



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: May 12, 2020
Time: 6:30 PM
Location: Zoom Meeting/Remote Participation

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted via teleconference with audio stream by LTC as well as Zoom and recorded due to Covid-19 pandemic.

C. Mercier requested moment of silence in darkened chamber for Joanne Lehan, Jeffrey Lehan and Sean Richardson (brother of Supt. Kelly Richardson). M. Leahy requested moment of silence in darkened chamber for Atty. Thomas Saab and Ernest Devers.

2. MAYOR'S BUSINESS

2.1. Communication - Remote 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 wishing to speak regarding a specific agenda item shall register to speak in advance by sending email to City Clerk indicating the agenda item and a phone number to call so that you may be conferenced in to the meeting. Email address is mgeary@lowellma.gov. If no access to email you may contact City Clerk at 978-674-4161.

For Zoom - <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Elliott. So voted. C. Elliott noted that the meeting was being supported by Zoom. M. Leahy presented Citation in memory of Katelyn Biedron.

3. CITY CLERK

3.1. Minutes of City Council Meeting April 28th, for acceptance.



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

4. UTILITY PUBLIC HEARING

4.1. National Grid - Request installation of underground electric conduit for pedestrian lighting at 199 Pawtucket Street.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Samaras, seconded by C. Drinkwater. So voted.

4.2. National Grid - Request installation of underground electric conduit for power at 70 Fox Street.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Conway, seconded by C. Rourke. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - CDBG Grant Program – C. Chau commented on the program and how it assists businesses. Manager Donoghue noted the program. Christine McCall (DPD) commented on the applicants and the application process outlining the review process and the updating of regulations and programs. C. Chau noted that applications were done in various languages and throughout all sections of the City. C. Nuon requested breakdown of applicants and how data can be used for Care Act relief. Manager Donoghue noted the efforts of the DPD and the repurposing of CDBG funding and programs. C. Elliott noted repurposing of unused CDBG funding.

B) Motion Response - Takeout Thursday – M. Leahy recognized the event. Ms. McCall commented on the program and the participants and noted past winner. C. Rourke requested use of the LTC to promote businesses as well. C. Mercier noted that it was a great incentive. C. Samaras noted the assistance to the various businesses. C. Conway noted it was important to recognize each business. C. Elliott commented on regulation of third party delivery vendors. Manager Donoghue commented an ordinance aimed at that goal.



C) Motion Response - Lowell Business Recovery Task Force – C. Samaras noted the importance of task force support. Manager Donoghue recognized the effort of Ms. McCall and the need of the task force moving forward. Ms. McCall commented on the group and the meeting schedule. C. Rourke questioned Inspectional Services procedures during the pandemic. Manager Donoghue noted that they have followed State guidelines regarding openings and inspections.

D) Motion Response - Hiring Freeze – C. Elliott commented that they were good financial measures and controls.

E) Motion Response - CPA Rental Assistance – C. Nuon noted the report and requested that Manager report to the committee to expand the use of funds.

F) Motion Response - School Transportation Contracts – C. Conway noted that the opening is approaching and that the transportation system must be in place and commented on pending legislation regarding costs. M. Leahy questioned the use of money being saved. Manager Donoghue commented on the pending legislation regarding school transportation costs. City Solicitor O'Connor noted it was permissive legislation and that there are no requirements to pay.

G) Motion Response - Third Party Food Delivery Fees – C. Drinkwater noted the response and the pending ordinance and indicated the need for the financial assistance. **Motion** by C. Rourke, seconded by C. Elliott to suspend rules and take Items #7.1 and #7.2 out of order. So voted. C. Chau recognized the need to help control costs of these businesses. Solicitor O'Connor outlined enforcement policies. C. Samaras commented on the need to control fees.

H) Motion Response - Clemente Park – C. Nuon noted the increase in estimated costs and questioned if they could be adjusted. Dianne Tradd (DPD) commented on current site survey and completion date. C. Nuon questioned if money could be earmarked.

I) Motion Response - Monument Committee – C. Mercier noted the responsiveness of the committee. Manager Donoghue recognized the efforts of the committee. C. Samaras noted the various groups represented in the City.

J) Motion Response - Hawkers and Peddlers – C. Elliott noted the need for permitting to protect established business in the neighborhood and that a balance must be maintained. C. Conway noted the need to enforce regulations. C. Nuon recognized food trucks as a business but they must be monitored so to protect established business. Eric Slagle (Inspectional Services) noted the increase in enforcement.



K) Motion Response - Nursing Home Health Inspections – C. Elliott recognized the City involvement as it concerns food and noted that the State is in full control of all other regulations. Manager Donoghue noted an upcoming report regarding State oversight of the facilities. C. Rourke noted the need to protect this segment of the population and that this has failed and it should upset many and that increased City oversight might be beneficial. C. Chau noted the State needed to be more engaged. C. Mercier commented on available services. Manager Donoghue commented on the percentage of deaths in these nursing homes. C. Elliott noted State has failed in their oversight. C. Drinkwater requested data regarding deaths in the nursing homes as it relates to visits to the hospitals. M. Leahy noted the concern with the care.

L) Motion Response - National Guard Testing - C. Conway noted need for testing to ensure proper medical care.

M) Motion Response - Coronavirus Community Resource Coordinator – C. Nuon commented on the updated position and the use resources.

Manager Donoghue recognized the leadership of the Council during the pandemic noted available signage for business as they re-open. C. Mercier questioned return of workers to City Hall. Manager Donoghue noted that they would follow State guidelines and the operations has continued in the building and remotely. C. Chau commented on the distribution of signs.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept.Expend 125,000 FY20 Earmarked Funds Economic Development Grant Program.

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

6.2. Vote-Accept.Expend 200,000 Earmarked Funds Lower Locks Structural Eval. Design Feasibility and Vision Study.

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

6.3. Vote-Accept.Expend EPA Brownfields Assessment Grand Funding 300,000.

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



7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance-Amend Ch 150 Fees.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on May 26, 2020 at 7PM by C. Samaras, seconded by C. Mercier. So voted.

7.2. Ordinance-Amend Ch 222 Peace and Good Order.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on May 26, 2020 at 7PM by C. Drinkwater, seconded by C. Nuon. So voted.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Finance SC jointly with School Committee Finance SC May 12, 2020.

In City Council, C. Elliott noted attendance and discussion of FY20 update; fiscal controls; revenue review; and balance FY20 budget. C. Elliott commented on school administration surplus of two million dollars and that planning for FY21 must be aggressive. C. Elliott noted future meetings and the need to get budget information from the State. Motion by C. Elliott, seconded by C. Nuon to prepare a 1/12th budget to begin FY21. Adopted per Roll Call vote, 9 yeas. So vote. Conor Baldwin (CFO) outlined how that budget process would unfold. C. Elliott noted all budgets should be kept on schedule. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Chau. So voted.

8.2. Wire Insp. - New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing poles:

- A) Market Street**
- B) Lawrence Street**
- C) Oak Street**
- D) Lafayette Street**
- E) Lakeview Avenue**

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

9. PETITIONS

9.1. Claims - (1) Personal Injury; (1) Property Damage.

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



10. CITY COUNCIL - MOTIONS

10.1. C. Mercier - Req. City Mgr. have City inspectors address the trash being dumped at the Planet Aid Boxes at St. Hilaire Car Wash and keep Council updated of the consequences. (2nd Request)

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Mercier requested information regarding enforcement and that the owner should be reprimanded. C. Mercier noted that there must be increased attention to this matter and to all other areas with similar conditions. Manager Donoghue noted the issue and stated that there is an aggressive approach to resolution. C. Chau commented on the condition at the location. M. Leahy noted other areas of concern as well.

10.2. C. Conway - Req. City Mgr., in light of Coronavirus Pandemic, to reach out to our academic institutions; Lowell Public Schools, UML, MCC, and private schools to discuss the anticipated upcoming school year and how the City of Lowell can help with a safe and smooth opening.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Conway noted the effort needed to protect students and teachers; cleaning; and traffic.

10.3. C. Conway - Req. City Mgr., with the anticipated opening of the 2020-21 school year, direct the appropriate departments to check and verify that our school buildings and other City buildings meet City and State code and regulations for bathrooms.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Conway noted some schools need updates and repairs to these facilities.

10.4. C. Samaras - Req. City Mgr. provide a report regarding status of various events scheduled for this summer ie., Folk Festival.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Samaras requested update and plan to see if money saved with cancellations can be repurposed. C. Nuon commented on South East Water Festival. C. Elliott questioned decision making process regarding these events.

10.5. C. Elliott - Req. Transportation SC meet to discuss traffic issues relative to the redevelopment project off Woburn Street.

In City Council, seconded by C. Nuon, referred to Transportation SC. So voted. C. Elliott noted the need for update on project that will greatly affect the neighborhood. C.



Conway recognized the impact on South Lowell. C. Nuon noted need for City to be involved and help residents.

11. ANNOUNCEMENTS

In City Council, C. Chau recognized individuals and organizations assisting with producing masks. C. Mercier recognized efforts to Zoom the meeting. M. Leahy recognized April Rourke's birthday. (Wife of C. Rourke)

12. ADJOURNMENT

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

Meeting adjourned at 9:15 PM.

Michael Q. Geary, City Clerk