



Michael Q. Geary
City Clerk

Angela M. Gitschier
Assistant City Clerk

CITY COUNCIL MINUTES

Date: March 26, 2024

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 10 present, 1 absent (C. Chau).

M. Rourke presiding.

C. Mercier requested moment of silence in darkened chamber for Dr. Joseph M. Downes. C. Yem requested moment of silence in darkened chamber for Samuel Chhoeng.

2. MAYOR'S BUSINESS

2.1. Communication / Zoom Participation.

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

2.2. Recognitions:

A. 8th Annual Sustainable Lowell Awards: Lowell Litter Krewe (Brad Buitenhuys); UMass Lowell's Rist Institute for Sustainability and Energy (Ruairi O'Mahony) and

B. Youth Climate Change Action Award: Plastic Waste (Jisella Sanquiche); Carbon Footprint (Penina Mukundi); Compost (Tyvohn Matias Mbugua); and Urban Forestry (Disha Patel)

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Nuon. So voted. Jay Mason, former chairman of Lowell Sustainability Council, presented the awards. Mr. Buitenhuys addressed the Council.



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3. CITY CLERK

3.1. Minutes Of Rules & Election Law SC March 19th; City Council Regular Meeting March 19th; Ad-Hoc SC - Restoration Of Superior Court House March 20th, For Acceptance.

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

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance - Amend Ch.243-23 - Outdoor Restaurant And Retail Areas.

In City Council, Hearing held, **Motion** to adopt by C. Gitschier, seconded by C. Descoteaux. Adopted per Roll Call vote 10 yeas, 1 absent (C. Chau). So voted. C. Descoteaux questioned if this was going back to a pre-pandemic policy. Yovanni Baez-Rose (DPD) noted ordinance finalized a permanent process with a single application and added retail to formula as well. C. Descoteaux questioned fee structure and was disappointed in the ABCC procuring such a fee as a State agency. Ms. Baez-Rose noted the City was a small fee and that the State is levying fee as well. City Solicitor Williams noted the ABCC fee and that it is a State agency which probably would not waive it. C. Mercier was not pleased with a State charge and indicated support for retail element of the ordinance. **Motion** by M. Rourke, seconded by C. Gitschier to waive City fees for first year of program. Adopted per Roll Call vote 10 yeas, 1 absent (C. Chau). So voted. C. Gitschier indicated increase revenue for business and City with this program. C. Scott noted revenue for parking will increase. C. Robinson commented on going permanent for a successful program. C. Jenness supported fee waiver at first to see success for business owners but later there should be a nominal fee structure.

5. UTILITY PUBLIC HEARING

5.1. National Grid - Request Installation Of Underground Conduit From Pole 37 To Feed New Transformer Onto Property At 735 Broadway Street.



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In City Council, Hearing Held, **Motion** to refer to Wire Inspector for report and recommendation by C. Gitschier, seconded by C. Jenness. So voted. David Boucher (National Grid) spoke in favor of petition via Zoom.

6. CITY COUNCIL - MOTIONS

6.1. C. Gitschier - Req. City Mgr. Update The City Council On The ARPA Payments For The Retired City Workers That Worked During The Pandemic And Are Eligible For ARPA Funds.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Gitschier requested update and status of possible payments to this specific group who worked during the pandemic. Manager Golden, Jr. noted administration is still reviewing the matter.

6.2. C. Yem - Req. City Mgr. Have Appropriate Department Post A No Motorized Vehicles/Dirt Bicycles/E-Bicycles Allowed In All City Parks And Place Bollards At Wide Entrances To The Parks.

In City Council, seconded by C. Scott, referred to City Manager. So voted. Registered speaker, Kendrick Del Orbe, addressed the Council. C. Yem noted all parks should have dangerous conditions removed. C. Jenness noted parks need to be safe and inviting. C. Gitschier noted conduct of these operators are terrorizing.

6.3. C. Robinson - Req. City Mgr. Reach Out To The Lowell Litter Krewe, Appropriate City Departments, Area Non-Profits, Our Local Educational Institutions, Neighborhood Groups And Any And All Other Stakeholders To Organize A Citywide Clean-Up Event.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Robinson commented on the efforts of the Lowell Litter Krewe and the residents of the City in keeping City clean. C. Leahy noted that there must be more enforcement with codes to ensure these areas are kept clean. C. Mercier noted use of cameras in blighted areas would assist with prevention. C. Gitschier noted recent purchases of cameras and that we



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must use our resources in place to resolve issues. C. Yem noted there should be a public campaign to keep City clean. C. Leahy noted cameras could save data. C. Robinson noted residents are interested in keeping City clean and programs like “Adopt a Barrell” may assist.

6.4. C. Robinson - Req. City Mgr. Provide Update On Plan To Clean Embankment On The VFW Next To The Aiken Bridge.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Robinson noted area is in need of a cleaning. C. Gitschier noted ownership questions in that area and what entity could enforce regulations regarding the waterways.

6.5. C. Nuon - Req. City Mgr. Provide An Update On The Merrimack River Boathouse Concept.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Dennis McCarthy, addressed the Council. C. Nuon noted opportunity to use open space and capitalize on use of the river. C. Robinson noted possible use of an attractive space.

6.6. C. Nuon - Req. City Mgr. Provide Update Regarding The Status Of Host Community Agreements For Delivery Process/License For Cannabis.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Nuon requested status as program moves along.

6.7. C. Nuon - Req. City Mgr. Contact The Massachusetts Environmental Police Regarding Jet Ski Operation Enforcement On The Merrimack River, Next To The Falls.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Nuon noted need to ensure the safe use of the river by many residents.



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7. COMMUNICATIONS FROM CITY MANAGER

7.1. Motion Responses.

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

A) Motion Response - 311 System Update – C. Robinson noted this has been a three-year process and that it should not be and ask administration to speed this along by any means possible as system is needed and would be of great benefit. Manager Golden, Jr. Indicated that the administration is supportive if the system and its implementation.

B) Motion Response - WiFi At Senior Center – C. Scott commented on the current status at the facility. C. Gitschier requested review of the WIFI status. Miran Fernandez (MIS) commented on the history of WIFI in the City and the effect of attack and building the system back up. C. Gitschier questioned the cost of having internet and that they must be pro-active regards to those costs and funding. Mr. Fernandez commented on the use of MIFI during down period.

C) Motion Response - Pollard Library Elevator Update – Shawn Machado provided report noting time frame to replace cable and also an update on elevator in City Hall.

7.2. Communication - Resignation Of John Bond From Cemetery Commission.

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

In City Council, M. Rourke noted they would take Items #8.1 and #8.2 together with no objections.



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8. VOTES FROM THE CITY MANAGER

8.1. Vote - Accept/Expend \$137,600 Mass Cultural Council FY24 Gaming Mitigation Grant.

In City Council, Read twice, full reading waived without objection. **Motion** to adopt by C. Robinson, seconded by C. Nuon. Adopted by Roll Call vote 10 yeas, 1 absent (C. Chau). So voted.

8.2. Vote - Accept/Expend \$56,480 EMPG Grant – Fire.

In City Council, Read twice, full reading waived without objection. **Motion** to adopt by C. Robinson, seconded by C. Nuon. Adopted by Roll Call vote 10 yeas, 1 absent (C. Chau). So voted.

9. ORDINANCES FROM THE CITY MANAGER

9.1. Ordinance - Amend Fee Schedule - Residential Parking Signs.

In City Council, Given 1st Reading. **Motion** to refer to Law Department for further review by C. Scott, seconded by C. Mercier. So voted. C. Scott indicated that there was some language that needed revisions.

9.2. Ordinance - Amend Parking Rates FY24.

In City Council, Given 1st Reading. **Motion** to refer to Law Department for further review by C. Scott, seconded by C. Mercier. So voted. C. Jenness noted the need to change some verbage.

9.3. Ordinance - Create Deputy Chief Information Officer Position And Salary – MIS.

In City Council, Given 1st Reading. **Motion** to refer to Technology and Utilities SC for further review by C. Robinson, seconded by C. Nuon. So voted.



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10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Rules And Election Law SC March 19, 2024.

In City Council, C. Chau was not present, and M. Rourke moved matter to April 2, 2024 meeting without objection.

10.2. Ad-Hoc Subcommittee - Restoration Of Superior Court March 20, 2024.

In City Council, C. Robinson provided report regarding rehabilitation of the Lowell Superior Court House. **Motion** by C. Mercier, seconded by C. Gitschier to accept the report as a report of progress. So voted.

10.3. Economic/Downtown Development SC March 26, 2024.

In City Council, C. Jenness provided report regarding development plans for UML East Campus describing the different phases, time frames and economic benefit to the City. **Motion** by C. Mercier, seconded by C. Gitschier to accept the report as a report of progress. So voted.

11. PETITIONS

11.1. Claims - (2) Property Damage.

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

Motion by C. Scott, seconded by C. Nuon to bundle Items #11.2 to #11.5, inclusive. So voted.

11.2. National Grid - Request Installation Of Upgraded Gas Mains Campbell Dr., Wedge St., Lura St., Rhodora St., Atlantic St., And Ruth St.



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In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2024 @ 7 PM by C. Gitschier, seconded by C. Descoteaux. So voted.

11.3. National Grid - Request Installation Of Upgraded Gas Mains In Harvard, Stevens, Troy And Nicolett Streets.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2024 @ 7 PM by C. Gitschier, seconded by C. Descoteaux. So voted.

11.4. National Grid - Request Installation Of Underground Electric Conduit For Upgrade At 128 Fayette Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2024 @ 7 PM by C. Gitschier, seconded by C. Descoteaux. So voted.

11.5. National Grid - Request Installation Of Underground Electric Conduit For New Service At 78-80 Middlesex Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2024 @ 7 PM by C. Gitschier, seconded by C. Descoteaux. So voted.

12. CITY COUNCIL - EXECUTIVE SESSION

12.1. Executive Session - To Consider And Discuss Ongoing Negotiations Relative To The Senior Center, Public Discussion Of Which May Have Detrimental Effect On The Negotiating Position Of The City.

In City Council, M. Rourke read purpose of the Executive Session and informed public that the meeting would adjourn from Executive Session. **Motion** to enter Executive Session and adjourn from there by C. Robinson,



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seconded by C. Jenness at 8:10 PM. Adopted per Roll Call vote 10 yeas, 2 absent (C. Chau, C. Leahy). So voted.

13. ANNOUNCEMENTS

In City Council, C. Yem wished C. Leahy happy birthday on behalf of the Council. C. Yem recognized Women Support Month. M. Rourke noted all the women working for the City and the administration noting C. Scott and C. Mercier and presenting a plaque to them.

14. ADJOURNMENT

In City Council, **Motion** to Adjourn in Executive Session by C. Descoteaux, seconded by C. Nuon. So voted.

Meeting adjourned at 8:40 PM.

Michael Q. Geary, City Clerk