



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 13, 2020

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted in the Council Chamber; via teleconference with audio stream by LTC; and Zoom due to Covid-19 pandemic.

C. Mercier requested moment of silence in darkened chamber for Martha Joan Barrett, Esq. C. Rourke and C. Conway commented on the life of Ms. Barrett.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation.

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

2.2. Recognition - Specialty Materials.

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Elliott. So voted. Christine McCall (DPD) commented on the business and noted that C. Mercier provided Citation to them at an earlier date. The owners of the business addressed the body and thanked the Council.

2.3. Recognition - October As The National Domestic Abuse Awareness Month.

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Elliott. So voted. M. Leahy recognized the event. C. Nuon noted the need to bring attention to the awareness and the issue.

In City Council, **Motion** by C. Elliott, seconded by C. Nuon to suspend rules to allow business to be recognized by the body. So voted. M. Leahy recognized new business, Malis Nails Boutique whose owner thanked the body.



3. CITY CLERK

3.1. Minutes Of Finance SC September 22nd; City Council Meeting September 22nd; Finance SC Jointly With School Committee Finance SC September 29th, For Acceptance.

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

A) Motion Response - Update HCID – C. Nuon commented on the parking garage update. Manager Donoghue stated that it would be complete in November. C. Nuon commented on the traffic issues in the area. Manager Donoghue noted it was pretty smooth transition and not many complaints regarding Lord Overpass. C. Samaras requested update regarding Signature Bridge. Manager Donoghue noted that there would be a presentation before Transportation SC. Joe Giniewicz (DPD) provided update regarding Lord Overpass project.

B) Motion Response - City Owned Property – Motion by C. Nuon, seconded by C. Mercier to refer matter to Housing SC. So voted. C. Mercier noted process and lists produced. C. Elliott noted the working group established regarding this issue and the positive results that it has entailed. Manager Donoghue noted City has good strategy employed in this area regarding selling tax liens.

C) Motion Response - Outdoor Seating – C. Rourke noted that the City has a positive approach regarding assisting restaurants in this fashion. Ms. McCall commented on extending the program and indicated that there is upcoming ordinances to ensure that. **Motion** to take Items #5.6 and #7.2 out of order as they relate to this discussion. So voted. C. Nuon noted benefits of the program.

D) Motion Response - Rental Property Manager Posting – C. Rourke commented on the benefits for posting. Manager Donoghue noted that there needs to be an ordinance change. **Motion** by C. Rourke, seconded by C. Elliott to have Law Department draft ordinance regarding posting requirements. So voted.

E) Motion Response - Remote Learning Enrichment Programs – C. Drinkwater commented on the report and the great need for remote learning. C. Drinkwater noted that vendors will become aware of the need for such services in the City.

F) Motion Response - Citizen Traffic Concern Protocol – C. Conway suggested to delay comment on response until Transportation Engineer position is filled.

G) Motion Response - Social Distancing and Mask Requirement – C. Nuon noted



everyone has a role to play regarding safety in the community. C. Samaras noted the imperative need for masks. C. Nuon noted the necessity and you must be compliant and make sure masks are worn properly as well.

H) Motion Response - Boards and Commissions Membership – C. Nuon recognized the progress being done.

I) Motion Response - Citizen Advisory Committee, Diversity Training and HR Audit – C. Elliott noted it was a good update.

J) Motion Response - Diversity, Equity and Inclusion Task Force – C. Chau commented on the number of groups working together and noted the importance of outreach. Manager Donoghue commented on the different methods of outreach. Solicitor O'Connor noted different manners to inform and outreach regarding task force. M. Leahy commented on the report and the goals of the task force. C. Conway requested some clarification regarding task force as it seems similar to an established Citizen's Advisory. Manager Donoghue noted prior ordinance and that they are still establishing memberships. C. Conway questioned the need for two as the work could be duplicated. M. Leahy noted that there were differences between the entities as one works with the police and the other with Mayor's office. C. Nuon noted the policy issues were broader with this task force. C. Chau noted that task force has a broader sweep and once implemented differences will be clarified. C. Elliott noted that the listening session identified many issues in many areas and this task force is needed. C. Rourke noted the task force is a larger group which is needed to pinpoint issues. C. Samaras noted that the task force should have a subcommittee gather information and communicate with Council. Solicitor O'Connor compared this entity to the Opioid Task Force.

K) Motion Response - Retired Police Officers – C. Conway noted progress with the program and the need exist.

L) Motion Response - School Sanitation – Rich Underwood (School Maintenance) addressed the body regarding school sanitation. C. Samaras commented on cleaning and enforcing social distance rules and the use of masks. M. Leahy commented on signage and the products available to sanitize. Motion to suspend rules by C. Mercier, seconded by C. Rourke to discuss covid rules regarding schools. So voted. C. Rourke noted that schools would be going all remote and stated that his belief is that it will be going remote regardless of any further information available. M. Leahy stated if in "red" it will be all remote. Manager Donoghue outlined current covid situation. C. Rourke stated that the needs of the students are not met remotely and that should be identified. M. Leahy noted schools are following established guidelines. C. Rourke noted recent report on schools noted that they are safe and available for study. Manager Donoghue noted that the administration has been communicating with the schools and health department.



4.2. Informational Reports

M) Informational - Bond Sale, Refunding, and Budget Savings – Conor Baldwin (CFO) commented on the report noting strong financial position in terms of bond refinancing and refunding and the cost savings associated with it. C. Elliott noted the report reflects the strong fiscal policies of the City and that top rating allows favorable interest rates.

N) Informational - Presentation from WinnCompanies – Manager Donoghue noted that discussion will be moved to October 27th meeting.

Motion by C. Rourke, seconded by C. Elliott to bundle Items #4.3 to #4.6 inclusive. So voted.

4.3. Appoint Carolyn McCarthy To Sustainability Council

In City Council, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

4.4. Appoint Latashia White To Veterans Commission

In City Council, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

4.5. Appoint Robert Njoroge To Board Of Appeals.

In City Council, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

4.6. Re-Appoint James Pope And Beverly Anthes To Election Commission.

In City Council, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

Motion by C. Mercier, seconded by C. Elliott to bundle and waive second reading of Items #5.1 to #5.10 inclusive. So voted.

5. VOTES FROM THE CITY MANAGER

5.1. Accept Gift From Tewksbury Police Dept.

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.

5.2. Vote -Accept Expend Municipal Vulnerability Preparedness Action Grant.

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.



5.3. Vote- Accept.Expend Grant Center For Tech And Civic Life.

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. Elliott noted the importance of vote for fair elections. Manager Donoghue commented of the efforts of the Interim Election Director, Elliott Veloso. Atty. Veloso informed the Council regarding preparations for upcoming election. C. Mercier commended department for obtaining grant funding. Motion to suspend rules to take Item #10.3 out of order by C. Rourke, seconded by C. Elliott. So voted.

5.4. Vote -Apply.Accept.Expend 100,000 Dept Of Public Health.

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.

5.5. Vote -Auth Mgr Req Approval For Second Plan Change From DHCD.

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.

5.6. Vote-Accept.Expend 140,100 Shared Street And Spaces.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue noted that amount would be for \$70,100 and should reflect in the vote.

5.7. Vote-Auth CM Ex. LDA-With Lupoli Companies LLC.

In City Council, matter referred to October 27th Council meeting for more information.

5.8. Vote-Supplemental Appropriation (Pollard Memorial Library).

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.

5.9. Vote-Transfer Cemetery.

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.

5.10. Vote-Transfer Library.

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.



6. ORDERS FROM THE CITY MANAGER

6.1. 60 Day Trials 10-13-20.

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

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance - Amend Zoning.

In City Council, Given 1st Reading, **Motion** to refer to Planning Board on November 2, 2020 for report and recommendation and to a public hearing on November 10, 2020 at 7PM by C. Rourke, seconded by C. Chau. So voted.

7.2. Ordinance- Amend Sidewalk Seating Outside Restaurant.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on October 27, 2020 at 7PM by C. Rourke, seconded by C. Chau. So voted.

7.3. Ordinance- Create Position And Salary Nurse Case Manager Law.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on October 27, 2020 at 7PM by C. Nuon, seconded by C. Rourke. So voted. Solicitor O'Connor outlined the need for the position. C. Elliott noted it was costs saving measure.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Neighborhoods SC October 13, 2020.

In City Council, C. Rourke noted attendance and discussion of Markley Group, LLC petition for added flammable liquid storage. C. Rourke noted that the public hearing on the matter had been held and that the subcommittee recommends that the full Council approve the petition. C. Mercier commented on her tour of the facility noting how it was professionally maintained and operated. C. Rourke noted that the Lowell Fire Department and the MassDEP approved of the petition. **Motion** to accept the report as a report of progress by C. Chau, seconded by C. Mercier. So voted.

Motion by C. Mercier, seconded by C. Nuon to approve Markley Group, LLC petition to amend license to include an additional 15,000 gallons of Diesel II. Adopted per Roll Call vote 9 yeas. So voted.



8.2. Technology & Utilities SC October 13, 2020.

In City Council, C. Nuon noted attendance and discussion regarding internet services throughout the City. C. Nuon commented on Comcast internet service offers as it differs from current hot spot applications. C. Rourke noted Comcast offer has been before school body for a while and that the SiFi negotiations should end as they will not produce any results. **Motion** by C. Rourke, seconded by C. Samaras to have Manager cease further contract negotiations with SiFi. Adopted per Roll Call vote 9 yeas. So voted. C. Nuon noted that there must be as many vendors at table as possible. Manager Donoghue noted that there is no contract with SiFi and that they would just observe what their Salem, Ma. pilot program produces. C. Samaras noted that a SiFi contract could stifle competition. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Nuon. So voted.

9. PETITIONS

9.1. Claims - (3) Property Damage.

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

9.2. Misc. - LynnLowell, LLC (Atty. George Theodorou) Request Zoning Change To Extend UMF Zone Into LI Zone At 4 Wiggin St. / 153 Willie St.

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

9.3. Misc. - Joann Camilli Request Permission To Address The City Council Regarding Property At 25 Arlene Road.

In City Council, **Motion** to refer to City Manager and DPW for report and recommendation by C. Elliott, seconded by C. Rourke. So voted. Joann Camilli addressed the body. Manager Donoghue outlined all that has been done by the City regarding this petition. C. Mercier noted that whoever speaks before this body must be respectful and this petitioner was not.

9.4. Misc. - Tina Degree Request City Council Develop A Residential Parking Program For Area Around Market And Merrimack Streets.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Nuon, seconded by C. Chau. So voted.

9.5. Misc. - Tania Ormonde/Pedro Camara Request Installation Of A Traffic Mirror At The Mt. Vernon Street And Broadway Street 4-Way Intersection.

In City Council, **Motion** to refer to Transportation Engineer to draft ordinance by C. Nuon, seconded by C. Mercier. So voted. C. Mercier noted it was a public safety issue.



9.6. Misc. - Ronald DiBerto Request City Council Establish A Lowell Walk Of Fame.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Chau, seconded by C. Rourke. So voted. Ronald DiBerto addressed the body regarding the concept. C. Mercier commented that it was a terrific idea. C. Elliott noted that this should move forward. C. Chau noted it would be beneficial to work with petitioner.

9.7. TC Systems, Inc. (AT&T) - Request Installation Of Two (2) Telecommunication Conduits At Intersection Of University Avenue And Pawtucket Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on October 27, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.

Motion to bundle Items # 10.1 to #10.12, second them and refer to City Manager by C. Elliott, seconded by C. Chau. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Elliott - Req. City Mgr. Meet With The Lowell Housing Authority Chairman Regarding PILOT In Place And Address Contaminated Trash Issues.

In City Council, seconded by C. Chau, referred to City Manager. So voted.

10.2. C. Elliott - Req. City Mgr. Report On Illegal Dumping And Efforts To Have National Grid Clean Up Their Property In South Lowell.

In City Council, seconded by C. Chau, referred to City Manager. So voted.

10.3. C. Mercier - Req. City Mgr. Have Interim Election Director Explain Early Voting In Massachusetts In Order To Make Voting As Easy As Possible By Extending Voting Hours For Working People And Installing Separate Voting Drop-Off Boxes.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Mercier noted issues that have been present in system. Elliott Veloso (Interim Elections Director) outlined the process including presence of ballot boxes, mail-in ballots, early voting and delivering ballots to City Hall.

10.4. C. Nuon - Req. City Mgr. Reach Out To Lowell General Hospital And The Lowell Community Health Center To Request They Implement Free Testing Sites In Collaboration With The State's Stop The Spread Campaign.

In City Council, seconded by C. Chau, referred to City Manager. So voted.



10.5. C. Nuon - Req. City Mgr., DPD, And Business Recovery Task Force Work On Grant To Hire A Business Coordinator For Downtown Businesses.

In City Council, seconded by C. Chau, referred to City Manager/DPD. So voted.

10.6. C. Drinkwater - Req. City Mgr. Work With Appropriate Departments On Ways To Improve The Accessibility Of Public Documents And Reports On The City Of Lowell Website, And To Report On The Feasibility Of Creating Online “Dashboard” To Consolidate Information Including City Council Motions And Their Corresponding, Informational Reports And Other Information Deemed To Be Of Interest To Residents.

In City Council, seconded by C. Chau, referred to City Manager. So voted.

10.7. C. Drinkwater - Req. City Mgr. Direct The Law Department To Draft An Ordinance Relative To Housing Stability Notification, Requiring Notice To Tenants Whose Tenancies Are Being Terminated On The Rights And Resources Available To Them.

In City Council, seconded by C. Chau, referred to City Manager. So voted.

10.8. C. Chau - Req. City Mgr. Develop And Report On Preparations And Plans For A Second Wave Of Covid-19.

In City Council, seconded by C. Elliott, referred to City Manager. So voted.

10.9. C. Chau - Req. City Mgr. Provide An Update Regarding The Halloween Plans Within The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted.

10.10. C. Chau - Req. City Mgr. Investigate And Report On Possible Additional Funding For Small Businesses Within The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted.

10.11. C. Chau - Req. City Mgr. Post The Appropriate Traffic And Speed Signage On Andover Street.

In City Council, seconded by C. Elliott, referred to City Manager. So voted.

10.12. M. Leahy - Req. City Mgr. Have Proper Department Continue To Work With School Department And Comcast For Improved Internet Services Throughout The City.

In City Council, seconded by C. Chau, referred to City Manager. So voted.



11. CITY COUNCIL - EXECUTIVE SESSION

11.1. Executive Session: To Discuss Matters Of Litigation And Contract Negotiations Regarding 75 Arcand Drive, Public Discussions Of Which May Have A Detrimental Effect On The City's Position.

In City Council, M. Leahy stated reason for Executive Session, **Motion** by C. Nuon, seconded by C. Chau to enter Executive Session for stated purpose and to adjourn from Executive Session (9:15 PM). Adopted per Roll Call vote 9 yeas. So voted. M. Leahy stated that body would adjourn from the Executive Session.

12. ANNOUNCEMENTS

In City Council, M. Leahy noted Firefighter Memorial.

13. ADJOURNMENT

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

Meeting adjourned at 9:45 PM.

Michael Geary, City Clerk