



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: March 6, 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.

2. CITY CLERK

2.1. Minutes Of Education Partnerships SC February 27th; City Council Meeting February 27th, For Acceptance.

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

3. UNFINISHED BUSINESS

3.1. C. Kennedy - Req. City Mgr. instruct the Law Department to begin procedures and preparation necessary for the eminent domain taking of 75 Arcand Drive.

In City Council, seconded by C. Conway, referred to City Manager. Adopted per Roll Call vote 8 yeas, 1 nay (C. Mercier). So voted. C. Kennedy noted report provided and that matter was first taken up one week prior. C. Elliott noted the need for the report to fully understand the process and that it cleared up many matters. C. Nuon noted the report provided information and that it was very detailed. C. Mercier noted she would not support the process but information including estimated costs for relocation should be made available.

4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

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



A) Lowell Memorial Auditorium – C. Cirillo noted report and requested an update. Conor Baldwin (CFO) outlined the report along with future funding on the facility. Manager Murphy commented on language of the RFP to include ability to attract more and larger acts. C. Elliott noted the different approach in selection of a management company. Mr. Baldwin commented on striving to attract more to the venue. C. Conway questioned members of the review committee. Manager Murphy noted it was being developed and welcomed suggestions. C. Kennedy noted individuals who have been involved with the operations of the facility. C. Leahy commented on allocation of risk with the management contract. Manager Murphy noted the importance of having a financially stable management company in place.

B) Lowell Car Wash – C. Mercier noted the progress being made and the involvement of the owners.

C) Union Lowell, LLC Private Dormitory – Registered speaker, Armand Hebert, addressed the body. C. Nuon noted the report adding that the Planning Board is a separate entity and independent and the decision was based on parking issues for the project. C. Mercier noted that unions were welcomed on the job but the project was not a good fit in that neighborhood as it did not fit many zoning requirements. C. Mercier noted that many development conditions would be placed on any projects of this nature.

D) Timeline for the Eminent Domain Process - Registered speaker, Armand Hebert, addressed the body. M. Samaras questioned veracity of the statements from the speaker. C. Kennedy commented on prior vote and the report provided.

E) Spring Cleaning Procedures – C. Cirillo noted report and requested update. Jim Troup (DPW) outlined the cleaning procedures and the schedule. C. Kennedy commented on efforts of outside groups in assisting with cleanup. Mr. Troup noted there would be contact with these groups.

F) Cost Analysis Recycling – C. Cirillo commented on the report. Gunther Wellenstein (Recycling Dir.) noted the process for extra items to be recycled. Manager Murphy noted that an audit would help educate public regarding suitable items to be recycled. C. Mercier commented on the costs involved with recycling. C. Elliott noted need to establish a drop area downtown. Mr. Wellenstein noted challenges with downtown drop area. C. Leahy commented on added site along with costs associated with same. Mr. Wellenstein noted challenges and how information is dispersed to the public.

G) Greening Communities Program – C. Elliott noted the response and the availability of free money. C. Mercier commented on prior cutting and replacement program.



Yovani Baez-Rose (DPD) commented on tree removal in the City. C. Conway questioned costs for removing trees and if there were a maintenance plan to keep trees healthy. Manager noted he would provide such information. C. Leahy commented on tree removal and replacement especially along Merrimack Street.

H) Meters for Homeless – C. Cirillo recognized the complexities of the program. Manager Murphy laid out legal challenges of the program.

4.2. Communication-Appoint Nathan Freehling to Veterans Commission.

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (C. Conway). So voted. Mr. Freehling was present and thanked the Council.

5. VOTES FROM THE CITY MANAGER

5.1. Vote-Apply, Accept, Expend Grant from Mass. Div. of Energy Resources Green Communities Div. for 250,000.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Cirillo, seconded by C. Mercier. Adopted per Roll Call vote 8 yeas, 1 absent (C. Conway). So voted. C. Mercier commented on the deadline and the fact that the City did not have to match the grant. Katherine Moses (DPD) outlined the vote, the application process and the use of the money.

5.2. Vote-Auth. Mgr. Ex. License Agreement with Top Donut 2018-2021.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Mercier, seconded by C. Leahy. Adopted per Roll Call vote 9 yeas. So voted. C. Leahy questioned the number of spaces leased. Manager Murphy noted it was extending and existing lease with no added spaces and the City would have the ability to end lease at any time.

5.3. Vote-Authorize Mgr. Ex. Temporary License Agreement with Mark Van Der Hyde for a public art project.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Cirillo, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Cirillo commented on the work of the artist. C. Elliott noted the artist as well. Mr. Van Der Hyde was present and thanked the Council.

5.4. Vote-Transfer 15,000 to fund appraisals for 75 Arcand Drive.



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. M. Samaras requested information on the process. Manager Murphy outlined procedure for soliciting quotes and that they would be open to all vendors.

5.5. Vote-Transfer 36,000 to fund appraisals for Rt. 38 widening project.

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

5.6. Vote-Transfer 54,000 for additional expenses at Lowell Police Dept.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Conway, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott questioned reasons for the transfer. Mr. Baldwin noted the items that were needed in the department.

6. ORDERS FROM THE CITY MANAGER

6.1. Order-60 day trial (various).

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

6.2. Bond Sale Premium Application Order.

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.

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance-Create one new grant position Resource Room Navigator and establish salary in the Career Center of Lowell.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on March 20, 2018 at 7 PM by C. Conway, seconded by C. Kennedy. So voted.

7.2. Ordinance-Create one Systems and Project Specialist position and establish salary in the Police Dept.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on March 20, 2018 at 7 PM by C. Nuon, seconded by C. Cirillo. So voted. C. Elliott questioned proposed



position. Manager Murphy noted that move would be additional police officer on the street. Mr. Baldwin noted it would be included in next year's budget.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Neighborhoods SC March 6, 2018.

In City Council, C. Cirillo provided report noting the attendance and the discussion with neighborhood leaders, parking programs and rooming houses in the City. C. Leahy noted the use of City lots for parking in the Back Central neighborhood. C. Leahy commented on strengthening the rooming house ordinance. David Koch, representative of Back Central Neighborhood Group addressed the body. **Motion** to accept the report as a report of progress by C. Kennedy, seconded by C. Mercier. So voted.

9. PETITIONS

9.1. Claims - (4) Property Damage.

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

9.2. Misc. - CH LH CrossPoint Owners, LLC request license for additional storage of flammables (7,500 gals. AST Fuel Oil #2/Diesel II) at 900 Chelmsford Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on March 20, 2018 at 7 PM by C. Nuon, seconded by C. Milinazzo. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Cirillo - Req. City Mgr. Distribute To All Condominium Associations Multiple Copies Of The Parking Rates To Be Given To Residents Who Pay For Garage Parking. This Is So Each Individual Residence Will Be Given A Copy To Make It Clear To Them What Rate/Senior Discount Rate They Are Responsible For. Also, Direct The Parking Director To Post The Rates Each Parking Garage In A Very Easily Accessible Viewing Area.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted the need to provide the information. C. Kennedy commented on sending notices out with other City forms. Manager Murphy noted each listed user of the garages will receive the rates as well.

M. Samaras requested Items #10.6 and 10.12 be taken out of order as they pertain to similar issue. No objections. So voted.



10.2. C. Cirillo - Req. City Mgr. Provide A Report For Budgeted Cost And Implementation Regarding These Options For Bicycle Safety: 1. Painting And Upkeep Of Bicycle Lanes Throughout The City. 2. Bike Lanes Being Segregated By A Barrier For Added Safety.

In City Council, seconded by C. Kennedy, referred to City Manager. Adopted per Roll Call vote 8 yeas, 1 nay (C. Mercier). So voted. Registered speakers, Mindy Dopler Nelson and Kevin Soleil (per letter read into record by Charles Arnold), addressed the Council. C. Cirillo noted the remarks of the speakers and the need for safety precautions. C. Mercier noted the need to stripe but was not in favor of barriers throughout the City and requested Roll Call on matter. C. Kennedy noted that there are different types of barriers that could be used. C. Elliott noted it was only a request for information.

10.3. C. Cirillo - Req. City Mgr. Provide A Report Updating The City Council Regarding The Lowell Complete Streets Policy Enacted on August 11, 2015 And What Goals For Travel Mode Distribution, i.e. Bicycle Routes, Have Been Developed And/Or Achieved In Accordance With The Policy Within The Stated Incremental Five Year Time Period Which Will End On August 11, 2020.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. Registered speaker, Mindy Dopler Nelson, addressed the Council. C. Cirillo noted the need for such a report.

10.4. C. Elliott - Req. City Mgr. appoint a public safety personnel/security professional to the School Building Committee to ensure safety issues are addressed at high school.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott C. Elliott noted need to be diligent regarding security at the high school. C. Leahy questioned inner working of the School Building Committee.

10.5. C. Elliott/C. Nuon - Req. Board of Parks consider re-naming Clemente Park to Palin Park and ensure stone is re-located to the new Roberto Clemente Field at Komanzelis Park.

In City Council, C. Elliott withdrew the motion with no objections.

10.6. C. Mercier - Req. City Mgr. have proper department post parking garage fees; especially for seniors (62 and up) monthly rate of \$26; and in addition if



there are remaining excise tax bills to be delivered include said rate list in the billing envelope.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Mercier noted the need to get information posted, including the rates for the elderly. C. Kennedy noted posting should be in a highly visible public place. C. Elliott questioned parking during snow emergency.

10.7. C. Mercier - Req. City Mgr. provide an update regarding the need for a supervisor for the CO-OP Team.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier commented on the team and the effort put forth to combat the issues. Manager Murphy noted ordinance would be drafted to create the position.

10.8. C. Nuon - Req. City Mgr. have DPD organize a business group representing entities along the Branch and Middlesex Street business corridors.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Nuon noted it was Branch Street and that need to organize is critical. C. Leahy noted that City would be assisting with organization and would not be running the group. C. Kennedy noted the City could help to organize and let them run it themselves. C. Elliott noted need for business leaders to gather.

10.9. C. Nuon - Req. City Mgr. have Elections Department and any other department work with UML and the Lowell Plan regarding developing a plan to increase civic engagement in the City.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Nuon noted that civic engagement is important and that it goes beyond voting. Registered speaker, Mary Turaff, addressed the Council.

10.10. C. Nuon - Req. City Mgr. have LPD provide a report regarding any incidents occurring at the Edge Dormitory Project.

In City Council, seconded by C. Kennedy, referred to City Manager. Adopted per Roll Call vote, 8 yeas, 1 nay (C. Leahy). So voted. C. Nuon requested report since the facility opened. C. Leahy questioned the reasoning behind the motion and could not support it. C. Nuon noted the need for information on a private dormitory. C. Kennedy noted the need to see if there are concerns. C. Conway questioned if request was prudent. City Solicitor O'Connor noted there would be no legal issue with the request.



C. Elliott questioned if issues exist. C. Kennedy noted the request is to see if information exist.

10.11. C. Nuon - Req. City Mgr. have proper department improve sidewalk conditions along the Branch and Middlesex Street business corridors.

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Nuon noted the need for accessibility in a business corridor.

10.12. M. Samaras - Req. City Mgr. instruct the proper department make all city parking garage rates (including any senior or other applicable discounts) readily available to constituents in both digital and printed formats that can be shared.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Samaras noted motion has been addressed.

11. CITY COUNCIL - EXECUTIVE SESSION

11.1. Executive Session - Hear a complaint pursuant to Exemption (a)(1).

In City Council, M. Samaras stated the need for the session no longer is needed and withdrew matter from agenda. No objection. M. Samaras stated that an Ad Hoc Subcommittee would be established to review our current rules regarding the order and decorum of City Council meetings. C. Mercier offered thanks for altered seating.

12. ANNOUNCEMENTS

In City Council, C. Mercier noted recent meeting of business leaders in downtown at Enterprise Bank and commented on the positive results. C. Leahy questioned when information would be forthcoming regarding St. Patrick Day events.

13. ADJOURNMENT

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

Meeting adjourned at 8:21 PM.

Michael Geary, City Clerk