



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 17, 2017

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Leary).

M. Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for Helen McGovern.

2. MAYOR'S BUSINESS

2.1. Recognitions - (1) Cultural Organization of Lowell's Creativity and Makers Festival; (2) Lowell Celebrates Kerouac. Presentation/Announcement - (1) Merrimack Valley Food Bank's Food Day; (2) Angkor Dance Troupe's Preah Thong Neang Neak.

In City Council, read, M. Kennedy recognized the above organizations for their recent events with citations and introduced representatives from the organizations. C. Elliott, C. Mercier and C. Belanger commented on the Cultural Organization of Lowell event noting the ability to bring people into the City. C. Samaras noted Makers Festival was an artisan's event. The Angkor Dance Troupe performed for the body. C. Samaras requested that letters of thanks go out to Mr. George Dunkin and Mr. Robert Irsay for their support of the Kerouac event.

3. CITY CLERK

3.1. Minutes of City Council Meeting October 10th, for acceptance.

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



4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

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

- A. Drive for Puerto Rico** – C. Rourke recognized the effort. Manager Murphy noted the efforts of Lowell Fire Department and the Senior Center. Manager commented that the Lowell Police Department has sent personnel to assist.
- B. Abandoned Steel Pole on Corner Campbell Dr. & Wedge St.** – None.
- C. Update Regarding 392 Princeton Blvd.** – C. Mercier requested update. Tom Bellegarde stated that work would be completed by end of the week.
- D. Speed Radar** – C. Samaras commented on the use of grant money. Manager Murphy noted the availability of other funds. Supt. Taylor (LPD) noted traffic funds could be used as well. C. Samaras stated that the equipment is needed and effective.
- E. Turnout Gear** – C. Leahy noted discussions regarding equipment and requested further information. Manager Murphy commented that funding would be available even without grant money. C. Belanger noted the importance in funding this expense. Chief Winward (LFD) outlined the importance of having more than one set and also commented on the ability to clean after use. C. Samaras noted the need for funds on a continued basis for this type of safety equipment. C. Rourke questioned status of washing machines for the equipment. Chief Winward noted that it was out to bid and should be purchased shortly.
- F. Senior Transportation** – C. Mercier noted the response and the need for the service. Manager Murphy outlined response.
- G. High School Fire Safety Concerns** – C. Samaras requested information and noted the report. Chief Winward commented on fire codes for renovated and new school buildings as well as regulations surrounding high rise buildings. C. Samaras questioned going beyond safety requirements. C. Milinazzo questioned if new Cawley site would be considered a high rise building. Manager Murphy noted it was not a high rise building. C. Milinazzo noted that any high school building design plans would have to be reviewed by fire department. C. Rourke questioned safety regulations for new buildings. Chief Winward noted that newer buildings would be safe. C. Elliott questioned removal of hazardous materials from sites. Chief Winward commented that such removal would not be handled by his department. M. Kennedy questioned the cut-off from a midrise to a high rise. Chief Winward commented on the difference.



- H. Infrastructure Improvements and Field Replication** – C. Milinazzo questioned costs regarding infrastructure and fields along with any reimbursement at Cawley site. C. Leahy questioned involvement with other towns concerning this site. C. Samaras questioned water flow issues at Cawley site. Mark Young (Waste Water) commented on flooding in area and cause of same. Manager commented on reimbursement for certain aspects of the project. C. Rourke noted if high school project is done it would alleviate flooding issues. C. Milinazzo questioned location of storage tanks on site. Mr. Young commented on possible location of tanks. C. Belanger noted the need for drainage upgrades in the area regardless of any project to be done. Mr. Young noted that there is no funding at present to complete that project. Manager Murphy noted any funds would come from a loan order. C. Elliott noted some of the costs could be absorbed into a high school construction loan. C. Milinazzo noted he would be filing for lists of all ancillary costs surrounding construction of high school. C. Samaras noted need to focus on what reimbursement amount will be. Manager Murphy noted that the MSBA has reimbursement formula that is used. C. Mercier noted that the discussion is highlighting the needs for infrastructure upgrades in the area. M. Kennedy questioned secondary field replication plans if first set is unsuccessful. Michael McGovern (Asst. City Manager) commented on development of plans as well as outlining footprint of project to establish what costs would be reimbursable. M. Kennedy requested that State agency should be contacted to verify any reimbursement. C. Milinazzo questioned the number of site plan changes involved with the process. C. Belanger noted that field replication plan has extra acreage as part of same. C. Elliott noted replication plan has been approved and questioned how it would fail. M. Kennedy noted possible pitfall of plan could be wetlands and cooperation with abutting towns. C. Rourke noted that park plans greatly enhance that area. C. Rourke questioned ability to create parking area in Tewksbury. Eric Slagle (Insp. Services) noted the need for a special permit. C. Leahy voiced concerns for approvals by other towns. C. Mercier noted that only concerns are centered on Cawley site and that downtown costs should be vetted as well and that it is a difficult because not all answers are known at this point. C. Milinazzo noted the costs speak for themselves. C. Samaras noted the need to know costs. C. Elliott noted that vote was taken and costs were conveyed to the body and that they should focus on project and not scare tactics. C. Milinazzo noted the need to grasp numbers and to know what is reimbursable. C. Samaras noted it was not a scare tactic but merely a need for figures. C. Elliott noted figures before vote was taken.
- I. School Busing Study** – C. Elliott noted recent meeting that took place to discuss the study. Manager Murphy noted the study would move forward with UML as a partner.
- J. Regulatory and Zoning Approvals** – Registered speaker, Laura Gilmore, address the body. C. Milinazzo the number of steps and further public input and requested information is available on website for public viewing. **Motion** by C. Milinazzo, seconded by C. Samaras to post report on website for public view. So voted.



C. Rourke requested Item #8.1 be taken out of order. So voted without objection.

4.2. Communication - City Manager request Out of State Travel (1) Waste Water; (1) LPD.

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Belanger. Adopted per Roll Call vote 8 yeas, 1 absent (C. Leary). So voted.

5. VOTES FROM THE CITY MANAGER

5.1. Vote-Accept MGL c.59 s.5 Fifth C increase exemption for veterans' organizations to 1.5M.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on October 31, 2017 at 7 PM by C. Elliott, seconded by C. Mercier. So voted. Joe Dussault (Veteran Rep) requested support on the vote.

6. REPORTS (SUB/COMMITTEE, IF ANY)

6.1. Zoning SC October 17, 2017.

In City Council, C. Milinazzo provided report commenting on attendance and discussion of zoning amendments and proposed marijuana ordinance. **Motion** by C. Milinazzo, seconded by C. Samaras to refer zoning amendments (excluding sections 6.1.5 – bike racks) to law department to put into proper ordinance form and to table for further discussion ancillary dwelling unit, tourist homes and marijuana ordinance. So voted. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Elliott. So voted.

M. Kennedy requested to bundle items #6.1 and 6.3. So voted with no objections.

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

In City Council, **Motion** to adopt and accept the accompanying order by C. Mercier, seconded by C. Samaras. So voted.

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

In City Council, **Motion** to adopt and accept the accompanying order by C. Mercier, seconded by C. Samaras. So voted.



7. PETITIONS

7.1. Misc. - Dannel Gannon request City Council review City of Lowell Firearm Licensing Policy.

In Council, **Motion** to refer to Law Department for report and recommendation by C. Milinazzo, seconded by C. Belanger. So voted. Registered speakers, Dannel Gannon and Thayer Eastman, addressed Council.

7.2. Misc. - Michelle Foote request installation of traffic light at intersection of Perkins Street and Aiken Avenue.

In Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Samaras, seconded by C. Mercier. So voted. C. Mercier questioned who would be paying for installation if done. C. Leahy noted UML should be involved as well.

7.3. Misc. - Long Tran (Hair Solution) request changing "30 Minute Parking" sign to "Customer Only Parking" sign at business located at 108 Aiken Avenue.

In Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Mercier, seconded by C. Rourke. So voted. Registered speaker, Thayer Eastman, addressed the Council. C. Mercier questioned if such a sign existed. C. Leahy commented that perhaps a longer wait period could be implemented.

8. CITY COUNCIL - MOTIONS

8.1. C. Leahy - Req. City Mgr. have proper department provide an update regarding property at 29 Frothingham Street.

In City Council, second by C. Samaras, referred to City Manager. So voted. Registered speakers, Robert Mason and Brian Gallagher, addressed the Council. C. Leahy noted the issue and commented that a more aggressive approach should be made to address it. C. Mercier requested building inspection. Manager Murphy noted that building inspectors have been involved with issue and a stop work order was implemented. C. Belanger noted negative effect on the neighborhood. C. Milinazzo questioned why property is assessed as a three family dwelling. C. Elliott noted the need to identify illegal use in the City. C. Mercier commented that there should be an example set so that others obey ordinances. C. Leahy noted trucks are parked illegally as well.



8.2. C. Leahy-Req City Mgr have the Traffic Engineer address safety concerns of pedestrians crossing in front of City Hall.

In City Council, second by C. Elliott, referred to City Manager. So voted. C. Leahy noted need for safe intersection. C. Milinazzo noted that current changes at intersection may be creating problem.

8.3. C. Leary/C. Leahy - Req. City Mgr. have DPW paint and update crosswalks in front of Father Martin E. Norton Manor at 117 - 137 High Street.

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted the need to upgrade. M. Kennedy noted that more than paint may be needed to increase safety.

8.4. C. Elliott - Req. City Mgr. provide update regarding progress at the Rourke Bridge.

In City Council, second by C. Leahy, referred to City Manager. So voted. C. Elliott noted that the current feasibility needs to stay in place so work must begin and noted progress towards that. C. Belanger questioned using resources of developers for the infrastructure.

8.5. C. Rourke - Req. City Mgr. have proper department install a stop sign at the corner of Stromquist Avenue and Bowden Street.

In City Council, second by C. Samaras, referred to City Manager. So voted. C. Rourke commented on neighborhood concern to replace stop sign.

M. Kenney relinquished Chair to Vice Chair Rourke at 8:47 PM.

8.6. M. Kennedy-Req. City Mgr. provide a report on polling locations and discuss confusion regarding polling locations prior to the preliminary election.

In City Council, second by C. Leahy, referred to City Manager. So voted. M. Kennedy noted confusion at preliminary election and that it needs to be resolved and the notices must be consistent from Elections Department.

8.7. M. Kennedy-Req. City Mgr. secure the current LTC policy on coverage of forums and candidates nights for municipal elections.



In City Council, second by C. Leahy, referred to City Manager. So voted. M. Kennedy noted the need for coverage and that there should be a policy. M. Kennedy noted C. Leahy as a board member of LTC will discuss issue with them. Manager Murphy noted contract with organization and that such events should be covered.

9. ANNOUNCEMENTS

None.

10. ADJOURNMENT

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

Meeting adjourned at 8:52 PM.

Michael Geary, City Clerk

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