



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: March 23, 2021

Time: 6:30 PM

Location: City Council Chamber, 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 9 present (Remote – M. Leahy, C. Drinkwater, C. Conway, C. Samaras, C. Rourke, C. Chau).

Vice Chair Mercier presiding.

C. Nuon requested moment of silence in darkened chamber for Atlanta and Colorado shooting victims. C. Chau requested moment of silence in darkened chamber for Atlanta shooting victims (Delaina Ashley Yaun; Paul Andre Michels; Xiaojie Tan; Daoyou Feng; Soon Chung Park; Hyun Jung Grant; Sun Cha Kim; and Yong Ae Yue) as well as Colorado victims (Officer Eric Talley; Tralona Bartkowiak; Suzanne Fountain; Teri Leiker; Kevin Mahoney; Lynn Murray; Rikki Olds; Neven Stanisic; Denny Strong; and Jody Waters. C. Mercier relinquished Chair to C. Elliott at 6:40 PM and was returned at 6:50 PM. C. Mercier requested moment of silence in darkened chamber for Nicholas Vergados and David Wayne. M. Leahy requested moment of silence in darkened chamber for Florence Dunleavy.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

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 View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99) As They May Not Participate In-Person. 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. Elliott, seconded by C. Nuon. So voted.

M. Leahy requested point of privilege and was allowed to address the body with no objections. M. Leahy issued an apology for the incident which occurred on March 20th during his portrait ceremony and indicated he had sent letter to body as well. M. Leahy noted that meeting with Manager as well as with the Superintendent of Police to discuss matter and apologize in person would be beneficial.

Motion by C. Conway, seconded by C. Elliott to suspend rules to put forth motion. So voted. **Motion** by C. Conway, seconded by C. Elliott request City Manager with the Superintendent of Police investigate March 20th incident regarding Mayor and provide a report to the Council; said report should include witness statements and be referred to Executive Session if appropriate. Adopted per Roll Call vote 5 yeas, 4 nays (C. Chau, C. Drinkwater, M. Leahy, C. Nuon). So voted. C. Mercier offered to add to motion that matter should be Executive Session once report is finalized. C. Conway accepted that addition. C. Nuon commented on the incident and noted Mayor had apologized and that the Mayor always has good intentions. C. Elliott noted support of motion and indicated that all the facts should be put out there for the public. C. Chau recognized the need for all facts to be presented and noted he or other Councilors did not in fact assist with bail money and were just displaying acts of compassion. C. Rourke noted that there was an active investigation and his question was why City Hall was open at that hour. C. Samaras noted his concern with City Hall being open as well as the issue outside of City Hall. C. Samaras noted that he has dealt with police department for many years and the City must ensure that they support the police department. C. Drinkwater recognized the Mayor's response and that an open dialogue approach is best resolution. C. Drinkwater noted concern of members going to press before discussing with other members that were present. C. Elliott noted there is a need for clarity and transparency and the issue cannot be ignored. C. Conway noted he had not received the letter and that the Manager is the person charged with investigation under Plan E. C. Mercier noted that it is straight forward as there needs to be answers. C. Mercier note it was not appropriate to have ceremony at that time and place and voiced her concerns as to what happened at that time. C. Rourke questioned use of Executive Session if the wish is for transparency. Manager Donoghue noted that Law Department indicated that Executive Session may not be appropriate forum. Manager Donoghue noted that once report is finalized then decision as to Executive Session could be made.



3. CITY CLERK

3.1. Minutes Of City Council Regular Meeting March 9th; Cannabis Control SC March 15th, For Acceptance.

In City Council, minutes read, **Motion** “To accept and place on file” by C. Conway, seconded by C. Drinkwater. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance-Amend Ch 242 Street Seats In Public Space.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue outlined the purpose of the ordinance.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

In City Council, **Motion** “To accept and place on file” by C. Rourke, seconded by M. Leahy. So voted.

A) Motion Response - Vaccine Appointment Scheduling Assistance – C. Conway noted difficulty with website at first and that process was made easier as they moved forward especially for people with more prevalent needs. Manager Donoghue noted that LRTA has opened transportation opportunities to the vaccination centers. C. Nuon noted that rough beginning of process has been resolved.

B) Motion Response - Four Way Stop Sign at Puffer St and Winthrop Ave – C. Chau noted the report and commented on reasoning for actions therein.

C) Motion Response - Handicap Parking Sign 7th St – C. Mercier noted that sign had already been installed.

D) Motion Response - Master Plan Update Presentation – Manager Donoghue requested referral to a subcommittee. **Motion** by C. Elliott, seconded by C. Nuon to refer to Transportation SC. So voted.

E) Motion Response - Marijuana HCAs, Revenue, and Delivery Update – C. Elliott provided Cannabis Control subcommittee report. C. Drinkwater commented on job creation and types of jobs created. Eric Slagle (Inspectional Services) noted companies do provide reports and that they would request further information for those reports.

5.2. Informational Reports

F) Informational - Housing Availability Report – **Motion** by C. Conway, seconded by C. Samaras to refer to Housing SC. So voted.

G) Informational - Housing Choice Legislation – Manager Donoghue commented on



the new legislation and that there will be an influx of applicants to the City regarding same.

Motion to bundle Items #5.3 to #5.6, inclusive by C. Mercier, seconded by C. Rourke. So voted.

5.3. Communication - Aurora Erickson.

In City Council, Read, **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Appointed to Lowell Historic Board.

5.4. Communication - John Descoteaux.

In City Council, Read, **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Appointed Lowell License Committee.

5.5. Communication - Joseph I. Donahue.

In City Council, Read, **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Appointed Lowell License Committee.

5.6. Communication - Terrence J. McCarthy.

In City Council, Read, **Motion** to adopt by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Appointed Lowell License Committee.

6. VOTES FROM THE CITY MANAGER

6.1. Vote- Accept.Expend Grant Center For Tech And Civic Life.

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

6.2. Vote-Apply.Accept.Expend 90,000 From DHCD.

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

7. ORDERS FROM THE CITY MANAGER

7.1. Order - Abandon Portion Of Canal St

In City Council, Given 1st Reading, **Motion** to refer to public hearing on April 13, 2021 at 7PM by C. Elliott, seconded by C. Conway. So voted. Manager Donoghue noted it was part of the Hamilton Canal Innovative District.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Subcommittee Reports:

1) Cannabis Control SC March 15, 2021.



In City Council, C. Elliott provided report outlining the attendance and discussion regarding distribution of cannabis product within the City and the licenses available to do that. C. Elliott noted motion was passed to request information regarding agreements and status on companies with agreements. **Motion** by C. Elliott, seconded by C. Conway to limit number of delivery licenses to three. So voted. **Motion** to accept the report as a report of progress by C. Drinkwater, seconded by C. Nuon. So voted. C. Noun requested that he address his motion (Item #10.8) at this point. No objections.

2) Economic/Downtown Development SC March 22, 2021.

In City Council, C. Elliott provided report outlining the attendance and discussion regarding resolution pertaining to Amazon expansion within the City and developing a policy which would not interfere with Plan E form of government. C. Elliott noted motion was adopted to send resolution to Law Department to ensure language would not conflict with governing policies and return to body at subcommittee on April 13, 2021. C. Drinkwater commented that approach to give clarity was responsive and reasonable. **Motion** to accept the report as a report of progress by C. Drinkwater, seconded by C. Rourke. So voted.

3) Finance SC March 23, 2021.

In City Council, C. Elliott provided report outlining the attendance and discussion of Covid-19 budgeting and Charter School reimbursement as reviewed by a Collins Center report. Manger Donoghue noted the report was funded by grant money and commented it was a good financial tool. Conor Baldwin (CFO) outlined important aspects of the report noting the process and five year forecast. **Motion** to accept the report as a report of progress by C. Samaras, seconded by C. Chau. So voted.

9. PETITIONS

9.1. Claims - (2) Property Damage.

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

9.2. Misc. - Lowell Culinary Collaborative (Elizabeth Falk) Request Installation Of Two (2) Overhanging Signs Located At 160 Merrimack Street.

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

10. CITY COUNCIL - MOTIONS

10.1. C. Elliott - Req. City Mgr. Explore Utilizing A Portion Of The City's 50 Million Dollar Stimulus Money Towards Real Estate Payments For Home Owners That Were Laid Off Due To The Pandemic And Have Fallen Behind On Their Real Estate Tax Payments.



In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott commented that City should support those who have fallen on hard times. C. Elliott noted that there were several programs to protect renters. Manager Donoghue noted that there were directives coming from the Treasury Department and the Department of Revenue regarding assistance programs.

10.2. C. Elliott - Req. City Mgr. Have Inspectional Services Provide A Report Regarding Building Permit At 36 Delaware Avenue.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Elliott noted that there was a stop work order in place and that the homeowner will be cooperating with the City to resume work in the proper manner.

10.3. C. Elliott - Req. City Mgr. And Supt. Of Schools Meet Regarding Utilizing The Former St. Louis School For The Lowell Public School Special Education Program In An Effort To Reduce Out Of District Costs And Improve Educational Opportunities; And Refer Report To Joint School/City Council Facilities Subcommittees.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted it was a long standing issue with large costs for out of district placement. C. Nuon noted that there have been lots of discussions and that costs must be reduced.

10.4. C. Elliott/C. Mercier - Req. City Mgr. Have Law Department Prepare Vote For The City To Place On Permanent Loan To St. Patrick's Church The Holbrook Bell That Once Hung In The Steeple Of The Original Church In 1841.

In City Council, no second needed, referred to City Manager. So voted. C. Mercier release podium to C. Elliott at 8:05 PM and returned at 8:10 PM. C. Mercier provided history of the bell and the request to return to original owner. Manager Donoghue noted Law Department would research issue and the bell would be returned to original owner, St. Patrick's Church.

10.5. C. Elliott/C. Drinkwater - Req. City Mgr. Provide An Update Regarding The Attorney General's Abandon Housing Initiative (2018) Which Targeted 14 Homes In Centralville For Improvement.

In City Council, no second needed, referred to City Manager. So voted. C. Elliott requested status on good initiative. C. Drinkwater noted program and how vital it could be and update is needed.

10.6. C. Samaras - Req. City Council Create An Award Entitled "Honorary Citizen Of Lowell" To Be Presented To John Power For Providing A Safe And Convenient Site For The Distribution Of The Covid Vaccine In Partnership With Lowell General Hospital.



In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras commented on the generosity and effort of Mr. Power. C. Rourke noted the effort of Mr. Power and his partnership with the City in rolling out vaccines. C. Conway commented on effort and that roll out of vaccines are moving smoothly. Manager Donoghue noted that each center is awaiting more doses and are capable to administer any doses they receive.

10.7. C. Nuon - Req. City Mgr. Provide City Council With Report Outlining Spending Plans Of Additional Funding Received From The Federal Covid-19 Relief Package.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Nuon noted the need to replace loss revenue through use of stimulus money.

10.8. C. Nuon - Req. City Mgr. Provide City Council With A Report Regarding The Various Benefits The City Has Received From The Cannabis (Cultivation, Manufacturing, Recreational) Industry; Said Report Should Include Information On Revenues And Number Of Employees Hired By Companies In Lowell, As Well As How Many Of Said Employees Reside In The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Nuon commented on the need for the information.

10.9. C. Nuon - Req. City Council Pass A Resolution Affirming The Values Of Inclusion, Respect And Justice For All Its Community Members; Notably Including Its Asian-American Community Members.

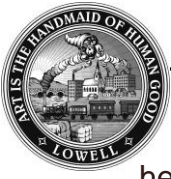
In City Council, seconded by C. Mercier, referred to City Manager/Law Dept. So voted. C. Nuon noted that there must be a clear message that the City values the inclusion of all. C. Mercier noted that all are welcome in the City and that we are all community members.

10.10. C. Nuon -Req. City Mgr. Have Law Department Review Council And School Committee Vacancy And Succession Rules Considering The New Voting Systems.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Nuon commented that there must be rules in place for proper transitions. C. Rourke requested updates regarding new school committee districts.

10.11. C. Mercier - Req. City Mgr. Provide A Report As To Any Statistics Or Numbers Showing Hate Crimes; Specifically Targeting Asians Specific To Lowell.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Mercier commented on difficulty during these times and information is vital to approach resolutions. Registered speakers Tara Hong and Lianna Kushi, addressed the body. C. Mercier noted that there is a need to report to inform and educate those who will



help. C. Mercier commented on recent information session at the Council of Aging. C. Elliott recognized the concerns of the speakers and that motion should be expanded to include hate crimes against all people. C. Chau noted the powerful messages of the speakers and commented on the concerns for being silence and further commented that there should be a safe mechanism for reporting such hate crimes. C. Nuon noted report should expand to all hate crimes and that hate crime definitions should be expanded. C. Noun commented on personal experience and noted Lowell was capable of dealing with this issue. C. Nuon noted need to keep moving forward and to communicate. C. Drinkwater noted that hate interaction of any kind cannot be tolerated whether it rises to a crime or not. C. Drinkwater noted speakers captured the problem. C. Mercer thanked the speakers.

11. ANNOUNCEMENTS

In City Council, C. Chau noted an event entitled “Kids Count in our Community” hosted by the Mahoney Family Fund.

12. ADJOURNMENT

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

Meeting adjourned at 9:00 PM.

Michael Q. Geary, City Clerk