



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: July 28, 2020
Time: 6:30 PM
Location: Zoom / 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. Nuon requested moment of silence in darkened chamber for US Representative John Lewis. C. Mercier requested moment of silence in darkened chamber for John Mowett. C. Rourke requested moment of silence in darkened chamber for Kenneth Trott, Jr. and Stephen Botto, Jr. C. Elliott requested moment of silence in darkened chamber for Sam Sok.

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 may view the meeting via LTC and those wishing to speak regarding a specific agenda item shall register to speak in advance of the meeting by sending email to City Clerk indicating the agenda item and a phone number to call so that you may be tele-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. Nuon, seconded by C. Conway. So voted.



3. CITY CLERK

3.1. Minutes of Transportation SC joint with Public Safety SC July 14th; City Council Meeting July 14th, for acceptance.

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

4. GENERAL PUBLIC HEARINGS

4.1. Vote- Approve Appropriation Order FY21 One Twelfth Budget August.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt 1/12th budget of \$33,728,618 by C. Rourke, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. C. Rourke noted that State legislature adopted a three month budget and questioned if City would be doing the same. Manager Donoghue commented on the House Budget and that it would not affect the City process and that they would reassess when further information is available.

4.2. Ordinance- Create Citizens Advisory Committee.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Samaras, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Lowell High School Construction Schedule – C. Samaras requested further information regarding schedule. Manager Donoghue noted the timeframe for demolition and beginning of construction before the end of 2020.

B) Motion Response - Lowell High School Construction Traffic Management Plan – None.

C) Motion Response - MassDOT Shared Streets Program – C. Elliott noted the funding and the progress being done on outstanding issues.

D) Motion Response - School Reopening Planning – C. Rourke commented on the concerns for students returning to all schools and that all the facilities should be physically ready for return. C. Conway commented on the need for the schools to be



physically ready and water supply should be safe. Manager Donoghue commented on the efforts and inspections being done in cooperation with the School Department regarding regular opening of the schools and preparations for Covid safety. Manager Donoghue noted that the accelerated repair program as begun as well. Christine Clancy (DPW) noted that her department and School Department are identifying the work that needs to be done. C. Noun questioned time frame for students to return to schools. M. Leahy noted that three plans will be proposed and the main objective is safety.

E) Motion Response - Speed Hump Pilot Program – C. Elliott commented on the effort to get the humps and the need for them to reduce speed. C. Elliott noted it was a pilot program and will be monitored to ensure success. C. Mercier noted the need for the humps and that they are present in strategic locations throughout the City to enhance safety. Natasha Vance (Transportation Engineer) noted that the humps are placed on busy roads which will be a challenge and that it is a good time for the pilot program as there is less traffic on the streets. Ms. Vance noted the search to fund the pilot program which would provide valuable feedback. C. Conway noted that the public supports the program and that it will cut speed and should be successful. C. Chau questioned if locations could be added later. Ms. Vance noted that should would entertain and review all suggestions. M. Leahy questioned the use of warning signs for the humps. Ms. Vance commented that she would review the need for signs and move accordingly.

F) Motion Response - Lowell Student Police Academy – C. Rourke commented on the report. Maryann Ballotta (LPD) commented on the changes to the program and that it would be smaller groups and less dates due to Covid concerns. C. Chau noted that the interest in the program was still abundant as they are filled to capacity.

G) Motion Response - LPD Grant Funding – C. Rourke commented on the report and requested the representatives of the police review report entitled “Lowell Police Department – Grants Received Since 2007”. Asst. Superintendent Barry Golner commented on total number of grants received; Shannon Grants; Youth Initiative Grants; Justice and Mental Health Grants; Substance Use Disorder Grants; Domestic Violence Grants; and the numerous contributions to the community by the Lowell Superior and Patrol Officer’s Unions. Ms. Ballotta outlined the process of applying for and implementing grants. Manager Donoghue noted the amount of grants shared with our mental health community partners. Asst. Supt. Golner noted the increased training available to officers due to grant funding. M. Leahy noted the effort of the LPD to help all in the community. C. Rourke commented on contributions by the police in addition to protection and noted the generosity of the unions to all community members. **Motion** by C. Rourke, seconded by C. Conway to have City Manager send letter to all partners;



including non-profit organizations inquiring if they are interested in continuing the partnership with the Lowell Police Department. So voted. C. Conway noted it was an amazing report as it shows all of the contributions of the police and requested that the report be available on website to the public. C. Samaras noted the report shows all of the contributions of the LPD and the reasons citizens should support the police. C. Mercier commented on the contributions of the unions noting good people work for the City and that this information should not be a secret. C. Chau noted the LPD touches all of the community across a wide spectrum. C. Elliott noted the LPD is throughout the whole City and has been for many years with lots of partnerships. C. Nuon noted grants enhance partnership with the LPD. C. Drinkwater noted report was enlightening and impressive.

5.2. Informational Reports

H) Informational - FY2021 Budget Report – Manager Donoghue noted that information was used during prior Vote on 1/12th Budget.

I) Informational - Electoral Redistricting – Manager Donoghue called upon City Solicitor O'Connor to provide details regarding status of redistricting. **Motion** by C. Rourke, seconded by C. Nuon to take Item #11.6 out of order to discuss along with this agenda item. So voted. C. Rourke noted the need to begin extensive process. Solicitor O'Connor provided summary indicating the selection of an expert and time table moving forward. Solicitor O'Connor indicated that the City will be prepared with new system before next election and that body will be meeting in executive session and with Plaintiffs of lawsuit and that there will be public input as well. M. Leahy commented on participation in the 2020 Census. C. Rourke questioned scope of the expert employment. Solicitor O'Connor responded that he would only be used in drawing the new lines. Manager Donoghue noted that subcommittee would be receiving information. C. Nuon noted there must be ample time to convey information to the public.

5.3. Communication-Accept resignation Soumita Acharya -Sustainability Council.

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

5.4. Communication- Appoint George Procope -Alternate ZBA.

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



6. VOTES FROM THE CITY MANAGER

6.1. Vote- Transfer Rideshare Fund-DPD.

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.

7. ORDERS FROM THE CITY MANAGER

7.1. Order-60-day trial 7.28.20.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Motion by C. Mercier, seconded by C. Elliott to take Item #11.1 out of order. So voted. C. Mercier noted she would withdraw her motion (#11.1) as this order would cover her concerns. Ms. Vance outlined aspects of the Order.

8. RESOLUTIONS

8.1. Resolution-Adopt Resolution regarding Inclusiveness Equity and Racism.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Conway. Adopted per Roll Call vote 6 yeas, 3 nays (C. Drinkwater, M. Leahy, C. Nuon). So voted. Registered speaker, Cathy Mercado, addressed the Council. C. Elliott noted earlier discussion regarding resolution and voiced his support of it. C. Drinkwater noted he would not support the matter stating he agrees with the wording but commented the process was not reflective or inclusive. C. Drinkwater noted people want more than words, they want a seat at the table. C. Samaras supported matter noting that all members are listening to community there is just different ways to approach solutions. C. Samaras noted resolution was a good road map for success and it speaks to a lot of issues of concern. C. Rourke noted that resolution hits all major points and action is not about slogans but commitment to action. C. Chau noted the importance of the resolution as he is familiar with systemic racism and that votes should be about what is best for the community. C. Nuon noted resolution falls short and there needs to be more. M. Leahy noted the community wants more.

9. REPORTS (SUB/COMMITTEE, IF ANY)

In City Council, none.

10. PETITIONS

10.1. Claim - (1) Property Damage.



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

10.2. Misc. - Residents First Development Corp. (Atty. Kevin Murphy) request extension of zoning of 12.5 acres at Rivers Edge (Julian D. Steele Development).

In City Council, **Motion** to refer to Law Department to draft ordinance by C. Nuon, seconded by C. Mercier. So voted.

10.3. National Grid - Req. installation of (1) SO pole on Andrews Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on August 11, 2020 at 7PM by C. Nuon, seconded by C. Rourke. So voted.

10.4. National Grid - Req. installation of PVC conduit from new pole to existing manhole on Andrews Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on August 11, 2020 at 7PM by C. Rourke, seconded by C. Nuon. So voted.

11. CITY COUNCIL - MOTIONS

11.1. C. Mercier - Req. City Council create a residential parking sticker program for residents who abut the river in the River Road and Burnham Road area.

In City Council, C. Mercier withdrew motion. So voted.

11.2. C. Mercier - Req. City Mgr. provide answer as to why some were let into the Zoom meeting by way of video and others who asked were told no.

In City Council, seconded by C. Elliott, referred to City Manager/Rules SC. So voted. C. Mercier noted the protocol for subcommittee referrals and requested matter go to Rules SC. C. Mercier requested that report be issued as to circumstances at the July 14, 2020 Council Meeting and that no member should be ordering employees of the City to act. C. Mercier noted that process should be fair to all. C. Drinkwater commented on the event and his discussion with employees and noted he did not put an order on anyone. C. Conway noted that there should be no preferential treatment and that all should be dealt with fairly and that it should be investigated to ensure process is fair.

11.3. C. Elliott - Req. Rules SC meet to discuss protocol and procedures for conducting Zoom meetings.



In City Council, seconded by C. Rourke, referred to Rules SC. So voted. C. Elliott noted it was of concern because others were not afforded the same opportunity and it should be investigated and reported. C. Elliott further requested statement that was said from a participant in the July 14th meeting as it was crude and out of line should be investigated as well. C. Mercier requested that name of such person who made crude remark be included in the report. C. Rourke commented with sentiments of the body but noted that C. Drinkwater admitted to circumstances and body should follow the rules and move along.

11.4. C. Samaras/C. Elliott - Req. City Mgr. instruct the City Solicitor to investigate whether the residents can be asked to donate to the City's new Equity and Inclusion Fund in the next tax bill.

In City Council, no second needed, referred to City Manager. So voted. C. Samaras noted the need to know legal procedures and that other communities have implemented the process and that this is part of acting in accordance with prior resolution. C. Elliott supported motion and noted that it will show how generous this community is.

11.5. C. Conway - Req. City Mgr. reach out to our "non-profit" partners to generate a report from each organization that should include steps, plans, strategies, solutions and more that are provided for Lowell; furthermore, include the total yearly contributions and resources that City allocates to each.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Conway commented on the partnerships with common goals and gathered information will be helpful to make improvements. C. Samaras noted that partnerships need to work together. C. Elliott noted information would be helpful.

11.6. C. Rourke - Req. City Mgr. update Council regarding timeline for City to begin redistricting process as well as an update regarding when City will be forwarded the 2020 Census results.

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

11.7. C. Rourke/C. Nuon - Req. City Mgr. review current Zoning Code for areas to increase housing availability.

In City Council, no second needed, referred to City Manager. So voted. Matter was discussed under Item #5.2 (l) of this agenda.



11.8. C. Chau - Req. City Mgr. investigate upgrading the intersections of Wilder St. and Shaw St. from 2-Way stop signs to 4-Way stop signs.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Matthew Giroux, addressed the Council. C. Chau commented on the area and safety concerns.

12. ANNOUNCEMENTS

In City Council, C. Nuon noted recent grant to Lowell Community Health Center. C. Samaras requested information from Health Department regarding return to Council Chamber for meetings and thought that any return be delayed until September meetings. C. Mercier agreed as she just wanted to be fair to all members. C. Conway agreed with September dates. M. Leahy noted all members were in agreement. M. Leahy commented on Census returns. C. Mercier made note of updated City Hall hours.

13. ADJOURNMENT

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

Meeting adjourned at 9:10 PM.

Michael Q. Geary, City Clerk