



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** July 9, 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. Mercier requested moment of silence in darkened for Mary Jane Creegan and Robert Maria. C. Conway requested moment of silence in darkened chamber for Joyce Kelleher Glavin. C. Milinazzo requested moment of silence in darkened chamber for Francis Georges. M. Samaras and C. Leahy paid tribute to Mr. Georges and Ms. Creegan.

**Motion** by C. Kennedy, seconded by C. Mercier to take Item #9.2 out of order. So voted.

### 2. MAYOR'S BUSINESS

#### 2.1. Presentation - Healthy Aging Initiative.

In City Council, Sabrina Noel (UML Professor) outlined the Healthy Aging Initiative in terms of planning and future steps and how the City would be involved. C. Cirillo noted the effort being put forth in Boston. M. Samaras noted effort in Lawrence and commented that support by City is needed to enable grant funding to the effort. **Motion** by C. Cirillo, seconded by C. Kennedy to support advancement of the program. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott questioned if financial support was included in the vote and was informed that it was not.

Manager Donoghue took opportunity to introduce new Director of the Senior Center/Council on Aging, Lillian Hartman.



### 3. CITY CLERK

#### 3.1. Minutes of Economic Development SC March 26th and June 25th; City Council Meeting June 25th, for acceptance.

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

### 4. COMMUNICATIONS FROM CITY MANAGER

#### 4.1. Motion Responses.

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

**A) Motion Response - Summer Yard Waste Schedule** – Manager Donoghue noted the summer schedule. C. Nuon noted upgrade in communicating to residents. Manager Donoghue noted modes of communication being used. Ralph Snow (DPW) noted service was improving, less complaints and outlined the pick-up process. C. Mercier commented on compliance issues. C. Kennedy noted it was an improved approach with better communication.

**B) Motion Response - Canalwaters Cleaners** – C. Cirillo noted plan to assist the group.

**C) Motion Response - No Trespassing Signs on Favor Street** – C. Mercier noted signage was in place.

**D) Motion Response - Community Choice Aggregation** – Katherine Moses (DPD) commented on history of planning to have City become a greener community. Ms. Moses noted market was favorable to increase our renewables at lower costs. C. Cirillo commented on renewables. C. Leahy questioned use of energy consultants. Ms. Moses noted long term contract with current consultant. C. Nuon noted process to increase renewables in terms of new contract. The following registered speakers addressed the Council: Jonathan Grossman; Stephen Malagodi; Jay Mason; and Ty Chum. C. Elliott questioned information regarding rate increases. **Motion** by C. Cirillo, seconded by C. Kennedy to increase to 45% renewables over 26 month contract. Adopted per Roll Call vote, 9 yeas. So voted.

**E) Motion Response - 4-Way Stop Bowers and Fletcher** – Natasha Vance (Transportation Engineer) provide report to Council.



**F) Motion Response - Traffic Alert Protocols** – Ms. Vance noted report and use of protocols moving forward.

**G) Motion Response - Fire Truck Purchase** – C. Nuon commented on replacing apparatus. C. Leahy commented on time element to receive new equipment. Chief Winward (LFD) noted the process to building the trucks and engines. C. Leahy questioned acquiring new trucks. Manager Donoghue commented on funding sources. Chief Winward commented on use of grant money.

#### **4.2. Informational Reports**

**H) Informational Report - Diversity Working Group update** – Manager Donoghue noted it was a work in progress and commented on new initiatives and advances. C. Nuon noted it was a detailed report and commented on the efforts of the working group. Mary Callery (HR) commented on web presence and the use of social media and non-profit groups. C. Nuon questioned methods in retaining employees. Ms. Callery noted efforts of the working group. Nancy Do (HR) noted efforts to make application process easier and more trackable.

#### **4.3. Communication - City Manager request Out of State Travel (1) LPD.**

In City Council, read, **Motion** to adopt by C. Nuon, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted.

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

#### **5.1. VOTE-ACCEPT DONATION OF PROPERTY LOCATED AT 78 LEXINGTON AVENUE.**

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.

#### **5.2. VOTE-APPLY, ACCEPT, EXPEND MASSDEP GRANT.**

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.

#### **5.3. VOTE-AUTH CM EX TEMPORARY ACCESS AGREEMENT WITH BROADWAY STREET HOLDINGS INC RE 234 MT VERNON ST, 268 MT VERNON ST and 5 FARNHAM ST.**

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



**5.4. VOTE-AUTH CM EX LICENSE AGREEMENT LD HOLDINGS LLC-76  
MERRIMACK ST-SIDEWALK SEATING.**

In City Council, C. Kenned objected to second reading, matter to be placed on Council agenda for July 23, 2019.

**5.5. VOTE-AUTH CM EXECUTE SEWER USE AGREEMENT.**

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

**5.6. VOTE-APPROVAL TO EXPAND THE CITY OF LOWELL'S COMMUNITY  
CHOICE POWER SUPPLY PROGRAM.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted.  
Registered speaker was not present.

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

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

**7.1. Economic Development June 25, 2019.**

In City Council, C. Kennedy provided report regarding economic developments in the City noting there were two meetings to discuss the various projects. C. Kennedy noted the DPD highlighted current and future projects. **Motion** to accept the report as report of progress by C. Conway, seconded by C. Cirillo. So voted.

**7.2. Arts and Culture SC July 9, 2019.**

In City Council, C. Cirillo provided report regarding COOL and CASE projects and their partnership with the art community. **Motion** to accept the report as report of progress by C. Mercier, seconded by C. Nuon. So voted.

**8. PETITIONS**

**8.1. Claim - (1) Property Damage; (1) Personal Injury.**



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

## 9. CITY COUNCIL - MOTIONS

### 9.1. C. Conway - Req. City Mgr. meet with Supt. of Police to develop a plan to re-activate the "Crime Stoppers Hotline".

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Conway noted the program had been used by the City and it should be revitalized as it is a good tool for Lowell Police. Manager Donoghue noted the program was in place prior and that money is still available in the fund. C. Milinazzo questioned if there was any correlation with "See Something, Say Something" program. Manager Donoghue noted that the programs ran under slightly different regulations. C. Nuon noted it was a good preventative tool for the police.

### 9.2. C. Elliott/C. Mercier - Req. Monument Committee designate location at City Hall for a monument for Columbian community.

In City Council, no second needed, referred to City Manager/Monument Committee. Adopted per Roll Call vote, 9 yeas. So voted. Registered speaker, Beatrice Sierra, addressed the Council. C. Mercier noted DPD was assisting in forming the committee. C. Elliott noted the committee was being formed to assist the community with these requests. C. Elliott questioned time frame in these matters. Manager Donoghue noted that committee was very specific with membership and once formed they will formulate their regulations with the approval of the Council.

**Motion** to suspend rules to discuss City Auditor selection by C. Milinazzo, seconded by M. Samaras. So voted. Ms. Callery noted that resumes have been distributed and the body should make three picks to interview to move process along. C. Milinazzo noted that position should be reposted to enhance choices. C. Elliott favored reposting the position. C. Cirillo supported reposting the position. C. Leahy noted the position would benefit from reposting. C. Kennedy commented if position to be reposted than there may have to be a salary adjustment. C. Leahy indicated that if adjusted for this than should be some adjustment across board. Ms. Callery commented on budgeted salary as well as salaries in other communities. C. Kennedy stated that last time Auditor was selected the position got posted a second time. C. Elliott questioned salary adjustment. C. Conway noted that salary adjustment may not be the answer to enrich the applicant pool. Ms. Callery noted the various organizations that advertisements were placed. M. Samaras recommended direct contact with these organizations to identify candidates. C. Mercier noted the many organizations that had ads. C. Kennedy noted original posting was not for a long period of time and during tough time of year. **Motion** by C.



Kennedy, seconded by C. Cirillo to extend posting time for three additional weeks in addition to placing ad in Boston Globe. Adopted per Roll Call vote 9 yeas. So voted. C. Milinazzo noted that retirement board stipend should be included in the ad as that is additional salary. M. Samaras noted goal is to expand the pool.

**9.3. C. Mercier - Req. City Mgr. have proper department install a guardrail or 3 bollards in front of 74 White Street.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted request was done out of safety concerns.

**9.4. C. Mercier - Req. City Mgr. have Law Department provide a report regarding possibility of placing restrictions on large properties that could come off the tax rolls due to being sold to non-taxed entities ie; 1291 Middlesex Street.**

In City Council, seconded by C. Cirillo, referred to City Manager. So voted. C. Mercier noted goal was to keep property on the tax rolls. C. Milinazzo requested that PILOT Program information be included with the report. C. Leahy questioned legality of any restrictions.

**9.5. C. Cirillo - Req. the City Mgr. provide the City Council with an update as to the installation of an up-river gauge to use for improved dam control.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Cirillo requested update. C. Kennedy noted that placement of gauge should be moving forward.

**9.6. C. Cirillo - Req. the Environmental and Flood Sub/Committee meet with regards to the City of Lowell being at the table during Enel re-licensing process.**

In City Council, seconded by C. Kennedy, referred to Environment & Flood Issues SC. So voted. C. Cirillo noted it was a request from Pawtucketville organization. C. Kennedy noted attendance of prior meetings and that should be done again.

**9.7. C. Cirillo - Req. the City Mgr. have the proper department look into the crumbling concrete where the new Cherry Blossom trees were installed outside of the Leo Roy Garage.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Cirillo noted damage in the area. C. Mercier noted disrepair of Market Street sidewalk.



**9.8. C. Cirillo - Req. the City Mgr. have the proper department report to the City Council as to the condition of the memorials of both Leo Farley and Tom Whalen.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted the constituent request and identified where the memorials were located. C. Kennedy noted the importance of maintaining these memorials.

**10. ANNOUNCEMENTS**

In City Council, C. Nuon noted upcoming block party in South Common. **Motion** by C. Elliott, seconded by C. Kennedy to suspend rules to comment on recent letter regarding downtown establishment. So voted. C. Elliott commented that strict action should be taken against the establishment at 76 Merrimack Street for repeated violations. C. Kennedy noted that their request for seating was put off as he objected to second reading and that there is a License Commission on the matter before next Council meeting. City Solicitor O'Connor noted that no representative was present in the Chamber for the matter on the agenda.

**11. ADJOURNMENT**

In City Council, **Motion** to Adjourn by C. Kennedy, seconded by C. Cirillo. So voted.

Meeting adjourned at 8:48 PM.

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Michael Q. Geary, City Clerk