



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 4, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 11 present.

M. Chau presiding.

C. Nuon requested moment of silence in darkened chamber for His Holiness Vija Sampano Chhourm Sambo. M. Chau noted the life and accomplishments of His Holiness.

Motion by C. Robinson, seconded by C. Gitschier to take Item #4.3 out of order. So voted.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). 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 Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom -

[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

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

2.2. Presentation - Hoops For Hope/Play For A Purpose 2022 (Jay Grasso/Phil Arsenault).



In City Council, **Motion** “To accept and place on file” by C. Nuon, seconded by C. Yem. So voted. Dr. Drake outlined the history of the program. Mr. Grasso noted the upcoming event. Mr. Arsenault commented on the support from the community.

3. CITY CLERK

3.1. Minutes Of Arts And Cultures SC September 27th; City Council Regular Meeting September 27th, For Acceptance.

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

Motion by C. Robinson, seconded by C. Nuon to take Item #11.3 out of order. So voted.

Motion by C. Robinson, seconded by C. Drinkwater to take Item #11.6 out of order. So voted.

4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

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

A) Motion Response – Monkeypox – C. Nuon commented on the report. Lisa Golden (HHR) outlined the report noting procedures in place for an outbreak. Manager Golden, Jr. introduced new Homeless Coordinator, Maura Fitzpatrick, who addressed the Council.

B) Motion Response - Fleet Status – C. Leahy noted the report. C. Gitschier commented on the replacement plan and that ARPA funding will assist but a major problem still exist with the fleet as to the age of the LFD vehicles. C. Gitschier noted that the fact of so many vehicles being beyond service date indicates poor management. Manager Golden, Jr. noted next capital plan will included added vehicles for the department which would be funded by bonds. C. Yem noted that equipment must be up to date to ensure safety for community and employees. C. Rourke noted the forward thinking by the administration to address the fleet.

C) Motion Response - Aiken Street Bridge Maintenance – C. Gitschier noted lack of effort to repair and maintain this asset. Manager Golden, Jr. noted assistance of MassDOT and that there will be a maintenance account established in the budget.

D) Motion Response - Burnham Road and Andover Street – C. Gitschier commented on residents’ concerns. C. Mercier noted improvements in the area and that barrels should be moved to widen driving area. C. Leahy noted the need to widen the passing lane. Ting Chang (City Engineer) noted time line for completion of the project.



E) Motion Response - Lighting Issue Prescott Street – C. Jenness noted improvements in lighting but commented on need to fill in some dark areas. Mark Byrne (DPW) noted lights will be added to the area as well as enhancing existing lighting.

F) Motion Response - Hiring of Staff Maintain Renovated LHS – C. Gitschier noted the new position. Manager Golden, Jr. noted the position is reporting to the DPW commissioner and not separate department. C. Gitschier noted the need to have a separate entity to be in charge of high school only. C. Gitschier noted management can assign personnel as they please.

G) Motion Response - Gun Fire Fireworks – C. Scott noted the concerns to pinpoint shooter in a community. Supt. Goldner (LPD) noted they were testing many systems to get the best fit for the City. C. Yem noted advanced technology at lower costs. C. Mercier commented on the use of grant money to be used to fund the system.

H) Motion Response - Noise Levels – C. Drinkwater noted the use of machines to monitor noise levels and commented on the permitting process. C. Leahy questioned the process and noted they should end event at an earlier time.

I) Motion Response - Pole Mounted Speed Monitors – M. Chau commented on the purchase of equipment.

J) Motion Response - National Grid Fence – C. Yem noted improvements in the area.

K) Motion Response - Fowler Road at Varnum Ave with Attachment – C. Rourke requested that residents be kept informed in that area.

L) Motion Response - Citywide 25 MPH with Attachments – Motion by C. Rourke, seconded by C. Jenness to refer matter to Law Department to draft ordinance establishing a 25 MPH speed limit in the City. So voted. C. Leahy noted there would be growing pains with the ordinance and that enforcement needs to be sufficient. (Traffic Engineer) commented on disbursing information to the public. C. Nuon noted the effort to implement the ordinance and the use of signage to assist. C. Jenness noted the efforts of all departments and that the speed limit is important for the City and that information should go out to all groups. C. Robinson noted signage will be important. Manager Golden, Jr. commented on process moving forward. C. Rourke noted effort needed to implement.

M) Motion Response - Bridge and VFW – C. Robinson noted timing of the lights need adjustment.

N) Motion Response - Dutton and Broadway – C. Yem noted the report. C. Jenness the use of the road has changed since signage was installed. C. Jenness noted the need for bollards need to be reevaluated.



O) Motion Response - Merrimack RRFB – C. Jenness commented that installation of system will improve safety in that area.

P) Motion Response - 4 Way Stop Sign Suffolk and Broadway – C. Yem requested further improvements in that area.

Q) Motion Response - Manufacturers St Speed Table – None.

4.2. Informational Reports

Informational - Presentation on American Rescue Plan Act ("ARPA") Budget & Spending Allocations

Registered speaker, US Representative Lori Trahan, addressed the body regarding federal funding towards the City. Manager Golden, Jr. opened presentation entitled "American Rescue Plan Act (ARPA) presentation to the Lowell City Council". Manager Golden, Jr. outlined the amount of money funded (75 million dollars); time line for spending; eligible categories; public sessions (3); and funding by category. Manager Golden, Jr. outlined the following categories funded: social impact; Lowell Fire Department; neighborhoods; buildings; water/sewer; economic development; non-profits; and public health. Manager Golden, Jr. noted goal was to get money on the streets as quick as possible. C. Yem commented on the need for equipment to protect employees. C. Yem questioned how neighborhood groups can become part of the process. C. Robinson commented on the social impact funding as well as neighborhood funding in relation to process and how they could supplement grants. Manager Golden, Jr. noted the funds can be added to existing grants. Brendan Flynn (ARPS Manager) noted that funds cannot be used to match federal grants. C. Scott questioned what next step for external groups to request funds is. Mr. Flynn outlined the process for external funding. C. Scott questioned if ERSA money has been committed by the school administration. C. Scott questioned availability of premium pay. Manager Golden, Jr. commented on those payments. C. Drinkwater noted that funded capital expenditures will save taxpayers bonding costs. C. Drinkwater noted social impact funding is critical in this City. Manager Golden, Jr. noted that CDBG programs will be funded and there would be a determination of which programs are sustainable. C. Drinkwater requested all information be provided to the non-profit groups. C. Jenness requested presentation materials be made available to the public. C. Jenness noted funds were in an interest bearing account until disbursed. Mr. Baldwin noted that all interest will be deposited into General Fund revenues and that all expenditures will be available for public view in real time via the dashboard on the website. C. Jenness requested quarterly reports on the disbursement of funds. Mr. Flynn noted that would be provided. C. Jenness noted confidence that each expenditure is authorized under the statute. Manager Golden, Jr. noted consultant (Powers and Sullivan) provided their recommendations in this area. C. Mercier noted some money was already disbursed. Mr. Flynn indicated that there was nine million dollars spent to date. C. Gitschier noted deadline for spending or encumbering the money and further noted that this document is not final authority on spending as it is a living document. C. Gitschier noted current spending covered revenue losses. C. Gitschier noted disagreement regarding no being able to use funds for Lowell High School project. C. Nuon commented on social impact programs. Manager Golden, Jr.



noted possible partnership with MassHire. C. Nuon questioned social impact use to assist with heating costs. Manager Golden, Jr. noted that possibility and engaging Mass Save for assistance. C. Nuon noted the need to reach out to all partners of the City. C. Yem questioned funding for broadband infrastructure. Manager Golden, Jr. noted possible use of funds to expand broadband. C. Yem noted agreement with social impact funding. C. Jenness requested all information be available in various languages. C. Jenness requested a national consultant review approval of expenditures. M. Chau noted it was an inclusive report.

Motion by C. Yem, seconded by C. Rourke to bundle and waive second reading of Items #5.1 to #5.4, inclusive. So voted.

5. VOTES FROM THE CITY MANAGER

5.1. Vote - Accept Donation Of \$5,000 From DCU.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Rourke. Adopted by Roll Call vote 11 yeas. So voted.

5.2. Vote - Accept/Expend \$429,979 FY22 Body-Worn Camera Policy And Implementation Program Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Rourke. Adopted by Roll Call vote 11 yeas. So voted.

5.3. Vote - Authorize CM Ex. Temporary Access Agreement With Broadway Street Holdings, Inc.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Rourke. Adopted by Roll Call vote 11 yeas. So voted. C. Yem questioned ownership of the property and requested a cleanup.

5.4. Vote - Authorize CM Proceed Under MGL 30B Centrisys Corporation 5 Years.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Rourke. Adopted by Roll Call vote 11 yeas. So voted.

6. ORDERS FROM THE CITY MANAGER

6.1. Order - 60 Day Trial.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Leahy, seconded by C. Drinkwater. Adopted by Roll Call vote 11 yeas. So voted.

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance - Create Position Cross-Connection/Backflow Administrator.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 18, 2022 at 7 PM by C. Gitschier, seconded by C. Mercier. So voted.



8. RESOLUTIONS

8.1. Resolution - Hispanic Heritage Month.

In City Council, Read twice, full reading waived with no objections. Registered speakers, Marie Aybar and Diego Leonardo, addressed the body. **Motion** to adopt by C. Nuon, seconded by C. Jenness. Adopted by Roll Call vote 11 yeas. So voted.

8.2. Resolution - International Overdose Awareness Day.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Rourke. Adopted by Roll Call vote 11 yeas. So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Auditor/Clerk Oversight And Personnel SC October 4, 2022.

In City Council, C. Gitschier noted he would file report at next Council Meeting on October 11, 2022.

10. PETITIONS

10.1. Claims - (2) Property Damage.

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

10.2. Misc. - Bonnie Whitehouse Request Installation Of Handicap Parking Sign At 64 Lilley Avenue.

In City Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Nuon, seconded by C. Scott. So voted.

10.3. Misc. - Ruben Ceballos Request Installation Of A Handicap Parking Sign At 63 Mount Vernon Street (Apt. 1).

In City Council, **Motion** to refer to refer to Law Department to prepared a 60 Day Trial Order by C. Gitschier, seconded by C. Mercier. So voted.

10.4. Misc. - Muhammad Usman Yousaf Request Removal Of A Handicap Parking Sign At 86 Third Street.

In City Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Yem, seconded by C. Scott. So voted.

10.5. National Grid/Verizon NE - Request Installation Of (1) JO Pole On 135-155 Chelmsford Street.



In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 18, 2022 at 7 PM by C. Drinkwater, seconded by C. Jenness. So voted.

10.6. National Grid - Request Installation Of Underground Electric Conduit At 135-155 Chelmsford Street.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on October 18, 2022 at 7 PM by C. Robinson, seconded by C. Mercier. So voted.

11. CITY COUNCIL - MOTIONS

11.1. C. Gitschier - Req. City Mgr. Have Proper Department Look At Traffic Measures At Lowell Catholic On Stevens Street During Pick-Up And Drop-Off Times.

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

11.2. C. Gitschier - Req. City Mgr. Update The City Council On Current Utility Rates, Agreement Terms And Costs Saving Measures Going Forward.

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

11.3. C. Robinson/C. Gitschier - Req. City Mgr. Dedicate/Name The Lowell Senior Center After Councilor Rita Mercier.

In City Council, no second needed, referred to City Manager. Adopted as amended by Roll Call vote 10 yeas, 1 abstain (C. Mercier). So voted. Registered speaker, US Representative Lori Trahan, addressed the Council. C. Gitschier requested motion be amended to include that no signage or outward recognition of the honor be placed in or on the building until after C. Mercier no longer is serving as a City Councilor. No objections. C. Gitschier noted the amendment was necessary as the building is a polling location in the City. C. Gitschier noted C. Mercier has been involved with the Center her entire life and is deserving of the dedication. C. Robinson noted the opportunity to recognize work during her lifetime as a dedicated public servant. C. Rourke noted the Senior Center is the house that C. Mercier built. C. Scott noted C. Mercier was deserving of the honor. C. Yem noted C. Mercier has dedicated her life to seniors and the people of this City. C. Nuon noted C. Mercier has dedicated three decades of her life to public service. C. Leahy noted it is a well deserved honor. C. Jenness noted putting name of building makes perfect sense. M. Chau noted C. Mercier deserves it more than others and it is the right thing to do. C. Mercier thanked the body noting she was very grateful and it is an honor to serve so many people.

11.4. C. Robinson - Req. City Mgr. Have Proper Department Put Council Rules On City Website So They Are Accessible To The Public.

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



11.5. C. Robinson - Req. City Mgr. Begin Conversations Around A Possible Partnership With Lowell Catholic With Focus On Improvements To Fields They Are Utilizing For Athletics.

In City Council, seconded by C. Gitschier, referred to City Manager. So voted. C. Robinson requested report to reengage parties in discussion

11.6. C. Rourke - Req. City Council Vote To Compensate The Greater Lowell Technical High School Committee, Lowell Members, A Stipend Of \$5,000 Annually To Be Allocated By Their Annual Budget.

In City Council, seconded by C. Yem, referred to City Manager. Adopted per Roll Call vote 10 yeas, 1 abstain (C. Gitschier). So voted. Registered speaker, Fred Bahou, addressed the body. C. Gitschier abstained from any discussion on the matter and left the Chamber. C. Rourke commented on the amount of time and effort of the City's representative to the school and the community. C. Rourke noted other communities must approve as well. C. Robinson questioned process and that the amount was a minimum ask. C. Mercier noted it was not an issue based on the amount of time put into task. C. Yem noted the quality of the school and was supportive of marriage.

Motion by C. Mercier, seconded by C. Jenness for point of discussion. So voted. C. Mercier opened discussion regarding having technical teaching at Lowell High School to cover those who cannot attend vocational school due to lack of positions. Motion by C. Scott, seconded by C. Mercier to refer discussion to Education Partnership SC. So voted.

11.7. C. Rourke - Req. City Mgr. Have The Law Department Review Rules And Regulations Pertaining To Use Of State Forests And Open Space In Our Neighboring Communities, For The Purpose Of Drafting And Adopting Similar Regulations With Respect To The City's Open And Recreational Spaces.

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

11.8. C. Jenness - Req. City Mgr. Have Proper Department Improve Availability Of Information On The City's Website Regarding Public Participation In Meetings, Such As Registering To Speak On A Topic.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Jenness commented on the need to give people knowledge regarding participation.

12. ANNOUNCEMENTS

In City Council, M. Chau recognized Breast Cancer Awareness Month.



13. ADJOURNMENT

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

Meeting adjourned at 9:55 PM.

Michael Q. Geary, City Clerk