



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 29, 2019

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. Cirillo). C. Leahy arrived at 6:40 PM.

M. Samaras presiding.

2. CITY CLERK

2.1. Minutes of City Council Meeting October 22nd, for acceptance.

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

2.2. Vote-Cancel Council Meetings of December 3, December 24, and December 31, 2019.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Kennedy, seconded by C. Milinazzo. Adopted per Roll Call vote 7 yeas, 2 absent (C. Cirillo, C. Leahy). So voted.

3. COMMUNICATIONS FROM CITY MANAGER

3.1. Motion Responses.

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

A) Motion Response - LTC Funding Request – C. Kennedy commented on the funding. C. Mercier questioned if contract would have to be amended.

B) Motion Response - Cyber Security – Manager Donoghue commented on the security report. Miran Fernandez (MIS Dir.) outlined the report and noted resources that can be used to protect privacy.



C) Motion Response - MVP Application – Manager Donoghue updated the application for grant funds. Alex Magee (Mgr. Dept.) outlined the grant process amounts to be funded. C. Elliott noted the process and the significant funding available to combat extreme weather conditions. Manager Donoghue commented on the areas possibly affected by climate changes. C. Milinazzo questioned FERC involvement with grant. C. Elliott noted grant would cover costs for prevent flooding in certain areas.

3.2. Informational Reports

Informational Report - FY2019 Year in Review – Manager Donoghue commented on the report noting fiscal stability. Conor Baldwin (CFO) commented on the review noting the fund balance has increased and expenses have decreased. Mr. Baldwin noted all DOR forms have been filed for this year and that fiscal constraints in the City will remain. C. Elliott noted expenses were less than budgeted and revenues exceeded projections which indicate sound fiscal policies. C. Elliott also noted that the Enterprise Funds were solid as well. C. Milinazzo noted revenues up expenses down mean sound fiscal management. Manager Donoghue noted same fiscal policies moving forward so rating for City is strong which will enable better rates for bonding.

3.3. Communication-Appoint James Pope to Election Commission.

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Mercier. Adopted per Roll Call vote 8 yeas, 1 absent (C. Cirillo). So voted. Mr. Pope was present and thanked the Council.

3.4. Communication-Appoint Paul Ratha Yem to Election Commission.

In City Council, read, **Motion** to adopt by C. Mercier, seconded by C. Milinazzo. Adopted per Roll Call vote 8 yeas, 1 absent (C. Cirillo). So voted. Mr. Yem was present and thanked the Council.

3.5. Communication-Reappoint John Bond to Cemetery Commission.

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

4. VOTES FROM THE CITY MANAGER

4.1. Vote-Approve payment of unpaid invoices from prior fiscal years for the School Dept.



In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Conway, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Cirillo). So voted. C. Elliott noted prior approval of bad bills and questioned if this were the end of the submissions. Manager Donoghue noted that there was a request for the school administration to get all bills submitted. Mr. Baldwin noted the number of meeting with school administration to finalize the matter. Billie Jo Turner (School CFO) indicated that there may be future bad bills and that there are safeguards in the system to prevent that from happening. C. Conway commented that new controls should assist with avoiding issue and that there should be meetings to stay ahead of any problems. Mr. Baldwin noted the series of meetings with school administration. C. Kennedy noted the prior submission of bad bills and questioned where these new ones originated. Ms. Turner noted many older bills still trickle into the system. C. Milinazzo noted that the school ended with surplus so there was money to cover bad bills. C. Mercier commented on the effort to correct the problem. C. Leahy commented on the change of policies and questioned where these bad bills are originating from. Mr. Baldwin outlined legal procedure needed to pay these bills. C. Kennedy noted book keeping procedure regarding bad bills.

4.2. Vote-Approve and Establish Urban Center Housing-UCH-TIF-Zone and Plan for the City of Lowell.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (C. Cirillo). So voted. Manager Donoghue commented on the need for the vote. Andrew Shapiro (DPD) made presentation entitled "Proposed Downtown Lowell Urban Center Housing Tax Increment Financing (UCH-TIF) Plan and Zone". The presentation outlined the goals and features of the program; how a TIF operated; areas in which program would be used; and proposed projects including Winn Development. C. Mercier questioned if infrastructure was completed for sites. Dianne Tradd (DPD) noted the utilities were in place for development. C. Elliott noted support of the program and that there are projects in place to utilize it. C. Nuon noted support of TIF and that there is a mixed housing use available. Mr. Shapiro noted the vote was to create the program and that TIF would be for twenty years per contract. C. Milinazzo indicated support for the program and that it was a valuable economic tool. C. Conway supported the program noting completion of infrastructure for mixed use. C. Kennedy noted program was a needed economic tool. Manager noted importance of program as a needed resource. It was noted that it was Mr. Shapiro last day for the City.



4.3. Vote-Auth CM Ex. Urban Center Housing Tax Increment Financing-UCH-TIF-Agreement with Hamilton Canal Limited Partnership.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Kennedy, seconded by C. Milinazzo. Adopted per Roll Call vote 8 yeas, 1 absent (C. Cirillo). So voted. Manager Donoghue noted Winn Development was present to address the Council. Michael O'Brien (Winn Dev.) outlined the project and Winn's presence in Lowell. C. Nuon questioned employment of local and minority laborers for projects.

5. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, none.

6. PETITIONS

6.1. Misc. - Petition requesting solution to upgrade safety at the City Hall crossing on Merrimack Street.

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Mercier, seconded by C. Elliott. So voted. C. Mercier commented on her prior motion to address issues and that no action has been taken. Manager Donoghue noted that there has been discussions and planning regarding the crosswalk and that there needs to be a short term plan to get to long term solution. Natasha Vance (Transportation Engineer) commented on short term fixes as well as costs of long term solutions. Ms. Vance noted initially the bus stop could be relocated as well as eliminating some parking in addition to temporary lighting. Manager Donoghue noted search for funding and that some applications for grants have been rejected. C. Nuon commented on problems on that street. C. Milinazzo noted short term long term solution is best path to follow. C. Leahy noted easy fix would be speed bumps along right of way as well as police details and enforcement. C. Elliott noted issue needs to be addressed quickly. C. Conway noted police presence is needed. M. Samaras noted drivers are not responsible.

6.2. National Grid - Req. installation of heavy duty handhole in sidewalk at 15 Pearl Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on November 12, 2019 at 7 PM by C. Kennedy, seconded by C. Milinazzo. So voted.



6.3. National Grid - Req. installation of SCADA gas pressure system to comply with safety standards in Callery Park area across from 242 Parker Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on November 12, 2019 at 7 PM by C. Nuon, seconded by C. Milinazzo. So voted.

C. Mercier requested point of personal privilege. No objection. C. Mercier relayed information she received from separate persons regarding Election of 2017 indicating that there were translator informing Southeast Asians on who to vote for and not how to vote. C. Mercier indicated that these individuals were afraid to come forward with such information and that she was compelled to bring it forward. C. Mercier noted need to protect the system at all levels with all needed safeguards. Manger Donoghue noted that there is extensive training and that City has never received a complaint regarding those incidents. Elliott Veloso (Interim Election Dir.) outlined the training of poll workers and how the hiring and system operated. C. Mercier questioned if workers knew of penalties if law is not followed. Manager Donoghue noted that any complaints regarding elections should be brought forward immediately. C. Conway questioned if poll workers understood exactly what penalties are involved when law is violated. C. Kennedy commented on the use of translators. C. Nuon noted training as well as lack of complaints. Atty. Veloso noted the process for workers as well as the chain of command.

7. CITY COUNCIL - MOTIONS

7.1. C. Leahy - Req. City Mgr. invite representatives from Verizon and Comcast to attend a Technology SC meeting to discuss issues with hanging wires throughout the City.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted need for further discussion of the issue.

7.2. C. Mercier - Req. City Mgr. have Transportation Engineer feasibility of installing 4-Way Stop at the intersection of Newall and Chamber Streets.

In City Council, seconded by C. Leahy referred to City Manager. So voted. C. Mercier commented on the residents' concerns.



8. ANNOUNCEMENTS

In City Council, M. Samaras reminded body of upcoming interviews for City Auditor. Manager Donoghue noted that any complaint regarding elections can be done anonymously.

9. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Kennedy, seconded by C. Leahy. So voted.

Meeting adjourned at 8:25 PM.

Michael Q. Geary, City Clerk