



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 1, 2019

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

1. ROLL CALL

Roll Call showed 7 present, 2 absent (C. Cirillo, C. Mercier).

M. Samaras presiding. Mayor for the Day (Andrew Leite) present as well.

M. Samaras introduced Mr. Leite as Mayor of the Day who presided over the beginning of the meeting.

M. Samaras requested moment of silence in darkened chamber for Delores Dean Greene.

2. MAYOR'S BUSINESS

2.1. Recognition - Mayor For The Day: Anthony Leite.

In City Council, M. Samaras introduced Mr. Leite.

Motion to take Item #9.7 out of order by C. Kennedy, seconded by C. Elliott. So voted.

Motion to take Items #9.8 and #6.1 out of order by C. Milinazzo, seconded by C. Nuon. So voted.

2.2. Update - Lowell Celebrates Kerouac.

In City Council, **Motion** "To accept and place on file" by C. Kennedy, seconded by C. Conway. So voted. M. Samaras commented on program with Florida organization.



2.3. Communication - Lowell Sister City with Kalamata, Greece.

In City Council, **Motion** "To accept and place on file" by C. Kennedy, seconded by C. Conway. So voted. Registered speaker, Bill Kafkas, addressed the body regarding Sister City relationship.

3. CITY CLERK

3.1. Minutes of City Council Meeting September 24th, for acceptance.

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

4. UNFINISHED BUSINESS

4.1. C. Cirillo - Req. City Mgr. have proper department provide City Council with a report as to how we are protecting the City's government computer system from becoming infected with aggressive ransomware which encrypts hard drive data to prevent access.

In City Council, **Motion** by C. Elliott, seconded by C. Kennedy. So voted. C. Kennedy noted that the motion was timely and that it was important to protect the system.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Ranked Choice Vote Calculations – C. Nuon noted options for counting votes and wanted to answer concerns voters may have. Asst. City Solicitor Rachel Brown commented on two options available under the Consent Decree noting that counting votes does not affect operation of the voting system. Asst. Solicitor noted that there is a movement towards a fractured method of voting as it is the simplest. C. Elliott noted that ranked voting is complicated and should be avoided. C. Leahy noted best way to explain system is to have a mock election exercise. City Solicitor Christine O'Connor noted different examples to illustrate counting and commented that the City was not obligated to the Cambridge system. City Solicitor O'Connor noted costs associated with the Hybrid system and that regardless the voting machines in Lowell need to be upgraded. Manager Donoghue commented on different manners of informing public of choices and other referendums on the ballot. Manager Donoghue noted efforts of interim Elections Director, Elliott Veloso, for his oversight of the department. C. Kennedy noted that church pastors should be provided information so



that Hispanic community may be informed as well. C. Elliott questioned costs of the election.

B) Motion Response - Dumping at Clothing Bins – C. Elliott noted the use of cameras at sites as well as recognizing that bins are a source of income for many organizations.

C) Motion Response - Online Permitting – C. Elliott recognized moving forward with project and establishment of pilot program. Manager Donoghue noted cautious approach to protect our information software.

D) Motion Response - Summer Repairs and Maintenance HVAC Schools – C. Leahy noted efforts made to improve the system. C. Conway noted heating systems are functioning and that preventative maintenance is critical to buildings. C. Conway commented on the MSBA Repair Program. Manager Donoghue noted the need to ensure proper working systems until new facility is completed. Manager Donoghue commented on MSBA Repair program and the funding afforded to the City which would cover 80% of the approved projects. C. Milinazzo commented on lack of printers in the school system. Manager Donoghue noted contracts were not in place for the printers. Solicitor O'Connor commented on contract indicating that State vendors need to follow State contract guidelines and further noted her advice to School Administration was to have back-up plan if such contract terms cannot be met. C. Elliott noted issues arose during school year and that it was school administration who must secure the contract. C. Leahy commented to drop vendor and get new one. C. Kennedy questioned timing regarding addressing the issue. C. Conway noted the vendor does not seem reliable.

E) Motion Response - Potential Reorganization of DPW and Parks Depts. – None.

F) Motion Response - Potential to Combine School and City HR and Finance Depts. – C. Elliott commented on the report noting positions of the parties. Conor Baldwin (CFO) noted there would have to be MOU with school department approved by the School Committee. C. Elliott commented on the logistic concerns. C. Nuon noted that there still should be an effort to consolidate.

G) Motion Response - River Gauge – C. Kennedy commented on Enel and agreement with the City noting the gauge may be placed in a better location to indicate the height of the river. Manager Donoghue commented on the agreement with Enel noting the FERC would have jurisdiction over river gauges. Christine Clancy (City Engineer) noted FERC had existing protocols and that a gauge for resident use would need to be studied. C. Kennedy requested second look at gauge location outside of the agreement. C. Elliott requested investigating another location as a data point and on a pilot basis. C. Leahy commented on existing gauge and oversight of dam. Chief



Winward (LFD) commented on current gauge location and oversight. C. Milinazzo noted that UMass-Lowell may be of some assistance in this endeavor.

H) Motion Response - Pregnant Workers Fairness Act and Lactation Rooms – C. Conway noted that all buildings should have designated areas. Manager Donoghue noted that the schools must make their own decision on the areas. Mary Callery (HR) noted she would inform school department.

I) Motion Response - Pop-up Shops – Andrew Shapiro (DPD) commented on the report noting the process and examples of establishments. Mr. Shapiro commented on use of ordinances to regulate the industry.

J) Motion Response - Proposed Rule Changes – C. Conway commented on the location areas for protestors. Solicitor O'Connor noted the changes and the proposals. **Motion** to refer to Rules SC by C. Elliott, seconded by C. Milinazzo. So voted. C. Milinazzo noted that politicking in the Chamber has not been allowed in the past. C. Elliott noted the need to enforce rules and restore order.

5.2. Informational Reports

K) Informational - CPA Ballot Question – Manager Donoghue noted question would be on ballot as well as two other questions regarding Voting Rights litigation. C. Kennedy noted there needs to be clarity on ballot questions. Eric Slagle (Insp. Services) noted that wording on ballots are governed by State law and not sure regarding summaries of questions. C. Nuon noted concern with wording. Solicitor O'Connor noted she would review issue and have best approach for an understandable ballot. C. Milinazzo questioned if Lowell Sun would be doing informational piece regarding election. Manager Donoghue noted mailing would be going to voters as well.

L) Informational- PARC Grant Award – Manager Donoghue commented on the grant and what it would be used for as well as the process to comply with its terms.

5.3. Communication - City Manager request Out of State Travel (1) Development Services; (1) LFD; (1) LPD.

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Conway. Adopted per Roll Call vote 7 yeas, 2 absent (C. Cirillo, C. Mercier). So voted.

6. ORDERS FROM THE CITY MANAGER

6.1. ORDER-60 DAY TRIAL.

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Conway. Adopted per Roll Call vote 7 yeas, 2 absent (C. Cirillo, C. Mercier). So voted. Registered



speakers, Deb Belanger and Cindy Deschene, addressed the body. C. Elliott noted concern with idling busses on the street. C. Leahy noted that idling busses should be re-routed.

7. REPORTS (SUB/COMMITTEE, IF ANY)

None.

8. PETITIONS

8.1. National Grid / Verizon NE - Req. permission to relocate (1) JO pole at 493 Market Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 15, 2019 at 7 PM by C. Kennedy, seconded by C. Conway. So voted.

8.2. Crown Castle NG East, LLC - Req. permission to extend existing fiber network on Westford Street down Technology Drive.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 15, 2019 at 7 PM by C. Milinazzo, seconded by C. Conway. So voted.

8.3. National Grid - Req. permission to install SCADA system to comply with latest safety standard at the intersection of Hale and Chelmsford Streets.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 15, 2019 at 7 PM by C. Nuon, seconded by C. Milinazzo. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Conway - Req. City Mgr. report on new regulations for marijuana social consumption sites and home delivery, including what impact they may have on City ordinances and what options the City may have.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Conway noted the current regulations from the Commission regarding home delivery and social use settings and that the City needs to be out ahead of any issues. Manager Donoghue noted that the regulations were recent and that she would provide a report on the matter once reviewed. C. Elliott noted there are existing challenges and City does not need any further ones.

9.2. C. Mercier - Req. City Mgr. find ways and means to put City Hall clock back to full working order.



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

9.3. C. Elliott - Req. City Mgr. provide update on application to Municipal Vulnerability Preparedness Program.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Elliott noted motion was self-explanatory.

9.4. C. Leahy - Req. City Council begin the process to appoint a member to the Greater Lowell Vocational School Board to fill existing vacancy.

In City Council, seconded by C. Elliott, referred to City Manager/Mayor. So voted. C. Leahy commented on turnaround time. C. Milinazzo questioned process and ability of outgoing Councilors to select. C. Noun noted the need to begin process to get word out there. Manager questioned posting of the position. **Motion** by C. Leahy, seconded by M. Samaras to post for two weeks after which time establish meeting to interview and select candidate. So voted.

M. Samaras relinquished Chair to Vice-Chair Nuon at 8:32 PM.

9.5. M. Samaras - Req. City Mgr. instruct the proper department to install speed monitoring sign on Aiken Avenue.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Samaras commented on the area.

9.6. M. Samaras - Req. City Mgr. instruct the proper department to provide an update regarding the status of the City's adopt-an-island program.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Samaras commented on the program and noted the need to review areas. Manager Donoghue noted she would provide report and update the program.

9.7. M. Samaras - Req. City and School Department work together to allow the Lowell Fire Department to introduce opioid safety instruction to the Lowell Public Schools.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. Mayor for the Day Leite commented on the current program and the efforts of the LFD to educate all on these issues. C. Nuon noted the need to keep program moving forward.



Chief Winward (LFD) commented on the educational element of the department and the need for it. M. Samaras noted the need to have a liaison with the schools.

9.8. M. Samaras - Req. City of Lowell begin the formal process to establish a sister-city relationship with Kalamata, Greece.

In City Council, seconded by C. Kennedy, referred to City Manager/Mayor. So voted. M. Samaras commented on the heritage and pride of the community. C. Kennedy commented on the prior remarks of Mr. Kafkas. C. Conway noted great relation with other sister cities in Greece.

9.9. M. Samaras - Req. City Mgr. provide an update regarding ongoing projects being completed in cooperation between the City of Lowell and UMass-Lowell.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Samaras noted the working partnership and that it should continue. Manager Donoghue noted the continued cooperation with UMass-Lowell.

10. ANNOUNCEMENTS

In City Council, C. Elliott noted letter regarding upcoming event concerning Jack Kerouac. Manager Donoghue commented on cleaning of Burnham Road by volunteers.

11. ADJOURNMENT

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

Meeting adjourned at 8:40 PM.

Michael Q. Geary, City Clerk