



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: November 13, 2018
Time: 6:30 PM
Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

1. ROLL CALL

Roll Call showed 9 present.

M. Samaras presiding.

M. Samaras recognized C. Kennedy election to the Massachusetts State Senate.

2. CITY CLERK

2.1. Minutes of City Council Meeting November 6th, for acceptance.

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

2.2. Vote-Cancel Council Meetings 11.27.18, 12.25.18 and 1.1.19.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Kennedy, seconded by C. Cirillo. Adopted per Roll Call vote 8 yeas, 1 absent (C. Elliott). So voted.

3. AUDITOR BUSINESS

3.1. Communication - FY19 Budget Report YTD (September).

In City Council, **Motion** “To accept and place on file” by C. Milinazzo, seconded by C. Elliott. So voted. C. Elliott questioned some transactions including funding for homelessness initiatives. Conor Baldwin (CFO) noted that funding was for outside contract to provide services that a prior employee who has retired had performed. C. Elliott commented on payment of principal and interest on maturing debt. Mr. Baldwin noted that principal is paid one time per year where interest is paid twice a year. C. Elliott commented on the Workers’ Compensation account. Mr. Baldwin noted that the account is usually underfunded. Solicitor O’Connor noted that the budget has not



remained in line with increase salaries and medical costs and noted the School Department has the most claims. C. Elliott requested historical report regarding the account.

Motion by C. Leahy, seconded by C. Milinazzo to suspend rules to take Item #7.1 out of order. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance-Create New Position and Salary of Syringe Collection Program Coordinator at Health and Human Services Dept.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. Speaking in favor were Kerran Vigroux (HHS Director) and Chief Winward (LFD). **Motion** to adopt by C. Mercier, seconded by C. Cirillo. Adopted by Roll Call vote, 9 yeas. So voted. C. Elliott commented on the job description. Manager Donoghue noted that the position will be pro-active in the community. C. Leahy agreed with a pro-active approach. Manager Donoghue noted that there were funds in the existing budget to cover position for rest of year. C. Nuon noted the need for the position for safety reasons. C. Mercier commented that the effort is needed in this area.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Restorative Justice Program – C. Nuon noted that item would be part of Public Safety SC meeting. Manager Donoghue recognized that the parties would be present at the subcommittee meeting.

B) LFD and LPD Responses to Marijuana Facilities – C. Elliott commented on State procedures and meetings. Manager Donoghue commented on applicants' responsibility to have informational meetings in the community before formal proceedings. C. Nuon noted that safety concerns are being met. Chief Winward noted that there have been minor alarm calls and the buildings are safe.

C) LTLC Shelter Issues – C. Milinazzo commented on meeting with shelter representatives and stressing the need for them to be a good neighbor. C. Leahy noted the issue is that there is a lack of activity for the residents to do during the day time. Manager Donoghue noted the continued work with the shelter. C. Nuon on the number



of homelessness camps in the City. C. Mercier noted the need for forward thinking to occupy time per example a Recovery Café.

D) National Grid Gas Updates – C. Leahy noted it was a safety issue and was disappointed that the company would not participate in the public meeting. Manager Donoghue commented on the response and noted that National Grid does meet with City frequently. M. Samaras noted that there must be steps by National Grid to ensure the safety of the City.

E) Railway Issues – C. Cirillo commented on the letters noting time frame established by them. Manager Donoghue commented on the effort and state that they would again approach MBTA to engage Pan Am Railways. C. Conway noted the ongoing problem and that fining them would be next approach. C. Mercier commented on the history with the company, noting they will never be a good neighbor with the City.

5.2. Informational Reports

Open Space Plan – Christine McCall (DPD) and Yovanni Baez-Rose (DPD) provided a presentation entitled “City of Lowell Open Space and Recreational Plan” to the body. Ms. McCall outlined the following items of the presentation: what it is; public engagement; 10 themes; 6 goals; and public comment period. Ms. McCall commented on the procedure to final draft of document. C. Cirillo noted the effort in producing the document. C. Leahy commented on the number of meetings involved with the production. C. Nuon noted the effort and the many groups involved. C. Elliott commented on security in the parks. Ms. Baez-Rose noted safety concern was with needles and providing assistance boxes at some locations. Ms. Baez-Rose noted that there were many programs available but there is a need to better inform the community of them.

5.3. Communication-Appoint and Reappoint members to the Hunger Homeless Commission.

In City Council, **Motion** “To accept and place on file” by C. Kennedy, seconded by C. Elliott. So voted. The following were appointed to the Commission: Elizabeth Higgins; Gretchen Gallimore; Susan Thompson Tripathy; and Brandon Crocker. C. Elliott noted that some members need to be notified of meetings.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept and Expend Municipal Energy Technical Assistance Grant from DOER for up to 12,500.00.



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

6.2. Vote-Authorize City Manager Ex. License Agreement (overhanging sign) 18 Hurd St.-Salem Five Cents Savings Bank.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Nuon, seconded by C. Conway. Adopted per Roll Call vote 9 yeas. So voted. C. Milinazzo noted that savings bank was not included in the title of the bank.

6.3. Vote-Authorize Mgr. Ex. MOU Local 1705A 7.1.18-6.30.21.

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

7. ORDERS FROM THE CITY MANAGER

7.1. Order-60 Day Trial (Perry Street).

In City Council, Read twice, full reading waived with no objections, **Motion** to refer to Transportation Engineer for further study and to eliminate 60 Day Trial by C. Elliott, seconded by C. Cirillo. So voted. The following registered speakers addressed the Council: Jason Gullbeault; Elizabeth Silva; Fatima Pimental; Courtney Houston; and Jim Houston. C. Mercier commented on the number of calls and the confusion with the plan. Natasha Vance (Transportation Engineer) commented on the response and that it was a situation where not all parties would be completely satisfied with the result. C. Elliott outlined the history of the request. Ms. Vance noted the reasons for a 60 Day Trial for safety concerns. Manager Donoghue noted the parking at the condominium located on the street was not as sufficient as indicated. C. Kennedy requested further information when a new plan is finalized with the neighbors. C. Conway noted that the number of spots at the condominiums should have been monitored during construction. C. Kennedy noted it may be a zoning question.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Zoning SC November 13, 2018.

In City Council, C. Milinazzo provided the report noting attendance and discussion regarding zoning ordinance for rental of housing. C. Milinazzo noted that more work needs to be done and there would be further meetings regarding issue. C. Milinazzo noted need to work with neighbors and all groups vested in the issue. C. Leahy noted that residents of Lowell are fully vested in the community and that they should be



protected. **Motion** to accept the report as a report of progress by C. Kennedy, seconded by C. Conway. So voted.

Motion by C. Kennedy, seconded by C. Mercier to bundle Items #9.1 to #9.6, inclusive and refer to proper departments. So voted.

9. PETITIONS

9.1. Claims - (2) Property Damage.

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

9.2. Misc. - Jorge Gomez request installation of handicap parking sign at 427 Lakeview Avenue.

In Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted.

9.3. Misc. - Luz Vallanilla request installation of handicap parking sign at 95 Lunberg Street.

In Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted.

9.4. Misc. - Mildred Kercher request installation of handicap parking sign at 58 Fay Street #1.

In Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted.

9.5. Misc. - Vimalkumar Patel (Pacific Liquors) request installation of (1) "15 Minute" parking sign at 421 Central Street and (1) "15 Minute" parking sign around corner on Charles Street.

In Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted.

9.6. Misc. - Kim Hyder request permission to address Council regarding signage and safety concerns in the area of 219 Jackson Street.



In Council, **Motion** to refer to City Manager for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Leahy - Req. City Mgr. provide a report from Elections Department regarding updating all voter equipment.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Leahy noted the need to make voting consistent throughout City and to analyze costs of doing that.

10.2. C. Leahy - Req. City Mgr. provide a report regarding review of the physical locations of City Hall Departments to ensure efficient operations.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted the need to review and see if there can be improvement.

M. Samaras relinquished the Chair to Vice-Chair Nuon at 8:30 PM.

10.3. C. Leahy - Req. City Mgr. provide a report regarding evaluation and review of existing City Hall departments to ensure efficient operations.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted again to look at services and see what can be improved.

10.4. M. Samaras - Req. City Mgr. provide a report regarding steps that can be taken to increase the availability of parking in the Hamilton Canal District prior to the building of the new garage.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Samaras noted the need for spaces and requested time line for garage construction. Manager Donoghue commented it was a pressing issue that needs attention.

11. CITY COUNCIL - EXECUTIVE SESSION

11.1. Executive Session - Regarding matter of litigation, namely Huot et al v. City of Lowell, public discussion of any of these matters would have a detrimental effect on the City's position.

In City Council, Vice-Chair Nuon stated reason for Executive Session, **Motion** by C. Mercier, seconded by C. Cirillo to enter Executive Session for stated purpose and



adjourn from Executive Session (8:32 PM). Adopted per Roll Call vote, 9 yeas. So voted. Vice-Chair Nuon stated that body would adjourn from the Executive Session.

12. ANNOUNCEMENTS

In City Council, none.

13. ADJOURNMENT

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

Meeting adjourned at 9:30 PM in Executive Session.

Michael Q. Geary, City Clerk