



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 3, 2017

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for William Theokas and the victims of the Las Vegas shooting. C. Rourke requested moment of silence in darkened chamber for George “Butch” Rudy.

2. CITY CLERK

2.1. Minutes of City Council Meeting September 26th, for acceptance.

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

3. UTILITY PUBLIC HEARING

3.1. National Grid - Request installation of new heavy duty handhole located at 239 East Merrimack Street to allow service upgrade.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor was David Boucher (National Grid). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Leary, seconded by C. Mercier. Adopted per Roll Call vote 7 yeas, 2 nays (C. Elliott, C. Leahy). So voted. C. Leahy questioned location and purpose of petition. Nicolas Bosonetto (Engineer) noted the location. C. Leahy noted that National Grid is not responding to City request regarding pole removal. C. Milinazzo noted that prior report noted some progress on pole removal. C. Leary noted it was time for updated report on monthly basis to track any progress.

3.2. National Grid - Request installation of new pole and relocate overhanging wires located at Adams Street (St. Patrick's Church).



In City Council, Given 2nd Reading. Hearing held. Speaking in favor were David Boucher (National Grid) and Mr. Bosonetto. No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Rourke. So voted. C. Mercier noted it was necessary to perform work at St. Patrick's Church.

M. Kennedy requested without objection to take Item #5.4 out of order. So voted.

4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

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

A) Archinski Memorial Pool Sign at South Common – C. Mercier noted effort in responding to request.

B) Broadway Bridge Update – None.

C) Intersection of Foster and Westford Streets – None.

D) 181 Market St 15 Minute Parking – C. Leahy commented on placed sign and how beneficial it is to the business. Mr. Bosonetto noted it was being done on 60 day trial.

E) Ruth Street – C. Leahy questioned the time frame to resolve issue. Manager Murphy noted it was placed on paving list to full resolve water issue.

F) Holmes/ Quinn Bridge Signage – C. Mercier noted effort in responding to request.

G) North Common Street Light – C. Mercier noted effort in responding to request.

H) Sparks Street Paving – None.

I) HCID RFP – C. Belanger noted no responses from last RFP. Manager Murphy noted favorable results from prior open house regarding the development. C. Belanger questioned need for master developer. Manager Murphy noted there is a need as they move to other areas of the development which will be more active as the infrastructure gets built out and a master developer will assist in landing a signature client. C. Belanger questioned use of parking during construction phase. Manager Murphy commented on use of temporary parking during such time and how it can be adjusted if developers are interested in parcel. C. Belanger questioned land swap with federal government. Manager Murphy noted it is moving forward favorably and that the building



of parking garage will not be held up by the process. C. Belanger questioned appraised value of swap and how that will correlate with number of spaces to be allotted to government. Manager Murphy noted it will provide that information when available. C. Samaras commented on progress in the development area and questioned the use of master developer. Manager Murphy noted that activity will increase as infrastructure is built. C. Leary questioned opening up of other developing area in the district and the need to engage a signature client and building to spur economic development. C. Leahy questioned if there would be sufficient parking to support all development. C. Milinazzo noted the need to touch base with developers showing interest in these types of parcels. C. Belanger noted need to push on-site parking for each development.

J) Amazon HQ RFP – Manager Murphy noted it was a regional approach to request due to size of parcel required.

K) Marijuana Response – Motion by C. Belanger, seconded by C. Elliott to refer matter to Zoning SC. So voted. C. Elliott commented on how other communities are handling these issues. Eric Slagle (Inspectional Services) commented on process to ban such business in the City and noted the need to ensure proper zoning for such endeavors. Manager Murphy noted the need to zone such businesses in proper areas. Mr. Slagle commented on time line under existing statutes. C. Elliott questioned cultivation areas for medical product. Mr. Slagle noted that City will zone for both medical and recreational products. C. Milinazzo noted Zoning SC will meet October 17th and will place item on agenda and further commented on City of Lawrence ban on such establishments.

L) Status of 156 Wilder – C. Leary requested information on State agencies investigation of the property. C. Leahy commented on the work being done because of the situation created by owner of property. Manager Murphy noted increase in Court involvement with these issues has been effective. C. Elliott noted the need to send strong message to the owners which would include fines and fees being implemented.

M) Downtown Lighting Update – C. Samaras noted report and the arrival of new lighting in all neighborhoods and that information should be shared with neighborhood groups. Katherine Moses (DPD) commented on lighting enhancements.

N) Wellman Street Project Update – C. Samaras commented on end of project with owners selling the property. Manager Murphy noted the sale of rights with the property and that new owner would have one year to act on existing permits. C. Mercier noted need to keep property on tax rolls.



4.2. Communication-Accept resignation of Christina Rohrbacher-Lowell Sustainability Council.

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

4.3. Communication - City Mgr. request Out of State Travel (2) LPD; (1) LFD; (Library).

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

5. VOTES FROM THE CITY MANAGER

5.1. Vote-Accept donation of 7,500 from Digital Federal Credit Union (DCU) to Fire Dept.

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

5.2. Vote-Accept donation of 7,500.00 from Digital Federal Credit Union to Police Dept.

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

5.3. Vote-Accept Proposal of Habitat for Humanity (29,200.00) 163 and 173 Adams St.

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

5.4. Vote-Accept Proposal of S&R Corp. Megan House Foundation and OwlStamp Visual Solutions (301,000) 234, 268 Mt. Vernon St and 5 Farnham St.

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

5.5. Vote-Auth. Mgr. Ex. Temporary Access Agreement-179 Bridge Street.

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



Belanger noted gifts to enable bridge to be illuminated. Manager Murphy noted gift was from a private donor.

5.6. Vote-Declare various City properties surplus for Auction.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Mercier, seconded by C. Leary. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier commented on positive progress in the City. C. Leahy questioned auction process. C. Elliott noted taxes and liens are part of process. Solicitor O'Connor outlined process and how the City would be protected.

6. REPORTS (SUB/COMMITTEE, IF ANY)

6.1. Finance SC October 3, 2017.

In City Council, C. Elliott provided report noting attendance and discussion regarding proposed adjusted parking rates. C. Elliott commented on reason for new rates and the process they used to formulate them which would include input from the public. **Motion** by C. Elliott, seconded by C. Leary to refer matter back to administration for further review and adjustments. So voted. C. Elliott questioned discounts for UMass-Lowell and Middlesex Community College. C. Belanger commented that the proposed increases were too large at the outset and that adjustments should be made which would include looking to alter fines to increase revenues. C. Samaras commented on information at subcommittee meeting from residents and businesses downtown. C. Leary noted that increases should be built in each year to avoid one large adjustment and that all aspects of the organization should be reviewed in terms of cutting costs and increasing revenues. C. Mercier commented on history of garages in City and how the use of them has grown tremendously. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Leary. So voted.

7. PETITIONS

7.1. Claim - (1) Property.

In Council, **Motion** to refer to Law Department for report and recommendation by C. Milinazzo, seconded by C. Mercier. So voted.

7.2. Misc. - Nilo Cunha (Minas Lunch) request permission to install overhanging sign located at 191 Appleton Street.

In Council, **Motion** to refer to Law Department for report and recommendation by C. Leary, seconded by C. Leahy. So voted.



7.3. Misc. - Lowell License Commission (Ryan Wynn, Executive Secretary) request City Council review proposed amendment of Pub Crawl Ordinance.

In Council, **Motion** to refer to Law Department for report and recommendation by C. Leary, seconded by C. Elliott. C. Milinazzo questioned reasoning behind request and noted that bad behavior should not be rewarded. Manager Murphy commented on what is contained in recently passed ordinance. So voted.

8. CITY COUNCIL - MOTIONS

8.1. C. Mercier - Req. City Mgr. address numerous concerns associated with the Road Runner service provided to Lowell residents.

In City Council, second by C. Leahy, referred to City Manager. So voted. C. Mercier noted concerns regarding operational restrictions on the service. C. Mercier noted the need to fund a driver for second bus and requested same from City. C. Leahy commented on the need for the driver and noted the process.

8.2. C. Mercier - Req. City Mgr. have proper department replace handicap parking sign at 198 South Street with a "10 Minute Handicap Drop-Off" sign and move the existing handicap sign to next spot behind it.

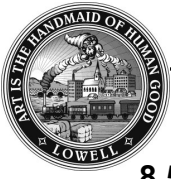
In City Council, second by C. Leary, referred to City Manager. So voted. C. Mercier commented on the situation regarding parking spaces.

8.3. C. Mercier - Req. City Mgr. provide a status and update regarding the property located at 318 Andover Street.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Mercier commented on the disrepair of the property and the need to upgrade same.

8.4. C. Mercier - Req. City Mgr. provide a time line as to steps involved in the resolution process to remove buses and out-house from Crawford, Avon and Fourth Avenue area.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Mercier noted the administration efforts and stated that busses have been removed but porta-potty remains.



8.5. C. Milinazzo - Req. City Mgr./City Solicitor review and prepare a report and recommendation regarding the proposed Memorandum of Understanding between the Boston Surface Railroad Company, Inc. and the cities of Lowell, Woonsocket, RI, Nashua, NH, and Worcester, MA.

In City Council, second by C. Rourke, referred to City Manager. So voted. C. Milinazzo provided agreement to Solicitor O'Connor commenting on recent meeting with different agencies, companies and communities regarding proposed rail route.

8.6. C. Rourke - Req. City Mgr. locate a drop off site in the City for the support of the Puerto Rico Supply Drive.

In City Council, second by C. Samaras, referred to City Manager. So voted. C. Rourke noted the need for help and that resources should be extended for that purpose. C. Elliott noted fundraiser at Roberto Clemente Park.

8.7. C. Samaras - Req. City Mgr. have DPD create a study on how to restructure Middlesex Street, between Central Street and the Lord Overpass.

In City Council, second by C. Rourke, referred to City Manager. So voted. C. Samaras requested to look at ways and means address the homeless issue throughout the City through proper planning with the involvement of non-profits as well. C. Leahy requested Appleton Street area be given the same attention.

8.8. C. Samaras - Req. City Mgr. have DPD develop a report regarding the availability of parking between UMass-Lowell and the Smith Baker Center.

In City Council, second by C. Leahy, referred to City Manager. So voted. C. Samaras noted that development of Smith-Baker Center would need parking and in addition Lowell Housing Authority would need added parking so different alternatives should be explored.

8.9. C. Samaras - Req. City Mgr. have LPD research the costs of purchasing new speed radar display signs for the City.

In City Council, second by C. Rourke, referred to City Manager. So voted. C. Samaras noted the need for signs and that it is a cost effective method to slow traffic. C. Samaras suggested looking at different kinds of signage.



8.10. C. Leahy - Req. City Mgr. have proper department review congested traffic at intersection (lights) at Aiken Avenue and Lakeview Avenue, and report on possible solution.

In City Council, second by C. Leary, referred to City Manager. So voted. C. Leahy commented on problems in that area.

8.11. C. Belanger - Req. City Mgr. provide an update regarding JJ Boomers' site for development in Pawtucketville.

In City Council, second by C. Elliott, referred to City Manager. So voted. C. Belanger commented on early signs of development. C. Elliott questioned if any plans have been submitted. Manager Murphy noted there have been early discussions with no submission.

9. CITY COUNCIL - EXECUTIVE SESSION

9.1. Executive Session - Regarding update on recent matters of litigation public discussion of which could have a detrimental effect on the City's position.

In City Council, read, **Motion** to enter executive session by C. Mercier, seconded by C. Milinazzo. Adopted per Roll Call vote 9 yeas at 8:40 PM. So voted. M. Kennedy informed public that meeting would be adjourning from Executive Session.

10. ANNOUNCEMENTS

In City Council, C. Leahy noted fundraiser at Top Donut. C. Mercier recognized the canal cleaners and their efforts.

11. ADJOURNMENT

In Executive Session, **Motion** to Adjourn by C. Elliott, seconded by C. Milinazzo. So voted.

Meeting adjourned at 9:21 PM.

Michael Geary, City Clerk

Office of the City Clerk - 375 Merrimack Street - Phone: 978.674.4161