



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: January 14, 2020

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding.

C. Conway requested moment of silence in darkened chamber for Dr. David Morehouse. C. Samaras commented about Mr. Morehouse's work at Lowell High School. C. Chau requested moment of silence in darkened chamber for Sarou Chea (mother of State Representative Rady Mom) and Malis Ricky Sok.

2. CITY CLERK

2.1. Minutes of City Council Inauguration January 6th; City Council Meeting January 7th, for acceptance.

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

3. COMMUNICATIONS FROM CITY MANAGER

3.1. Motion Responses.

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

A) Motion Response - 75 Arcand Drive Update – C. Rourke commented on the time needed to clear the property to keep Lowell High School project on time. Manager Donoghue noted that the date fixed by parties and the State was May 7th which is more than customary time needed in these matters. C. Mercier questioned amount of payment to the owner of the parcel. City Solicitor O'Connor commented on the money paid to take property and relocate tenants. C. Mercier noted that it would possibly only be a partial payment and other monies may be due. C. Mercier commented on the appraisal done on the property and sharing results with other party as well as the different needs of each doctor in the building. Solicitor O'Connor commented on the payments. C. Mercier requested that Council be notified when payments are made and



agreed upon and that process should be fair for all involved. Solicitor O'Connor noted that process for relocation is currently being handled by experts for each side and the timeline has been set by the parties. C. Nuon commented on the discovery pending on the eminent domain case. Solicitor O'Connor commented on litigation discovery schedule. C. Nuon commented on probable new locations of businesses. C. Samaras commented on eminent domain and the treatment of the parties. Manager Donoghue noted the State reviews all of the actions of the parties in relocation matters. C. Rourke noted that relocation was due to a hostile taking and questioned process if parties are not in agreement. Solicitor O'Connor commented on process moving forward without agreement between the parties.

B) Motion Response - Handicapped Voter Access – C. Conway commented on the report identifying the problem and putting forward a solution and that he would relay information to the Disability Commission.

C) Motion Response - Pan-Am Clean-Up behind 50 Waugh St – C. Mercier commented on the report and possible fines and stated that Pan-Am is not a responsive party and further commented on possible safety issues with the site. Eric Slagle (Inspectional Services) noted the challenge with access to the premises. M. Leahy noted a dead tree posing a safety issue in the neighborhood.

3.2. Informational Reports

D) Informational Report - Lowell General Update Memo – C. Rourke noted the report. Manager Donoghue commented on the plans by Lowell General Hospital for the Saints Campus indicating shift in services and not a closure. C. Drinkwater noted concern for shifting of ICU beds and that involves a public process which residents can be involved with. C. Mercier noted the need for the Saints facility.

E) Informational Report - 15 Minute Parking Spaces – None.

3.3. Petition Responses

F) Petition Response - 15-minute Parking 175 Salem St. – C. Mercier noted that it was an older business in the City and that City should look to accommodate them in some manner commenting on possible re-use of the loading zone area. Natasha Vance (Transportation Engineer) commented on possible solutions to parking issues. M. Leahy questioned wording on signage.

3.4. Communication-Appoint Sinead Gallivan to Planning Board-Associate Member.

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted. Ms. Gallivan was present and thanked the Council



3.5. Communication - City Manager request Out of State Travel (1) LPD; (1) Health Dept.

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

4. VOTES FROM THE CITY MANAGER

4.1. Vote-Accept and Expend FY20 Housing Choice Community Capital Grant in the amount of 225,000.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue recognized the effort used to obtain grants and the importance of the grants in regards to parking in the City.

4.2. Vote-Auth CM Accept Permanent and Temporary Easements from LRTA re Lord Overpass Project.

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.

4.3. Vote-Auth CM Ex. Temporary Access Agreement between City and Colonial Gas Co. re 157 West Forest Street, Lowell.

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

4.4. Vote-Transfer 16,000 to pay for repairs to School St. Cemetery wall.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott commented on the need for repairs. C. Mercier noted the repairs and improvement at the site and increase of safety. Manager Donoghue recognized efforts of the DPW under Christine Clancy for the effort put forth.

5. RESOLUTIONS

5.1. Resolution-Support saving Minor League Baseball-Lowell Spinners.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Conway, seconded by C. Chau. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier noted the wording of Resolution was exact as it indicated the amount of resources used by the City at the facility.

6. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, M. Leahy noted he was finalizing subcommittee assignments.



7. PETITIONS

7.1. Claims - (2) Property Damage.

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

7.2. Misc. - Family Rental Lilley, LLC (for the benefit of Nicky Silva) request installation of (1) handicap parking sign located at 139 Cumberland Road.

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Drinkwater, seconded by C. Conway. So voted.

8. CITY COUNCIL - MOTIONS

8.1. C. Nuon - Req. City Mgr. provide update regarding review of inspection and enforcement procedures within Developmental Services to determine if better efficiency can be achieved through transfer of data via tablets or other electronic means with the aim of improving turnaround time without adding personnel.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Nuon noted the need to update so that more inspections can be done by the City. C. Elliott noted the technology promotes efficiency and is customary in many communities. Manager Donoghue noted the delay and that need to ensure quick response with MIS Department and MUNIS software. Mr. Slagle noted that issue with merging technology. C. Rourke commented on electronic permitting as well. C. Conway noted that technology will increase efficiency.

8.2. C. Nuon - Req. City Mgr. have Parking Director instruct staff to check pay stations during daily routes and report any malfunctioning meters each day.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon noted that pay stations and meters should be checked daily and issue resolved quickly. C. Samaras noted it was an ongoing issue that needs to be addressed. Manager Donoghue noted the issue with the equipment which may need updating.

8.3. C. Nuon - Req. City Mgr. have proper departments (Law, Human Relations) provide a report on feasibility of residential requirement for public employees in City of Lowell.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon requested the report and would comment further upon review. C. Mercier noted that issue was discussed prior regarding department heads being Lowell residents and that there were issues with that but the consensus was that preference would be given to Lowell citizens. C. Conway noted that residency requirements may hinder obtaining qualified applicants. C. Drinkwater noted the need for the report to address complications that may arise but noted that residency preference could be a reasonable alternative. C. Elliott questioned criteria regarding residency requirements. C. Nuon noted that Law Department should review legalities and what can and cannot be done.



Manager Donoghue noted that other communities would be studied as well to see if in operation and how effective it may or may not be. C. Conway noted residency preference is a good option and that there would be union concerns as well. Solicitor O'Connor noted it would be subject to collective bargaining. C. Rourke commented on union requirements.

8.4. C. Nuon - Req. City Mgr. provide a report regarding status update on the Smith-Baker building.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Nuon noted property has been issue for some time and it is time to move forward on the matter.

8.5. C. Elliott - Req. City Council vote to establish a subcommittee on Election Redistricting.

In City Council, seconded by C. Nuon, referred to City Manager/Mayor. So voted. C. Elliott noted important matter during this Council term and it will be a long process. C. Nuon noted the need to be ahead of changes. C. Mercier noted that subcommittee would address all changes in the election system in the City.

8.6. C. Elliott - Req. City Mgr. provide an update regarding bridge construction on VFW highway at Beaver Brook.

In City Council, seconded by C. Rourke, referred to City Manager/Mayor. So voted. C. Elliott commented that bridge work in the City are big construction projects that affect traffic and other neighborhood concerns so there is a need for tight oversight. C. Samaras noted the condition of the streets deteriorates with these construction projects.

8.7. C. Conway - Req. City Mgr. meet with Police Superintendent and Fire Chief to provide a report and update regarding "Wellness Programs" for our first responders.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Conway commented on existing programs and the need for them as first responders are not treated with respect in the community which may affect them mentally.

9. ANNOUNCEMENTS

In City Council, Manager Donoghue noted upcoming LFD employment applications. Manager Donoghue commented on continued recycling audit. C. Elliott commented on recycling program. C. Conway commented on plastic bag recycling.



10. ADJOURNMENT

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

Meeting adjourned at 8:10 PM.

Michael Q. Geary, City Clerk