



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: February 28, 2023

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA / Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 10 present, 1 absent (M. Chau).

Vice Chair Gitschier presiding.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. 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. Yem, seconded by C. Rourke. So voted.

2.2. Citation - Black History Month.

In City Council, Vice Chair Gitschier presented citation to Virginia Marie Scott. C. Robinson commented on the honoree. C. Leahy recognized Ms. Scott. C. Mercier noted Ms. Scott's achievements. Ms. Scott addressed and thanked the Council.

3. CITY CLERK

3.1. Minutes Of Finance SC Joint With Technology & Utilities SC February 21st; City Council Regular Meeting February 21st, For Acceptance.

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



4. UTILITY PUBLIC HEARING

4.1. Mass Electric D/B/A National Grid - Install 1 JO Pole 5-3 And Extend Secondary To New Pole On Burnside St.

In City Council, Given second reading, hearing held, no remonstrants. Speaking in favor was Vazz Eang, via Zoom, (National Grid). **Motion** to refer to Wire Inspector for report and recommendation by C. Jenness, seconded by C. Yem. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Election Voting Machines – Motion by C. Robinson, seconded by C. Yem to refer matter to Elections Laws and Redistricting SC. So voted. Vice Chair Gitschier noted report and questioned types of voting machines. Greg Pappas (Elections) commented on the machines used during elections for handicap purposes noting issue with the size of the ballots which has since been resolved. Manager Golden, Jr. noted the department and the new voting districts. C. Jenness noted the election team and the need to avoid prior mistakes. Mr. Pappas noted the appropriation of funds for voting machines through Capital Budget. Manager Golden, Jr. noted upcoming meeting with vendors of the machines. C. Noun noted the new machines would be on line for next election.

Motion by C. Robinson, seconded by C. Rourke to take Item #5.3 and #5.4 out of order. So voted.

B) Motion Response - Memorial Day Parade – C. Yem noted other parties to work with for organization of the parade. Eric LaMarche (Veterans) outlined the organization of the parade and established committee.

C) Motion Response - Andover Street Repairs – C. Leahy commented on the report. Ting Chang (City Engineer) commented on the repairs of National Grid post construction damage. C. Leahy questioned the extent of the repairs. Ms. Chang commented on panel repairs. C. Leahy noted concrete repair since damage done. C. Mercier noted use of punch list and requested area that needs to be improved for handicap access.

Vice Chair Gitschier relinquished Chair to C. Mercier at 7:27 PM.

D) Motion Response - Report On The Crack Sealing - Vice Chair Gitschier noted request for road work to be done and that not much has been completed. Ms. Chang commented on contract bidding and formation process and delays associated with that. Vice Chair Gitschier noted that contracts are not executed quick enough and that process needs to change and that proper roads must be throughout the City. Ms.



Chang noted staffing shortages has causing some issues. Vice Chair Gitschier noted most of these contracts are simple and do not need extensive investigation, noting if bids do not have sufficient information at outset they should be eliminated. C. Leahy noted that street maintenance needs to have a higher priority. Manager Golden, Jr. noted priority set by Council and the inclusion of projects in the Capital Budget. Vice Chair Gitschier noted importance of bid process in compiling budgets. C. Leahy questioned scope of work on Quimby Street. Vice Chair Gitschier questioned if Quimby Street was accepted. Ms. Chang noted width of street may prevent it from being accepted. **Motion** by Vice Chair Gitschier, seconded by C. Jenness to have City Engineer determine if Quimby Street is accepted. So voted. C. Leahy requested that City return to prior practice of certifying streets for acceptance.

E) Motion Response - Christman, Newhall, Watson, Quimby St. Paving Evaluation

- C. Scott noted condition of streets from potholes and trenches, especially Quimby Street. Ms. Chang noted repair to that street will be move up on schedule. Manager Golden, Jr. commented on discussion with National Grid regarding trench repair coinciding with street repair.

F) Motion Response - Water and Sewer FY23 Revenue Projection Update with Attachment

– Vice Chair Gitschier requested breakdown of status of budget. Conor Baldwin (CFO) outlined the report on enterprise accounts regarding retained earnings noting stability with possible issues in future with expenditures. Mr. Baldwin commented on revenue from solar panels and liens which indicate an adjustment with rates may be needed. Vice Chair Gitschier noted out of town accounts need some balance. Mr. Baldwin commented on town projections. C. Yem commented on lien revenues and process. Mr. Baldwin noted tax collections. C. Scott noted level of town usage and billing. Mr. Baldwin noted billing procedures were part of contract.

G) Motion Response - Board of Parks with Draft Board of Parks Handbook

– Vice Chair Gitschier commented on fees not being paid. Mr. Baldwin indicated he became aware of this when formulating the report. Vice Chair Gitschier noted the need for City follow best auditing practices. Mr. Baldwin noted amount may not have reached the threshold of an audit. Vice Chair noted flawed process if fees are not being payed or collected. Peter Faticanti (Rec. Dept.) commented on the process. Vice Chair Gitschier stated no team should get on field unless fees are paid. Vice Chair questioned youth permit process. Mr. Faticanti noted there are no fees for youth programs. Vice Chair noted that Board of Parks does not have the right to waive a fee established by Council. Vice Chair Gitschier noted draft handbook needs improvements. C. Scott questioned the permit application process. Mr. Baldwin noted credit card options for payments. C. Nuon commented on the issues and that steps to improve must be made. Mr. Faticanti noted issues with on line services for unpaid fees. C. Nuon noted collection of fees must be a priority. C. Robinson commented that the use of credits would assist with fee collection. C. Leahy noted Parks SC could look into matter. C. Jenness noted the need to be efficient. C. Mercier returned Chair to Vice Chair Gitschier at 8:20 PM. C. Mercier noted City was being ripped off by so called reputable groups and it must stop. **Motion** by C. Mercier, seconded by C. Jenness to refer matter to Parks and Recreation SC. So voted. C. Mercier requested Board of Parks representatives be present. C. Rourke



questioned if a collection letter from Law Department could be issued when amount is above a certain range. Mr. Faticanti noted collection process. Helene Thomlinson (City Solicitor) noted possible collection letter.

5.2. Informational Reports

Informational Report - ARPA Neighborhood Improvement Plan with Attachment –

Yovani Baez-Rose (DPD) commented on draft rollout thorough City and the basis for the information. C. Robinson commented on progress and that there is something for everyone. C. Yem noted the staff at DPD. C. Drinkwater commented on the effort by the City to gather information for report. **Motion** by C. Rourke, seconded by C. Mercier to refer to Neighborhoods SC. So voted.

5.3. Communication - Appointment Of Kha Ndi To Board Of Parks.

In City Council, **Motion** to adopt by C. Scott, seconded by C. Yem. Adopted by Roll Call vote 10 yeas, 1 absent (M. Chau). So voted. Ms. Ndi addressed body.

5.4. Communication - Reappointments Of Alison Keegan And Erin Gendron To Board Of Health.

In City Council, **Motion** to adopt by C. Jenness, seconded by C. Drinkwater. Adopted by Roll Call vote 10 yeas, 1 absent (M. Chau). So voted.

6. REPORTS (SUB/COMMITTEE, IF ANY)

6.1. Finance SC Joint With Technology And Utilities SC February 21, 2023.

In City Council, C. Jenness provided report outlining attendance and discussion of presentations by Katherine Moses (DPD) regarding energy costs and savings. C. Jenness noted motion adopted by the subcommittee regarding funding programs and grant opportunities. **Motion** to adopt motion and report as a report of progress by C. Drinkwater, seconded by C. Leahy. So voted.

6.2. Wire Insp. - Boston Gas D/B/A National Grid - Request Installation Of 12 Inch Plastic Gas Main On Chelmsford Street To Gas Regulator Station At 83 Doane Street.

In City Council, **Motion** to accept and adopt accompanying order by C. Yem, seconded by C. Nuon. So voted.

6.3. Wire Insp. - National Grid - Request Revision Of Previously Approved Petition For Added Installation Of 75 Feet Of Underground Electric Conduit Along Boulevard Street.

In City Council, **Motion** to accept and adopt accompanying order by C. Drinkwater, seconded by C. Jenness. So voted.



7. PETITIONS

7.1. Claims - (3) Property Damage.

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

7.2. Misc. - Stephen Atkinson Request Installation Of Handicap Parking Sign In Front Of 30 Christian Street.

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

8. CITY COUNCIL - MOTIONS

8.1. C. Mercier - Req. Neighborhoods SC Go "On The Road" To Hold And Attend Meeting At The Centralville Neighborhood Action Group (CNAG) For March 6, 2023.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted partnership with neighborhoods. C. Gitschier noted he may not be able to attend.

8.2. C. Gitschier - Req. City Mgr. Have The Proper Department Provide A Legal Opinion On Who Can Waive Fees, Etc. Set By The City Council Under The Schedule Of Fees.

In City Council, seconded by C. Nuon, referred to City Manager. So voted.

8.3. C. Yem - Req. City Mgr. Have The Appropriate Department Update The City Council On The Plan To Celebrate The City's Bicentennial Anniversary.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Yem noted 2026 was the year and preparation is needed.

8.4. C. Yem - Req. City Mgr. Have The Appropriate Department Work With The Art Communities And Other Entities To Design And Install The Word LOWELL Where They See Fit As A Tourist Attraction.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Yem commented on trips and tourist attractions. C. Robinson suggested assistance from the Western Avenue artist community. C. Yem provided photos of the attractions.

8.5. C. Yem - Req. City Mgr. Have The Appropriate Department Work With Art Communities And Other Entities To Suggest A Bridge Designated As A "Love Lock Bridge", As A Tourist Attraction, Like The Pont Des Arts In Paris.



In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Yem noted the history of the tourist attraction in Paris and suggested possible locations.

8.6. M. Chau - Req. City Mgr. Have The Proper Department Update Zoning Ordinance That Would Make The Seasonal Outdoor Dining Program Permanent.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Drinkwater requested referral to Zoning SC as well, with no objections. C. Rourke noted this may have been done by previous Council. C. Jenness noted still beneficial to discuss issues. Manager Golden, Jr. noted need to review liquor licenses for these areas as well as the closing of streets.

9. ANNOUNCEMENTS

In City Council, C. Yem noticed passing of City Clerk's mother. C. Yem wished happy birthdays to Manager Golden, Jr. and Auditor Kelly Oakes. C. Robinson noted rescheduling of ARPA grant workshops.

10. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Yem, seconded by C. Drinkwater. So voted.

Meeting adjourned at 9:00 PM.

Michael Q. Geary, City Clerk