



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: July 11, 2017

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

C. Milinazzo requested moment of silence in darkened chamber for Francis “Frank” Grady and Effie Routsis. C. Mercier requested moment of silence in darkened chamber for Francis J. “Barney” Hovey. C. Leary commented on the life of Mr. Hovey. C. Rourke requested moment of silence in darkened for Tassia Tsoumas.

Mayor Kennedy presiding.

2. MAYOR'S BUSINESS

2.1. Communication-Motion School Committee Special Meeting June 28, 2017.

In City Council, read, **Motion** “To accept and place on file” by C. Milinazzo, seconded by C. Mercier. So voted. The following registered speakers addressed the Council on the matter: John Breen; Onotse Omoyeni; Armand Hebert; and Ellen Collins. C. Mercier questioned if submission to Massachusetts School Building Authority had been signed by all parties. M. Kennedy noted it was signed and he commented on the process that was used to execute the document. C. Milinazzo questioned information on process to sign the submission. Manager Murphy noted that the consultants provided incorrect information regarding signatories.

3. CITY CLERK

3.1. Minutes of Parks & Recreation SC June 27th; Technology & Utilities SC June 27th; City Council Meeting June 27th, for acceptance.

In City Council, minutes read, **Motion** “To accept and place on file” by C. Milinazzo, seconded by C. Samaras. So voted.

C. Rourke requested Item #9.7 be taken out of order. So voted without objection.



4. GENERAL PUBLIC HEARINGS

4.1. Vote-Accept MGL Ch 44 s. 53F three fourths-PEG Access and Cable Related Fund.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor of petition was Wendy Blom (LTC). No remonstrants. **Motion** to adopt by C. Leary, seconded by C. Mercier. Adopted per Roll Call vote, 9 yeas. So voted. Conor Baldwin (CFO) noted the Department of Revenue regulations and changes recommended for these accounts.

4.2. Vote-Accept MGL c.40 s.13E Establish Reserve Fund-SpEd.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. **Motion** to adopt by C. Mercier, seconded by C. Rourke. Adopted per Roll Call vote, 9 yeas. So voted.

4.3. Ordinance-Create Working Foreman Cemetery Manager-Parks, Cemeteries-DPW.

In City Council, Given 2nd Reading. Hearing held. Tom Bellegarde (DPW) spoke in favor of the petition. No remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote, 9 yeas. So voted. C. Milinazzo questioned if this were a new position. Mr. Bellegarde noted that it was but no new money was needed and that the position will enhance efficiency in the department.

5. UTILITY PUBLIC HEARING

5.1. National Grid/Verizon New England - Request installation of pole and anchor located at 144 Chelmsford Street.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. Nicolas Bosonetto (City Engineer) and Sam Ang (National Grid) spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Milinazzo, seconded by C. Samaras. So voted. C. Leahy noted displeasure with the manner in which the companies are maintaining their equipment in the City. Manager Murphy noted that there would be a meeting with Council and these companies on July 25th to discuss the issues.

5.2. National Grid/Verizon New England - Request installation of 1 JO and SO pole located at Gorham, 1 SO stub pole at Newhall and 1 JO pole at Ellsworth Street.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. Nicolas Bosonetto (City Engineer) and Sam Ang (National Grid) spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted. C. Milinazzo questioned use for the new development. Mr. Bosonetto commented on the project. C. Mercier questioned parking plan for new project. C. Rourke noted parking scheme and development. C. Elliott noted new tax revenue into City by way of the development.



6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

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

A. Lighting in Downtown – C. Samaras requested added information regarding changes in downtown lighting.

B. McKinley Ave – C. Leary questioned time frame for court proceedings. Manager Murphy outlined process.

C. Genesis – C. Belanger noted the reality of the situation was that Genesis scaled back on the scope of the project. C. Milinazzo commented on SNR Corporation interest in site. Manager Murphy commented on preliminary plan of the proposal. C. Samaras noted reason for movement was not fault of City but rather the concept changed on the part of the developer. Manager Murphy noted many positive negotiations being done regarding sites in the Hamilton Canal District. C. Belanger commented on Genesis project. C. Leary noted the need to keep signature areas in the district. C. Rourke questioned status of parking garage project. Diane Tradd (DPD) commented on construction schedule.

D. Revisit Parking Restriction in Downtown on Weekends – C. Elliott questioned amount of revenue from parking during weekend downtown. Nicholas Navin (Parking Dir.) commented revenue from ticketing and meters. C. Belanger noted the need to keep parking enterprise running without a deficit. Mr. Navin noted that changes in parking schemes are being developed to bring before Council.

E. Change for Change Initiative – C. Elliott questioned the amount of money raised by initiative. Manager Murphy noted slowdown in program as the administrator was no longer employed. C. Mercier commented on dealing with pan-handling in the City. Mr. Navin commented on different phases of the program.

F. Parking Issues Mt. Vernon and Varney Street – None.

G. Parking App – **Motion** by C. Leary, seconded by C. Elliott to request City Manager asses the feasibility of developing smart technology to integrate with parking app.

6.2. Petition Responses

K. Guardrail on Powell and Liberty – None.

L. Handicap Parking 95-97 Fourth Street – None.

6.3. Informational

H. Various Transfers Over \$20,000 – None.

I. Fire Over Time Transfer – C. Elliott noted the savings on the account and



commented that it was a positive result that should be recognized. Manager Murphy outlined reasoning for the decrease in costs. Chief Winward (LFD) noted the increase in staff lowered overtime costs as well as keeping engine companies open. M. Kennedy recognized the leadership of Chief Winward.

J. Heating Contract Budget Savings – None.

6.4. Communication-Appoint J. Bisantz, J. Sultzbach, B. Mauro, N. Speros, M. Wood, J. Pyne-Cultural Council.

In City Council, read, **Motion** “To accept and place on file” by C. Elliott, seconded by C. Leary. So voted. All parties were present and addressed the Council.

6.5. Communication-Reappoint John Linnehan-Board of Parks.

In City Council, read, **Motion** to adopt by C. Mercier, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

7. VOTES FROM THE CITY MANAGER

7.1. Vote-Apply.Accept.Expend Grant 3,500.00 from National Park Foundation for Active Trails Program.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leary, seconded by C. Leahy. Adopted per Roll Call vote 9 yeas. So voted.

7.2. Vote-Auth CM Ex. Lease w. Cellco Ptshp dba Verizon Wireless-Small Cells Master Lease.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Elliott, seconded by C. Belanger. Adopted per Roll Call vote 7 yeas, 2 nays (C. Belanger, C. Leahy). So voted. Lee Gitschier, registered speaker, addressed the Council. C. Belanger commented on high cable rates due to lack of competition in the City. Manager Murphy outlined the negotiations with the company and that this is enhanced service for the citizens. C. Leary noted the investment in the City and that Verizon emphasis is on wireless capability as opposed to FIOS. Stephanie Lee (Verizon) commented on the wireless network and the focus on growing that network. C. Leary commented on FIOS and Verizon’s commitment in the City. C. Milinazzo questioned some legal aspects of the document and questioned the potential for tax revenue on the small cell equipment. Manager Murphy noted the document was a lease and commented on tax revenues from other utilities. C. Rourke noted increase service to residents and homeowners. C. Samaras noted the difficulty for citizens to be told that would not get FIOS. C. Belanger noted rental amount was not sufficient. C. Leahy noted the need to increase competition and questioned the safety element of the small cells. C. Mercier noted the need to explore revenue production on the issue. C. Rourke noted the benefit to the City in terms of service and future technology. C. Elliott noted service and revenue for the City.



M. Kennedy bundled Item #7.3 and #7.4 together with no objection. So voted.

7.3. Vote-Auth Mgr. Ex. License Agreement Sidewalk Seating 143 Merrimack St.- Lowell Burger Company.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Elliott, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

7.4. Vote-Auth Mgr. Ex. License Agreement-143 Merrimack St. (overhanging sign) Lowell Burger Co.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Elliott, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

7.5. Vote-Auth School Dept Lease w Collaborative for Regional Educational Svcs and Training (CREST).

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leary, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Milinazzo questioned process and the number of proposals received.

7.6. Vote-Auth. CM Ex. Limited Access Agmt. 163-173 Adams St-Habitat for Humanity.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leary, seconded by C. Milinazzo. Adopted per Roll Call vote 9 yeas. So voted.

7.7. Vote-Auth. Mgr. Ex. Lease Agmt w UML of 60 spaces on Father Morissette Blvd.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

7.8. Vote-Declare Surplus and Convey 700 Dutton St. (12,300,00).

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Samaras, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

7.9. Vote-Transfer 979,066.50 PEG Access and Cable Related Fund.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Samaras, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.



8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Technology & Utilities SC June 27, 2017.

In City Council, C. Leary provided report noting attendance and discussion of Markley Group and the services provided to City including the placing of dark fiber in the area to assist businesses. **Motion** to accept the report as a report of progress by C. Leary, seconded by C. Leahy. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Mercier - Req. City Mgr. have proper department replace sign at the Holmes Quinn Bridge.

In City Council, second by C. Milinazzo, referred to City Manager. So voted. C. Mercier commented on missing sign.

9.2. C. Mercier - Req. City Mgr. have proper department address the deplorable conditions in the Detention Center at the Lowell Police Department.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Mercier noted the condition of the center and the bad working environment.

9.3. C. Mercier - Req. City Mgr. provide a status report regarding vacant building at the end of Alma Street in the Rosemont section of the City and the necessary steps needed to address the situation.

In City Council, second by C. Rourke, referred to City Manager. So voted. C. Mercier provided the address and commented on the neighborhood concerns with the condition of the site.

9.4. C. Belanger-Req. City Mgr. have proper department cleanup gateways throughout the City in preparation for the Lowell Folk Festival.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Belanger commented on prior efforts should be repeated.

9.5. C. Belanger-Req. City Mgr. update the City Council on the Hamilton Canal Innovation District open house held June 21st.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Belanger commented on open-house that was held and requested report on same. Manager Murphy commented on open-house noting the attendance of many developers and State officials and that follow up continues on the matter. M. Kennedy noted there were many developers present who have done work in Lowell prior.



9.6. C. Rourke/C. Leary-Req. City Mgr. look into placing recycle barrels at all city parks.

In City Council, no second needed, referred to City Manager. So voted. C. Rourke noted that the barrels assist with keeping area clean. C. Elliott commented on the procedures used at Edwards Field.

9.7. C. Rourke-Req. City Mgr. have the proper dept. install a 4 Way Stop at Foster & Westford Sts.

In City Council, second by C. Leary, referred to City Manager. So voted. Registered speaker, Jennifer Flore, address the Council. C. Rourke noted the residents' concerns. C. Leary commented on the area and the parking.

C. Milinazzo requested that Item #9.8 be taken out of order. So voted with no objections.

9.8. C. Milinazzo-Req. City Mgr., in conjunction with the Traffic Engineer, clarify the right of way improvements recommended along Rogers Street, Andover Street, Village Street, Douglas Road and Clark Road in the relocation plan for Lowell High School to the Cawley site.

In City Council, second by C. Leahy, referred to City Manager. So voted. Registered speaker, Armand Hebert, addressed the Council. C. Milinazzo noted the need for clarification regarding what is necessary and what is required and that this will be a long term effort so it must be done correctly. C. Leary noted that other communities have developed big high schools and that they should be examined for input into this process. C. Leahy noted some questions need answers. C. Elliott noted a lot of information was based on assumptions and so adjustments will be needed. C. Mercier noted the need to minimize the impact on the neighborhood. C. Belanger noted the need for a more comprehensive bussing plan. C. Leahy noted that highway routes should be examined as well.

M. Kennedy requested that Item #7.5 be taken out of order. So voted with no objections.

9.9. C. Leary-Req. City Mgr. provide an update regarding the improvements to be made on Chelmsford Street.

In City Council, second by C. Leahy, referred to City Manager. So voted.

9.10. C. Leary/C. Samaras-Req. City Mgr. provide the status on the RFP for the Hamilton Innovation District.

In City Council, no second needed, referred to City Manager. So voted. C. Samaras requested presentation regarding the district so that public can realize the interest present in the development.



9.11. C. Leary/C. Samaras-Req. City Mgr. work with the Lowell Public Schools in order to determine what their facility spacing needs are and report back to the City Council.

In City Council, no second needed, referred to City Manager. So voted. C. Leary noted the high special education costs to the City and the budget concern. C. Samaras commented on the need to know what resources the school department may need.

9.12. C. Leahy-Req. City Mgr and the Traffic Engineer look into placing a 15 minute parking sign in front of 181 Market Street.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Leahy noted the business need for signs.

9.13. C. Leahy-Req. City Mgr. provide the City Council with a financial update for all urgent projects in the City.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Leahy requested update.

10. ANNOUNCEMENTS

In City Council, C. Mercier noted Farmers Market and the dedication of Espinoza Handball Court.

11. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Leahy. So voted.

Meeting adjourned at 9:01 PM.

Michael Geary, City Clerk