



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: April 9, 2019

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Samaras presiding.

C. Mercier requested moment of silence in darkened chamber for Joseph D. Meehan and Catherine M. Maynard. M. Samaras commented on the life of Mr. Meehan. C. Milinazzo requested moment of silence in darkened chamber for Cecile Marchand, mother of City employee, Henri Marchand. C. Elliott commented on the life of Ms. Marchand.

2. MAYOR'S BUSINESS

2.1. Proclamation - Festival of Learning.

In City Council, M. Samaras recognized Prof. John Wooding requesting an update regarding Festival of Learning Program. Prof. Wooding provided video of festival in Cork, Ireland as an example of where the program can go. M. Samaras commented that there would be a lot of recognition of the efforts of the part of Pat Mogan.

2.2. Mayor's Business – Recognition.

A) Robert Merrill.

In City Council, M. Samaras presented Citation to Mr. Merrill for his acts of heroism. Mr. Merrill addressed and thanked the Council.

3. CITY CLERK

3.1. Minutes of Neighborhood SC Joint Zoning SC April 1st; City Council Meeting April 2nd, for acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Conway. So voted.

M. Samaras requested Item #5.1 A and B be taken out of order. No objections.



4. UTILITY PUBLIC HEARING

4.1. National Grid - Request replacement of existing gas main from 474 to 556 Douglas Road.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor was Ross McIntyre (National Grid). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted. C. Leahy requested information regarding location.

4.2. National Grid - Request replacement of existing gas main with new plastic pipe along Greendale Avenue to service existing customers.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor was project manager for National Grid. No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Cirillo, seconded by C. Conway. So voted.

4.3. National Grid - Request installation of underground electric conduit for lighting on the Aiken Street Bridge.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor was Paul Sabre (National Grid). Speaking in opposition was Jane Columbo. M. Samaras commented on the lighting project for the bridge. C. Elliott noted that any issue should be addressed with the Manager. Manager Donoghue commented on the project and that she could assist with any concerns. **Motion** to delay and refer to City Manager for review by C. Elliott, seconded by C. Cirillo. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Introductions.

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

A) Shannon Cohan - Parks Dept. – Manager Donoghue introduced Mr. Cohan who addressed and thanked the Council.

B) Kelly Oakes - Treasurer/Collector Dept. – Conor Baldwin (CFO) introduced Ms. Oakes who addressed and thanked the Council.

5.2. Motion Responses.

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

A) Motion Response - LOMR Letter – C. Cirillo noted letter. Michael Stuer (Water Dept.) commented on the letter and the effect it would have on about 174 properties. C. Elliott commented on the effect on the neighborhood. C. Cirillo commented that if there



are questions then people should contact the department. Manager Donoghue noted that homeowners should check with lenders before cancelling flood insurance. C. Leahy noted it would have a positive effect in the neighborhood.

B) Motion Response - Spring Cleanup – C. Cirillo noted that there should be coordination among various groups. C. Leahy requested reviewing schedule of street sweeping.

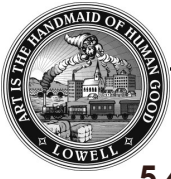
C) Motion Response - Parking Pay Stations – C. Nuon commented on the maintenance proposal. Tobias Marx (Parking Director) noted the maintenance schedule with the pro-active approach. C. Nuon noted that enforcement officers must take note of any errors on the machines. Mr. Marx noted most issues involve battery life. C. Mercier commented on validation services by the department.

5.3. Informational Reports.

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

D) Informational - Parking Program Updates – Mr. Marx provided presentation entitled “Parking Program Update – RY2019”, which outlined pay station maintenance; identifying revenues; use of apps; signage; direction for use; charging stations; performing internal studies; enforcement teams; web presence; fleet; permitting on line; garage signage; and pay by plate. C. Kennedy questioned charging stations throughout the City. Mr. Marx noted the use of grants to increase the number of charging stations. C. Leahy requested that the students park on upper levels of the garages. C. Cirillo commented on the update. C. Milinazzo commented on event parking for the Tsongas Arena.

E) Informational - Construction Projects Update – Manager Donoghue noted report outlined the status of many projects in the City. Christine Clancy (City Engineer) commented on the Lawrence Street Bridge, Market Street Bridge and the Tiger Grant Bridges. C. Leahy noted the Central Street Bridge. Natasha Vance (Transportation Engineer) commented on the project. C. Kennedy questioned Fr. Morissette Blvd. closing date and duration. C. Milinazzo noted the need for special attention to safety when bridges are closed. Chief Winward (LFD) commented that safety partners are notified when bridges are closed. Ms. Vance commented on the Lord Overpass project as well as the Princeton Blvd. project. M. Samaras noted all information should be available on the website. Ms. Vance commented the Gorham Street/Lowell Connector project. C. Leahy noted the construction site on Aiken Avenue and VFW Highway was an eye sore and should be cleaned. C. Kennedy noted there are several projects that will cause traffic delays and there should attempt to mitigate those delays. Ms. Vance commented on traffic mitigation.



5.4. Communication - City Manager request Out of State Travel (1) DPD.

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

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept gift of car seats and booster seats from Cincinnati Children's Hospital Med. Ctr and Toyota for Fire Dept.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Cirillo, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. Chief Winward commented on the program and its success. C. Elliott noted program and information should be made available to the public. C. Conway noted program will benefit parents and grandparents. C. Kennedy commented about re-use of the car seats.

6.2. Vote-Transfer 10,000 for a software upgrade in the Cemetery Div. of Dept of Public Works.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Conway, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted.

7. ORDERS FROM THE CITY MANAGER

7.1. Order-60 day trial (various).

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted. C. Leahy suggested that Park Street condominiums be reviewed to insure that there is adequate parking at the site.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance-Amend Chapter 39 Library, specifically s.39-1 entitled Board of Trustees.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 23, 2019 at 7 PM by C. Kennedy, seconded by C. Conway. So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Transportation SC April 9, 2019.

In City Council, C. Elliott provided the report commenting on attendance and discussion regarding transportation projects in the City of Lowell which included bridge work; Lord Overpass and Route 38. C. Elliott noted that MassDOT provided report on the Gorham Street/Lowell Connector project and commented about various options that will come



before the public. C. Conway noted favor for the roundabout option. C. Cirillo noted the number of bridges that are in the City. C. Elliott noted all data will be available on the website. **Motion** to accept the report as a report of progress by C. Kennedy, seconded by C. Cirillo. So voted.

10. PETITIONS

10.1. Claim - (1) Property Damage.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Kennedy, seconded by C. Nuon. So voted.

10.2. Misc. - Rocky Morrison, President (Clean River Project) request permission to address City Council regarding environmental update for Merrimack River.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Elliott, seconded by C. Kennedy. So voted. Richard Ross and Rocky Morrison for Clean River Project addressed the Council. C. Kennedy commented on first appearance of the group before the body. C. Kennedy noted the importance of the river and a collaborative effort to clean and keep it clean. C. Elliott noted the importance of the service which cannot be done for free and the need to protect the water supply. C. Elliott noted upstream communities have responsibility to keep rivers clean as well. C. Kennedy noted that NMCOG should be involved in the effort as well. C. Milinazzo questioned procurement laws and that cleaning the river should be a high priority. C. Mercier noted support of the proposal and recognized the team involved. C. Cirillo noted support to fund cleaning. C. Conway noted the importance of cleaning the river.

10.3. Misc. - Harry Kortikere (Green Community Choice Power Program) Request permission to address City Council regarding Community Choice Power Program.

In City Council, **Motion** to refer to Technology & Utilities SC for discussion by C. Kennedy, seconded by C. Cirillo. So voted. Mr. Kortikere and registered speaker Jay Mason addressed the Council. C. Leahy noted that subcommittee meetings have been scheduled to discuss new contract for aggregate energy. C. Mercier noted the process needed to start. Manager Donoghue noted that current contract will be expiring shortly.

11. CITY COUNCIL - MOTIONS

11.1. C. Conway/C. Elliott - Req. City Mgr. meet with appropriate department heads to explore the feasibility and appropriateness of developing a decorative median strip for Andover Street.

In City Council, no second needed, referred to City Manager. So voted. C. Conway commented on neighborhood frustration and safety concerns. C. Elliott noted the need for some type of plan to alleviate persistent issues and to calm traffic. C. Mercier noted



some concerns with traffic mitigation plans. C. Conway noted plan would not involve the entire street. C. Kennedy noted there are many side streets coming off of Andover Street. M. Samaras noted need to reduce speed. Manager Donoghue noted prior report and would review same. C. Elliott noted doing nothing is not a correct start. C. Leahy noted that bill allowing retired police officers on details may be used to calm traffic.

11.2. C. Mercier - Req. the City Mgr. have Development Services address neighborhood concerns @ 85 11th Street such as Boarding house, occupants & status and give full report to the City Council.

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Mercier noted Council received many emails regarding this property. C. Cirillo noted similar issue on Highland Avenue. C. Mercier questioned if citations are being paid on the property. C. Leahy noted that parking should be restricted if house is being used as a business.

11.3. C. Cirillo - Req. the City Mgr. have the proper department contact MassDOT to request the State's Inmate Labor Program come to Lowell and remove litter along our State owned roads.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted that the program was available for use. C. Kennedy noted that it would add additional laborers to clean-up. C. Mercier commented on the program at the Billerica House of Correction and how inmates are involved. Manager Donoghue noted that there are union implications when using the program.

11.4. C. Cirillo - Req. the City Mgr. have the proper department provide an update to the City Council as to the addressing of potholes throughout the City.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo requested update and noted complaints from residents.

11.5. C. Cirillo - Req. the Mayor establish a City Councilor Annual Lowell Cleanup, #Trashtag Challenge for the City Council to clean an area of Lowell.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo commented on challenge and noted it was a good option for the City.

11.6. C. Elliott - Req. City Council discuss developing a Rental Property Registry to track rental properties in the City.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. C. Elliott commented on the need for a data base to assist enforcement of zoning codes as well as the tracking of the legality of units.



11.7. C. Elliott - Req. the City Mgr. /Health Director report on e-cigarettes/vaping regulations and outreach programs to inform public of health risks.

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Elliott commented on the growing concern of the product regarding public health and that the City should get ahead of the issue.

11.8. C. Leahy - Req. City Mgr. provide update regarding pest control in the Lowell Public Schools.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted the need to update and clarify the information so that valid information is relayed to the public. Manager Donoghue noted that pest contracts are under the school administration budget. C. Mercier questioned if vendor is doing an appropriate job regarding pest control. C. Milinazzo stated that the school custodians are not doing their jobs.

11.9. C. Nuon/C. Leahy - Req. City Mgr. provide update regarding repairs to fire houses in the City and the police headquarters.

In City Council, no second needed, referred to City Manager. So voted. C. Nuon requested update of work being done and that employees need a proper work environment. C. Leahy noted outlined projects need to be done.

12. CITY COUNCIL - EXECUTIVE SESSION

12.1. Executive Session - Regarding matter of litigation, namely Huot et al. v. City of Lowell, public discussion of which could have a detrimental effect on the City's position.

In City Council, M. Samaras stated reason for Executive Session, **Motion** by C. Mercier, seconded by C. Cirillo to enter Executive Session for stated purpose and to adjourn from Executive Session (9:35 PM). Adopted per Roll Call vote 9 yeas. So voted. M. Samaras stated that body would adjourn from the Executive Session.

13. ANNOUNCEMENTS

In City Council, C. Cirillo noted the upcoming Take Back The Night event.



14. ADJOURNMENT

In City Council, **Motion** to Adjourn in Executive Session by C. Kennedy, seconded by C. Elliott. So voted.

Meeting adjourned at 10:00 PM.

Michael Geary, City Clerk