



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** March 5, 2019

**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.

C. Mercier requested moment of silence in darkened chamber for Mary Geoffroy and Michael G. Demaras, longtime City of Lowell employee. C. Elliott, C. Kennedy, C. Leahy and M. Samaras commented on the memory of Mr. Demaras. Atty. Matthew Demaras, brother of Michael, was present in the Chamber. C. Elliott requested moment of silence in darkened chamber for John F. Meehan, Jr.

### 2. CITY CLERK

#### 2.1. Minutes of Public Safety SC February 26th; City Council Meeting February 26th, for acceptance.

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

### 3. COMMUNICATIONS FROM CITY MANAGER

#### 3.1. Motion Responses.

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

**A) Motion Response - Community Preservation Act** – Registered speaker, Richard Howe, Jr. (Middlesex North Registry of Deeds) outlined the Act and the process. C. Nuon noted the need to pursue money available. **Motion** by C. Nuon, seconded by C. Kennedy to refer report to Housing SC and to request DPD prepare a report regarding use of money made available through the Act as well as request Law Department prepare necessary vote to enable referendum vote to establish the Act. So voted. C.



Elliott noted the downside of adopting the act is that City may have to raise taxes to match any grant monies and that a study should be done to see if it was a wise course of action. Eric Slagle (Inspectional Services) commented on benefit of the Act. Manager Donoghue noted that a report would be provided regarding tax implications regarding the Act. C. Kennedy noted that there is a legislative push to provide added funding for grants generated by the Act. C. Nuon noted that there may be tax exemptions for certain groups if noted in referendum.

**B) Motion Response - Maryl Drive** – C. Cirillo commented on the study regarding setting of speed limit in the area. Natasha Vance (Transportation Engineer) commented on process to set the speed limit. C. Leahy questioned if such damage could occur in that area.

**C) Motion Response - School Contract Costs** – C. Milinazzo commented on his request noting that City has taken many efforts to maintain buildings and questioned union grievance regarding status of buildings when much of budget is geared towards salaries and not towards money needed to assist with maintaining buildings. Manager Donoghue noted upgrade in the status of the boilers at Greenheldge School. C. Conway commented on teacher salaries and the substantial increase in 2017 and requested further information on that increase. Conor Baldwin (CFO) noted that the information came from the school administration and that further information would be provided. C. Leahy questioned who was responsible for monitoring boiler notification system. C. Kennedy noted that there is an increase in salaries that need to be clarified. C. Elliott noted that contracts are usually retroactive and that may be part of reason for increase. C. Elliott noted the need for fairness and that the City has contributed to schools who are obligated to manage it properly. C. Conway noted that increases for paraprofessionals must be reviewed as well. C. Kennedy commented on step increases built into the salaries. M. Samaras commented on step levels.

### **3.2. Informational Reports**

**D) Informational Report - School Department Bad Bills** – Manager Donoghue commented on the issue regarding payment of bad bills and the need for them to be properly identified in order for Council to authorize payment of them. Manager Donoghue noted the meeting with the school administration and that further information will be provided regarding the bills that have not been paid and that the school administration was withdrawing request regarding payment of salaries and tuition reimbursement. C. Mercier commented on understanding bad bills but was not sure of other request by the school administration. C. Mercier questioned Council obligation to fund as money was funded but mismanaged by the school administration. Manager Donoghue noted that new request should clarify the action the Council should take. Mr. Baldwin noted the process to pay bad bills and the requirement of a Council vote. C.



Conway noted the need to scrutinize the request so there is no double payments. C. Milinazzo noted that any bills paid must have a proper purchase order in place. Mr. Baldwin noted there is a review regarding those purchase orders. C. Nuon questioned who supplied the list to the Council. Manager Donoghue commented on how the list was formulated. C. Leahy questioned the regulations regarding payment of bad bills and further questioned why Council should pay for school administration mismanagement. C. Elliott noted that there are organizational deficiencies in the school administration and that they must be addressed moving forward and that possible solution would be combining school finance system within the City system. Manager Donoghue noted that all deficiencies need to be addressed in this fiscal year. C. Kennedy commented on the need for a comprehensive list. M. Samaras noted the request for funding of bad bills and that there must be a clear understanding of what those bills pertain to. Mr. Baldwin noted ordinance which requires a purchase order for vendors to receive payments. Auditor Perry noted procedure for bad bill payments.

**E) Informational Report - GFOA Budget Award** – Manager Donoghue noted the award the recognized the success of the finance team and the efforts they put in on a daily basis. C. Kennedy recognized the department efforts as well.

#### **4. VOTES FROM THE CITY MANAGER**

##### **4.1. Vote-Approve exemption of Peter Finnegan from MGL c. 268A s. 20.**

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

##### **4.2. Vote-Transfer funds to replace School Dept TV equipment, software and hardware for the operation of the Lowell Educational channel.**

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. Manager Donoghue commented on the request and the need to replace studio equipment at Lowell High and that PEG funds paid by Comcast contract were available to fund it though City side projects would be affected. Mr. Baldwin noted payments for van and studio in past year. C. Elliott questioned management of the PEG funds. Mr. Baldwin commented on license agreement with Comcast. C. Leahy questioned warranty on new equipment. C. Milinazzo questioned if students receive credit for these types of programs. C. Mercier noted use of the facility as well as the memorial for the studio and van. M. Samaras noted the support of the Keagan family.



## **5. REPORTS (SUB/COMMITTEE, IF ANY)**

### **5.1. Wire Insp. - FirstLight (Joyce Consulting Group) - Request permission to install underground fiber optic conduits at intersections of Lawrence and Billerica Streets.**

In City Council, C. Mercier noted Senior Citizens SC will meet on March 12<sup>th</sup> to discuss motion of C. Cirillo regarding elderly programming.

In City Council, **Motion** "To adopt and accept accompanying order" by C. Kennedy, seconded by C. Elliott. So voted.

### **5.2. Wire Insp. - National Grid/Verizon NE - Request installation of new utility pole and underground conduit at 97 Tanner Street.**

In City Council, **Motion** "To adopt and accept accompanying order" by C. Kennedy, seconded by C. Mercier. So voted.

## **6. PETITIONS**

### **6.1. Misc. - Pineapple Realty, LLC (Geary & Geary, LLP) request zoning amendment to extend current Light Industrial Zoning District (LI) to include current parcels located in Traditional Two Family Zoning District (TTF) along 264-266 Plain Street and 58 Montreal Street.**

In City Council, **Motion** to refer to Law Department to draft proper ordinance by C. Elliott, seconded by C. Cirillo. So voted.

## **7. CITY COUNCIL - MOTIONS**

### **7.1. C. Leahy - Req. City Mgr. forward School Committee report regarding school playground equipment to appropriate department to formulate a plan of action.**

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. C. Leahy noted the need to fix the equipment.

### **7.2. C. Leahy - Req. City Mgr. have Inspectional Services provide a report regarding winter shoveling ordinance compliance and ticketing; as well as an additional report regarding barrel ordinance compliance.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted that there could be improvement in the area and that the downtown businesses must take in active role in snow removal.



**7.3. C. Leahy - Req. City Mgr. have Transportation Engineer review the intersection at Monadnock Avenue and Raynor Street for possible 4 way stop sign.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted neighborhood request to ease traffic flow. C. Kennedy requested same review of intersection at Foster Street and Princeton Blvd.

**7.4. C. Leahy - Req. Mayor invite Robert Merrill to the Council Chamber to present to him a Citation honoring his recent life-saving efforts.**

In City Council, seconded by C. Elliott, referred to Mayor. So voted. C. Leahy noted effort should be recognized.

**8. ANNOUNCEMENTS**

In City Council, C. Mercier noted that LHS boys' basketball and hockey teams have upcoming state tournament games. C. Leahy noted that there would be a tour of the Patriot Care facility. Manager Donoghue noted upcoming "White Ribbon Day" at City Hall.

**9. ADJOURNMENT**

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

Meeting adjourned at 8:00 PM.

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Michael Geary, City Clerk