



Lowell City Council *MINUTES*

Date: June 27, 2023

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 10 present, 1 absent (C. Mercier), C. Leahy arrived at 7:30 PM.

M. Chau presiding, gave Chair to Mayor of the Day, Damarje Williams, who took podium.

C. Yem requested moment of silence in darkened chamber for Carol Duncan. M. Chau commented on the life of Mrs. Duncan.

2. MAYOR'S BUSINESS

2.1. Communication Remote/Zoom Participation.

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

M. Williams returned Chair to M. Chau.

2.2. Citations:

1) Damarje Williams - Mayor of the Day.

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by C. Yem. So voted. M. Chau presented citation. C. Gitschier commented on Mr. Williams and his relationship with him. C. Yem noted work of Mr. Williams. C. Robinson noted accomplishments of Mr. Williams. Mr. Williams thanked Council, his family and his church.

2) MassHire Lowell Young Adult Career Center.

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by C. Yem. So voted. M. Chau presented the citation. C. Gitschier noted the work done by the program and the staff. Heather Donovan, staff member, thanked the body.

3) 100th Anniversary of the Lowell City Golf Tournament.

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by C. Yem. So voted. M. Chau presented citation to each club; Vesper, Nabnasset, Long Meadow and Mt. Pleasant, as well as, 2023 champion, Brandon Gillis. Mr. Gillis thanked the Council and the golf committee.

2.3. Presentation - Catie's Closet (Mickey Cockrell).

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by C. Yem. So voted. Ms. Cockrell provided presentation regarding program, noting partners involved, as well as, a request for ARPA funding.

3. CITY CLERK

3.1. Minutes For Acceptance Technology And Utilities SC June 13th; City Council Regular Meeting June 13th; City Council Special Meeting June 20th (FY24 Budget).

In City Council, **Motion** “To accept and place on file” by C. Jenness, seconded by C. Gitschier. So voted. C. Jenness noted issue with Technology and Utilities SC attachment which was removed and put over to next meeting for approval.

4. UTILITY PUBLIC HEARING

4.1. Boston Gas D/B/A National Grid Request Installation Of SCADA Box At Intersection Of Bradley And First Streets.

In City Council, Given second reading, hearing held, no remonstrants. Speaking in favor was Diana Cudy (National Grid). **Motion** to refer to Wire Inspector for report and recommendation by C. Nuon, seconded by C. Jenness. So voted.

4.2. Waveguide (FirstLight Fiber) Request Installation Of Underground Conduit On Appleton Street For Services To Verizon.

In City Council, Given second reading, hearing held, no remonstrants. Representative from Waveguide spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Scott, seconded by C. Yem. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - ARPA Online Dashboard Update - C. Jenness noted it was valuable information provided. C. Nuon requested the process. Brendan Flynn (ARPA Director) provided presentation of the dashboard. C. Nuon lauded the presentation and the effectiveness of the dashboard. C. Robinson noted link to dashboard should be readily available. Manager Golden, Jr. commented on the effort of the team to develop the dashboard. C. Scott commented that the dashboard exceeded expectations. C. Yem noted that there should be a prominent link. C. Jenness noted it was an excellent project and that it should be pushed out on social media. C. Gitschier noted the dashboard promoted transparency.

Motion by C. Scott, seconded by C. Yem to bundle and take Items #6.1 to #6.7, inclusive. So voted.

B) Motion Response - Election Schedule - C. Yem requested information be available online.

C) Motion Response - Streeteries Officer Presence - C. Scott commened on conditions downtown at night. C. Leahy noted the issue with solicitation in that area. Supt. Hudon (LPD) noted that solicitation could not be done in an aggressive manner. C. Robinson noted that more officers meant less trouble.

D) Motion Response - VFW Highway - C. Rourke commented on the island that was ruined by past construction. Manager Golden, Jr. noted the issue and that it would be addressed. Steve Duchesne (Water Dept.) noted that it would be repaired when crews return. C. Robinson requested time frame for repairs.

E) Motion Response - Western Ave Studios - C. Robinson noted that owners were pleased with response. C. Yem noted the homelessness issue with the area and that it must be cleaned. C. Leahy noted area needs a lot of attention and that it should begin immediately. C. Nuon noted the need to partner with new owners to improve the area. Manager Golden, Jr. noted the work being done on the entrance way. Peter Crew (CASE) noted the use of artists to enhance the area. C. Robinson noted that the management at Western Avenue were very responsive.

F) Motion Response - Employee CDL Licensure - C.. Robinson questioned rate of pay scale differnces with licenses. Manager Golden, Jr. noted licensed employees get extra pay. Paul St. Cyr (DPW) noted that money is not available if they have no license but are given an opportunity to obtain one. C. Gitschier noted hiring with time fram to get licensed and that if paying for class then employee should be giving something in return to the City. Mnaager Golden, Jr. noted some aspects in pay scale would need to be collective bargained. C. Yem noted the need to hire those with licenses.

G) Motion Response - Hiring - Motion by C. Gitschier, seconded by C. Robinson to take Item #10.2 with this response. So voted. C. Gitschier noted length of hiring and that it could be quicker if posting process was enhanced. C. Yem noted concern with response system of the City. Manager Golden, Jr. noted the system generates response emails to all applicants and that it may be delayed due to other reasons. C. Scott noted that some responses are deficient and that department heads need to be more involved with the response.

H) Motion Response - DOL Grant - C. Jenness noted that there was a first and second round of grant applications and that this was a great opportunity for the City. C. Drinkwater noted training grant and an infrastructure grant. Manager Golden, Jr. noted that the infrastructure grant was awarded by the federal government to the City and would be mainly used for bridge repairs. Yovani Baez-Rose indicated it was a substantial amount of money. C. Yem noted work was needed on the bridges. C. Gitschier noted that there were other grants waiting for response. Ms. Baez-Rose noted current grants under review.

I) Motion Response - Lowell Sun Sign - C. Robinson noted this was an exciting project.

J) Motion Response - Ethics Training - C. Robinson noted the ability to garner reports from the system. C. Yem noted that City Councilors must take training. Clerk Geary outlined the current process.

5.2. Informational Report

Informational - Updated School Invoices - C. Gitschier questioned invoice in the packet that did not correspond with existing contract for services in the amount of \$110, 204 and that it violated MGL 30B. **Motion** by C. Gitschier, seconded by C. Robinson to amend vote to reduce invoice amount of \$110, 204 and refer invoice to Law Department for review. Adopted per Roll Call vote 7 yeas, 2 nays (C. Nuon, C. Rourke), 1 absent (C. Mercier). So voted. C. Rourke noted that the City is responsible for the bill. C. Gitschier noted that there must be compliance with procurement. Billie Jo Turner (School Fin.) noted some laws go beyond procurement.

Motion to bundle and approve Items #5.3 and #5.4 by C. Nuon, seconded by C. Drinkwater. So voted.

5.3. Communication - Reappointment Of John Descoteaux To License Commission.

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Drinkwater. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted. C. Yem questioned status of the appointment if Mr. Descoteaux became a City Councilor.

5.4. Communication - Reappointment Of Sinead Gallivan To Planning Board.

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Drinkwater. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted.

6. VOTES FROM THE CITY MANAGER

6.1. Vote - Approve The 2024 Community Preservation Fund Budget.

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

6.2. Vote - Amending Prior Order Approving CPC Recommendation To Fund The Preservation Of Rollie's Farm.

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

6.3. Vote - 635 Middlesex CPC Funding Recommendation.

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

6.4. Vote - Girls Inc. CPC Funding Recommendation.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Robinson. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted. Registered speaker, Bopha Malone, addressed the Council.

6.5. Vote - Hadley House CPC Funding Recommendation.

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

6.6. Vote - St. George's Church CPC Funding Recommendation.

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

6.7. Vote - O'Donnell Park CPC Funding Recommendation.

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

Motion by C. Rourke, seconded by C. Robinson to take Items #5.2 and #6.11 out of order. So voted.

Motion by C. Robinson, seconded by C. Nuon to bundle Items #6.8 and #6.9. So voted.

6.8. Vote - Apply/Accept/Expend \$155,000 MassDOT Small Bridge Phase I Design Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Jenness, seconded by C. Nuon. Adopted by Roll Call vote 9 yeas, 2 absent (C. Mercier, C. Scott). So voted.

6.9. Vote - Apply/Accept/Expend \$2,670,000 One Stop For Growth Grants.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Jenness, seconded by C. Nuon. Adopted by Roll Call vote 9 yeas, 2 absent (C. Mercier, C. Scott). So voted.

6.10. Vote - Auth Mgr Ex. 5 Year Contract For LRWWU Engineering Services.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Leahy. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted. Manager Golden noted Mark Young (Wastewater) and recognized his retirement. Mr. Young addressed the Council.

6.11. Vote - Authorize Payment Of Bills Incurred In Excess Of Appropriations.

In City Council, Motion to remove from table by C. Leah, seconded by C. Gitschier. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted. Read twice, full reading waived with no objections. **Motion** to adopt as ammended to retract invoice in the amount of \$110, 204 by C. Nuon, seconded by C. Scott. Adopted by Roll Call vote 10 yeas, 1 absent (C. Mercier). So voted. See discussion under Item #5.2.

6.12. Vote - Set FY2024 Revolving Fund Spending Limits.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Jenness, seconded by C. Leahy. Adopted by Roll Call vote 9 yeas, 2 absent (C. Mercier, C. Robinson). So voted.

6.13. Vote - Transfer \$115,000 - MIS.

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

7. ORDERS FROM THE CITY MANAGER

7.1. Order - 60 Day Trial.

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

8. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, none.

9. PETITIONS

9.1. Claims - (3) Property Damage.

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

Motion to bundle Items #9.2, #9.3 and #9.4 by C. Nuon, seconded by C. Jenness. So voted.

9.2. National Grid/Verizon NE - Request Installation Of Additional Pole On Varnum Avenue, Near Riverside Avenue.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on July 11, 2023 at 7 PM by C. Nuon, seconded by C. Robinson. So voted.

9.3. National Grid/Verizon NE - Request Installation Of Additional Pole On Varnum Avenue, Near Fowler Road.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on July 11, 2023 at 7 PM by C. Nuon, seconded by C. Robinson. So voted.

9.4. National Grid - Request Installation Of Underground Conduit Within Morse Street To Improve Electrical Service To The Lowell Housing Authority Property.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on July 11, 2023 at 7 PM by C. Nuon, seconded by C. Robinson. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Yem - Req. City Mgr. Have The Proper Department Look Into The Possibility Of Using Existing Canal Waterways To Harness Hydroelectricity.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Yem noted importance of partnering with the owners of the canals.

10.2. C. Gitschier - Req. City Mgr. Have Human Resources Report On How The Cyber Issue Is Affecting The Hiring Process.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Gitschier noted the item was addressed under discussion in Item #5.1(G).

10.3. C. Gitschier - Req. City Mgr. Have The Proper Department Update Engineering Website To List The Most Recent Paving

Conditions Index And The 2023 List Of Paving Projects Listed By Streets And Sidewalks.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Gitschier requested update on building permits as well.

10.4. C. Gitschier - Req. City Mgr. Look Into Offering The School Department Retirees Lifelock.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Nuon requested ammendment to include City retirees with no objections. Manager Golden, Jr. noted they are in process of reviewing those two groups.

10.5. C. Gitschier - Req. City Mgr. Update The City Council On City-Wide Crosswalk Painting.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Gitschier noted need to be done in crowded areas.

10.6. C. Scott - Req. City Mgr. Have The Appropriate Department Work To Develop A Master Plan Around Parking For Back Central; Including Looking At Public Owned Lots And Possible Tax Incentives For Private Property Owners That Provide Parking Spaces.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Scott noted spaces are needed as it is a congested area. C. Robinson noted a model could be developed to use in other areas.

10.7. C. Scott - Req. City Mgr. Provide An Update On The Tanner Street Redevelopment Plan.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Scott noted this is a long standing project.

10.8. C. Scott - Req. City Mgr. Work With Appropriate Departments To Develop A City-Wide Litter Educational Campaign.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Scott noted the need to develop an informational program.

10.9. C. Scott/C. Mercier - Req. City Mgr. Work With The Appropriate Department To Find A Way To Broadcast Public Meetings Without Technical Difficulties.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Scott noted the technical difficulties. C. Leahy noted it needs to be resolved.

10.10. C. Leahy - Req. City Mgr. Have The Proper Department Update City Council On Sidewalk Repair In District 3.

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

10.11. C. Leahy - Req. City Mgr. Update City Council On A Scheduled Plan For The Shedd Park Pavilion Repairs.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Leahy noted need for work to start.

11. ANNOUNCEMENTS

In City Council, none

12. ADJOURNMENT

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

Meeting adjourned at 9:35 PM.

Michael Q. Geary, City Clerk