



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: January 26, 2021

Time: 6:30 PM

Location: Pursuant To Governor Baker's Emergency Order Modifying The State's Open Meeting Law Issued March 12, 2020, Meetings Will Be Held Using Remote Participation As Follows: Members Of The Public May Not Participate In-Person And May View The Meeting Via LTC.ORG (On-Line; Live Streaming Or Local Cable Channel 99) And Zoom.

1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Conway) (Remote – C. Nuon, C. Mercier, C. Samaras).

C. Mercier requested moment of silence in darkened chamber for A. Patricia Caron. C. Samaras requested moment of silence in darkened chamber for Doris Hurley.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

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For Zoom - [HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Drinkwater. So voted. C. Elliott presented American Flag to Thomas and Diane Boyle in memory of their daughter, Fallon Boyle, for service to her country. Mr. Boyle addressed the body and C. Elliott recognized Brady McCarron for his assistance.



3. CITY CLERK

3.1. Minutes Of City Council Special Meeting (Evaluations) January 12th; City Council Regular Meeting January 12th; City Council Regular Meeting (Executive Session) January 19th, For Acceptance.

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

4. AUDITOR BUSINESS

4.1. Communication - FY21 Year To Date Budget (First 2 Quarters).

In City Council, **Motion** "To refer to Finance SC" by C. Elliott, seconded by C. Nuon. So voted. C. Mercier questioned line item regarding Varnum School. Auditor Masiello noted it was an error in submission and it would be in regard to Lowell Day School. C. Elliott noted no outliers in the report. Auditor Masiello commented it was a clean report and pace was good at end of half of year and noted payments regarding retirement assessment and the Greater Lowell Vocational School.

5. UTILITY PUBLIC HEARING

5.1. National Grid / Verizon NE - Request Installation Of (1) JO Pole And Relocate (6) JO Poles Along Andover Street.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Nuon, seconded by C. Elliott. So voted.

5.2. Crown Castle NG East, LLC - Request Installation Of 55 Feet Of 4 Inch Fiber Conduit To Existing Customer At 650 Suffolk Street.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. Speaking in favor was Bill Conway and Steve Crescimanno (Axis Group). **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Elliott. So voted.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

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

A) Motion Response - Economic Activity Downtown – C. Elliott noted there was a subcommittee on this matter prior and provided report on the matter. (See Item #10.1) C. Rourke noted plans to continue outdoor dining going forward. Manager Donoghue noted plans are being developed to entice people to the downtown.

B) Motion Response - Public Art and Mural Policy – C. Drinkwater commented on



the commitment by the City for public art and the funding search to continue programs. **Motion** to refer matter to Arts & Cultural SC by C. Drinkwater, seconded by C. Nuon. So voted. C. Rourke commented on some restrictive Historic Board regulations which may interfere with some productions. Manager Donoghue noted attempts to streamline the process and refine regulations.

C) Motion Response - Surveillance Registry – C. Nuon noted the issues and feedback from surrounding police departments. Supt. Richardson (LPD) noted potential problems with providing private footage.

D) Motion Response - Grants for Security Cameras- C. Nuon noted the lack of available grants at this time and urged continuing search for funding. Manager Donoghue recognized efforts of Ms. Manzi in obtaining grant funding.

E) Motion Response - Crisis Support Resources – C. Nuon commented on the social networking of the LPD. C. Mercier noted list of resources available on website.

F) Motion Response - COVID Vaccine Distribution – Registered speaker, Deb Belanger, addressed the Council. **Motion** by C. Rourke, seconded by C. Nuon to take Items #12.5 and #12.8 with this item. So voted. C. Chau noted frustration and commented that Lowell should have a vaccination center and that there should be specific guidelines available to the community. Manager Donoghue commented on vaccinations for first responders and shelters and noted that the City is getting a very limited supply of the vaccinations. C. Chau noted the need to protect those who are caring for elderly people within their homes. Manager Donoghue noted that the Covid Command Center of the State formulate the rules and regulations. C. Chau noted that the last phase will include many people and that there needs to be an adequate supply available. Manager Donoghue commented that the City will vaccinate people as quick as the supply is made available and that they seek to make Lowell a regional center for vaccinations.

G) Motion Response - Assessor Video on Abatements and Exemptions – C. Nuon noted the report and commented that the service will be valuable to citizens.

H) Motion Response - Election System Changes – C. Rourke commented on the response noting the need for some clarity regarding school committee selection. Manager Donoghue noted information will go before retained expert for the City. C. Nuon noted a willingness to change by the plaintiffs in the lawsuit. C. Elliott noted his dissatisfaction with the selection of the Mayor and does not understand how anyone could be against the public selecting the Mayor. C. Elliott noted reason for suit was to give more voting power to the people and that is what it should be and moving forward with plaintiff has not been successful and has cost City about three hundred thousand dollars. C. Elliott noted City should chart its own course moving forward and not be held hostage. C. Chau noted the willingness to change and yet the plaintiffs will not. Solicitor O'Connor commented on position of plaintiff indicated that they were seeking more input from community and their expert. C. Rourke questioned process moving forward without plaintiffs. Solicitor O'Connor indicated it would be amending Court



Decree and Special Legislation. C. Mercier noted response report was inadequate and City should move forward. **Motion** by C. Elliott, seconded by C. Rourke to petition Court to amend decree regarding the selection of the Mayor of the City of Lowell by citizens. Adopted per Roll Call vote 6 yeas, 2 nays (C. Nuon, C. Samaras), 1 absent (C. Conway). So voted. **Motion** by C. Rourke, seconded by C. Elliott to petition Court to amend decree regarding establishing 8 voting districts for the selection of the Lowell School Committee. Adopted per Roll Call vote 7 yeas, 1 nay (C. Nuon), 1 absent (C. Conway). So voted. C. Drinkwater noted support for motions but commented that issues may have been addressed.

I) Motion Response - River Meadow Brook Trash Issues – C. Chau noted the report and that the clean-up was underway. Manager Donoghue noted the current effort to clean. C. Nuon noted that area was ongoing problem.

6.2. Informational Reports

J) Informational - Central Street Bridge TIGER Project – Manager Donoghue noted need to bring construction issue on Central Street to Council attention as there is going to be traffic concerns soon and for some time as the current bridge is in great disrepair. Christine Clancy (DPW) commented on the project and the need for structural repairs as well as plan to inform travelers. Manager Donoghue commented on outreach process.

K) Informational - FY2020 Financial Review – Conor Baldwin (CFO) provided general overview and recommended matter be referred to Finance SC. **Motion** by C. Elliott, seconded by C. Rourke to refer matter to Finance SC. So voted.

Motion by C. Mercier, seconded by C. Nuon to bundle and adopt Items #6.3 to #6.9 inclusive. So voted.

6.3. Communication-Appoint Momy Var-Lowell Housing Authority.

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

6.4. Communication-Appoint Syed Hasan And Katy Aronoff To Pollard Memorial Library.

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

6.5. Communication-Reappoint Joanne Keegan And Dr. Galvin To Board Of Health.

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



6.6. Communication-Reappoint Robert Malavich To Planning Board.

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

6.7. Communication-Reappoint Weston C. Standish-Conservation Commission.

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

6.8. Communication-Resignation Of Amy Pessia From Council On Aging.

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

6.9. Communication-Resignation Of Paul Ratha Yem-Election.

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

7. VOTES FROM THE CITY MANAGER

7.1. Vote-Accept 150.00 From Martha Iarrapino And No Name Book Club To Pollard Memorial Library.

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

7.2. Vote-Accept Gift Of 7,500.00 From Digital Federal Credit Union.

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

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance-Extend UMF Zoning District To Include 4 Wiggin And 153 Willie Streets

In City Council, Given 1st Reading, **Motion** to refer to Planning Board for report and recommendation and to public hearing on March 9, 2021 at 7PM by C. Elliott, seconded by C. Samaras. So voted.

9. RESOLUTIONS

9.1. Resolution-Support Democracy And Condemn President Trumps Words And Actions



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

10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Economic/Downtown Development SC January 26, 2021.

In City Council, C. Elliott provided report outlining the attendance and the status of assisting small businesses during the pandemic and moving forward as well. C. Elliott noted report provided by DPD outlining current and future initiatives for small businesses during the pandemic. C. Elliott lauded the efforts of Ms. McCall and her staff. C. Elliott noted that the second round of grants are moving forward. **Motion** to accept the report as a report of progress by C, Chau, seconded by C. Drinkwater. So voted.

11. PETITIONS

11.1. Claims - (4) Property Damage.

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

11.2. Verizon - Request Permission To Install 12 Four Inch PVC Telephone Conduit On Middlesex Street From Thorndike Street To Canal Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on February 9, 2021 at 7PM by C. Drinkwater, seconded by C. Nuon. So voted.

12. CITY COUNCIL - MOTIONS

12.1. C. Mercier - Req. City Mgr. Provide A Report And Update Containing A Plan On Fire Station Closings With An Objective To Reduced Closures In Furtherance Of Public Safety.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier commented on prior incident and the need to have the full complement of fire houses open for public safety assurances and further that no two houses should be closed at the same time. **Motion** by C. Rourke, seconded by C. Mercier to take Item #12.7 out of order for discussion. So voted.

12.2. C. Elliott - Req. City Council Vote To File Home Rule Petition To Adopt A Means-Tested Senior Citizens Property Tax Exemption.

In City Council, seconded by C. Rourke, referred to City Manager/Law Department. So voted. **Motion** by C. Elliott, seconded by C. Chau to take Item #12.9 out of order for discussion. So voted. C. Elliott commented on the means test for seniors to get discount on real estate taxes and that a Home Rule Petition would be needed for that purposes.



12.3. C. Elliott - Req. City Council Discuss Using Cares Act Funding To Waive Permit And License Fees For Small Businesses Affected By Pandemic Restrictions.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott commented that it would greatly assist these businesses during and after the pandemic.

12.4. C. Elliott - Req. City Mgr. Contact DCAM Regarding Reuse Of Juvenile Court Building.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Elliott after discussion withdrew the motion as the building was privately owned.

12.5. C. Rourke - Req. City Mgr. Reach Out To State Officials Regarding Designating Lowell As A Vaccination Center.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Rourke commented on prior points and noted that there should be positive news regarding having City designated as a vaccination center and more doses to be shipped to the City for distribution. C. Rourke noted the need for quick response to combat Covid and its collateral damage. C. Elliott noted the efforts of the City to create a regional vaccination center as well as pursuing other options as well. C. Rourke noted the need to transport citizens to get the vaccination. Manager Donoghue noted that the City would assist with registration and transportation concerning the vaccination program. C. Drinkwater noted the importance of continued testing during this period as well as following vaccination protocol. Manager Donoghue noted possible stimulus funding for more testing in the City. C. Nuon noted testing must continue as part of the solution as well as establishing accessible vaccination centers. C. Mercier noted that the City must provide information to residents and that those involved with the public need protection. Manager Donoghue noted information is provided by the State and the City and commented on the various methods of communication that are being used. M. Leahy questioned second shot procedures in place for the vaccination. C. Mercier questioned second shot procedure. Joanne Belanger (Health Director) commented on the procedures for second shot vaccinations.

12.6. C. Rourke - Req. City Mgr. Have LPD Look Into The Viability Of Placing Cameras At The Christian Hill Reservoir.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Rourke commented he was approached by neighborhood group who were looking to increase safety in that area.

12.7. C. Rourke - Req. City Mgr. Have LFD Chief Provide An Update Regarding Brownouts In The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Rourke requested Fire Chief to meet and discuss the issue. Manager Donoghue noted LFD will



present report and commented that the department had a significant amount of sick time being used and that it should be audited. Manager Donoghue further noted that overtime was excessive as well and that the City has provided many resources to the department. C. Drinkwater noted that sick time and overtime need to correlate to funding provided.

12.8. C. Samaras - Req. City Mgr. Provide Information As To The Status Of The State's Plan To Provide Vaccinations To The Identified Groups Of Lowell Citizens; In Addition, Provide Information As To The Possibility Of The State Establishing Lowell As A Center For The Distribution Of Vaccinations.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Samaras noted the number of calls received regarding issue and that there should be open and clear communication to the City to keep them informed. C. Samaras noted information on website must be clear and concise. Manager Donoghue noted that information was being provided and that State resources were also made known to the public. C. Samaras noted all partners with the City should provide same clear and concise information. Manager Donoghue noted that there was a State process to follow and that efforts are being put forward to establish City as a regional vaccination center.

12.9. C. Chau - Req. City Mgr. Have City Assessor Provide A Report And Recommendation For Increasing The Annual Senior Property Tax Exemption Up To \$1,000 In Order To Assist Our Eligible Elderly Residents.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Chau noted prior discussion and voiced need for a Home Rule Petition to protect seniors on fixed incomes.

12.10. C. Chau - Req. City Mgr. Investigate Upgrading The Intersection Of Puffer Street And Winthrop Avenue From A 2-Way Stop Sign To A 4-Way Stop Sign.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Chau noted the need for safety in a dense area with much traffic.

12.11. C. Drinkwater - Req. City Mgr. Provide An Update On The Status Of The Riverwalk Improvement Projects.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Drinkwater noted it was a follow up regarding request from neighborhood group and requested update on all projects along the river.

13. ANNOUNCEMENTS

In City Council, Manager Donoghue noted upcoming parking study done by the City. **Motion** by C. Elliott, second by C. Chau to discuss rate setting by Comcast. So voted. C. Elliott commented on cap on data and how it will effect students and that the rate would increase per use of data. Manager Donoghue noted issue and commented that



the State and Federal governments were involved as well. C. Rourke noted that students use a large amount of data due to remote learning and inability to leave residence. M. Leahy noted recent store front award winners.

14. ADJOURNMENT

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

Meeting adjourned at 9:05 PM.

Michael Q. Geary, City Clerk