



Lowell City Council *Regular Meeting Agenda*

Date: September 13, 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. 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)

2.2. Citations:

- 1) Fortune and Sweet Bar; and
- 2) Andres Gonzalez (Health Department).

2.3. Presentations:

- 1) Lowell Memorial Auditorium 100 years anniversary; and
- 2) Kiwanis Club of Greater Lowell - Use of City Hall for Haunted House during LHS construction; and
- 3) Kalamata, Greece - Sister City delegation trip. (Former Mayor William

Samaras).

3. CITY CLERK

- 3.1. Minutes Of Non-Profit Organization SC August 23rd; City Council Regular Meeting August 23rd, For Acceptance.

Documents:

[2022 AUGUST 23 NON PROFIT SC MINUTES.PDF](#)
[2022 AUGUST 23 CC MINUTES.PDF](#)

4. AUDITOR BUSINESS

- 4.1. Informational - Year To Date Budget Reports For Period Ending June 30, 2022:

- 1) General Fund Revenue;
- 2) General Fund Expenditures;
- 3) Parking;
- 4) Water; and
- 5) Wastewater

Documents:

[2022 SEPTEMBER 13 YTD BUDGET REPORT - GENERAL FUND REVENUE.PDF](#)
[2022 SEPTEMBER 13 YTD BUDGET REPORT - GENERAL FUND EXPENDITURES.PDF](#)
[2022 SEPTEMBER 13 YTD BUDGET REPORT - PARKING.PDF](#)
[2022 SEPTEMBER 13 YTD BUDGET REPORT - WATER.PDF](#)
[2022 SEPTEMBER 13 YTD BUDGET REPORT - WASTEWATER.PDF](#)

5. UNFINISHED BUSINESS

- 5.1. Non-Profit Organization SC August 23, 2022.

- 5.2. Wire Inspector Reports:

- 1) Boston Gas D/B/A National Grid - Request Installation Of Scada Box And Vent Pole On Boston Road At Spencer Street; And
- 2) National Grid - Request Installation Of Underground Conduit At Varnum Avenue And Boulevard Street.

[HTTPS://WWW.LOWELLM.A.GOV/AGENDACENTER/VIEWFILE/ITEM/20830?](https://www.lowellma.gov/agendacenter/viewfile/item/20830?)

- 5.3. Claims - (6) Property Damage.
- 5.4. C. Mercier - Req. Neighborhoods SC Have Traveling Subcommittee Meetings Within Each Section Of The City To Discuss Issues Of Concern; Starting In The Highland Section.
- 5.5. C. Nuon - Req. City Mgr. Provide A Report On Programs Funded With Various Federal Block Grants (CDBG, HOME, ESG, Etc.) For The Last 3 Fiscal Years And Evaluate Alternative Funding/Allocation Strategies To More Equitably Disburse Funding Amongst Lowell Non-Profit Partners In The 2022-2023 Annual Action Plan.
- 5.6. C. Nuon - Req. City Mgr. Report On Efforts And Future Plans To Ensure Fairness, Transparency And Equity Are Included In The Selection Process And Criteria For Any Prospective Recreational Marijuana Dispensaries Or Delivery Services And Association Host Community Agreements ("HCA").
- 5.7. C. Gitschier - Req. City Mgr. Work With The School Administration On Drawing Districts To Include Equitability And Diversification In Order To Provide Neighborhood Schooling.
- 5.8. C. Jenness - Req. City Mgr. Have Proper Department Begin A Pilot Program Of Dog Waste Dispensers In Areas Where Pet Waste Has Become A Persistent Problem.
- 5.9. C. Jenness - Req. City Mgr. Provide The Council With An Update On The Parking Study From 2020 And Progress On The Implementation Of The Recommendations.
- 5.10. C. Jenness - Req. City Mgr. Have Proper Department Evaluate Adding Crossing Lights At The Shattuck/Merrimack Intersection Across Merrimack; Similar To The Lights On East Merrimack By Middlesex College Or On Broadway Near Market Basket.
- 5.11. C. Jenness/C. Rourke - Req. City Mgr. Have Proper Department Explore Beginning And Open Streets Program In The Downtown Area Similar To What Other Cities Have Done.
- 5.12. C. Jenness/C. Yem - Req. City Mgr. Have Proper Department Investigate Traffic Calming Measures And Safety Improvements For The Dutton/Broadway Intersection.
- 5.13. C. Scott/C. Gitschier - Req. City Mgr. Have The Appropriate Department Provide A Legal Opinion On The Possibility Of Terminating The Waste Contract For Non-Performance; In Addition Provide The Council With All Documentation Of Fines That Have Been Issued For Non-Performance To Date.
- 5.14. C. Scott - Req. City Mgr. Have Appropriate Department Work To Update The Bus Huts Around The City.
- 5.15. C. Scott - Req. City Mgr. Have The Appropriate Department Work To Add A Crosswalk On Woburn Street By Easton Street Or In The Vicinity.
- 5.16. C. Scott - Req. City Mgr. Have Speed Tables Installed As A Trial Basis On

Hollis Street.

- 5.17. C. Scott - Req. City Mgr. Have The Appropriate Department Look At The Feasibility Of Installing Safety Bollards Along Dutton Street To Protect Resident Homes And Pedestrians From Accidents.
- 5.18. C. Scott - Req. City Mgr. Have The Appropriate Department Provide An Update On Installing Flashing Crosswalk Lights At The Ducharme Playground As Required In The Home Depot Distribution Center Approval.
- 5.19. C. Robinson - Req. City Mgr. Have Proper Department Look At Updating Crosswalk And Lighting At Hovey Park Along Aiken Avenue Side.
- 5.20. C. Robinson/C. Drinkwater - Req. City Mgr. Reach Out To The Massachusetts Cannabis Control Commission In An Effort To Get A Representative To Attend A Cannabis Control SC For Information Around Social Equity/Economic Empowerment Applicants And The State's Cannabis Consumption Lounge Pilot Program.
- 5.21. C. Yem - Req. City Mgr. Have The Appropriate Department Provide The City Council A Copy Of All Legal Notices For Employment And Public Hearings.
- 5.22. M. Chau - Req. City Mgr. Investigate Grant Opportunities To Repair Steps, Handicap Accessible Ramp And Other Needed Repairs At The Lowell Memorial Auditorium.

6. GENERAL PUBLIC HEARINGS

- 6.1. Ordinance - Amend Ch.20 S.58 CASE.
<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20882?FILEID=44280>
- 6.2. Ordinance - Create Position CASE Assistant Director For Communications And Marketing.
<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20885?FILEID=44283>

7. UTILITY PUBLIC HEARING

- 7.1. Boston Gas D/B/A National Grid - Request Installation Of A Gas Regulator Station On Chelmsford Street At Baltimore Avenue.
<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20799?FILEID=44228>
- 7.2. Boston Gas D/B/A National Grid - Request Installation Of Gas Main Replacement On Armand, Jean, Christman And Delmont Avenues; As Well As Bernier And Lowell Streets.
<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20817?FILEID=44245>
- 7.3. National Grid - Request Installation Of Conduit To Feed Transformer At 572

Lakeview Avenue.

<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20818?FILEID=44246>

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

<HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20819?FILEID=44247>

8. COMMUNICATIONS FROM CITY MANAGER

8.1. Motion Responses

- A) Motion Response - Condition of USA Flags
- B) Motion Response - Update Fire Apparatus Gorham St. Firehouse
- C) Motion Response - Review - Update Safety Status - Protocol
- D) Motion Response - Wastewater
- E) Motion Response - ARPA Spending and Dashboard
- F) Motion Response - Federal Affordable Connectivity Program with Attachments
- G) Motion Response - MIS Instructions - Photos and Short Videos
- H) Motion Response - Trash-Recycling-Smaller Districts
- I) Motion Response - Signage at Dropbox
- J) Motion Response - Repairs at McPherson Park and Partnership with Youthbuild
- K) Motion Response - Monument Committee
- L) Motion Response - East Merrimack at High Street
- M) Motion Response - West and West 6th Street
- N) Motion Response - LRTA Level of Service with Attachments
- O) Motion Response - Municipal Marketing with Attachment

Documents:

- A) MOTION RESPONSE - CONDITION OF USA FLAGS.PDF
- B) MOTION RESPONSE - UPDATE FIRE APPARATUS GORHAM ST. FIREHOUSE.PDF
- C) MOTION RESPONSE - REVIEW - UPDATE SAFETY STATUS - PROTOCOL.PDF
- D) MOTION RESPONSE - WASTEWATER.PDF
- E) MOTION RESPONSE - ARPA SPENDING AND DASHBOARD.PDF
- F) MOTION RESPONSE - FEDERAL AFFORDABLE CONNECTIVITY PROGRAM WITH ATTACHMENTS.PDF
- G) MOTION RESPONSE - MIS INSTRUCTIONS - PHOTOS AND SHORT VIDEOS.PDF
- H) MOTION RESPONSE - TRASH-RECYCLING-SMALLER DISTRICTS.PDF

I) MOTION RESPONSE - SIGNAGE AT DROPBOX.PDF
J) MOTION RESPONSE - REPAIRS AT MCPHERSON PARK AND PARTNERSHIP WITH YOUTHBUILD.PDF
K) MOTION RESPONSE - MONUMENT COMMITTEE.PDF
L) MOTION RESPONSE - EAST MERRIMACK AT HIGH STREET.PDF
M) MOTION RESPONSE - WEST AND WEST 6TH STREET.PDF
N) MOTION RESPONSE - LRTA LEVEL OF SERVICE WITH ATTACHMENTS.PDF
O) MOTION RESPONSE - MUNICIPAL MARKETING WITH ATTACHMENT.PDF

8.2. Communication - Appointment Of Ellen Brideau To Board Of Assessors

Documents:

COMMUNICATION - APPOINTMENT OF ELLEN BRIDEAU TO BOARD OF ASSESSORS.PDF

8.3. Communication - Appointment Of George Procope To ZBA

Documents:

COMMUNICATION - APPOINTMENT OF GEORGE PROCOPE TO ZBA.PDF

8.4. Communication - Correction To The Appointment Of Alison Keegan To Board Of Health

Documents:

COMMUNICATION - CORRECTION TO THE APPOINTMENT OF ALISON KEEGAN TO BOARD OF HEALTH.PDF

8.5. Communication - Reappointment Of Dennis McCarthy To ZBA

Documents:

COMMUNICATION - REAPPOINTMENT OF DENNIS MCCARTHY TO ZBA.PDF

8.6. Communication - Resignation Of Cecilio Hernandez From Citizen Advisory Committee

Documents:

COMMUNICATION - RESIGNATION OF CECILIO HERNANDEZ FROM CITIZEN ADVISORY COMMITTEE.PDF

8.7. Communication - City Manager Request Out Of State Travel (1) Mayor.

Documents:

9. VOTES FROM THE CITY MANAGER

9.1. Vote - Accept/Expend \$15,000 Address Verification Program Grant

Documents:

[VOTE - ACCEPTEXPEND 15,000 ADDRESS VERIFICATION PROGRAM GRANT.PDF](#)

9.2. Vote - Accept/Expend \$300,000 SOR-PEC Grant

Documents:

[VOTE - ACCEPTEXPEND 300,000 SOR-PEC GRANT.PDF](#)

9.3. Vote - Accept/Expend \$42,719.30 State 911 Dept. EMD Grant

Documents:

[VOTE - ACCEPTEXPEND 42,719.30 STATE 911 DEPT. EMD GRANT.PDF](#)

9.4. Vote - Accept/Expend \$460,496 State 911 Dept. Support And Incentive Grant

Documents:

[VOTE - ACCEPTEXPEND 460,496 STATE 911 DEPT. SUPPORT AND INCENTIVE GRANT.PDF](#)

9.5. Vote - Accept/Expend \$60,539.22 State 911 FY23 Training Grant

Documents:

[VOTE - ACCEPTEXPEND 60,539.22 STATE 911 FY23 TRAINING GRANT.PDF](#)

9.6. Vote - Accept/Expend FY23 Earmarked Funds - Morey Elementary School

Documents:

[VOTE - ACCEPTEXPEND FY23 EARMARKED FUNDS - MOREY ELEMENTARY SCHOOL.PDF](#)

9.7. Vote - Approve Exemption Of Rebecca Mafra MGL C.268A S.20

Documents:

[VOTE - APPROVE EXEMPTION OF REBECCA MAFRA MGL C.268A S.20.PDF](#)

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

Documents:

[VOTE - AUTHORIZE CM EX. LEASE AGREEMENT WITH DEGMAR DEVELOPMENT CORPORATION.PDF](#)

9.9. Vote - License Agreement With Anilton Temponi Almeida

Documents:

[VOTE - LICENSE AGREEMENT WITH ANILTON TEMPONI ALMEIDA.PDF](#)

9.10. Vote - License Agreement With Kiwanis Club Of Greater Lowell - City Hall

Documents:

[VOTE - LICENSE AGREEMENT WITH KIWANIS CLUB OF GREATER LOWELL - CITY HALL.PDF](#)

9.11. Vote - Transfer \$46,730 - LPD

Documents:

[VOTE - TRANSFER 46,730 - LPD.PDF](#)

9.12. Vote - Transfer \$543,000 - DPW

Documents:

[VOTE - TRANSFER 543,000 - DPW.PDF](#)

10. ORDERS FROM THE CITY MANAGER

10.1. Order - 60 Day Trial

Documents:

[ORDER - 60 DAY TRIAL.PDF](#)

11. REPORTS (SUB/COMMITTEE, IF ANY)

11.1. Public Safety SC September 13, 2022.

11.2. Wire Inspector Reports:

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.

Documents:

[2022 SEPTEMBER 13 NAT GRID EAST MERR TECH DRIVE VARNUM 10TH.PDF](#)

12. **PETITIONS**

12.1. Claims - (5) Property Damage.

12.2. National Grid - Request Installation Of Electric Vault In Front Of 173 East Merrimack Street.

Documents:

[2022 SEPTEMBER 13 NATIONAL GRID INSTALL HH 173 EAST MERRIMACK ST AGENDA.PDF](#)

12.3. Misc. - Michelle Ford Request Permission To Discuss Ordinance To Allow More Than One Home Occupancy Business Per Address.

Documents:

[2022 SEPTEMBER 13 MICHELLE FORD REQ TO ADDRESS CC REGARDING LIMITING 1 BUSINESS TO AN ADDRESS.PDF](#)

12.4. Misc. - Maureen Gilroy Request Removal Of Handicap Parking Sign At 84 Bradstreet Avenue.

Documents:

[2022 SEPTEMBER 13 MAUREEN GILROY REMOVE HP SIGN 84 BRADSTREET AVE.PDF](#)

13. **CITY COUNCIL - MOTIONS**

13.1. C. Gitschier - Req. City Mgr. Advertise And Appoint A Citizens Tree Committee Made Up Of One Member From Each Of The Eight City Council Districts And Also Focus On Hiring Someone In Charge Of Green Space With A Certification As A Massachusetts Certified Arborist.

13.2. C. Gitschier - Req. City Mgr. Update The City Council On The Status Of The Boathouse-Restaurant RFP That Was Approved By The Last City Council Back In July Of 2021.

- 13.3. C. Gitschier/C. Mercier - Req. City Mgr. Reach Out To State Regarding Intersection Of Burnham Road And Andover Street During The Construction.
- 13.4. C. Scott/C. Mercier - Req. City Mgr. Explore Feasibility Of A Pilot Program Installing Audio Detectors In Order To Triangulate The Presence Of Gun Fire And Illegal Fireworks In The Back Central Neighborhood.
- 13.5. C. Scott - Req. City Mgr. Provide A Report On The Current Use Of Portable Cameras And The Feasibility Of Purchasing Additional Units To Monitor Illegal Dumping Hotspots.
- 13.6. C. Mercier - Req. City Mgr. Create A Meeting Between The City, School Superintendent, Election Office And The DPW (Sign Shop) With Respect To Polling Places; Regarding Parking, Signage, Locked Doors; And Issues That Should Improve Voting In November.
- 13.7. C. Robinson - Req. City Mgr. Have Proper Department Look Into Feasibility Of Installing A Fence Along Backside Of The Reservoir.
- 13.8. C. Robinson - Req. City Mgr. Have Proper Department Provide A List Of Vehicle Accident, Incident Reports In Area Of Lakeview And Aiken Avenues For The Past Two Years.
- 13.9. C. Robinson - Req. City Mgr. Have Proper Department Provide A Report As To Why Not All Hourly Employees Are Required To Use Time Clocks.
- 13.10.C. Robinson - Req. City Mgr. Have Proper Department Provide A Report On Pathway To Install GPS Tracking On All City Vehicles.
- 13.11.C. Jenness/C. Nuon - Req. City Mgr. Provide An Update Around Lowell's Housing First Strategy And Hiring Of A Director Of Homelessness Initiatives To Address The Needs Of The Unhoused Population Within Our Community.
- 13.12M. Chau - Req. City Mgr. Have Appropriate Department Repaint Parking Lines On Streets Throughout The City.
- 13.13M. Chau - Req. City Mgr. Have Proper Department Investigate The Installation Of Pole Mounted Speed Monitors Throughout The City.

14. **ANNOUNCEMENTS**

15. **ADJOURNMENT**

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