



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: May 14, 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 Lawrence Begley.

M. Samaras recognized Peace Officer Memorial Day event as well as a small business award for the City.

Motion by C. Nuon, seconded by C. Cirillo to suspend rules to allow Alex Gonsalves to address the body regarding environmental and human rights in Cambodia. So voted. Mr. Gonsalves addressed the body.

Motion by C. Mercier, seconded by C. Leahy to take Item #9.1 out of order with understanding that scheduled public hearings will begin at 7:00 PM. So voted.

2. CITY CLERK

2.1. Minutes of City Council Meeting May 7th, for acceptance.

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

3. AUDITOR BUSINESS

3.1. Informational - FY18 Audited Financial Statements; FY18 Management Letter; and FY18 SEFA.

In City Council, **Motion** "To accept and place on file" and refer to Finance SC by C. Milinazzo, seconded by C. Cirillo. So voted.



4. GENERAL PUBLIC HEARINGS

4.1. Ordinance-Amend Chapter 9 Boards, Commissions, Committees by establishing a Monument Committee.

In City Council, Given 2nd Reading, hearing opened. **Motion** to continue public hearing until May 21, 2019 by C. Elliott, seconded by C. Mercier. So voted. C. Elliott provided Rules SC report concerning this ordinance. (See Item #7.1)

4.2. Ordinance-Create one new full-time grant funded position entitled Project Manager and establishing salary in the Career Center.

In City Council, Given 2nd Reading, hearing held. Speaking in favor was Shannon Norton (Career Center) commenting on grants and the proposed position. No remonstrants. **Motion** to adopt by C. Conway, seconded by C. Cirillo. Adopted per Roll Call vote, 9 yeas. So voted.

Manager Donoghue suggested that she would be able to provide responses on motions and that department heads would not have to wait out meeting. Council did not object to the suggestion.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Bucks Bar Crosswalk – None.

B) Motion Response - Neighborhood Impact Team – C. Cirillo recognized the report.

5.2. Informational Reports

C) Informational - EV Charging Stations Update – Manager Donoghue commented on the increase in the number of stations. C. Cirillo noted it was a good use of grant money.

D) Informational - FY18 Audit Response – **Motion** to refer to Finance SC by C. Milinazzo, seconded by C. Mercier. So voted. C. Mercier commented on management letter noting that it was upsetting to discover the amount of grant money returned in school department because of mismanagement.



5.3. Communication - City Manager request Out of State Travel (2) LPD; (1) HHS.

In City Council, read, **Motion** to adopt by C. Cirillo, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (C. Elliott). So voted.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Apply, Accept, Expend MassDEP Grant 7,500.00.

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 8 yeas, 1 absent (C. Elliott). So voted.

6.2. Vote-Transfer 50,000 to cover spring workload to maintain buildings and street and fleet operations.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Cirillo, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (C. Elliott). So voted.

6.3. Vote-Transfer 50,000 to properly fund Gas and Motor Oil account for FY19 and to purchase necessary supplies for Parks Staff.

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

6.4. Vote-Transfer 10,000 to cover various financial obligations in Development Services.

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.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Rules SC May 14, 2019.

In City Council, C. Elliott provided the report commenting on the discussion regarding ordinances regulating boards and commissions as well as monument committee. C. Elliott noted motions adopted by the subcommittee included allowing only Lowell residents to be on monument committee; having veterans and neighborhood leaders on the monument committee; and updating information on boards and commissions and having Law Department provide report to increase visibility of openings on these boards



to the public. **Motion** to accept the report as a report of progress and adopt motions of the subcommittee by C. Elliott, seconded by C. Mercier. So voted.

8. PETITIONS

8.1. Misc. - Luana Mazon request removal of handicap parking sign at 400 Gorham Street at corner of 3 Auburn Street.

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

8.2. National Grid - Req. installation of (1) SO Pole at 500 Wentworth Avenue.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on May 28, 2019 at 7 PM by C. Nuon, seconded by C. Cirillo. So voted.

8.3. National Grid - Req. installation of (1) SO Pole on Woburn Street at intersection of Easton Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on May 28, 2019 at 7 PM by C. Nuon, seconded by C. Cirillo. So voted.

8.4. National Grid - Req. installation of 2-3 inch underground electric conduit 27 West Third Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on May 28, 2019 at 7 PM by C. Nuon, seconded by C. Cirillo. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Mercier - Req. to authorize City Mgr. hire an expert in construction and procurement methods, including construction industry labor relations, to conduct and submit to the council a comparative study analyzing the lawfulness, usefulness and propriety of utilizing a Project Labor Agreement in connection with the Lowell High School Project in order that it be accomplished on budget, on schedule, and with reduced operation and maintenance costs; study should evaluate the adoption of a Project Labor Agreement, to the extent it might satisfy the underlying goals of the Mass. Public Bidding Law (Ch. 149, sect. 44A-44H).

In City Council, seconded by C. Elliott, referred to City Manager. No action due to substitute motion. **Substitute Motion** by C. Milinazzo seconded by C. Nuon to refer back to City Manager to prepare report regarding motions 9.1 and 9.2 to provide further information. Adopted per Roll Call vote 7 yeas, 2 nays (C. Elliott, C. Mercier). So



voted. C. Mercier outlined the benefits of an agreement which would include diversity, hiring Lowell residents, keeping project on time and budget and show support for unions. M. Samaras commented on the need to have decorum in the Chamber. The following registered speakers addressed the Council: Steve Doulames; Jeff Thomas; Michael Hallburg; Nick Graffem; Eric Furtado; Evan Chateaufneuf; Sovannarith Hok; Matt Marr; Demitrus Vangos; Jim Everett; Oscar Cortes; Carlos Restrepo; David Richmond; John Drinkwater; and Chris Brennan. M. Samaras thanked the speakers. C. Conway noted local unions have a large talent pool which should be used and that this is not just another job in the City. C. Milinazzo noted the need for local people and safety on the job as well as recognizing apprentice programs but stated that he would need more information regarding impact of any labor agreement for the project; thus proposing the above referenced substitute motion. Manager Donoghue commented on the meeting with City consultants and that she would provide formal report to the body for both motions 9.1 and 9.2. Manager Donoghue noted that MSBA would not fund any labor agreement and as such no estimates were provided to MSBA. Manager Donoghue noted Council approved costs to the MSBA already and to change them with an agreement would have to be totally paid for by the City with no reimbursement or that they would have to restart the process with the MSBA. Manager Donoghue noted that any feasibility would be costly and the City has no budget money for it. Manager Donoghue noted they would continue to work with unions to achieve common goals noting that projects this size use union laborers. C. Nuon noted his record indicates he strives for diversity in workers. C. Mercier noted that there would be no delays in the project as construction would not begin for some time and that she would like to directly hear from her consultants. Manager Donoghue noted she would provide information from City consultants and Council can decide off that information. C. Milinazzo noted that agreements could be reached between parties if both are privy to information on both sides. C. Kennedy favored all the programs the unions offer but noted that there is a contract with the MSBA which the City went through great lengths to achieve and that is a factor in decisions. C. Elliott noted prevailing wage is union wage so there should be no added costs and contract will spell out expectations. C. Conway noted that added information may clarify some issues and that all parties involved should be discussing the matter. C. Cirillo noted union support but is in need of more information.

9.2. C. Elliott/C. Conway - Req. City Council discuss project labor agreement to ensure local trades are hired for Lowell High School construction project.

In City Council, no second needed, see discussion in Item #9.1. C. Elliott noted need to have local trade unions has there are a lot of eyes on the project so it needs to be successful with quality workmanship.



9.3. C. Milinazzo - Req. City Mgr. prepare a report on the status of the bridge reconstruction project on Newhall Street which spans the River Meadow Brook.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Milinazzo noted motion spoke for itself. C. Kennedy questioned work being done on Central Street bridge. Manager Donoghue noted it was part of Tiger Grant projects.

9.4. C. Cirillo - Req. City Mgr. have the proper department install a "15 Minute Parking" sign at 262 Middlesex Street.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, David Cordeiro, addressed the body. C. Cirillo noted remarks of speaker. C. Kennedy noted such signage may benefit many business owners.

9.5. C. Cirillo - Req. City Mgr. have the proper department replace the, "No Left Turn " sign for Elm Street in front of the X-Tra Mart Gas Station on Gorham St.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Cirillo noted it was a constituent request.

9.6. C. Cirillo - Req. City Mgr. have the proper department work with the theater and arts community to have a Lowell "Letter Reading" event.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Cirillo outlined the program.

9.7. C. Nuon - Req. Mayor present citations to 2019 Teacher and Paraprofessional of the Year at selected Council meeting.

In City Council, seconded by C. Cirillo, referred to Mayor. So voted. C. Nuon noted motion spoke for itself.

9.8. C. Leahy - Req. City Mgr. provide an update regarding program for police details to be filled by LPD retirees.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Leahy noted motion spoke for itself. Manager Donoghue noted the matter was before Legislature.



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, M. Samaras withdrew matter.

11. ANNOUNCEMENTS

In City Council, Manager Donoghue noted there would be detours on Broadway Street.

12. ADJOURNMENT

In City Council, **Motion** to Adjourn C. Leahy, seconded by C. Milinazzo. So voted.

Meeting adjourned at 8:50 PM.

Michael Geary, City Clerk