



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** January 10, 2023

**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.

C. Leahy requested moment of silence in darkened chamber for James Quealey.

### 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)

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

### 3. CITY CLERK

#### 3.1. Minutes City Council Regular Meeting January 3rd For Acceptance.

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



## 4. COMMUNICATIONS FROM CITY MANAGER

### 4.1. Motion Responses.

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

**A) Motion Response - City Vehicles with Attachment** – C. Robinson requested further information to ensure needs are being met. Manager Golden, Jr. noted there is some breakdown regarding use for emergency situations. C. Gitschier questioned policy for use and procedure used to enforce policy. Supt. Golner (LPD) outlined policy regarding use by the Lowell Police. Mary Callery (HR) noted how policy is distributed to department heads and that her office does not have acceptance signatures. Manager Golden, Jr. noted policy is reviewed regularly.

**B) Motion Response - Animal Control and Vet Services – Motion** by C. Gitschier, seconded by C. Mercier to discuss Item #5.1 out of order. So voted. C. Mercier commented on meeting with department to have questioned answered. C. Mercier noted vet bills needed to be paid and that service is important. C. Gitschier noted unpaid bills indicated there is an issue with the procedure and that it should be reviewed and revised to ensure proper payments to vendors. Supt. Golner commented on the issues resulting in unpaid bills indicating the revised policy to prevent further mishaps. C. Gitschier noted there were internal finance control questions. Conor Baldwin (CFO) commented on controls over procurement and accounts payable. C. Gitschier outlined how the process should work which includes added information to ensure services were rendered. C. Scott questioned if research was done to ensure that these bills are legitimate. Mr. Baldwin indicated that certificated by vendors and the City indicate that bills are legitimate. C. Nuon noted vendors need to be paid for services in a timely fashion. C. Robinson commented that the new policy should be pushed out and that employees understand it. Supt. Golner outlined how policies are distributed in the department. C. Jenness noted the need for policies to prevent frustrating situations. **Motion** by C. Jenness, seconded by C. Mercier to request City Manager have quarterly audits regarding status of payments to vendors. So voted. C. Yem questioned if services are still being done by these vets. Supt. Golner indicated that the services were in place.

**C) Motion Response - Homelessness Prevention Funding with Attachment** – Registered speaker, Ann Isler-Korbaj, addressed the Council. C. Rourke noted report showed effort on the part of the City and that there are many resources available for this population. C. Robinson noted there are resources there for those who want them. Maura Fitzpatrick (Homeless Coordinator) commented on the current bed availability. Manager Golden, Jr. noted the number of meetings to ensure resources and that there are a lot of teams on the ground. C. Nuon noted the need to work with groups who have bed openings. Ms. Fitzpatrick noted the provider meetings. C. Nuon noted the availability of emergency shelter grants and the money going to various agencies through them along with CDBG funding. Yovani Baez-Rose (DPD) commented on the grant application and disbursement procedures. C. Mercier commented that her research indicates that there are beds available for this population. C. Gitschier



questioned resources available for entire homeless families. Manager Golden, Jr. noted that families are treated differently per Massachusetts law. Ms. Fitzpatrick noted procedures for families seeking shelter. Manager Golden, Jr. commented on involvement of adjoining communities. C. Gitschier noted the cleaning of camps and the amount of resources available and that all people are treated with respect. C. Drinkwater noted the public health issue and that City must ensure that all have a warm and safe place to stay. C. Drinkwater commented on the emergency shelter grants in terms of time frames. Ms. Baez-Rose commented on application process and time frame situation. C. Robinson commented on partnerships with surrounding communities. Ms. Fitzpatrick commented on the condition of the shelter and surrounding area.

**D) Motion Response - Tax Title Auction Update** – C. Jenness requested update for next auction date. Manager Golden, Jr. noted advertising will be done in February with public auction to follow. Austin Ball (Asst. CFO) noted City is prepared to hold auction. C. Jenness requested information be put out to public. C. Yem requested list of auctioned properties.

**E) Motion Response - Permitting Process** – C. Robinson noted report provides important information. Peter Crew (Special Events) commented on information to public and manner in which it will be distributed which will involve LTC. C. Yem noted content of the report.

Manager Golden, Jr. introduced new City Solicitor and First Assistant Solicitor, Helene Tomlison and Corey Williams, to the Council. Each addressed the body.

#### **4.2. Informational Reports.**

**Informational Report - GFOA Budget Award FY23 with Attachment** – Manager Golden, Jr. commented on the award. C. Rourke recognized the effort of each department.

**Motion** by C. Jenness, seconded by C. Nuon to take Item #9.15 out of order. So voted.

#### **4.3. Communication - City Manager Request Out Of State Travel (1) LPD.**

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Jenness. Adopted by Roll Call vote 11 yeas. So voted.

#### **4.4. Communication - Reappointments Of Troy Depeiza And George Villaras To Historic Board.**

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted by Roll Call vote 11 yeas. So voted.



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

### **5.1. Vote - Authorize Payment Of Bills Incurred In Excess Of Appropriations – LPD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Yem. Adopted per Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.

### **5.2. Vote - Transfer \$201,400 – DPW.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Drinkwater. Adopted per Roll Call vote 11 yeas. So voted. Manager Golden, Jr. commented on the benefits of the transfer. C. Gitschier noted the effect it will have on other employees and requested that electricians at Water Department be afforded same benefit. Manager Golden, Jr. noted there should be equity across the board and need time to achieve that. C. Jenness noted step in the right direction and support same of other employees.

## **6. ORDINANCES FROM THE CITY MANAGER**

### **6.1. Ordinance - Create Position IT Manager - Career Center.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on January 24, 2023 at 7 PM by C. Nuon, seconded by C. Jenness. So voted. C. Nuon commented on the position and the cost savings.

## **7. REPORTS (SUB/COMMITTEE, IF ANY)**

In City Council, none.

## **8. PETITIONS**

### **8.1. Claims - (4) Property Damage.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Scott, seconded by C. Mercier. So voted. C. Yem requested electronic package for claims.

## **9. CITY COUNCIL - MOTIONS**

### **9.1. C. Gitschier - Req. The City Mgr. Have The Proper Department Provide The City Council With The Maintenance Schedule And Cleaning Schedule Of Each Parking Garage.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Gitschier noted need for more scheduled cleanings. C. Jenness noted need to do a better cleaning job.



**9.2. C. Nuon/C. Jenness - Req. City Mgr. Have Proper Department Provide A Report On Potential Initiatives To Reduce The Commercial Vacancy Rate In The Downtown Central Business District And The Neighborhood Business Districts. Report To Include Potential Funding For Business Districts From The American Rescue Plan (ARPA) Or The State's Massachusetts Vacant Storefronts Program (MVSP).**

In City Council, no second needed, referred to City Manager. So voted. C. Nuon commented on need to reduce vacancy rate and expand commercial tax base. C. Robinson noted assistance with elevator repair/installation assistance may help to develop area.

**9.3. C. Nuon - Req. City Mgr. Update The City Council On The Status Of Potential Help From The State Regarding The \$38 Million Dollar Overrun On The Lowell High School Construction Project.**

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Nuon commented on effort at the State level. C. Gitschier noted other issues with communities and the time to push for assistance is now.

**9.4. C. Robinson - Req. The City Mgr. Have The Proper Department Explore The Feasibility Of Acquiring A Mobile Snow Gun Machine To Create More Opportunities For Our Residents To Enjoy Public Space In Winter Months.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Robinson noted need to increase recreation opportunity during winter season. C. Scott noted need to get people outdoors post Covid. C. Jenness noted plan would be great for community and should look towards Nashoba Ski Area for guidance. C. Yem noted the North Common would be a good site.

**9.5. C. Robinson - Req. The City Mgr. Have The Proper Department Explore The Feasibility Of Extending Fence Along 1st Street To Deter Illegal Dumping.**

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson noted fencing was working so it should be extended. C. Mercier agreed with fencing and noted the area was State property.

**9.6. C. Robinson - Req. The City Mgr. Have The Proper Department Address Overgrowth Along 1st Street To Enable Efficient Maintenance.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Robinson noted best time to clear be during winter so spring clean-up is easier.

**9.7. C. Robinson - Req. The City Mgr. Have The Proper Department Provide A Detailed Report With Focus On Cost To Bring ALL Services Included In Parking Enterprise Contract In House.**



In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Robinson noted the need to review costs of such a shift.

**9.8. C. Robinson - Req. City Mgr. Provide An Update On All Current And Future Apprenticeship Opportunities Within The Organization.**

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

**9.9. C. Robinson - Req. The City Mgr. Have The Proper Department Provide An Update On Motion Response From June 14, 2022. Wastewater COVID Monitoring. Original Motion: MOTION RESPONSE – 5/17/22 - C. Robinson - Req. City Mgr. Have Proper Department Provide An Assessment Of The Infrastructure And Staffing Needed To Conduct Waste Water Evaluation For COVID As Well As Other Health Related Conditions That May Be Assessed Via Waste Water Surveillance.**

In City Council, seconded by C. Gitschier, referred to City Manager. So voted. C. Robinson noted testing being done and need for updated data.

**9.10. C. Robinson - Req. City Mgr. Explore Using Hamilton Canal Garage (HCID Parking Facility), As Part Of Winter Protocol And Create Seasonal Unhoused Shelter Opportunities Working With Community Partner Organizations.**

In City Council, withdrawn by C. Robinson.

**9.11. C. Robinson - Req. City Mgr. Have Proper Department Examine Traffic Lights At Bridge And VFW, Bridge And West 6th For Possible Timing Adjustments To Mitigate Traffic Backups.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Robinson noted timing is off and needs adjustment.

**9.12. C. Yem - Req. The City Mgr. Have The Appropriate Department To Provide Water Sub-Metering In Residential Tenancies According To MGL C.186, § 22.**

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

**9.13. C. Jenness/C. Leahy - Req. City Mgr. Have Proper Department Investigate The Procurement And Installation Of A Memorial Plaque For Angel Perez On Market St.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness commented about Mr. Perez. C. Leahy noted Mr. Perez was known as the “Mayor of Market Street”.



**9.14. C. Jenness/C. Leahy - Req. City Mgr. Have Proper Department Work To Include A Public Menorah Lighting During Next Year's Holiday Celebrations.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted it was a resident request.

**9.15. C. Jenness - Req. City Mgr. Have Proper Department Investigate The Findings Of The Human Rights Campaign's Annual Municipality Equality Index, Rating LGBTQ+ Inclusion In Municipal Law And Policy That Showed Lowell With The Lowest Score Of The Ten Massachusetts Municipalities Ranked In This Year's Report And Develop An Action Plan Accordingly.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Roland Beauchesne, addressed the Council. C. Jenness recognized the speaker and the need for further work in this area and that the DEI position to be filled with assist with that. Manager Golden, Jr. commented on the report noting changes are attainable. C. Robinson noted that a commission should be established to address any needs of the community. C. Scott noted City should always strive to be more welcoming and polices should reflect that. C. Nuon noted it was an opportunity to improve. C. Leahy noted all efforts should be made to be inclusive. C. Gitschier questioned process of the study and City response to same. M. Chau noted it was an important area and all efforts should be made to improve.

**9.16. C. Mercier - Req. City Mgr. Find Ways And Means Of Televising The Board Of Health Advisory Committee Meetings.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted meetings can be televised and is proper for public to get that information.

**9.17. C. Leahy - Req. The City Mgr. Have The Proper Department Place Garden Road On The Re-Paving List.**

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Leahy noted road was in poor condition and should be reviewed.

**9.18. M. Chau -Req. City Mgr. Investigate Installing Panic Buttons In All City Departments.**

In City Council, seconded by C. Yem, referred to City Manager. So voted. M. Chau noted importance of safety in the building. C. Yem noted open concept of building calls for more safety measures including the use of cameras in Tax Collector's Office.

**9.19. M. Chau – Req. City Mgr. Provide An Update On Covid Protocol/Guidelines For City Employees.**

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



## 10. ANNOUNCEMENTS

In City Council, C. Mercier noted upcoming Bridge Club Greater Lowell event. C. Robinson noted upcoming Golden Gloves event and the availability of lifeguard training. C. Jenness noted Central Street Bridge is open both ways. C. Drinkwater noted event happening at upcoming charity hockey game. Manager Golden, Jr. informed public that trash was on regular pick-up schedule.

## 11. ADJOURNMENT

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

Meeting adjourned 9:02 PM.

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Michael Q. Geary, City Clerk