



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** February 27, 2018

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

### 1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Conway).

M. Samaras presiding.

C. Mercier requested moment of silence in darkened chamber for Rita Burke and Atty. James Flood.

M. Samaras requested that Item #2.2 be taken out of order with no objections. So voted.

M. Samaras recognized Women's Week.

### 2. MAYOR'S BUSINESS

#### 2.1. Discussion - Process and Procedure for selection of City Manager.

In City Council, M. Samaras opened the discussion regarding the process. Mary Callery (HR Director) outlined the prior procedure for selection of City Manager. **Motion** to proceed in the same manner as prior selection by C. Kennedy, seconded by C. Cirillo. C. Kennedy noted that there could possibly be less advertising for the position but process should be followed. Amended **Motion** by C. Mercier, seconded by C. Leahy to post only in-house and offer position to interested party to be interviewed. Defeated per Roll Call vote, 2 yeas, 6 nays (C. Cirillo, C. Elliott, C. Kennedy, C. Milinazzo, C. Nuon, M. Samaras), 1 absent (C. Conway). So voted. On amended motion C. Mercier noted that it was not proper or fair to proceed with a full process when it is apparent that there is a person who will fill the position. C. Cirillo noted that there is a need for a process. C. Leahy noted that interested parties would be a good fit for the position and that the need does not exist for an exhaustive search. C. Milinazzo noted support of motion and questioned if there was a legal impediment to such a selection. C. Nuon noted preference for an open process noting there may be



additional candidates suited for the position. C. Kennedy noted if there are to be interviews there must be candidates that would only come through posting the position and that would be a fair and complete process. C. Elliott noted the need for the process and prior process was fair and that it should be done in a timely manner. C. Mercier noted that a candidate seems to assured of the position so resources should not be done in furtherance of filling that position. C. Cirillo noted that each applicant would be given equal measure. C. Milinazzo noted the need for a fair process. Substitute **Motion** by C. Kennedy, seconded by C. Cirillo to post position until March 14, 2018 on City website and Mass Municipal Association website; resumes sent to Council out of which top 3 selections will be sent to Ms. Callery by March 20, 2018; interviews scheduled by Ms. Callery for the week of March 25, 2018. Adopted per Roll Call vote 7 yeas, 1 nay (C. Mercier), 1 absent (C. Conway). So voted.

## **2.2. Recognition - Lowell High School 2018 Boys Track Team.**

In City Council, C. Elliott recognized the team for their State Championship and other noted accomplishments. Coach Ouellette and other senior team members commented on the accomplishments and the support that they have received.

## **3. CITY CLERK**

### **3.1. Minutes of Parks & Recreation SC February 13th; City Council Meeting February 13th, For Acceptance.**

In City Council, minutes read, **Motion** “To accept and place on file” by C. Kennedy, seconded by C. Milinazzo. So voted.

## **4. COMMUNICATIONS FROM CITY MANAGER**

### **4.1. Motion Responses.**

In City Council, **Motion** “To accept and place on file” by C. Elliott, seconded by C. Mercier. So voted.

**A) Class Action Suit Regarding Opioids** – C. Elliott requested item be delayed one week as the law firm which will be representing the City would be present.

### **4.2. Informational**

**B) Downtown Business Meeting** – Manager Murphy noted that a meeting was scheduled for March 5<sup>th</sup> at Enterprise Bank. C. Milinazzo noted that the Downtown Redevelopment SC would meet sometime after that meeting.

**C) NIBRS Five Year Comparison** – Manager Murphy noted the favorable statistics with



the crime rate. Supt. Taylor (LPD) commented on the report and the progress that has been made over the past five years. Supt. Taylor commented on the recent shootings in the City. C. Elliott questioned the status of gun buy-back programs. Supt. Taylor noted the success of the program in getting guns off the street. C. Leahy questioned Lowell High School safety awareness and protection of students. Supt. Taylor outlined current active shooter program. C. Noun commented on recent shootings. M. Samaras noted that the stats show progress and that mental health issues need to be addressed as well. Supt. Taylor noted that grant money would be sought after to assist with mental health issues and its relationship with crime.

#### **4.3. Communication-Accept Resignation of Zachary Ware from Sustainability Council.**

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Nuon. So voted.

#### **4.4. Communication-Reappoint George Villaras to Historic Board.**

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Cirillo. Adopted per Roll Call vote 8 yeas, 1 absent (C. Conway). So voted.

#### **4.5. Communication - City Manager request Out of State Travel (4) LPD.**

In City Council, read, **Motion** to adopt by C. Mercier, seconded by C. Cirillo. Adopted per Roll Call vote 8 yeas, 1 absent (C. Conway). So voted.

### **5. REPORTS (SUB/COMMITTEE, IF ANY)**

#### **5.1. Educational Partnerships SC February 27, 2018.**

In City Council, C. Kennedy provided report regarding designating Lowell as global learning city. C. Kennedy noted process would be beginning with a learning festival in the City in April. **Motion** to accept the report as a report of progress and to refer to City Manager for organization of the festival by C. Kennedy, seconded by C. Cirillo. So voted.

C. Leahy requested suspension of rules to take Item #7.7 out of order and to allow speakers on the matter. No objections. So voted.

### **6. PETITIONS**

#### **6.1. Claims - (2) Property Damage.**



In Council, **Motion** to refer to Law Department for report and recommendation by C. Nuon, seconded by C. Mercier. So voted. C. Mercier noted claims came out of condition of Swan Street which should have been addressed earlier. Manager Murphy commented he would supply Council with plans for accepted streets.

**6.2. Misc. - Colonial Gas d/b/a National Grid request license for storage of flammables (19,600 gals. 50/50 water/glycol Cl. IIIB; AST) at 333 School Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on March 13, 2018 at 7 PM by C. Mercier, seconded by C. Nuon. So voted.

**6.3. National Grid - Request installation of heavy duty handhole and electric conduit in front of 43 Market Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on March 20, 2018 at 7 PM by C. Nuon, seconded by C. Cirillo. So voted.

**7. CITY COUNCIL - MOTIONS**

**7.1. C. Cirillo - Req. City Mgr. explore feasibility of implementing "Paws to Read" program at the Pollard Memorial Library.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo outlined the program that is used throughout the Country and that does not exist in Massachusetts.

**7.2. C. Cirillo - Req. City Mgr. provide a report regarding road and sidewalk upgrades in Acre; in and around Mt. Washington St., Merrimack St. (Sizzling Kitchen) and Market St.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Cirillo noted motion originated from Acre Neighborhood meeting. C. Leahy commented on work being done on sidewalks in the City.

**7.3. C. Cirillo - Req. City Mgr. provide a report regarding Spring cleaning procedures throughout the City.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo requested procedures and noted that businesses should be involved with clean-up as well.



**7.4. C. Elliott - Req. City Mgr. provide a status report regarding inspection of multi-family units per City ordinance.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott requested update of the process and that appears to be going well and that it is important to keep housing stock in good condition.

**7.5. C. Kennedy - Req. City Mgr. instruct Perkins Eastman include an active shooter detection system (similar to Methuen High School system) as part of the plans for the new high school and recommend that the Superintendent of Schools consider similar systems for other schools within the City.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Kennedy noted need for safety and the sign of the times and that there should be an exploration of the costs and best system. C. Kennedy noted it should be explored district wide and that the MSBA may be able to reimburse. C. Mercier commented on the system in Methuen noting it was costly and that other safety measures should be examined as well. C. Cirillo noted expenses should not hinder safety. C. Elliott noted the need to take measures and questioned current status of Safety Task Force.

**7.6. C. Kennedy - Req. City Mgr. instruct the Law Department to begin procedures and preparation necessary for the eminent domain taking of 75 Arcand Drive.**

In City Council, seconded by C. Cirillo, **Motion** to delay for one week by C. Kennedy, seconded by C. Cirillo. So voted. C. Kennedy noted the need to layout process so that City may be prepared before next MSBA meeting in June. C. Mercier questioned costs and the need to know before any votes are taken. C. Milinazzo noted that motion address the need to know the costs before vote. C. Elliott requested more information via a report for cleared instructions and suggested a friendly amendment to the motion. C. Kennedy noted motion was satisfactory as to such information. Manager Murphy indicated a report is forthcoming from Law Department. C. Kennedy noted that such a report would be furnished quickly and noted he was in favor of delaying matter for one week.

**7.7. C. Leahy - Req. City Mgr. place Duren Avenue on paving list for 2018.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Leahy noted need for repairs. Residents of the street spoke on matter and provided pictures and petition for the Council. C. Elliott noted ability to increase funding for repairs pursuant to "Complete Streets Program". Manager Murphy noted program does



help with such funding and that street would be added to paving lists. C. Kennedy requested complete paving lists for review.

**7.8. C. Leahy - Req. Neighborhoods SC begin discussion regarding residential parking program throughout the City.**

In City Council, seconded by C. Cirillo, referred to Neighborhoods SC. So voted. C. Leahy noted issue needs updated discussion.

**8. ANNOUNCEMENTS**

In City Council, Manager Murphy noted that the Pollard Memorial Library would open on February 28<sup>th</sup>; that the VFW Highway would be closed for repairs; and Thorndike Street work would be done at night to ease congestion.

**9. ADJOURNMENT**

In City Council, **Motion** to Adjourn by C. Mercier, seconded by C. Cirillo. So voted.

Meeting adjourned at 8:11 PM.

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Michael Geary, City Clerk