



# Lowell City Council

## Regular Meeting Agenda

**Date:** September 27, 2022

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA / Zoom  
(Hybrid)

### 1. ROLL CALL

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is [MGEARY@LOWELLMA.GOV](mailto:MGEARY@LOWELLMA.GOV). If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom - [HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

### 3. CITY CLERK

#### 3.1. Minutes Of Public Safety SC September 13th; City Council Regular Meeting September 13th, For Acceptance.

Documents:

[2022 SEPTEMBER 13 PUBLIC SAFETY SC MINUTES.PDF](#)  
[2022 SEPTEMBER 13 CC MINUTES.PDF](#)

### 4. UNFINISHED BUSINESS

#### 4.1. Public Safety SC September 13, 2022. (From 9/13/22)

#### 4.2. Wire Inspector Reports: (From 9/13/22)

- 1) National Grid - Request Installation Of 65 Feet Of Conduit In Sidewalk To Service 173 East Merrimack Street;
- 2) National Grid - Request Installation Of Fifty Feet Of Concrete Duct To Service 10 Technology Drive;
- 3) National Grid - Request Installation Of (2) JO Poles On Varnum Avenue Across From Boulevard Street; And
- 4) Boston Gas D/B/A National Grid - Request Installation Of Gas Mains On Tenth, Grandview And Mt. Pleasant Streets.

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20974?FILEID=44323](https://www.lowellma.gov/agendacenter/viewfile/item/20974?fileid=44323)

4.3. Claims - (5) Property Damage. (From 9/13/22)

4.4. National Grid - Request Installation Of Electric Vault In Front Of 173 East Merrimack Street. (From 9/13/22)

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20979?FILEID=44325](https://www.lowellma.gov/agendacenter/viewfile/item/20979?fileid=44325)

4.5. Misc. - Michelle Ford Request Permission To Discuss Ordinance To Allow More Than One Home Occupancy Business Per Address. (From 9/13/22)

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20976?FILEID=44324](https://www.lowellma.gov/agendacenter/viewfile/item/20976?fileid=44324)

4.6. Misc. - Maureen Gilroy Request Removal Of Handicap Parking Sign At 84 Bradstreet Avenue. (From 9/13/22)

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20991?FILEID=44329](https://www.lowellma.gov/agendacenter/viewfile/item/20991?fileid=44329)

## 5. GENERAL PUBLIC HEARINGS

5.1. Ordinance - Amend Zoning Ext LI Zone - 128 Maple Street.

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20884?FILEID=44282](https://www.lowellma.gov/agendacenter/viewfile/item/20884?fileid=44282)

## 6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses

A) Motion Response - Open Streets In Downtown Area

B) Motion Response - Open Positions Within The City Workforce And Filling The Positions FY23 Budget

C) Motion Response - Update On Douglas Road Project

D) Motion Response - Fines for Non-Performance - Waste Management

Contract

- E) Motion Response - Prescott Street
- F) Motion Response - First Street Paving
- G) Motion Response - Smith Avenue
- H) Motion Response - 26 Central Street
- I) Motion Response - Bus Shelters with Attachment
- J) Motion Response - Home Depot Distribution Center - Ducharme Playground
- K) Motion Response - Hamilton Canal Innovation District Dust and Debris
- L) Motion Response - HCA Social Equity with Attachment Marijuana Location
- M) Motion Response - Community Development Funds with Attachment
- N) Motion Response - Health Insurance Cost Comparison

Documents:

- A) MOTION RESPONSE - OPEN STREETS IN DOWNTOWN AREA.PDF
- B) MOTION RESPONSE - OPEN POSITIONS WITHIN THE CITY WORKFORCE AND FILLING THE POSITIONS FY23 BUDGET.PDF
- C) MOTION RESPONSE - UPDATE ON DOUGLAS ROAD PROJECT.PDF
- D) MOTION RESPONSE - FINES FOR NON-PERFORMANCE - WASTE MANAGEMENT CONTRACT.PDF
- E) MOTION RESPONSE - PRESCOTT STREET.PDF
- F) MOTION RESPONSE - FIRST STREET PAVING.PDF
- G) MOTION RESPONSE - SMITH AVENUE.PDF
- H) MOTION RESPONSE - 26 CENTRAL STREET.PDF
- I) MOTION RESPONSE - BUS SHELTERS WITH ATTACHMENT.PDF
- J) MOTION RESPONSE - HOME DEPOT DISTRIBUTION CENTER - DUCHARME PLAYGROUND.PDF
- K) MOTION RESPONSE - HAMILTON CANAL INNOVATION DISTRICT DUST AND DEBRIS.PDF
- L) MOTION RESPONSE - HCA SOCIAL EQUITY WITH ATTACHMENT MARIJUANA LOCATION.PDF
- M) MOTION RESPONSE - COMMUNITY DEVELOPMENT FUNDS WITH ATTACHMENT.PDF
- N) MOTION RESPONSE - HEALTH INSURANCE COST COMPARISON.PDF

6.2. Informational Reports

- Informational - Centralville Precinct Historical Leasing Information
- Informational - Payroll Update and Bi-Weekly Transition

Documents:

- INFORMATIONAL - CENTRALVILLE PRECINCT HISTORICAL LEASING INFO 9-15-2022.PDF
- INFORMATIONAL - PAYROLL UPDATE AND BIWEEKLY TRANSITION - WITH ATTACHMENTS.PDF

6.3. Communication - Planning Board Report And Recommendation On Proposed Zoning Amendment From TTF To LI Zoning District At 128 Maple Street.

Documents:

[2022 SEPTEMBER 27 PLANNING BD RECOMMENDATION ZONING CHANGE MAPLE ST.PDF](#)

- 6.4. Communication - Resignation Of Zarais German-George From Citizen Advisory Committee

Documents:

[COMMUNICATION - RESIGNATION OF ZARAIS GERMAN-GEORGE FROM CITIZEN ADVISORY COMMITTEE.PDF](#)

- 6.5. Communication - City Manager Request Out Of State Travel (1) LPD.

Documents:

[2022 SEPTEMBER 27 OST LPD.PDF](#)

## **7. VOTES FROM THE CITY MANAGER**

- 7.1. Vote - Authorize CM Ex. Lease Agreement With Degmar Development Corporation

[HTTPS://WWW.LOWELLM.A.GOV/AGENDACENTER/VIEWFILE/ITEM/21042?FILEID=44399](https://www.lowellma.gov/agendacenter/viewfile/item/21042?fileid=44399)

- 7.2. Vote - Accept/Expend \$65,000 Municipal Road Safety Grant

Documents:

[VOTE - ACCEPTEXPEND 65,000 MUNICIPAL ROAD SAFETY GRANT.PDF](#)

- 7.3. Vote - Authorize CM Ex. Lease Agreement With 226 Main St. LLC

Documents:

[VOTE - AUTHORIZE CM EX. LEASE AGREEMENT WITH 226 MAIN ST. LLC.PDF](#)

- 7.4. Vote - Authorize CM Ex. Lease Agreement With The Daly Group LLC

Documents:

[VOTE - AUTHORIZE CM EX. LEASE AGREEMENT WITH THE DALY GROUP LLC.PDF](#)

- 7.5. Vote - Authorize Payment Of Bills Incurred In Excess Of Appropriations - Parking

Documents:

VOTE - AUTHORIZE PAYMENT OF BILLS INCURRED IN EXCESS  
OF APPROPRIATIONS - PARKING.PDF

7.6. Vote - Transfer \$50,000 - Recreation

Documents:

VOTE - TRANSFER 50,000 - RECREATION.PDF

7.7. Vote - Amending Prior Order Approving CPC Recommendation To Fund Acre  
Crossing Project

Documents:

VOTE - AMENDING PRIOR ORDER APPROVING CPC  
RECOMMENDATION TO FUND ACRE CROSSING PROJECT.PDF

**8. ORDINANCES FROM THE CITY MANAGER**

8.1. Ordinance - Create Position Project Director (FR-CARA Grant)

Documents:

ORDINANCE - CREATE POSITION PROJECT DIRECTOR (FR-CARA  
GRANT).PDF

**9. REPORTS (SUB/COMMITTEE, IF ANY)**

9.1. Arts And Cultures SC September 27, 2022.

9.2. Wire Inspector Reports:

1) Boston Gas D/B/A National Grid - Request Installation Of A Gas Regulator  
Station On Chelmsford Street At Baltimore Avenue;

2) National Grid - Request Installation Of Conduit To Feed Transformer At  
572 Lakeview Avenue; And

3) University Of Massachusetts Lowell (UML) - Request Installation Of Duct  
Bank At Broadway Street And Solomont Way.

Documents:

2022 SEPTEMBER 27 NATL GRID CHELMSFORD LAKEVIEW UML  
BROADWAY.PDF

**10. PETITIONS**

10.1. Claims - (2) Property Damage.

10.2. Misc. - Alternative House (Aimee Larochelle And Maria Crocker-Capone)

## Request To Address City Council Regarding Domestic Violence.

### Documents:

[2022 SEPTEMBER 27 ALTERNATIVE HOUSE AIMEE LAROCHELLE AND MARIA CROOKER-CAPONE REQ TO ADDRESS CIY COUNCIL REGARDING DOMESTIC VIOLENCE.PDF](#)

- 10.3. Misc. - Ronan Dunn Request City Council Rescind The "Residential Parking Only" Ordinance Pertaining To Jordan Street.

### Documents:

[2022 SEPTEMBER 27 RONAN DUNN REQ CITY COUNCIL REMOVE RESIDENTIAL PARKING ONLY ORDINANCE COVERING JORDAN STREET.PDF](#)

- 10.4. Misc. - Bianco Sadler (Pearl Street Residents) Request City Council Establish "Residential Parking Only" For The Residents On Pearl Street.

### Documents:

[2022 SEPTEMBER 27 SADLER PEARL ST PARKING PET.PDF](#)

- 10.5. National Grid - Request Installation Of (1) Handhole And 50 Feet Underground Electric Conduit At Favor And Appleton Streets.

### Documents:

[2022 SEPTEMBER 27 NATIONAL GRID HANDHOLE AND CONDUIT APPLETON AGENDA.PDF](#)

## 11. CITY COUNCIL - MOTIONS

- 11.1. C. Gitschier - Req. City Mgr. Update The City Council On The Hiring Of Staff To Maintain The Renovated Lowell High School.
- 11.2. C. Nuon/C. Gitschier - Req. City Mgr. Direct The DPD To Reach Out To Immediate Neighbors/Residents For Their Input On Work To Improve Parks And/Or Open Space.
- 11.3. C. Nuon/C. Gitschier - Req. City Mgr. Report On The Rourke Bridge And Timeline To Completion.
- 11.4. C. Nuon - Req. City Council Adopt A Resolution Recognizing September 15, 2022 Through October 15, 2022 As Hispanic Heritage Month Continuing Recognition Going Forward.
- 11.5. C. Nuon - Req. City Council Adopt Resolution Recognizing August 31, 2022 As International Overdose Awareness Day, Continuing Recognition Going Forward.
- 11.6. C. Nuon - Req. City Mgr. Have Traffic Engineer Look At The Traffic Calming Needs Throughout The City (Rather Than One Intersection Or Street At A Time)

Giving First Consideration To Arterial Streets And Other Streets When They Come Up For Paving; When Traffic Engineer Deems It Necessary, Temporary Measures Could Be Used.

- 11.7. C. Nuon - Req. City Mgr. Work With The Appropriate Department To Address The Monkey Pox Virus And The City's Strategy For The Outbreak.
- 11.8. C. Robinson - Req. City Mgr. Have Proper Department Begin Discussions With Community Partners To Begin The Process Of Filling Entry Level As Well As Other Employment Opportunities Via Tabling Or Job Fairs To Enhance Local Outreach.
- 11.9. C. Robinson - Req. City Mgr. Have Proper Department Look Into What Additional Traffic Calming Measures Can Be Implemented In The Area Of Aiken And Lakeview Avenues.
- 11.10.C. Robinson - Req. City Mgr. Have Proper Department Provide A Report On Which Positions Are Authorized To Take City Vehicles Home And Reasoning Why.
- 11.11.C. Robinson - Req. City Mgr. Provide An Update On Area Of 1st Street Boulevard And Route 110 Intersection For Potential Traffic Calming Measures.
- 11.12.C. Robinson - Req. City Mgr. Provide Current DPW Protocol When Replacing Playground Materials; Including What Standards Are Being Followed.
- 11.13.C. Robinson - Req. Rules SC Establish A Section On The Agenda That Will Keep Existing Motions With Date Filed On Agenda Until Cleared.
- 11.14.C. Robinson - Req. City Mgr. Have Community Preservation Commission And Acre Crossing Project Appear Before The City Council For Review And Approval Based On Recent Modification To Original Project Presentation And Approval.
- 11.15.C. Robinson/C. Drinkwater - Req. City Mgr. Have Proper Department Look Into Upgrading The POW/MIA Memorial In The City Hall Foyer.
- 11.16.C. Robinson/C. Scott - Req. City Mgr. Provide An Update On What Measures Has Human Resources Taken To Improve The Hiring Process In The City. (Update On Motion Filed August 9, 2022)
- 11.17.C. Scott - Req. City Mgr. Provide An Update On The MassDOT Project For Gorham Street/Lowell Connector And Request We Explore Any Feasibility Around Transitioning The Connector To An At-Grade Boulevard To Promote Better Connected Neighborhoods And Possible Economic Development Benefits.
- 11.18.C. Scott - Req. City Mgr. Have The Law Department Provide A Recommendation To The City Council On Possible Updates To The Flag Raising Policy In Response To The Recent Supreme Court Decision In Shurtleff V. Boston.
- 11.19.C. Scott/C. Gitschier/C. Robinson - Req. Rules SC Review All Of The Council Rules With The Law Department And The Clerk's Office In Light Of The New, Larger Council Including But Not Limited To The So-Called Ten O'clock Rule.

- 11.20C. Leahy - Req. City Mgr. Provide An Update To City Council Regarding The Walking/Biking Connector Trail.
- 11.21C. Drinkwater/C. Leahy - Req. City Mgr. Have Appropriate Department And/Or Commission Provide A Report On How Noise Levels Are Regulated And Enforced At Permitted Events, With Recommendations For Any Improvements To Ensure Quality Of Life For Residents.
- 11.22C. Rourke - Req. City Mgr. Have DPD Update The Council On Proposed Boathouse/Restaurant Located At 1190 Pawtucket Boulevard.
- 11.23M. Chau/C. Nuon - Req. City Council Recognize The Winner Of The Lowell Memorial Auditorium's Cutest Dog Contest, As Being Designated Honorary Mayor For The Day; And, On A Separate Date, Recognize A Student From Lowell High As The Honorary Mayor For The Day.

**12. CITY COUNCIL - EXECUTIVE SESSION**

- 12.1. Executive Session – Discuss Matters Of Potential Litigation With The Environmental Protection Agency Regarding The City's Ongoing Efforts At Implementing Sewer Separation Projects, Public Discussion Of Which Could Have A Detrimental Effect On The City's Position.

**13. ANNOUNCEMENTS**

**14. ADJOURNMENT**

**Office of the City Clerk - 375 Merrimack Street - Phone: 978.674.4161**