



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: April 26, 2022

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 11 present.

M. Chau presiding. Asst. Clerk Angela Gitschier and Interim City Manager Michael Geary were present.

M. Chau requested moment of silence in darkened chamber for Robert Hatem. Manager Geary commented on the life of Mr. Hatem.

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)

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

2.2. Citation - Mary Taurus (Lowell Votes).

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Gitschier. So voted. C. Nuon presented the Citation. Ms. Taurus addressed the body.



2.3. Citation - Elliott Veloso (Law/Elections).

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by C. Scott. So voted. Atty. Veloso addressed the body. The following commented the contributions of Atty. Veloso: C. Jenness, C. Gitschier, C. Yem, C. Nuon, C. Mercier, C. Leahy, Manager Geary and Solicitor O’Connor.

3. CITY CLERK

3.1. Minutes Of Municipal Facilities Joint With Lowell School Committee Facilities SC April 12th; City Council Regular Meeting April 12th, For Acceptance.

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

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance - Eliminate And Amend Position Of Director Of Homelessness Initiatives.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Jenness, seconded by C. Drinkwater. Adopted per Roll Call vote 11 yeas. So voted.

4.2. Ordinance - Temporary Outdoor Seating & Other Initiatives To Support Small Businesses.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Nuon. Adopted per Roll Call vote 11 yeas. So voted.

Motion to suspend rules by C. Mercier, seconded by C. Nuon to take Items #6.2; 9.1; and 9.2 out of order. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Update on Decibel Meters – C. Gitschier noted the report.

B) Motion Response - Water Main Break Repairs by Contractors – C. Gitschier noted the report and questioned the contents. C. Gitschier commented on time and areas of repairs. Mr. Pires (Water) was unsure of the time of day each repair was made. C. Gitschier noted many repairs were small enough to do in house and questioned if workers are answering calls for overtime. Mark Young (Director of Water) noted that was an issue. C. Gitschier noted that workers are informed of overtime schedule and if they are not willing to accommodate then the work will have to go out to



contract and further noted the more work the goes out the door the less need for employees in the department.

C) Motion Response - Marijuana Revenue Update – C. Mercier noted the report. Manager Geary commented on sunset clause in agreements per statute after five years from execution.

D) Motion Response - Maintenance of Effort – C. Nuon commented on the detail of the report. Conor Baldwin provided synopsis of the report. C. Nuon noted the need for constant dialogue to ensure report is accurate. Mr. Baldwin commented on in-house review of expenditures. Manager Geary noted that dialogue is critical and is part of reason the net school spending has increased yearly by the City.

E) Motion Response - Meals Tax – C. Mercier noted the report and indicated her frustration with the issue and the slow response of the Department of Revenue. C. Leahy commented on the situation as well.

F) Motion Response - Purchase of Ladder Truck – C. Gitschier questioned time frame for delivery of the truck. Chief Charon (LFD) noted it could take close to two years. C. Mercier thanked the department for their recent help with the Portuguese Monument in Back Central Neighborhood.

G) Motion Response - Rodent Issues Update – C. Scott noted it was a good report.

H) Motion Response - Dutton And Broadway Streets – C. Jenness noted report and the future development of that area.

I) Motion Response - Clemente Park Update – C. Robinson indicated the report was good. C. Yem commented on naming of Clemente Park and Palin Park.

J) Motion Response - Status of LTLC – C. Scott indicated report was fine.

K) Motion Response - Stedman and Westford Intersection – C. Gitschier noted he had no questions regarding response.

Motion by C. Robinson, seconded by C. Mercier to refer remaining items to City Council Meeting on May 3, 2022. So voted.

5.2. Informational Reports

L) Informational - ARPA Public Listening Flyer – Referred to City Council Meeting May 3, 2022.

M) Informational - GFOA Budget Award – Referred to City Council Meeting May 3, 2022.



6. VOTES FROM THE CITY MANAGER

6.1. Vote - Authorize City Manager Enter Into License Agreement With LaLa Books. – Referred to City Council Meeting May 3, 2022.

6.2. Vote - Authorize CM Become Member Of Sister Cities International.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Drinkwater. Adopted per Roll Call vote 11 yeas. So voted.

Motion to bundle Items #7.1; 8.1; and 11.2 to 11.5, inclusive by C. Gitschier, seconded by C. Drinkwater. So voted.

7. ORDERS FROM THE CITY MANAGER

7.1. Order - Abandon Portion Second Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 10, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance - Amend Zoning Ext TTF Zone - 89 Agawam.

In City Council, Given 1st Reading, **Motion** to refer to Planning Board for report and recommendation and to City Council Public Hearing on May 24, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

9. RESOLUTIONS

9.1. Resolution - Establish Sister City With Envigado, Colombia.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Rourke. Adopted per Roll Call vote 11 yeas. So voted. C. Mercier commented on the history of the resolution.

9.2. Resolution - Establish Sister City With Kalamata, Greece.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Nuon. Adopted per Roll Call vote 11 yeas. So voted. M. Chau noted the former Councilor Samaras began the process during his term as Mayor. William Samaras and William Kafkas addressed the Council regarding the resolution. C. Rourke commented on upcoming events regarding resolution which include a flag raising event.

Motion to suspend rules by C. Nuon, seconded by C. Robinson to take Items #12.12 out of order. So voted.



10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Finance SC Joint With School Finance SC April 26, 2022. – Referred to City Council Meeting May 3, 2022.

11. PETITIONS

11.1. Claims - (2) Property Damage. – Referred to City Council Meeting May 3, 2022.

11.2. National Grid - Request Installation Of (1) JO Pole (17-50) On Market Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 10, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

11.3. National Grid - Request Installation Of 4 New 4 Inch Underground Electric Conduit To Property At 555 Middlesex Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 10, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

11.4. National Grid - Request Installation Of 50 Feet Of Underground Electric Conduit From Market Street To Service Property At 630 And 650 Merrimack Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 10, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

11.5. National Grid - Request Installation Of Manhole, Hand Holes And (2) Underground Conduits On French And Kirk Street To Upgrade Lowell High School East Electric Service.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 10, 2022 at 7 PM by C. Gitschier, seconded by C. Drinkwater. So voted.

12. CITY COUNCIL - MOTIONS

12.1. C. Gitschier - Req. City Mgr. Have The Proper Department Repair The Brick Sidewalk Outside Tre-Monte On The Palmer Street Side For The Outside Seating Area. – Referred to City Council Meeting May 3, 2022.

12.2. C. Gitschier/C. Robinson - Req. City Mgr. Set Up A Tour Of LeLacheur Park And The National Park For The City Council. – Referred to City Council Meeting May 3, 2022.

12.3. C. Robinson - Req. City Mgr. Have Proper Department Install A Stop Sign At The Intersection Of Christian Avenue And Methuen Street. – Referred to City Council Meeting May 3, 2022.



12.4. C. Robinson - Req. City Mgr. Have Proper Department Look At Installing A 4-Way Stop At Read Street And 5th Street Intersection. – Referred to City Council Meeting May 3, 2022.

12.5. C. Robinson - Req. City Mgr. Have Proper Department Look Into Changing Traffic Pattern For Side Streets Off Of Bridge Street From 2-Way To 1-Way. – Referred to City Council Meeting May 3, 2022.

12.6. C. Robinson - Req. City Mgr. Have Proper Department Look Into Installation Of Additional Lighting Along 1st Street. – Referred to City Council Meeting May 3, 2022.

12.7. C. Robinson - Req. City Mgr. Have Proper Department Provide A Plan To Remove “Widow Makers”, Dead Wood Along 1st Street. – Referred to City Council Meeting May 3, 2022.

12.8. C. Robinson - Req. City Mgr. Have Proper Department Provide A Report On What Services Our Animal Control Department Provide; Including, How Stray Animals Are Handled And If The Department Head Feels As If They Are Adequately Staffed. – Referred to City Council Meeting May 3, 2022.

12.9. C. Robinson - Req. City Solicitor Work With The Council To Change DEI Officer Position To Report To City Council Directly.

In City Council, seconded by C. Scott referred Personnel SC. Registered speaker, Narim Sunuon addressed the body. So voted. C. Robinson noted motion speaks for itself. Substitute **Motion** by C. Rourke, seconded by C. Yem to refer to Personnel SC. So voted. C. Leahy questioned what the result of the motion would be and would not approve request but willing to discuss in subcommittee. C. Yem noted that could change Charter in City and would not favor that. Solicitor O'Connor noted that request would require a charter change as well change in Plan E form of government. C. Jenness noted the position belongs under City Manager and not Council. C. Nuon noted need to discuss the position but not in favor of changing Plan E. C. Scott noted objection to any charter or Plan E changes. C. Gitschier noted challenges in the position and the need to discuss them. C. Drinkwater noted the concerns and no matter where position is located there is always Council oversight. C. Rourke noted need to change scope of position. C. Robinson noted problem with last employee that should be addressed. M. Chau favored subcommittee involvement with the City Solicitor. C. Leahy noted there was an employee issue but not an exclusive administrative issue.

Motion by C. Mercier, seconded by C. Nuon to take Item #12.21 out of order. So voted.

12.10. C. Nuon - Req. City Mgr. Have Proper Department Install A Stop Sign At The Intersection Of Columbia And Wright Streets. – Referred to City Council Meeting May 3, 2022.



12.11. C. Nuon - Req. City Mgr. Have The Proper Department Investigate The Possibility Of Renovating The Lowell District Court For The Lowell Police Department. – Referred to City Council Meeting May 3, 2022.

12.12. C. Nuon - Req. City Mgr. Provide An Update Regarding Hiring Of The Director Of Elections Department.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. Registered speakers, Justin Ford, Ron Peacetree and Joanna Danis, addressed the Council. C. Nuon noted need to adjust salary to attract applicants. C. Robinson noted wage study will be helpful in setting wage parameters.

Motion by C. Robinson, seconded by C. Leahy to take Item #12.9 out of order. So voted.

12.13. C. Nuon - Req. City Mgr. Provide An Update Regarding The Hiring Of Traffic Engineer. – Referred to City Council Meeting May 3, 2022.

12.14. C. Rourke/C. Scott - Req. City Mgr. Have The DPD Present The Council With An RFP For The Lease And/Or Sale Of LeLacheur Park. – Referred to City Council Meeting May 3, 2022.

12.15. C. Scott - Req. City Mgr. Have Appropriate Department Provide A Report About The Parking Placard Policy For Residents' Homes; The Report Should Include What Is Needed To Apply For One, Where They Are Allowed In The City, Instructions For Their Placement And How They Are Enforced. – Referred to City Council Meeting May 3, 2022.

12.16. C. Scott - Req. City Mgr. Have Appropriate Department Report On Pedestrian And Traffic Improvements To Be Implemented In Conjunction With The Pending Opening Of The New Home Depot Distribution Center On Woburn Street In Tewksbury. – Referred to City Council Meeting May 3, 2022.

12.17. C. Scott - Req. City Mgr. Have Proper Department Develop A Plan To Post Dates And Approximate Times On The City Website Of Any Blasting Activities That Will Happen Within Any Neighborhoods. – Referred to City Council Meeting May 3, 2022.

12.18. C. Scott - Req. City Mgr. Have Proper Department Look Into Installing A Stop Sign At The Exit From The VA Clinic At The Corner Of Cunningham And Marshall Roads. – Referred to City Council Meeting May 3, 2022.

12.19. C. Scott - Req. City Mgr. Have Proper Department Remove The Small Pedestrian Bridge On The Pond On Park Avenue Near The Pyne Arts School. – Referred to City Council Meeting May 3, 2022.



12.20. C. Scott/C. Robinson - Req. City Mgr. Report On The Feasibility Of Developing And RFI For A Municipal Marketing Program; The RFI Should Include The Goal Of Identifying City Owned Assets Available For Sponsorship And Advertising To Bring In New City Revenues Using A Private/Public Partnership Model. – Referred to City Council Meeting May 3, 2022.

12.21. C. Mercier - Req. City Council Negotiate The Manager's Contract.

In City Council, seconded by C. Gitschier, defeated by Roll Call vote 2 yeas (C. Mercier, C. Gitschier), 9 nays. So voted. C. Mercier amended motion to include “in open session” language without objection. C. Mercier noted all should be involved with negotiation as information is available to public before all members are aware of it. City Solicitor O’Connor noted best approach is through Executive Session and then vote and discuss matter in public session. C. Yem favored Executive Session model. C. Nuon noted need for Executive Session as a third party is involved. C. Gitschier noted the issue is the release of information leaked from these sessions. C. Drinkwater questioned process with the Solicitor. Solicitor O’Connor noted that there could be a full discussion once contract is voted upon. C. Rourke noted still public process with the Executive Session. M. Chau noted Executive Session protects the integrity of the process.

Motion to suspend rules by C. Yem, seconded by C. Mercier to take Items #13.1 out of order. So voted.

12.22. C. Mercier - Req. City Mgr. Have Police Patrol The Area Surrounding Gorham, Central And Charles Streets; Especially In The Area Of Jerry’s Food Store And The Portuguese American Monument. – Referred to City Council Meeting May 3, 2022.

12.23. C. Leahy - Req. City Mgr. Report On Status Of Filling Potholes Around The City Of Lowell. – Referred to City Council Meeting May 3, 2022.

12.24. C. Leahy/C. Jenness - Req. City Mgr. Have DPW Look Into Sidewalk Condition On Palmer Street, In Front Of Tre-Monte Restaurant, And Come Back With Plan To Fix And Repair The Sidewalk. – Referred to City Council Meeting May 3, 2022.

12.25. C. Leahy/M. Chau - Req. City Mgr. Work With Proper Department For Major Clean-Up Throughout The City. – Referred to City Council Meeting May 3, 2022.

13. CITY COUNCIL - EXECUTIVE SESSION

13.1. Executive Session - To Conduct Contract Negotiations Regarding Nonunion Personnel (City Manager), Public Discussion Of Which May Have A Detrimental Effect On The Position Of The Body.

In City Council, M. Chau stated reason for Executive Session, **Motion** by C. Yem, seconded by C. Mercier to enter Executive Session for stated purpose and to adjourn



after returning back to the public session (8:30 PM). Adopted per Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted. M. Chau stated that body would adjourn from the public session once Executive Session has ended.

In City Council after conclusion of Executive Session, Roll Call showed 11 present (10:15 PM)

M. Chau presiding. Asst. Clerk Angela Gitschier and Interim City Manager Michael Geary were present.

Motion by C. Mercier, seconded by C. Robinson to adopt the employment contract of Thomas Golden (City Manager) as amended. M. Chau commented on contract process and the time Mr. Golden will begin. Solicitor outlined the employment contract with Mr. Golden. C. Mercier noted that Council Rule 5 had been waived to allow further discussion.

Motion by C. Robinson, seconded by C. Mercier to refer remaining items to City Council Meeting on May 3, 2022. So voted. Adopted per Roll Call vote 11 yeas. So voted.

14. ANNOUNCEMENTS

15. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Jenness, seconded by C. Gitschier. So voted.

Meeting adjourned at 10:25 PM.

Michael Q. Geary, City Clerk (notes of Asst. City Clerk Gitschier)