired senior executive from the energy company, Boston Edison and Enstar enumerated his functions as economic development focusing on job attraction and retention and developing incentive packages for attracting new businesses such as Genzyme. He pointed out he has had an interest in economic development. After his retirement he noted that he has been involved with Maritime Gloucester and Pathways for Children for planning activities. He advised that he wanted to make a constructive contribution to the EDIC and the city. **Councilor Nolan** noted Mr. Gustin’s “impressive” resume (on file).

**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 Carl Gustin to the Economic Development & Industrial Corp. (EDIC), TTE 07/01/19.**

**Mr. Hedges** recounted that he moved to Gloucester 20 years ago to start and grow a business and decided it was time to offer his services as a volunteer to the city in addition to his support of local charities such as Pathways for Children, having an interest in industrial development to raise revenue streams to support city.

**Councilor Nolan** pointed out he has known Mr. Hedges for some time, and that he does a great deal for local charities, running a very successful business. The EDIC is trying to find more jobs and income for the city through growth, he conveyed. He advised Mr. Hedges will be an asset to the EDIC. He noted that the EDIC had been a good group of volunteers for some time now although some people have moved on.

**Jim Destino**, CAO, thanked the three EDIC new appointees for stepping forward to volunteer; and expressed appreciation for the positive remarks about the former long-term members of the EDIC by Councilor Nolan. The Administration has a vision for the all the city’s industrial areas. The Economic Development Director position is funded and there is a commitment. He reported he will be at the first meeting in August to discuss the Administration’s thoughts as to where the EDIC should concentrate their energies. He added that they’ll hire a new Executive Director and will work as team to bring jobs to the city.

**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 Taylor Hedges to the Economic Development & Industrial Corp. (EDIC), TTE 07/01/20.**

Gloucester Trust Fund Commission

Karen Neva Bell

TTE 02/14/21

**Ms. Bell** conveyed to the Committee that she moved to Gloucester full time 10 years ago; and has been coming to the city for some decades. She reviewed her professional associations saying that she was a public health policy analyst and researcher; a member of the faculty at Emory University; a member of the National Academy of Sciences, and a member of other national organizations. She reported she serves on the board of the Gloucester Meeting House Association as their secretary. In the process, all these things have connected her to different parts of Gloucester, naming several local charities. She asked to serve the city in a different capacity adding that she has quite a bit of experience in grant writing.

**Councilor Nolan** thanked Ms. Bell for her service, conveying he had read through her resume. Ms. Bell was thanked by Councilor O’Hara for her assistance to the local charities she has supported and continues to support.

**Mr. Destino** noted that they looked for a long time for a third person to complete the Gloucester Trust Fund Commission who has done a lot of good work so far. He pointed out that there is about \$2 million of trust funds that has been left to the city for certain things, and some are quite outdated. The Commission is combining a lot of these funds making sure to go to the state in order to do so. They will put the grant opportunities through the Trust to the public on the city’s website, he noted. He mentioned the example that some time ago there was a donation of \$10,000 for the city’s 400<sup>th</sup> Anniversary that’s now grown to \$40,000 which is fast approaching and can be utilized now. It is an important piece of what they do given the philanthropic nature of the community. **Ms. Bell** noted that the process will be important to make it fair and transparent.

**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 Karen Neva Bell to the Gloucester Trust Fund Commission, TTE 02/14/21.**

Harbormaster Office Building Committee

**Mr. Destino** explained that this matter is for the Committee’s information only and no vote was necessary.

It was noted that the Mayor’s Report put this through as to be reviewed and voted on by the Council with referral to the O&A Committee.

Zoning Board of Appeals

Michele Harrison

TTE 02/14/21 (Cont’d to 8/20/18)

**2. *Revisit to Amendments to GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-267 “One-way Streets-Generally” & Sec. 22-145 “Stopping, Standing and Parking” re: Concord Street during certain hours on school days that had a sunset date of June 30, 2018***

**Councilor Nolan** reviewed that he spoke with Jonathan Pope, Chair of the School Committee and met with the Public Works Director, naming just two, to come up with solutions to the issue of problems at West Parish School with students at the close of school for student pick-ups safely, keeping students off of Concord Street. The idea is to put something in place for the school year, he pointed out. He recounted he spoke with Mr. Destino about possible emergency measures. He reported that it appears the School District is asking for a no left turn into West Parish School from Essex Avenue. He conveyed the Committee would like to see the School Department formalize a letter to the Council and the parents what they’re looking to do and what their goal is. This would also go through the Fire and Police Departments, DPW and the Administration and Council on what the wording is when it goes to the parent because there’s going to be enforcement. He pointed out there is no parking on Essex Avenue and Concord Street. The School Department has waived bus fees for West Parish students. He advised the School Department is looking for the no left turn from Concord Street to the West Parish School property. He noted that if absolutely necessary the Council can institute under the City Charter Sec. 2-11(b) “Emergency Measures” if necessary. He suggested an advertisement in the Gloucester Daily Times if they can move this matter forward tonight to get it to public hearing if possible on July 24. He conveyed he wanted any traffic ordinance modifications in place for the start of school if at all possible.

**Councilor LeBlanc** after clarifying the direction of the no left turn advised this is for afternoon student pick-up only 2:30 p.m. to 3:15 p.m. and on early release days from 11:45 to 12:15 p.m. He expressed concern for the live queue under the ordinance with "idling." With the waiving of bus fees, this may prompt more parents to take advantage. **Mr. Payson** advised the queue would be moving, as when each student is picked up, the live queue moves and so it isn't idling, adding that this is a "no parking" area but the vehicles are moving. He said there is no issue. **Councilor Nolan** advised he still wanted to see what the School District will send out to parents.

**Councilor Nolan** asked that there be a Request to the Mayor through the School Committee to submit to the Mayor's Office, General Counsel, Fire Chief, Police Chief and the Ordinances & Administration Committee for their review a draft letter as soon as possible that would go out to parents/legal guardians of West Parish School students of what their intentions are as to the changes to student pick up procedures.

**Melissa Teixeira**, School Committee member, expressing concern for a timeline of events advised that the School Committee won't meet until August 8. **Joanne Senos**, City Clerk, pointed out that there isn't enough time for placing an advertisement for next Tuesday's Council meeting as they are required to notice seven days in advance and it takes two days for an advertisement to be placed in the Gloucester Daily Times. There was a discussion as to the letter that would be sent out to the parents that they can't park on Concord Street or Essex Avenue as there are legal issues. **Ms. Teixeira** asked if they need the School Committee to vote on something that they speak direct the Superintendent of Schools and School Committee Chair to draft the letter. **Mr. Payson** advised he will review the letter from the School Committee from his legal perspective. He offered that what the School Committee is asking to be done through its letter doesn't need to be voted on by the Council. **Councilor Nolan** is asking for language to be viewed before it goes out to parents, he pointed out. He reiterated that the letter should be vetted through him first.

There was a discussion on the left-hand turn, with **Councilor LeBlanc** expressing concern about turning around to get into the live queue. There was an extensive discussion between **the Committee, Ms. Teixeira, Mr. Payson** and **Ms. Senos** on the necessary process to obtain the best, safest possible solution in place for the coming school year at West Parish School in the timeliest manner. Additionally, without direct input from the Superintendent of Schools and School Committee who were unable to attend the meeting, the Committee determined it would vote in place the former GCO amendments the Committee fully vetted as did the Traffic Commission and voted forward by the Committee on January 2, 2018 with the addition of amending GCO Sec. 22-265 to prevent any left turn from Concord Street onto the West Parish School property. It was further determined if there was no need for making Concord Street one way street during certain hours on school days under GCO Sec. 267 it could be withdrawn at Council, and that any other adjustments through amendment can be made at the close of a public hearing anticipated for August 14.

**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 Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-267 "One-way streets-Generally" by ADDING:**

**"While school is in session on weekdays, Concord Street from the entrance of West Parish School southwest to Essex Avenue (approximately 285 feet) from 2:45 p.m. to 3:15 p.m., and on early release days from 11:45 a.m. to 12:15 p.m.**

**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 Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-145 "Stopping, Standing and Parking" by ADDING:**

**"Live parking (drivers to remain with their vehicles) for the purpose of picking up students at West Parish School will be permitted on the north side of Concord Street from the entrance of West Parish School 444 feet in a northerly direction (towards the Fire Station) during the same hours as described in Sec. 22-267."**

**Councilor Nolan** advised that the DPW Director conveyed to him that he will place whatever signage is necessary. With the letter being sent to parents, grandparents, babysitters of the students, the no left turn is less drastic than closing a road, he pointed out.

**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 Amend GCO Ch. 22 "Traffic and Motor Vehicles," Sec. 22-265 "Turning Movements-Generally" by**

**ADDING: “No left turn from Concord Street onto the West Parish School property from 2:45 p.m. to 3:15 p.m., and on early release days from 11:45 a.m. to 12:15 p.m. while school is in session.**

These matters will be advertised for public hearing.

3. *CC2018-025 (Hecht): Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-270 “Parking prohibited at all times” re: Prospect Street, northerly side, from its intersection with Friend Street in a westerly direction (Cont’d from 06/04/18)*

This matter will be continued to August 6, 2018.

4. *CC2018-026 (Hecht): Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-270 “Parking prohibited at all times” re: Prospect Street, westerly side beginning at its intersection with Spring Street (Cont’d from 06/04/18)*

This matter will be continued to August 6, 2018.

5. *CC2018-027 (Hecht): Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-270 “Parking prohibited at all times” re: Pleasant Street, westerly side, beginning at a point 130 feet from its intersection with Warren Street in a northerly direction for a distance of 25 feet (Cont’d from 06/04/18)*

This matter will be continued to August 6, 2018.

6. *CC2018-028 (Memhard): Amend GCO Ch. 22 “Traffic and Motor Vehicles” Sec. 22-269 “Stop intersections” be Amended by ADDING “Traverse Street at its intersection with Haskell Street (Cont’d from 06/18/18)*

**Councilor LeBlanc** noted that the Traffic Commission endorsed Councilor Memhard’s amendment to the Code of Ordinances to place a stop sign at the intersection of Traverse and Haskell Streets conveying that Councilor Memhard had a ward meeting this evening, and so was unable to attend. This is a dangerous intersection, he advised, and that it was Councilor Memhard’s initiative to amend the ordinance for this solution to the situation.

**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 Ch. 22 “Traffic and Motor Vehicles” Sec. 22-269 “Stop intersections” by ADDING “Traverse Street at its intersection with Haskell Street.”**

This matter will be advertised for public hearing.

7. *CC2018-029 (Holmgren): Request Traffic Commission review the matter of limiting amount of time & locations that commercial box trucks are allowed to park on public streets (Cont’d from 06/18/18 & TBC 08/06/18)*

This matter is continued to August 6, 2018 pending a recommendation of the Traffic Commission.

8. *CC2018-031 (O’Hara): AMEND GCO Ch. 22 “Traffic and Motor Vehicles” Art. V “Stopping, Standing and Parking”, Div. 1 “Generally”, Sec. 22-176(a) “Penalties for violation” by DELETING “45.00” in Code 04 and replacing it with “75.00”; and AMEND Sec. 22-176(b) re: increase of fine if not paid within a certain period of time*

**Councilor O’Hara** reported that this was his initiative for helping to solve some of the issues in the city’s beach “no parking” zones -- to raise parking ticket fines if unpaid that had been in process for some time. The state passed a Home Rule Petition, **Chip Payson**, General Counsel, advised, which allows the city to increase the fines which is before the Committee now.

**Councilor O’Hara** thanked the efforts of General Counsel and the City Clerk on this matter. **Councilor LeBlanc** added that this is a good job and was a long time in coming.

**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 Ch. 22 "Traffic and Motor Vehicles" Article V "Stopping, Standing and Parking" Division 1 "Generally", Sec. 22-176(b) by ADDING to Sec. 22-176 (b) as follows:**

**If the citation is paid not more than 21 days after the issuance of the fine, the fine shall be \$75; if the citation is paid more than 21 days after the issuance of the fine, but before the parking clerk reports to the registrar as provided under Section 20A½ of Chapter 90 of the Massachusetts General Laws, the fine shall be \$80; if the citation is paid more than 21 days after the issuance of the fine and after the parking clerk has so reported, the fine shall be \$100.**

This matter will be advertised for public hearing.

**9. Memorandum from General Counsel re: MuniCode Ordinance Review & Recommendations for Gloucester's General Code of Ordinances & Gloucester Zoning Ordinance (Cont'd from 06/18/18)**

**Chip Payson**, General Counsel, reviewed for the Committee briefly his recommendations through Muni-Code, the city's consultant that reviewed the Code of Ordinances and the Zoning Ordinance that was contained in his memo dated today's date and on file. Some were non-substantive and substantive and that he advised at the last meeting they could do the insubstantive changes could be enacted together but that the substantive changes require more in-depth language adjustments. He noted his memo (on file) describing the group of insubstantive changes. He suggested that two or three per O&A meeting could be taken up of the substantive changes. He called attention to Hawkers and Peddlers substantive change, and there may be a need for an Ad Hoc Committee for recommendations and that it is set aside for that action. **Councilor LeBlanc** recounted briefly of an instance before Horribles Parade that related to Hawkers and Peddlers that was concerning.

**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 the Gloucester Code of Ordinances based on General Counsel's Memorandum dated July 16, 2018 from attachment entitled, "LIST 1."**

This matter is advertised for public hearing.

**10. Memorandum from Mayor re: recreational marijuana recommendations: That the Council vote to limit the number of marijuana retail establishments in Gloucester to three (3); and that the Council adopt an ordinance governing marijuana accessories as well as an ordinance authorizing Board of Health to inspect edible marijuana products to be drafted by General Counsel (Cont'd from 06/18/18)**

**Mr. Payson** reviewed what could be Board of Health regulations or an Ordinance. The Board of Health is still working on it, and is leaning towards a regulation which then would mean the Council wouldn't have to adopt an ordinance. He reported that **Mr. Destino** conveyed to him that would be okay, but suggested that this remain on the Committee's agenda and he'll report on the Board of Health's progress. The Board of Health, as long as they can do what they need to do, then the city is fine, he added. **Councilor LeBlanc** asked what other communities are doing. Mr. Payson advised he'd reach out to Karin Carroll, the city's Public Health Director, to learn of the Board of Health's progress and what other area communities are choosing to do -- whether to adopt an ordinance or allow the Board of Health to adopt regulations. The Board of Health is also talking about the funding component to this as well, he noted. Councilor LeBlanc highlighted that is what some the 3% tax on retail marijuana establishments will go towards.

This matter is continued to August 6, 2018.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 7:17 p.m.**

**Respectfully submitted,**

*Dana C. Jorgenson*  
Clerk of Committees

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