



Lowell City Council  
*Regular Meeting Agenda*

Michael Q. Geary  
City Clerk

## CITY COUNCIL MINUTES MAY 9, 2023

### 1. ROLL CALL

VC. Gitschier presiding, 10 present, 1 absent (M. Chau).

C. Leahy requested moment of silence in darkened chamber for Judith Flood. C. Mercier noted accomplishments of Mrs. Flood in the school community.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote / Zoom Participation.

In City Council, **Motion** to accept and place on file by C. Yem, seconded by C. Rourke. So voted.

**Motion** by C. Leahy, seconded by C. Nuon to suspend rules to present citations to the Daley and Pyne Arts Schools for placement in the Knowledge Bowl. So voted. VC. Gitschier presented the citations to both schools.

**Motion** by C. Mercier, seconded by C. Robinson to take Item #7.2 out of order. So voted.

### 3. CITY CLERK

#### 3.1. Minutes Of City Council Regular Meeting Of April 25th And Continued To May 2nd, For Acceptance.

In City Council, **Motion** to accept and place on file by C. Robinson, seconded by C. Leahy. So voted.

### 4. COMMUNICATIONS FROM CITY MANAGER

#### 4.1. Motion Responses

In City Council, **Motion** to accept and place on file by C. Scott, seconded by C. Rourke. So voted.

**A) Motion Response - Upgrades to City Baseball and Softball Fields –**

C. Robinson noted this would assist with future projects. VC. Gitschier commented on outlined regarding maintenance. Shannon Cohen (Dir. Of Parks) noted pleased with project and has not heard of any complaints. C. Yem questioned why North Common was not included in schedule. Mr. Cohen noted that area is slated for upgrades. C. Drinkwater noted all issues where addressed. C. Leahy commented on appearance of parks and surrounding areas.

**Motion** by C. Jenness, seconded by C. Nuon to take Item #8.12 out of order. So voted.

**B) Motion Response - Hunger Homeless Commission –** C. Robinson commented on response.

**C) Motion Response - Kiosk Instructions –** C. Nuon recognized Director of Parking for report.

**D) Motion Response - Bike Racks –** C. Jenness noted the need for additional rackis.

**E) Motion Response - Letter to MSBA –** C. Jenness commented on effect of letter to delegation. VC. Gitschier noted the priority for non-fossil fuel options.

**F) Motion Response - 48 Kinsman Street and Vacant Properties –** C. Scott noted property has been disrepair and has squatters for a long period of time. John McKenna (Asst. City Solicitor) commented on the tax taking process through Land and Probate Court noting it is very time consuming. Manager Golden, Jr. commented on tax takings and hiring an asset manager. C. Jenness questioned status of tax auction. Atty. McKenna noted it was moving forward and they will be advertising shortly. C. Yem questioned demolition possibilities with these properties.

**Motion** by C. Mercier, seconded by C. Nuon to take Items #4.3; 4.4 and 4.5 out of order. So voted.

**G) Motion Response - Cure for Muddy Area At Corner of Bridge St. and VFW Highway** – C. Robinson noted the work done.

**H) Motion Response - Legal Opinion on Public Comment** – C. Jenness noted compliance by the City.

**I) Motion Response - Interpretation Services** – Registered speaker, Yun-Joi Choi, addressed the Council. C. Nuon did not support the use of ARPA for the funding but requested a working group be formed to evaluate the issues. **Motion** by C. Nuon, seconded by C. Jenness to refer to Non-Profit Organization SC. Adopted per Roll Call vote 8 yeas, 2 nays (C. Robinson, C. Rourke), 1 absent (M. Chau). So voted. C. Yem noted the costs. C. Rourke did not support further review. C. Leahy noted software currently in use. C. Mercier noted need for public safety.

**Motion** by C. Jenness, seconded by C. Mercier to take Item #4.2 out of order. So voted.

**J) Motion Response - DEI Officer** – C. Jenness commented on posting and job description and requested both.

**K) Motion Response - Walking and Biking Maps (and Petition Response - Wang School Students)** - C. Nuon noted response. C. Jenness requested bike parking be included on maps. Manager Golden, Jr. noted it would be part of the GIS system. C. Yem requested that maps be broken down by neighborhoods.

**L) Motion Response - Noise Amplification with Attachment** – C. Nuon noted the report and the presence of new Superintendent of Police, Greg Hudon. C. Mercier welcomed him to lectern, and he addressed the body.

**M) Motion Response - Digital Equity Grant** – **Motion** by C. Nuon, seconded by C. Robinson to refer to Technology and Utilities SC. So voted.

**N) Motion Response - MVHP Housing** – Registered speaker, Cathy Mercado, addressed the Council. C. Yem noted work with housing agencies and their partnerships with non-profits. C. Yem noted Lowell Housing Authority programs and that City should be involved with those programs. C. Robinson noted his past use with the programs and that it should be made available to City employees. Manager Golden, Jr. noted administration works with many of these agencies and that there is always

room for more. C. Rourke requested contact information of the registered speaker.

## **4.2. Informational Reports**

**Informational Report - LeLacheur Park Sale** – Manager Golden, Jr. commented on the effort of all involved noting the many issues that needed to be resolved and that opportunities will open with park use. C. Robinson commented on use of parks with fireworks. C. Mercier noted care should be taken in terms of fireworks display. C. Yem noted park should be used if available.

### **Informational Report - Substance Abuse Prevention Forum –**

Registered speaker, Robert Gignac, noted upcoming event. Motion by C. Rourke, seconded by C. Drinkwater to take Item #4.1N out of order. So voted.

## **4.3. Communication - Appointment Of New Members To Various Boards And Commissions.**

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

## **4.4. Communication - Reappointment Of Members From Various Boards And Commissions.**

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

## **4.5. Communication - Resignation Of Members From Various Boards And Commissions.**

In City Council, **Motion** to accept and place on file by C. Rourke , seconded by C. Scott. So voted.

## **4.6. Communication - City Manager Request (1) Out Of State Travel LPD.**

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

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

### **5.1. Order - 60 Day Trial.**

In City Council, Read twice, **Motion** to adopt by C. Robinson, seconded by C. Mercier. Adopted per Roll Call vote 10 yeas, 1 absent (M. Chau). So voted.

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

In City Council, none.

## **7.PETITIONS**

### **7.1. Claims - (2) Property Damage.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Scott, seconded by C. Rourke. So voted. C. Mercier requested that notice of 30-day time requirement for claims be put on City website.

### **7.2. Misc. - Christine Florence/Maggie O'Rourke Request Permission To Discuss Donation Of LifeVac Choking Rescue Devices To The City.**

In City Council, Maggie O'Rourke, Christine Florence, Lisa Florence and William Florence addressed the Council thanking City for assistance and the value of the device. C. Mercier commented on the frightening experience and thanked the family. **Motion** by C. Mercier, seconded by C. Leahy to include device in all emergency vehicles. So Voted.

**Motion** to suspend rules to read letter in record of Senator Kennedy regarding MSBA funding for Lowell High School Project by C. Jenness, seconded by C. Nuon. So voted. VC. Gitschier read letter into record and noted effort on the legislation. C. Jenness noted potential relief for taxpayers. **Motion** by C. Jenness, seconded by C. Nuon to send letter of support to State House representatives. So voted.

### **7.3. Misc. - Meng Klt Request Permission To Address City Council Regarding Business Permit Parking On University Avenue.**

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Jenness, seconded by C. Drinkwater

## **8. MOTIONS**

### **8.1. C. Leahy - Req. City Mgr. Have The Proper Department Look Into Removing The Double Poles Along Moore Street.**

In City Council, seconded by C. Robinson, referred City Manager. So voted. C. Leahy noted poles have been there for a long period of time. C. Robinson questioned if there was a list of poles. Manager Golden, Jr. commented on the issues with poles and removal.

**8.2. C. Leahy - Req. City Mgr. Have Parks Department Explore Installing Pickle Ball Courts Throughout The City.**

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

**8.3. C. Leahy/C. Gitschier - Req. City Mgr. Have Proper Department Explore The Feasibility Of Placing Micro Dog Parks In Around Neighborhood District Parks.**

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted smaller parks in neighborhoods would be better fit.

**8.4. C. Gitschier/C. Leahy - Req. City Mgr. Have Superintendent Of Police Update The City Council As To What Measures Are Being Taken To Combat The Up-Tick In Gun Violence.**

In City Council, no second needed, referred to City Manager. So voted. C. Leahy requested update.

**8.5. C. Scott/C. Gitschier - Req. Mayor Request Our State Delegation File Legislation That Would Bring Into Question The Dover Amendment (M,G.L. Ch. 40A, Section 3), That Was Originally Adopted In 1950.**

In City Council, no second needed, referred to Mayor. So voted. C. Scott commented on the Dover Amendment and the need to tighten up loop holes. C. Mercier noted her concern with the regulation. VC. Gitschier noted that neighborhoods will be greatly altered with regulations.

**8.6. C. Jenness/C. Gitschier - Req. City Mgr. Have Proper Department Investigate The Department Of Labor's Building Pathways To Infrastructure Job Grant Program And Provide A Report To The Council On Potential Benefit To The City Of Lowell.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted this may be a good pairing.

**8.7. C. Jenness/C. Robinson - Req. City Mgr. Have Proper Department Explore The Feasibility Of Creating Outdoor Co-Working Spaces**

**Similar To What Montreal Has Done In Order To Increase The Vibrancy Of Our Business' Districts Downtown And In Neighborhoods Across The City.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted the effort of Montreal to get people out during working hours from home. C. Robinson noted the program provides mobile connections and work stations.

**8.8. C. Robinson - Req. City Mgr. Have The Proper Department Provide A Detailed Report On The Impact Of The Behavioral Health Unit Police Collaborative In Lowell.**

In City Council, seconded by C. Jenness, referred City Manager. So voted. C. Robinson noted regional approach to homeless issue would lessen strain on resources. C. Robinson requested letter be sent to State delegation in support and inquire regarding use of Tewksbury State Hospital.

**8.9. C. Robinson - Req. City Mgr. Provide A Detailed Report Updating Any Potential Plans To Implement A Pedestrian Only Food, Drink, Small Business Area Pilot In Calendar Year 2023.**

In City Council, seconded by C. Jenness, referred City Manager. So voted. C. Robinson requested update on any work being done.

**8.10. C. Jenness/C. Rourke - Req. City Mgr. Have Proper Department Report On Collaboration Strategies, Such As Joint Patrols That Could Be Employed To Maintain Quality Of Life In The Neighborhoods Surrounding The University.**

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted neighborhood concern regarding the University and that a combined police effort of the Lowell Police and UML Police would be beneficial.

**8.11. C. Robinson - Req. City Mgr. Provide An Update On The Feasibility Of 4th Of July Baseball/Fireworks Program At LeLacheur.**

In City Council, seconded by C. Nuon, referred City Manager. So voted. C. Robinson noted use of park would be best if it were available.

**8.12. C. Jenness/C. Nuon - Req. City Mgr. Provide A Public Update On The Recent Cybersecurity Incident; Including Timeline For Restoration Of All Impacted City Services.**

In City Council, no second needed, referred to City Manager. So voted. Manager Golden, Jr. wanted to provide quick so he introduced Miran Fernandez (MIS) to provide update. Mr. Fernandez provided an extensive update noting operations were up to normal as possible. C. Jenness noted efforts in tough situation and that there was still work that needed to be done. C. Jenness requested report regarding incident. Mr. Fernandez commented on the impact and the reasoning behind it. C. Jenness noted the efforts to maintain and indicated that resources would be available to the department. C. Nuon commented on effort and questioned release of data. Mr. Fernandez reported on release of data. C. Yem thanked City for the effort and noted the use of a second authenticator. VC. Gitschier noted that the public should check with departments before visiting the building to ensure that they can be provided the service requested.

**8.13. C. Nuon - City Auditor Provide An Update Regarding Bi-Weekly Payroll.**

In City Council, seconded by C. Yem, referred City Auditor. So voted.

**8.14. C. Nuon - Req. City Auditor Provide City Council With A Report Concerning The Feasibility Of Auditing Overtime Expenditures Throughout The City.**

In City Council, seconded by C. Leahy, referred City Auditor. So voted. C. Nuon noted historical approach to analyze the overtime.

**8.15. C. Nuon - Req. City Council Celebrate The Role Of Asian Americans, Native Hawaiians And Pacific Islanders (AAPI) Have Played In Shaping Lowell's History And The Work Our Communities Continue To Do Today To Address Inequities To Make Lowell A Better Place For All.**

In City Council, seconded by Rourke, referred Mayor/City Manager. So voted. C. Nuon noted May was AAPI month.

**8.16. C. Nuon - Req. City Mgr. Work With The Superintendent Of Schools And Police Superintendent To Ensure Plans Are In Place To**



**Deal With "Swatting" Calls, Which Are Phone Calls Made Regarding Fake School Shootings.**

In City Council, seconded by C. Scott, referred City Manager. So voted. C. Nuon noted discussion should take place in an executive session.

**8.17. C. Mercier - Req, City Mgr. Accept And Arrange An Invitation From The Lowell CO-OP Team To All City Council Members To Participate In A Narcan Training Session Together, At Their Best Available Time.**

In City Council, seconded by C. Nuon, referred City Manager. So voted. C. Mercier noted request from team.

**8.18. C. Mercier - Req. City Mgr. Have The Proper Department Place Hadley Street On The Re-Paving List.**

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

**8.19. C. Yem - Req. City Mgr. Have The Proper Department Update The Council On The Hometown Heroes Banners, As To When They Will Be Ready And Where To Hang Them; Along With The City's Plan To Celebrate Memorial Day 2023.**

In City Council, seconded by C. Scott, referred City Manager. So voted. C. Yem noted current information.

**8.20. C. Yem - Req. City Mgr. Update The City Council On The MVP Grant Project For An Urban Forest Master Plan And Master Plan For Urban Heat Island Assessment.**

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

**8.21. C. Yem - Req. City Mgr. And The Mayor Draft A Letter Urging Massachusetts Senators And Congresswoman Lori Trahan To Support H.R. 8197 "Veterans Equal Access Act" On Behalf Of The Entire City Council.**

In City Council, seconded by C. Scott, referred City Manager/Mayor. So voted.

**8.22. C. Rourke/C. Robinson/C. Scott/C. Yem - Req. City Of Lowell Declare Homelessness A Public Health Crisis.**

In City Council, no second needed, referred to City Manager. So voted. Registered speakers, Susan West Levine; Karen Frederick; Jay Linnehan; Deb Belanger; and Ivana Dauwer, addressed the Council. C. Robinson noted housing shortage in the whole area that requires all stakeholders to meet and make arrangements. C. Rourke commented on other communities and stated that this Council was heavily invested in the issues and that it is a public crisis for all involved. C. Yem noted speakers and commented that stakeholders need solutions. C. Scott noted declaration could add to funding and that the goal is to end the camps. C. Jenness noted colleagues and speakers and that support is needed. **Motion** by C. Jenness, seconded by C. Mercier to have City Manager develop action plan from summit meetings. So voted. C. Mercier noted it is a public health crisis and that restarting summit meetings will assist with solutions. C. Mercier noted the need for housing with services and that surrounding communities need to do their fair share. C. Nuon recognized the speakers noting the issue will not simply go away and that there is need to reconvene the summit meetings. C. Leahy noted the need for summit meetings as well as State and Federal funding assistance. VC. Gitschier commented on the data and metrics with homelessness and the need to protect businesses as they are a source of funding as well. Manager Golden, Jr. Noted the effort on the part of the City and outlined various prerogatives. C. Rourke noted people are making choices to refuse services and that they cannot be afforded that space. C. Scott commented data and homelessness in reference to mental health issues.

**Motion** to take Item #4.1N out of order by C. Robinson, seconded by C. Nuon. So voted.

## **9. ANNOUNCEMENTS**

In City Council, C. Yem wished C. Nuon and his wife a happy birthday. VC Gitschier noted it was Nurses Week and recognized them.

## **10. ADJOURNMENT**

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

Meeting adjourned at 10:00 PM.

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Michael Q. Geary, City Clerk