



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** April 2, 2019

**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.

C. Conway requested moment of silence in darkened chamber for Georgina “Betty” Kinney. M. Samaras noted her achievements.

**Motion** by C. Milinazzo, seconded by C. Leahy to take Items #7.2 and #9.5 out of order. So voted.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication - Census Complete Count Committee Kickoff Event.

In City Council, **Motion** “To accept and place on file” by C. Kennedy, seconded by C. Cirillo. So voted. Eda Matchak (Elections) commented on the project for the 2020 Census noting a kick-off event at end of April. C. Kennedy questioned the length of time for the census. Ms. Matchak outlined the process of the census. C. Kennedy commented on funding and employment opportunities. Ms. Matchak commented on getting the information out to the public. C. Cirillo commented on on-line procedures. C. Kennedy commented on the importance of the census for funding and representation. M. Samaras commented on effect with immigration.

#### 2.2. Motion Responses – Mayor.

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

**A) Motion Response - Mayor - Benjamin Butler** – Robert DeLossa (History Dept. – Lowell High School) provided background on Benjamin Butler and noted his many



achievements. Mr. DeLossa noted the committee that was formed to prepare the proclamation and also cited the proclamation. C. Nuon commented on the tribute.

**B) Motion Response - Mayor - Anti Bullying** – M. Samaras noted that correspondence was sent to State House supporting legislation. C. Mercier noted the request to the State Legislature to protect victims' rights.

### **3. CITY CLERK**

#### **3.1. Minutes of Economic Development SC March 26th; City Council Meeting March 26th, for acceptance.**

In City Council, minutes read, **Motion** “To accept and place on file the minutes of the City Council meeting” by C. Cirillo, seconded by C. Conway. So voted. C. Kennedy requested that approval for Economic Development SC be withheld as that meeting was not completed and only recessed.

**Motion** by C. Leahy, seconded by C. Milinazzo to take Item #9.7 out of order. So voted.

### **4. COMMUNICATIONS FROM CITY MANAGER**

#### **4.1. Motion Responses.**

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

**A) Motion Response - Neighborhood Business Group Outreach** – C. Nuon commented on the efforts of the DPD. Andrew Shapiro (DPD) noted meetings with community including those with UMass-Lowell. M. Samaras noted the importance of neighborhood input. C. Elliott commented on the informal business groups and the interaction with the City. Mr. Shapiro noted the use of CBDG funds to assist these businesses. C. Nuon noted the number of business groups being formed in the neighborhoods who wish to work with the City.

### **5. VOTES FROM THE CITY MANAGER**

#### **5.1. Vote-Auth. Mgr to negotiate and enter into a contract with Sifi Networks America LLC.**

In City Council, Read twice, full reading waived with no objections. Substitute **Motion** to refer to Technology & Utilities SC by C. Mercier, seconded by C. Milinazzo. Adopted per Roll Call vote 9 yeas. So voted. There was an original motion to adopt by C. Cirillo, seconded by C. Elliott which was amended by C. Kennedy, seconded by C. Cirillo to



refer item to Technology & Utilities SC. Motions were not acted upon and above referenced substitute motion was adopted. Manager Donoghue noted that the Council requested that a vote be prepared and it was up to the body to decide what action to take on the matter. C. Leahy noted that it was moving quickly and it should involve more study. Solicitor O'Connor noted that vote allows Manager to enter into negotiations. Manager Donoghue noted that final contract would be before Council for vote. C. Mercier noted need for added information. C. Elliott noted that he is in favor of moving forward but that more information should be provided by subcommittee. C. Kennedy noted both actions of adopting and referring matter can happen at the same time. C. Elliott commented on rushing forward as opposed to learning more about the matter. Solicitor O'Connor noted that votes of this nature are put before RFP are issued and it allows negotiations by the Manager. C. Leahy noted he would be more comfortable with matter being vetted in subcommittee. C. Conway noted the need for information to be provided from the subcommittee. C. Nuon noted that body requested vote be prepared.

#### **5.2. Vote-Authorize CM Approve Mass Mills Easements and License Agreements.**

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

#### **5.3. Vote-Transfer 95,000 in funds to various accounts in Police Dept to cover training and expenses.**

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

#### **5.4. Vote-Authorize CM Ex. Lease Eastern Bank-Police Substation 50 Central St.**

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. Elliott was impressed with vote and the location of the new substation. C. Nuon noted the location and it would be a benefit to downtown. C. Mercier noted increased presence and those benches that were removed because of loitering could be replaced in that area. C. Kennedy noted that strategy was prudent to increase police presence downtown. C. Conway noted police presence downtown would assist with issues that are prevalent and business would benefit as well. C. Milinazzo recognized the efforts of Eastern Bank in the community. Supt. Richardson (LPD) commented on the substation and the commitment to staffing it properly. Manager Donoghue noted the efforts of community policing in the City. Diane Tradd (DPD) commented on replacing the benches downtown.



## **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. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

## **7. REPORTS (SUB/COMMITTEE, IF ANY)**

### **7.1. Neighborhoods SC Joint with Zoning SC April 1, 2019.**

In City Council, C. Cirillo provided the report commenting the attendance and the discussion regarding rooming houses; properties in the City; hotline for code emergencies; and educational programs regarding zoning. C. Milinazzo provided the report commenting on the attendance and discussion of existing ordinances and proposed changes. C. Milinazzo outlined discussions regarding conflicts with State Building Code and the formation of a working task force to stay informed surrounding zoning and code issues in the neighborhoods. **Motion** to accept the report as a report of progress; to refer to City Manager to establish hotline for code violations; and to refer to City Manager to established working task force regarding zoning in the neighborhoods by C. Kennedy, seconded by C. Milinazzo. So voted. C. Elliott noted the issues of permit violations during weekends. C. Cirillo noted future meetings set up under the same format. C. Mercier noted the importance of the neighborhood groups and the need for improved enforcement. M. Samaras noted the effort of the joint subcommittee.

### **7.2. Wire Insp. - National Grid - Request installation of electric conduits on Quebec Street between Blossom and Maple Streets.**

In City Council, **Motion** to adopt and to accept the accompanying report by C. Conway, seconded by C. Elliott. So voted.

## **8. PETITIONS**

### **8.1. Claim - (1) Property Damage.**

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

### **8.2. Misc. - Elizabeth Silva (Silva's Mini Market) request City Council revert Perry Street back to two-way street.**



In City Council, **Motion** to refer to Law Department/Transportation Engineer for report and recommendation by C. Nuon, seconded by C. Leahy. So voted. Petitioner, Elizabeth Silva, addressed the Council. C. Leahy noted that there was a current 60 day trial. Natasha Vance (Transportation Engineer) noted the trial and stated it would end in April. C. Leahy presented the possibility that part of the street could remain one-way and part could remain two-way. Ms. Vance suggested that after trial it could be referred to Transportation SC. C. Elliott noted that subcommittee would be appropriate. **Motion** by C. Elliott, seconded by C. Kennedy to refer to Transportation SC. So voted.

**8.3. Siena Engineering Group Inc. (TC Systems Inc.) - Req. to install telecommunication underground conduit on Gorham St. intersection of Dix St. and Moore St.**

In City Council, Given 1<sup>st</sup> Reading. **Motion** to refer to Public Hearing on April 30, 2019 at 7 PM by C. Leahy, seconded by C. Nuon. So voted.

**8.4. Siena Engineering Group Inc. (TC Systems Inc.) - Req. to install telecommunication underground conduit on Gorham St. intersection of Manchester St.**

In City Council, Given 1<sup>st</sup> Reading. **Motion** to refer to Public Hearing on April 30, 2019 at 7 PM by C. Nuon, seconded by C. Leahy. So voted.

**8.5. Axis Engineering Group - Req to place fiber line to service 2 Prince Ave.**

In City Council, Given 1<sup>st</sup> Reading. **Motion** to refer to Public Hearing on April 30, 2019 at 7 PM by C. Conway, seconded by C. Elliott. So voted.

**9. CITY COUNCIL - MOTIONS**

**9.1. C. Mercier - Req. City Mgr. have proper department install a sign at the First Street side of hill area under surveillance and install cameras to identify and fine people who are dumping trash there.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Mercier noted that area was a gateway into the City and that is an eye sore and projects a bad image for the community. C. Mercier noted that people who hurt the City should pay a cost for that and that those costs should not be put on citizens who are supporting the City and the community. C. Leahy requested increase use of the Sheriff's Department. Manager Donoghue noted the prevalent problem. C. Mercier noted that such actions must be prevented and the use of cameras and prosecution would be effective.



**9.2. C. Cirillo -Req. City Mgr. have the proper department give the City Council an update on the Tour De Lowell race.**

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

**9.3. C. Nuon - Req. City Mgr. direct City Engineer make it explicit to contractors hired for paving and fixing our streets that the work must be guaranteed and that they will fix any of their work that needs repair within a reasonable period of time.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Nuon noted that contract terms should be included that would ensure that contractors perform appropriately. C. Kennedy noted that contract contains such language and the enforcing those terms must be improved. C. Leahy noted the need to clean-up after jobs are done.

**9.4. C. Nuon - Req. City Mgr. direct the Parking Department instruct their staff to check pay stations during daily routes and report any malfunctioning meters each day.**

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Nuon noted there have been complaints of a number of meters not functioning properly.

**9.5. C. Nuon - Req. City Mgr. have the DPD give updated status on the lighting at the Roberto Clemente Baseball Field.**

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. The following registered speakers addressed the Council: Virak Jey; Sokmeas Chea; and Maria Claudio. C. Nuon commented on prior motion and funding attempts for bathrooms and concession stand. C. Cirillo noted importance of the parks. C. Conway noted the investment for the youth in the City and the need for bathrooms and concession stand in the park. C. Leahy noted the need for public private partnerships for these projects. C. Mercier noted the use of volunteers and the importance of their efforts to help children. C. Elliott noted funding from State level. C. Milinazzo commented on partnerships with City involved and noted the Action Energy Company to assist with lighting and the use of CDBG funding. C. Kennedy noted support of updates to park and commented on use of corporate sponsorships. M. Samaras commented on the social element to parks. C. Mercier noted that this type of funding should not be forgotten during budget process. Manager Donoghue commented on current efforts and costs associated with the updates. Ms. Tradd noted attempts to fund some of the





work and the need to have electrical engineer to review project. Manager Donoghue noted that Animal Control will take a look at the snake issue in the park.

**9.6. C. Nuon - Req. City Mgr. reach out to the City of Cambridge to see if someone can come speak to the Council about the participatory budgeting process that Cambridge has undertaken during the last five years.**

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Nuon noted motion is self-explanatory. M. Samaras relinquished Chair to Vice-Chair Nuon at 8:51 PM.

**9.7. C. Leahy - Req. City Mgr. provide a report regarding permitting fees issued by the Board of Parks.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Dave Ouellette, addressed the Council. C. Leahy request review of fees to ensure they are fair and appropriate. C. Mercier noted sense of fairness and that City should be more inclined to help some groups as opposed to charging those fees. C. Kennedy questioned when and how the fees were generated. City Solicitor O'Connor had no knowledge of the origination of the fee questioned but noted all fees are created through ordinance. C. Nuon noted waiver of fees for organizations that benefit the community. C. Mercier noted need to schedule with City departments to provide proper service. Manager Donoghue noted the Council sets the fees.

**9.8. M. Samaras - Req. City Mgr. instruct proper department to check the status of Little League fields in the city in preparation for the upcoming season.**

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. M. Samaras noted the number of changes to personnel in the department and wanted to ensure all was in place to prepare the fields.

**9.9. M. Samaras - Req. City Mgr. instruct proper department to study the intersection of Bowers St and Fletcher St by St. George Church to assess traffic and consider the installation of a four way stop or traffic lights or other measures to ensure safety for pedestrians and vehicles.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Samaras commented on the problem area and noted several accidents have occurred there. C. Mercier noted neighborhood concerns.



**9.10. M. Samaras - Req. City Mgr. instruct proper department work with the Mayor's Office in establishing a volunteer commission to help prepare for Lowell's upcoming bicentennial including representatives of the Lowell Historic Board, Lowell Historical Society, Lowell Heritage Partnership, and other appropriate organizations and individuals.**

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. M. Samaras noted opportunity for City to capitalize on historic events happening within the next several years as the City approaches its bicentennial. C. Milinazzo noted it was a good approach that was in place for celebrating prior anniversaries of the City.

## **10. CITY COUNCIL - EXECUTIVE SESSION**

**10.1. Executive Session - Regarding matter of litigation, namely Huot et al. v. City of Lowell, public discussion of which could have a detrimental effect on the City's position.**

In City Council, Vice Chair Nuon stated reason for Executive Session, **Motion** by C. Mercier, seconded by M. Samaras to enter Executive Session for stated purpose and adjourn from Executive Session (9:00 PM). Adopted per Roll Call vote 9 yeas. So voted. Vice Chair Nuon stated that body would adjourn from the Executive Session.

## **11. ANNOUNCEMENTS**

In City Council, C. Conway requested information regarding glitch in the water billing. Manager Donoghue outlined the failure of the third party vendor and the corrections made. Conor Baldwin (CFO) provided contact information if there are questions with the billing. C. Mercier requested new Treasurer come before the Council. C. Leahy recognized DPW response efforts in the City.

## **12. ADJOURNMENT**

In City Council, **Motion** to Adjourn in Executive Session by C. Mercier, seconded by C. Elliott. So voted.

Meeting adjourned at 10:00 PM.

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Michael Geary, City Clerk