

## CITY COUNCIL REGULAR MEETING MINUTES MAY 30, 2023

Date: May 30, 2023

Time: 6:30 PM

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

### 1. ROLL CALL

Roll Call 10 Present, 1 absent (C. Rourke).

M. Chau presiding.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote/Zoom Participation.

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

#### 2.2. Presentation - Afro-American Community Collaborative Juneteenth Weekend Event.

In City Council, **Motion** to accept and place on file by C. Robinson, seconded by C. Gitschier. So voted. Ms. Mitchell representing the Collaborative outlined upcoming events

### 3. CITY CLERK

#### 3.1. Minutes Of City Council Meeting May 23rd, For Acceptance.

In City Council, **Motion** to accept and place on file by C. Mercier, seconded by C. Jenness. So voted.

**Motion** C. Robinson, seconded by C. Scott to bundle and take out of order Items #9.12 and #9.12. So voted.

## **4. COMMUNICATIONS FROM CITY MANAGER**

### **4.1. Motion Responses.**

In City Council, **Motion** to accept and place on file by C. Scott, seconded by C. Drinkwater. So voted.

**A) Motion Response - Masses at the Shrine** – C. Mercier noted the need to remove people and still be compassionate. C. Robinson noted the need to review and enforce ordinances to protect the public. C. Leahy noted actions by Church to simply move people was not very efficient.

**B) Motion Response - Centralville Art Projects 2023** – C. Robinson commented on process to identify locations. Peter Crewe (Cultural Affairs) noted use of an inventory list would be effective. C. Robinson questioned use of space for public art. Manager Golden, Jr. indicated that bridges and other road infrastructure could house public art.

**C) Motion Response - Micro Dog Parks** – C. Leahy noted request was to utilize small spaces within big spaces. C. Mercier indicated South Common could be such an area.

**D) Motion Response - Honoring AAPI Community** – C. Nuon recognized the community and specific honorees.

**Motion** by C. Robinson, seconded by C. Nuon to take Item #8.2 out of order. So voted.

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

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

In City Council, Read twice **Motion** to Table by C. Jenness, seconded by C. Mercier. Tabled per Roll Call vote 10, yeas, 1 absent (C. Rourke). So voted. James Hall (School

Administration) presented bad bills before body. C. Gitschier noted certifications were faulty and presented an issue and that his prior request were not addressed for the third time. Corey Williams (City Solicitor) noted that certifications did not comply with City employee certifications. C. Gitschier noted vendors had responsibility in process as well, but the school administration work is sloppy. C. Gitschier noted school response regarding emergency procurement was not applicable and incorrect that it should be followed. Conor Baldwin (CFO) noted the need for proper procurement and indicated that the services were rendered. C. Gitschier noted procedures must be followed for proper contracts to be signed. C. Gitschier noted prior request were ignored and that some of the attached bills are not even bad bills and that the schools need to sharpen their output. Mr. Baldwin noted prior attempts to clean up invoices. C. Jenness noted bills should be sent back to clean up the matter and do as requested. C. Leahy noted issues with the bad bills continues to happen and school is responsible for it. M. Chau noted the number of times being returned and the issue should be corrected. C. Nuon noted vendor provided certification and they should be paid. C. Mercier posed questions to City Auditor regarding proper reaction to vote noting she had no problem with paying vendors but there are legitimate concerns with how school administration is handling the matter. C. Drinkwater noted questions were not answered but there is a certification by CFO of schools indicating compliance. C. Robinson noted the sloppy effort that needs clarity. C. Scott noted send package back to get information already requested. C. Jenness introduced motion to table.

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

## **6.1. Order - 60 Day Trial.**

In City Council, Read twice, **Motion** to Adopt by C. Yem, seconded by C. Jenness. Adopted per Roll Call vote 10 yeas, 1 absent (C. Rourke). So voted. C. Leahy questioned certain areas in order. Manager Golden, Jr. indicated it was a resident request.

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

In City Council, none.

## **8. PETITIONS**

### **8.1. Misc. - Marckenson Lafleur (Corner Cafe - Owner) Request Installation Of Loading Zone Sign For Designated Hours At 1164 Lawrence Street (Side Street).**

In City Council, **Motion** to refer to Transportation Engineer by C. Scott, seconded by C. Jenness. So voted.

### **8.2. Misc. - Norma Von Fricken Request To Address Council Regarding Climate.**

In City Council, **Motion** to accept and place on file by C. Nuon, seconded by C. Gitschier. So voted. Ms. Von Fricken addressed the Council.

## **9. CITY COUNCIL – MOTIONS**

### **9.1. C. Yem - Req. City Mgr. Have The Appropriate Department Consider Making The Intersection Of Mount Vernon And Cross Streets A Four-Way Stop.**

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Yem noted recent accident.

**9.2. C. Yem - Req. City Mgr. Have The Appropriate Department Invite Boston Capital, The Developer Of The Former Merrimack Valley Food Bank Located At 733 - 735 Broadway Street, To Provide An Update To The City Council And Residents Regarding The Project At That Site.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Yem commented on recent State funding for housing.

**9.3. C. Yem - Req. City Mgr. Have Elections Department Update The City Council On The Upcoming City Election Schedule.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Yem commented on resident concerns and the need to know signatures requirements to be on ballot.

**9.4. C. Jenness - Req. City Mgr. Consider Adding A Paid Parental Leave Benefit For All Full Time Employees To Assist Recruiting And Retaining City Staff.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Jenness noted request came from current employee and that it is a good job retention tool.

**9.5. C. Jenness - Req. City Mgr. Provide The Council With A Comprehensive Report On City Contractors Broken Down By Race, Gender, Disability And Other Standard EEO Classifications.**

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Jenness noted the need to have data to see if programs are effective.

**9.6. C. Jenness - Req. City Mgr. Provide Update On The Implementation Progress And Timeline Of The 25 MPH Speed Limit Ordinance Previously Adopted By The Council.**

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

**9.7. C. Jenness/C. Nuon/C. Mercier - Req. Technology And Utilities SC Meet To Begin Developing A City Wide Cyber-Security Ordinance; Including Adoption Of A Well Known Cyber-Security Framework And Regular Third Party Audits And Reviews Of Policies And Procedures.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted recent event needs to put structure into cyber policies and procedures and that the subcommittee would be proper venue. C. Nuon noted this is part of moving forward after the event.

**9.8. C. Nuon/C. Jenness - Req. City Mgr. Provide The City Council With A Copy Of The Agreement Between The City And Sal Lupoli Regarding The Parking Facility And Proposed High Rise In The Hamilton Canal District And To Update The Council On The Status Of Said High Rise.**

In City Council, no second needed, referred to City Manager. So voted. C. Noun noted need to review contract to ensure compliance as project moves into other phases.

**9.9. C. Nuon/C. Jenness - Req. City Mgr. Work With Proper Department(S) To Prepare Communication To Lowell Residents Regarding The Cyber-Security Incident; Including Advice On Steps They Can Take To Protect Themselves From The Misuse Of Any Potentially Ex Filtrated Data, Which Could Include Personally Identifiable Information In Possession Of The City.**

In City Council, no second needed, referred to City Manager. So voted. C. Nuon indicated that there have been updates but many residents are still concerned. C. Jenness questioned status of vendors regarding safety of their information and that information should be provided to them with category breakdowns. Manager Golden, Jr. noted the amount of updates and that they will continue and that the City does not save, copy or store any vendor information.

**9.10. C. Robinson - Req. City Mgr. Facilitate City-Wide Neighborhood Walks Through Scheduling; Utilizing Elected Councilors, Neighborhood Groups, Community Members And A Dedicated Response To Identify And Correct Specific Neighborhood Challenges.**

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson commented on benefits of past programs.

**9.11. C. Robinson - Req. City Mgr. Have The Traffic Engineer Provide A Detailed Report On Potential Traffic Calming Measures At The Intersection Of Coburn And West 6th Streets; Including The Potential Implementation Of LED Stop Signs.**

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Robinson commented on recent accident.

**9.12. C. Robinson - Req. City Mgr. Provide An Update Regarding Continued Fencing On 1st Street.**

In City Council, seconded by C. Scott, referred to City Manager. So voted. Registered speaker, Rep. Rodney Elliott, addressed the body. C. Robinson noted there are many intersections with many partners and that increased fencing will prevent dumping of trash.

**9.13. C. Robinson - Req. City Mgr. Work On Drafting A Plan To Implement A Pilot Program In Centralville To Sweep Streets Utilizing Opposite Side Parking.**

In City Council, seconded by C. Scott, referred to City Manager. So voted. Registered speaker, Rep. Rodney Elliott, addressed the body. C. Robinson commented on use by surrounding communities. C. Gitschier noted past programs and the need to enforce them. C. Scott noted prior request regarding Sacred Heart Neighborhood and that it should be part of this request as well.

**9.14. C. Robinson - Req. City Mgr. Work With The Community And The Proper Channels To Restore The Iconic LOWELL SUN Sign.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Jeremy Denzer, addressed the body. C. Robinson noted the sign was a strong landmark. C. Gitschier questioned the use of CPA funding for the site. **Motion** by C. Gitschier, seconded by C. Drinkwater to request City Manager have DPD provide a report regarding possible use of Community Preservation Act funds for project. So voted. C. Jenness noted that there are some complexities that can be resolved. C. Mercier noted prior motion to fix the sign. M. Chau noted sign was a part of Lowell history.

**9.15. C. Scott - Req. City Mgr. Have The Appropriate Department Have The Benches Repaired, The Graffiti Removed And The Area Cleaned Up At The Park Located At Lincoln And Chelmsford Streets.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Scott noted park needs a lot of attention. C. Leahy



noted the many organizations that volunteer to assist with these projects.

**9.16. C. Scott - Req. City Mgr. Have The Traffic Engineer Explore The Feasibility Of Incorporating Stop Signs. On Streets That Intersect With Lowell Street, A Stop Sign At The End Of Denton Street And Speed Humps And/Or Chicanes On Billerica And Hollis Streets**

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Scott noted the issue with cut through traffic.

**9.17. C. Scott - Req. City Mgr. Provide An Update On The Preparedness Of Our Pools And Splash Pads For The Summer.**

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

**9.18. C. Gitschier - Req, City Mgr. Provide A Capital Replacement Plan For All DPW Vehicles.**

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Gitschier commented on the age of the fleet and the need to be out front on replacing vehicles.

**9.19. C. Gitschier - Req. City Mgr. Have The City Solicitor Provide The City Council With A Report Outlining How A Resident Can Appeal A Zoning Board Decision With Estimated Cost To The Resident.**

In City Council, seconded by C. Drinkwater, referred to City Manager. Adopted per Roll Call vote 10 yeas, 1 absent (C. Rourke) So voted. Registered speakers, Fred Bahou, Clint Mouche and Bob Hunt, addressed the Council. C. Gitschier commented on ZBA meeting regarding property and noted strong

opposition to proposal and the board was not responsive to it. C. Jenness noted that Massachusetts General Laws covers appeals and that the process should be spelled out but do not add another layer to it. Corey Williams (City Solicitor) noted the appeal process in the court system. C. Robinson noted the need to provide other options for residents with appeals from wrong decisions. C. Nuon noted the request before the ZBA and commented on hardship which he stated that the decision was clearly wrong. C. Scott noted residence guidance should be for all boards. M. Chau commented on citizen concerns and noted Massachusetts General Law appeals. C. Gitschier requested roll call.

**Motion** by C. Robinson, seconded by C. Mercier to take Item #9.14 out of order. So voted.

**Motion** by C. Scott, seconded by C. Yem to take Item #5.1 out of order. So voted.

## **10. ANNOUNCEMENTS**

In City Council, C. Mercier commented on NARCAN training. Manager Golden, Jr. noted a Lowell Forward event regarding housing and the installation of the new parking kiosks. M. Chau noted Greater Lowell Chamber of Commerce award to Conor Baldwin (CFO) and Francisca Cigliano (Planner) as young professionals.

## 11. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Robinson, seconded by C. Mercier. So voted.

Meeting adjourned at 9:00 PM.

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Michael Q. Geary, City Clerk