



Michael Q. Geary
City Clerk

Angela M. Gitschier
Assistant City Clerk

CITY COUNCIL MINUTES

Date: January 9, 2024

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. Rourke presiding.

C. Mercier requested moment of silence in darkened chamber for Richard Freitas. M. Rourke commented on the legacy of Mr. Freitas.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation .

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

3. CITY CLERK

3.1. Minutes Of 2024-2025 City Council Inauguration January 2nd; City Council Regular Meeting January 2nd, For Acceptance.

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

Motion by C. Gitschier, seconded by C. Mercier to move from table and place "Unfinished Business" motions to "City Council - Motions" on this agenda. So voted.



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4. UNFINISHED BUSINESS

4.1. C. Robinson - Req. City Mgr. Provide An Update On Implementation Of The 311 System. (12/5/23)

In City Council, C. Robinson withdrew motion as it was already addressed at prior meeting. No objections.

4.2. C. Robinson - Req. City Mgr. Provide Update On Potential Business District Improvements To Bridge And Third Street Parking Lot. (12/5/23)

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

4.3. C. Robinson - Req. City Mgr. Provide Update On The City's Status On Winter Operations Preparedness. (12/5/23)

In City Council, seconded by C. Nuon, referred to City Manager. So voted. See discussion under Item #6.8.

4.4. C. Robinson - Req. City Mgr. Update Council On Any Potential Parking Locations In The Denser Neighborhoods For Winter Operations. (12/5/23)

In City Council, seconded by C. Gitschier, referred to City Manager. So voted. C. Robinson noted plan could benefit all as locations could be selected within proper distance of neighborhoods. C. Scott commented on prior motions noting the use of pools and schools in the area. C. Gitschier noted the need to clear out employee parking for proper snow removal.

4.5. C. Robinson - Req. City Mgr. Provide Update To Leaf Removal Operations In All Public Green Space. (12/5/23)

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Robinson noted plan should be in place early before the season.

4.6. C. Robinson - Req. City Mgr. Have The Proper Department Work With Surrounding Communities, The State Administration And



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Community Partners As Well As Utilizing Our Emergency Management Plan To Create Additional Winter Protocol Bed Opportunities. (12/12/23)

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson noted it was an ever-present problem.

4.7. C. Robinson - Req. City Mgr. Provide An Update On Status On Filling The Vacant Director Of Human Resources Position. (12/12/23)

In City Council, seconded by C. Nuon, referred to City Manager. So voted. See discussion under Item #6.9.

5. GENERAL PUBLIC HEARINGS

5.1. Ordinance - Amend Chapter 9 By Creating Diversity, Equity, Inclusion, And Belonging Committee.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to refer to Law Department for further drafting to include City Council approval of appointments by C. Robinson, seconded by C. Mercier. Adopted by Roll Call vote 8 yeas, 3 nays (C. Jenness, C. Leahy, C. Nuon). So voted. C. Robinson questioned the structure of the ordinance and noted that City Council should be more involved in appointments.

Motion by C. Yem, seconded by C. Mercier to take Item #6.5 out of order. So voted.

6. CITY COUNCIL - MOTIONS

6.1. C. Gitschier - Req. City Mgr. Provide The City Council With A List Of All Professional Development Attended By Lands And Buildings Staff (Trades Staff Working In Municipal And School Facilities) Over The Last 7 Years.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Gitschier noted that training is lacking and that there needs to be funds in the upcoming budget.



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6.2. C. Gitschier - Req. City Mgr. Look Into The Feasibility Of Offering City Employees The Human Resources Seminar Being Offered This April By The Mass Municipal Association And Suffolk University.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Gitschier commented on the seminar and the useful information it will furnish to benefit employees and assist in that department.

6.3. C. Gitschier - Req. City Mgr. Have The Proper Department Allow All School Principals Access To Schooldude Tickets To Enable Them To See The Status Of All Tickets They Put Into The System.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Gitschier noted it was a system to track work orders. Manager Golden, Jr. noted that there is some access to the system, but it needs to be expanded. C. Gitschier noted that it brings control to the system by communication. C. Descoteaux noted the need to expand access and communication. C. Leahy noted that principals need to be a part of it as they have control over the building.

6.4. C. Yem - Req. City Mgr. Have The Appropriate Department Update The City Council On The Plan To Celebrate The City Bicentennial Anniversary.

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

6.5. C. Yem - Req. City Mgr. Have Appropriate Department Provide Update On The Renovation Of North Common And Roberto Clemente Parks (Aka Palin Park) On Middlesex Street.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speakers, Maria Claudio (Interpreter - Betsy Toro St. Onge); Angel Tineo; Eric Arias; and Felicita Espinal (Interpreter - Betsy Toro St. Onge), addressed the Council. C. Yem commented on the plan and requested a status report. C. Robinson commented on the league and the ties to the community. C. Gitschier commented on the prior plan and that



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the process has begun. Yovani Baez-Rose (DPD) noted that funding was from ARPA and the Community Preservation Act and that the design phase has begun. C. Gitschier noted that project could be done quicker as design is not that complicated. C. Nuon noted the improvements to the parks through the funding, as well as the benefits to the community. **Motion** by C. Scott, seconded by C. Gitschier to have City Manager provide timelines for ARPA projects. So voted. C. Descoteaux questioned the status to the North Common bathrooms indicating that they must be opened and operating. Ms. Baez-Rose indicated that projects were structured in a certain way and any changes would need to be discussed. M. Rourke indicated that subcommittees are being formed and that this item would benefit from a subcommittee.

6.6. C. Leahy - Req. City Mgr. Have Proper Department Re-Examine The Parking Lot Entrance At Smyth Cannabis On Rogers Street.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Leahy noted the bad design at the facility and that it needs to be corrected by Planning Board. C. Robinson indicated that Host Community Agreements may be used in this situation. Ms. Baez-Rose noted the approval was based on a traffic study by the owners that was underestimated, and changes are being done that need MassDOT approval. C. Leahy requested information on the changes. C. Gitschier commented on the traffic regulations and assessments.

6.7. C. Robinson - Req. City Council Remove From Table Motions As Listed On Current Agenda Under "Unfinished Business".

In City Council, matter addressed has "Unfinished Business" motions were removed and placed under "City Council-Motions".

6.8. C. Nuon - Req. City Mgr. Have DPW Commissioner Present Winter Operations Plan And Preparedness To City Council At A Regularly Scheduled Meeting.



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In City Council, seconded by C. Robinson, referred to City Manager. So voted. **Motion** by C. Robinson, seconded by C. Gitschier to discuss Item #4.3 with this item. So voted. C. Nuon commented on issues and mitigating those issues; especially on City owned properties. C. Robinson commented on the need for a team approach and identified possible issues with new equipment being too large for the infrastructure. C. Descoteaux noted many issues caused by abandoned cars and that they should be towed as they impede the efforts of the DPW. C. Leahy noted that there is understaffing in the department. C. Gitschier noted discussions should take place earlier in the season to ensure readiness. C. Gitschier noted a look at the operation would indicate different scheduling needed and the use of GPS would be beneficial. Manager Golden, Jr. commented on the number of vehicles used and the towing and ticketing during the storm. C. Gitschier noted that number of vehicles was way down and there were fewer private contractors being used. C. Chau noted effort of the DPW and the challenges included snow placement and clearing sidewalks. C. Scott questioned towing protocol and the inspection of work being done. C. Mercier lauded the efforts of the DPW and private contractors and that they could be assisted if residents to advantage of the free parking during storm. C. Jenness indicated that policies and procedures should be updated to ensure crosswalks and sidewalks are cleared. C. Jenness noted that City may be able to utilize private contractors in other areas that did not have a big impact due to storms. C. Robinson indicated that laborers for snow may be found at the transitional living center. **Motion** by C. Jenness, seconded by C. Nuon to refer discussion of winter operations to Public Safety SC. So voted.

6.9. C. Nuon - Req. City Mgr. Provide Status On Hiring Of City Human Resource Director.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. **Motion** by C. Robinson, seconded by C. Nuon to discuss Item #4.7 with this item. So voted. C. Nuon noted that the process has moved along and resumes are being reviewed.



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6.10. C. Nuon - Req. City Mgr. Provide Update And Status Of Potential Support To The Police Department, Fire Department, Schools And Lowell Community Health Center Due To Newly Arrived Migrant Families At The ICC.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Nuon noted the report of the City Manager and that the impact will be on all departments.

6.11. C. Nuon - Req. City Mgr. Reach Out To Lowell Housing Authority Director To Make Presentation Regarding Final River Edge Project To City Council At A Regularly Scheduled Meeting.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon noted the final phase of the project is approaching.

6.12. C. Nuon - Req. Housing SC Meet To Consider The Adoption Of The Municipal Affordable Housing Trust Law (MA. Chapter 44, Section 55C) And Request City Manager Have CFO And/Or DPD Director Reach Out To Cities Or Towns Who Participate And Report Back To The Housing SC Regarding Their Experience.

In City Council, seconded by C. Yem, referred to City Manager/Housing SC. So voted. C. Nuon noted the need to create revenue and oversee projects.

6.13. M. Rourke - Req. City Mgr. Update Council On Rourke Bridge Repairs.

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

6.14. M. Rourke - Req. City Mgr. Have Proper Department Repair Guard Rail On Corner Of Mammoth And East Meadow Roads.



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

6.15. M. Rourke - Req. City Mgr. Contact Waste Management Concerning The Quality Of Extra Waste Purple Trash Bags; Also Request Availability Of One Extra Week Of Recycling Pick Up During The Holiday Season.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. M. Rourke noted bags are a lesser quality and higher price.

7. COMMUNICATIONS FROM CITY MANAGER

7.1. Motion Responses .

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

A) Motion Response - Constables - C. Mercier noted report added insight to her questions and believes that more money would be forthcoming if there were increased oversight and that constables must comply with the law. C. Gitschier questioned oversight of the constables and how it would operate. Austin Ball (Asst. CFO) noted currently it is the honor system and notice has been sent to constables to comply with current law. Manager Golden, Jr. commented on the law and how it applied in different areas and that the revenues are in line with other communities but there is a need for more oversight. C. Scott noted need for a reporting system in place. C. Yem noted that the Middlesex Sheriff’s Department provides a lot of these services. C. Jenness indicated that approval for constables should be contingent on their compliance with the law.

B) Motion Response - Feasibility Combining City and School Services - C. Descoteaux recused himself from discussion of this item and left Chamber. C. Jenness noted issue needs deeper discussion. **Motion** by C. Jenness, seconded by C. Leahy to refer to Joint City Council/School Committee Finance SC. So voted.



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7.2. Communication - Appointment Of Ellen Anstey To Library Board Of Trustees .

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

Motion to bundle and waive second reading of Items #8.1 to #8.3, inclusive by C. Scott, seconded by C. Robinson. So voted.

8. VOTES FROM THE CITY MANAGER

8.1. Vote - Accept/Expend \$166,189.98 FY24 State Aid To Public Libraries Program Award .

In City Council, Read twice, full reading waived without objection. **Motion** to adopt by C. Gitschier, seconded by C. Mercier. Adopted by Roll Call vote 11 yeas. So voted. C. Nuon noted the need for grant for library services.

8.2. Vote - Authorize CM Convey 20 Favor Street .

In City Council, Read twice, full reading waived without objection. **Motion** to adopt by C. Gitschier, seconded by C. Mercier. Adopted by Roll Call vote 11 yeas. So voted. C. Yem questioned if conveyance had restrictions. Manager Golden, Jr. Noted it was a housing project that would revert back to City if conditions not met. Ms. Baez-Rose indicated there would be 10-14 units and outlined the RFP used to obtain bids. C. Gitschier noted that there were more than one bid and questioned criteria for choosing. Ms. Baez-Rose noted the criteria needed to comply with the RFP. C. Mercier noted that the site needs to be developed.

8.3. Vote - Authorize CM Ex. License Agreement With Lowell Festival Foundation .

In City Council, Read twice, full reading waived without objection. **Motion** to adopt by C. Gitschier, seconded by C. Mercier. Adopted by Roll Call



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vote 11 yeas. So voted. C. Mercier questioned where visitors would go during festival as the ICC would be fully occupied by migrants. Manager Golden, Jr. noted it would have to be outside of the City and that they are formulating plans for that.

9. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, M. Rourke indicated completing the establishment of subcommittees.

10. ANNOUNCEMENTS

In City Council, C. Mercier noted Bridge Club Bruins hockey event. C. Chau noted upcoming Golden Gloves Tournament. Manager Golden, Jr. Recognized the DPW for past effort during the storm and requested time for the next meeting to provide year-end review of City for the Council. **Motion** by C. Scott, seconded by C. Robinson to begin the City Council Meeting of January 16th at 6:00 PM to accommodate year-end review. So voted. C. Yem recognized National Law Enforcement Day. M. Rourke indicated that there is a Massachusetts Municipal Association Workshop on January 19th and 20th and if anyone interested should contact the Mayor's Office.

11. ADJOURNMENT

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

Meeting adjourned at 8:40 PM.

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