



SPECIAL CITY COUNCIL MEETING MINUTES

Date: June 20, 2023

Time: 6:30 PM

**Location: City Council Chamber, 375 Merrimack Street, 2nd Floor,
Lowell, MA (Cont. dates if needed)**

SPECIAL MEETING FY24 BUDGET

1. ROLL CALL

Roll Call 11 present.

M. Chau presiding.

C. Leahy requested moment of silence in darkened chamber for Theresa Oganowski.

2. MAYOR'S BUSINESS

2.1. Communication Remote/Zoom Participation. In City Council, **Motion** to accept and place of file by C. Jenness, seconded by C. Mercier. So voted. C. Gitschier requested personal privilege noting that the body had just received several documents that were correcting mistakes contained in the budget before them and that it was a unfair process as to reviewing them and discussing them this evening. C. Gitschier requested opinion of City Solicitor regarding legality of moving forward under Massachusetts Open Meeting Law. City Solicitor Williams indicated that there was no violation under that law and body may proceed with hearing if that is their intent. C. Mercier commented that budget has not changed

and that body should move forward and have the corrections pointed out to them during the process. C. Mercier noted budget makes investments in the City and reflects Council goals and that public should speak first on the matter. **Motion** by C. Mercier, seconded by C. Rourke to review budget department by department intergrating corrections as needed. Adopted per Roll Call vote 9 yeas, 2 nays (C. Gitschier, C. Jenness). So voted. C. Gitschier noted that allowing public to speak on informmation they have note been provided in unfair. C. Drinkwater commented on the essence of the document and will be able to discuss any changes provided. Manager Golden, Jr. noted the corrections were needed due to some software issues noting that no changes to bottom line of budget resulted and that all of the informmation is contained in the budget in different sections. C. Mercier accepted the explanation. C. Gitschier pointed out other mistakes in the document. The Council recessed at 6:55 PM until 7 PM public hearings. Roll Call at 7 PM, 11 present, M. Chau presiding. C. Jenness requeusted that some items be taken out of order and that public should be polled to see what items that would be pertinent to. Clerk Geary indicated that some items may not be able to be taken out of order as there is a appropriation vote on the agenda. Conor Baldwin (CFO) noted Item #3.6 (Parking Rates) could be taken out of order. **Motion** by C. Jenness, seconded by C. Leahy to take Item #3.6 out of order. So voted.

3. GENERAL PUBLIC HEARINGS

3.1. Vote - FY2024 Appropriation Order.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt as reduced by \$17,500.00 to the final amount of \$493,127,453.00 by C. Mercier, seconded by C. Yem. Adopted per Roll Call vote, 11 yeas. So voted. Speaking in favor were Jon Grossman, Mary Wumbui, and Jay Mason. Manager Golden, Jr. presented the budget thanking the administration and department heads and poinitng out past success and challenges. Manager Golden, Jr. noted success in schools, new leadership and public safety. Manager Golden, Jr. noted the budget was in line with Council requests and goals. Manager Golden, Jr. noted the positive use of money in FY24 with the City movng in right direction and requested Council support the budget. The Council proceeded to go thourgh the FY24 budget department by department as indicated by prior

adopted motion. **Motion** by C. Gitschier, seconded by C. Jenness to reduce City Council line item by \$12,500.00. Adopted per Roll Call vote 9 yeas, 2 nays (M. Chau, C. Yem). So voted. C. Drinkwater requested reasoning behind the motion. C. Gitschier noted the remaining wages in the account. **Motion** by C. Gitschier, seconded by C. Scott to reduce Mayor line item by \$5,000.00. Adopted per Roll Call vote 7 yeas, 4 nays (C. Jenness, C. Leahy, C. Mercier, C. Yem). So voted. C. Gitschier noted he would recuse self from discussion regarding City Clerk department due to conflict. C. Gitschier commented that all possible cuts must be explored to protect taxpayer money and that he reviewed MUNIS accounts to identify possible cuts. Mr. Baldwin noted that MUNIS reports could have some discrepancies and that there should be caution with capital projects as there may be some delays in completion. C. Gitschier commented on reserves for wages under Manager's budget items. Manager Golden, Jr. noted negotiations have not started with unions but goal is to attract and retain employees. **Motion** by C. Gitschier to reduce City Manager line item by \$150,000.00. Failed for lack of a second. Mr. Baldwin indicated that noted that funding sources from ARPA as no effect on the tax base. C. Jenness commented on contingency fund calculations. Manager Golden, Jr. commented ARPA funding for contingency salaries. C. Robinson noted approval of funding for public art. C. Yem noted he would recuse himself from discussion regarding Finance Department due to conflict. Austin Ball (Asst. CFO) noted amended changes to Finance Department, Purchasing Department, Assessing Department and MIS Department. C. Gitschier noted MUNIS report discrepancies. Mr. Baldwin indicated that information appears in many sections of the budget. C. Gitschier commented on the number of positions. Mr. Baldwin noted strategy for succession planning and structure. C. Gitschier commented on staffing and vacancies in the Assessing Department. Ellen Brideau (Assessor) commented on the positions and the postings and noted the need after her review for an improved structure. Manager Golden, Jr. noted need for flexibility. C. Gitschier requested information regarding salaries and the number of positions for clerks working for City. Ms. Brideau noted the current salaries of her clerks. Mr. Baldwin commented on budgeted salaries. C. Gitschier noted the need to increase pay for clerks by adding to budget. C. Robinson noted the growth in the Assessing Department. C. Nuon noted vacancies outlined in the budget. Manager Golden, Jr. noted on upcoming

report regarding vacancies and that they are hiring as quick as possible. C. Leahy noted the plan to create pathways for employees is beneficial. C. Gitschier noted the increase in postage and professional services in the Treasurer's Department. Theodoros Panagiotopoulos (Treasurer) noted the increased costs and that budget request would be used in the upcoming fiscal year. Mr. Baldwin noted prior mailing costs were covered by ARPA money. C. Gitschier noted drug testing costs are no longer in Human Relations Department. Manager Golden, Jr. noted changes in the program. C. Gitschier commented on budget amount for 311 system in the MIS Department. Miran Fernandez (MIS) noted moving forward with system as fiscal year begins and the MUNIS has moved to cloud which will assist with 311 system. C. Robinson noted the need for 311 by the residents. C. Nuon commented on the staff operating the 311 system. C. Jenness noted staffing changes in the Law Department along with staffing issues. Corey Williams (City Solicitor) commented on the structure and how it would function.

C. Mercier noted that transfer policies are still in place by City to assist with budget shortages and that her review of the budget noted that it is solid and efficient and responsive to Council requests thereby enabling approval of the budget less the deductions voted upon of \$17,500.00. Mr. Baldwin commented on transfer procedures. C. Drinkwater noted use of transfers and that the budget was well planned and developed. C. Nuon noted the Law Department structure and that it would result in less use of outside counsel. C. Nuon noted budget was responsive to needs. C. Yem commented on the effort in developing the budget and City is in good position for upcoming fiscal year. C. Rourke recognized the administration and the department heads for their efforts. C. Robinson noted the challenges and that department heads should continue to make request on behalf of their department. C. Scott noted the efforts of the department heads and upon review there are no warranted cuts to the budget and it is focused on correct areas. M. Chau noted challenges to preparing and voting on a budget but looking at City as a whole residents are in best possible position.

Motion by C. Robinson, seconded by C. Rourke to take 15 minute recess. So voted. Roll Call at 9:50 PM, 11 present, M. Chau presiding.

Motion to take Item #3.9 out of order by C. Robinson, seconded by C. Mercier. So voted.

3.2. Loan Order - 2023 Capital Plan Loan Order.

In City Council, Given 2nd Reading, hearing held. No Remonstrants.
Motion to adopt and refer to Clerk's Office for 20 days by C. Nuon, seconded by C. Yem. Adopted per Roll Call vote, 11 yeas. So voted. C. Gitschier requested list of roads to be repaired.

3.3. Loan Order - Legal Settlement Loan Order.

In City Council, Given 2nd Reading, hearing held. No Remonstrants.
Motion to adopt and refer to Clerk's Office for 20 days by C. Jenness, seconded by C. Nuon. Adopted per Roll Call vote, 11 yeas. So voted.

3.4. Ordinance - Amend Chapter 20 Article III - DPW.

In City Council, Given 2nd Reading, hearing held. No Remonstrants.
Motion to adopt by C. Drinkwater, seconded by C. Robinson. Adopted per Roll Call vote, 11 yeas. So voted.

3.5. Ordinance - Amend Chapter 56 Article II.

In City Council, Given 2nd Reading, hearing held. No Remonstrants.
Motion to adopt by C. Rourke, seconded by C. Yem. Adopted per Roll Call vote, 6 yeas, 5 nays (C. Gitschier, C. Jenness, C. Nuon, C. Robinson, C. Scott). So voted. C. Jenness noted support of first half of ordinance but was not comfortable with second part as it took Council oversight out of dimension. **Motion** by C. Jenness, seconded by C. Gitschier to adopt ordinance excluding Section 56-8(A)(2)(a). Motion failed 5 yeas, 6 nays (M. Chau, C. Drinkwater, C. Leahy, C. Mercier, C. Rourke, C. Yem). So voted. Mr. Baldwin noted Council will always have oversight during budget. C. Rourke noted it was an important tool and should be implemented in its entirety. C. Nuon noted flexibility for Manager to place new employee on any tier. C. Drinkwater commented on the grid system. Mr. Baldwin outlined purpose of the salary grid. C. Robinson noted ordinance is not needed as Manager as authority to place anyone anywhere on the grid. C. Gitschier requested information on the grid. Mr. Baldwin outlined the steps

and tiers on the grid. C. Gitschier noted all employees have a start and finish spot.

3.6. Ordinance - Amend Parking Rates FY24.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to refer to Finance SC for further review by C. Jenness, seconded by C. Gitschier. So voted. Mr. Baldwin commented on a correction of a scrivener's error in the document. Speaking in opposition of the ordinance were Mark Reagan, Nancy Harlikan, Robert Casey, Connie Coswollian, John Quaterwait, Jack Moynihan and Terry Hope. C. Jenness noted speakers and the amount of time put into this issue. C. Jenness noted a better ordinance could be drafted to support all sides and that there should be no adjustments to elderly discounts. Manager Golden, Jr. noted matter could be sent back to subcommittee. C. Gitschier noted the need to have enterprise funds stable within City budget. C. Baldwin noted deficit approaching for the parking fund. C. Mercier noted residents downtown should not be given an unfair burden. C. Drinkwater reviewed the hourly transit rate. Manager Golden, Jr. noted balance used with dynamic pricing. Terry Ryan (Parking Director) outlined dynamic pricing used to draw vehicles to garages. C. Drinkwater noted age discount should remain. C. Nuon noted need to revisit the ordinance to ease taxpayer burden and that discounts should remain. C., Scott noted work could continue in the subcommittee and requested revenue projections. C. Jenness questioned costs to charge electric vehicles. C. Gitschier requested loss of revenue projections. C. Jenness noted there would still be a small increase under old ordinance.

3.7. Ordinance - Amend Sewer Rate FY24.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Yem, seconded by C. Mercier. Adopted per Roll Call vote, 10 yeas, 1 nay (C. Gitschier). So voted. C. Nuon commented on contracts with surrounding communities regarding sewerage. Mr. Baldwin commented on intermunicipal contracts and noted they may be revisited.

3.8. Ordinance - Amend Water Rate FY24.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Jenness, seconded by C. Drinkwater. Adopted per

Roll Call vote, 10 yeas, 1 nay (C. Gitschier). So voted. C. Scott requested information on elderly discounts.

3.9. Ordinance - Create New Positions In Various Departments.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote, 11 yeas. So voted. C. Gitschier noted concern with some classifications in the ordinance. C. Robinson noted the need for a recycling coordinator. C. Nuon requested reasoning for new positions. Manager Golden, Jr. noted need to move on the ordinance and changes can be made moving through the process. C. Robinson noted use of superintendents in divisions are proper oversight. Manager Golden, Jr. indicated the necessity of an OSHA supervisor. C. Scott noted changes could be made to increase efficiency. **Motion** to Waive Rule 5 by C. Mercier, seconded by C. Leahy (10:00 PM). Adopted per Roll Call vote 11 yeas. So voted. Paul St. Cyr. (DPW) noted the need for a quick start in this area. C. Gitschier noted each department should be concerned with safety protocols. C. Robinson noted possible stipend for employee to oversee safety precautions. C. Gitschier questioned HVAC and Sustainability Department in same division. C. Rourke noted Manager could make needed changes moving forward and there should be no reason to not allow ordinance.

4. ANNOUNCEMENTS

In City Council, none.

5. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Yem, seconded by C. Robinson. So voted.

Meeting adjourned at 10:47 PM.

Michael Q. Geary, City Clerk

